

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on April 7, 2009.

Mayor David W. Cline presided and called the meeting to order at 6:30 p.m.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Joe McKenzie, YEA Commissioner David Schilling, YEA Mayor David Cline.

Also physically present were City personnel: City Administrator Alan Gilmore, Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Water Treatment Plant Superintendent Jim Lang, Information Technology Director Brian Johanpeter, Community Development Coordinator Kyle Gill, Police Chief David Griffith, Fire Chief Mike Chism, Assistant Fire Chief Andy Adair, and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Schilling moved to approve the consent agenda consisting of minutes of the regular meeting March 17, 2009; Police Department report for the month of February and Fire Department report for the month of March; payroll and bills for the last half of March, 2009.

Bills and Payroll for last part of March, 2009

<u>General Fund</u>		
Payroll		\$ 492,870.07
Bills		<u>\$ 202,775.86</u>
	Total	\$ 695,645.93
<u>Hotel Tax Fund</u>		
Payroll		\$ 1,618.08
Bills		<u>\$ 3,236.16</u>
	Total	\$ 4,854.24
<u>Festival Management</u>		
Bills		<u>\$ 5,983.40</u>
	Total	\$ 5,983.40
<u>Insurance & Tort Judgment</u>		
Bills		<u>\$ 12,403.92</u>
	Total	\$ 12,403.92
<u>Firefighters Pension Fund</u>		
Bills		<u>\$ 332.00</u>
	Total	\$ 332.00
<u>Police Pension Fund</u>		
Bills		<u>\$ 332.00</u>
	Total	\$ 332.00
<u>Water Fund</u>		
Payroll		\$ 33,765.52
Bills		<u>\$ 63,674.68</u>
	Total	\$ 97,440.20
<u>Sewer Fund</u>		
Payroll		\$ 30,214.27
Bills		<u>\$ 66,051.79</u>
	Total	\$ 96,266.06
<u>Cemetery Fund</u>		
Payroll		\$ 3,808.88
Bills		<u>\$ 7,614.00</u>
		\$ 4,003.40
	Total	

Health Insurance

Bills		\$ 153,102.03
	Total	\$ 153,102.03

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline opened the floor for presentations, petitions and communications.

Mr. Terry Tomer re-iterated his request for open discussion after each motion and council discussion. Council discussed the future possibilities and consideration.

Mr. Herb Meeker of the Journal Gazette inquired as to the chemical bids increases over last year; FutureGen's promissory note; and the opening date for the restaurant receiving TIF monies. Director Wortman and Superintendent Lang responded with a re-bidding of alum due to a 33% increase and the taste/odor of the water not a result of alum. Attorney & Treasurer Owen stated there was no reflection of Washington D.C.'s consideration for the promissory note, which only extends the letter of credit for one year for Coles Together pledges to be realized. Administrator Gilmore stated the restaurant should be opening soon.

Director Wortman stated the South Side Drainage bid date in CDR 2009-948 was changed to May 12, 2009, due to an easement purchase to be made, and noted the plans were available in the Public Works Office.

Mayor Cline seconded by Commissioner Ervin moved to approve Council Decision Request 2009-945, authorizing the Mayor and Police Department designee to execute the ICJA (Illinois Criminal Justice Information Authority) Grant application for 75% up to \$18,000 for a Police Department vehicle grant.

Mayor Cline called for questions or comments. Commissioner McKenzie inquired whether the authorization was limited to one vehicle. Mayor Cline answered affirmatively.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner McKenzie moved to approve Council Decision Request 2009-946, approving quote from Fuller-Wente for the boring of an 8" water main on Marshall Avenue in the amount of \$11,218.50.

Mayor Cline called for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Schilling moved to approve Council Decision Request 2009-947, approving the plans and specifications for the Roundhouse Multi-Sports Complex Project; and authorizing the solicitation for competitive bids. OSLAD Grant

Mayor Cline called for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner McKenzie moved to approve Council Decision Request 2009-948, approving the plans and specifications for South Side Storm Water Detention Basin Construction Project; and authorizing the solicitation for competitive bids with a bid date change to May 12, 2009.

Mayor Cline called for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Ervin moved to approve Council Decision Request 2009-949, approving the plans and specifications for two separate sidewalk projects along Broadway and Western Avenues; and authorizing the solicitation for competitive bids.

Mayor Cline called for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2009-950, awarding the 2009 Water Treatment Plant chemical bids as follows:

Continental Carbonic	CO2	\$ 9,300.00;
Alexander Chemical	Carbon	\$44,400.00;
SAL Chemical	Polymer	\$21,480.00;
Brenntag	Chlorine	\$ 6,982.50;
Brenntag	Fluoride	\$18,400.00;
Water Soln Unlimited	Ammonia	\$18,000.00;
Carus Chemicals	Polyphosphate blend	\$22,575.00.

Mayor Cline called for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Hall moved to approve Council Decision Request 2009-951, approving bid specifications and authorizing a competitive solicitation for the Exhaust System Grant for fire stations in the amount of \$74,000 with a 5% City match.

Mayor Cline called for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline inquired whether the permits for the home occupations were on a timeline. Coordinator Gill was not aware of timelines for the businesses. Council questioned whether the neighbors were notified or reviewed by any other Boards. Coordinator Gill responded negatively to the inquiries and stated reasons for home occupancies versus variances. Mayor Cline stated the considerations were to be pulled and placed on the next agenda.

Council Decision Request 2009-952, approving a home occupation application and authorizing the Mayor to sign a permit to enable a beauty shop use at 704 Oklahoma by Dusty Arthur was pulled from the agenda.

Council Decision Request 2009-953, approving a home occupation application and authorizing the Mayor to sign a permit to enable a massage therapy business use at 3228 Champaign Avenue by Jennifer Mast was pulled from the agenda.

Commissioner Schilling seconded by Commissioner McKenzie moved to approve Council Decision Request 2009-954, accepting the recommendation of Mid-town TIF Incentive Review Committee for the Jan Kroening (J&T Enterprises) project located at 1626 Broadway Avenue granting an annual subsidy up to \$5,327 disbursed over a five-year term subject to the availability of funds for roof replacement, façade renovations, and electrical upgrades.

Mayor Cline called for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Schilling seconded by Commissioner Ervin moved to adopt Special Ordinance 2009-1325, authorizing the Mayor and City Clerk to sign a promissory note and associated documents with First Mid-Illinois Bank & Trust, N.A. for the FutureGen Project.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2009 - 1325

A SPECIAL ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN A PROMISSORY NOTE AND ASSOCIATED DOCUMENTS WITH FIRST MID-ILLINOIS BANK & TRUST, N.A. FOR THE FUTUREGEN PROJECT

WHEREAS, On December 18, 2007 Mattoon was selected by the FutureGen Industrial Alliance, Inc., a Delaware 501(c)(3) non-profit corporation, as the site for the construction of the world's first near-zero emissions coal fired power plant; and,

WHEREAS, Coles Together made certain incentive offers to the FutureGen Industrial Alliance to induce them to choose Mattoon as the site for this project; and,

WHEREAS, by Special Ordinance 2008 - 1285, the City of Mattoon has approved an Intergovernmental Agreement with Coles Together containing the terms and conditions pertaining to the procurement by the City of Mattoon of an irrevocable letter of credit and other borrowing to satisfy one of those incentive offers; and,

WHEREAS, City of Mattoon desires to ensure that this project moves forward in a timely manner, believes that this project is of the utmost importance to the citizens of Mattoon and knows that it is in the best interest of the citizens of Mattoon to provide assistance to Coles Together; and,

WHEREAS, by Special Ordinance 2008 – 1286, the City of Mattoon approved a letter of credit from First Mid-Illinois Bank & Trust, N.A. in the amount of Three Million and no/100 Dollars (\$3,000,000.00) to satisfy the incentives offered by Coles Together; and,

WHEREAS, since the issuance of that letter of credit the Futuregen Industrial Alliance has been provided the Three Million and no/100 dollars (\$3,000,000.00) by a combination of donations to Coles Together and borrowing on the letter of credit; and,

WHEREAS, that letter of credit has expired and the principal amount remaining outstanding on the letter of credit is Two Million Sixty-Eight Thousand Eighty-Three and 67/100 Dollars (\$2,068,083.67); and,

WHEREAS, The City desires to transfer the amount remaining on the letter of credit into a promissory note for a period of one (1) year to allow Coles Together to collect on the remaining pledges it has received on this project; and,

WHEREAS, the primary missions of the City of Mattoon are economic development and the creation of jobs for Mattoon and the surrounding areas; and

WHEREAS, the FutureGen project will be of historic proportions in terms of jobs and economic development for the City of Mattoon and all of Central Illinois; and,

WHEREAS, the Constitution of the State of Illinois, at Article VII, Section 10 and the Statutes of the State of Illinois allow for the City of Mattoon to provide this type and form of development assistance to individuals and organizations.

WHEREAS, the Illinois Statutes, at 65 ILCS 5/8-1-3.1, allow the City of Mattoon to execute the type of obligation provided for in this Special Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Special Ordinance.

Section 2. The Mayor and City Clerk are authorized and directed to sign the attached documents, attached hereto as Exhibit "A" and incorporated herein by this reference, for the issuance of a promissory note in the principal amount of Two Million Sixty-Eight Thousand Eighty-Three and 67/100 Dollars (\$2,068,083.67) by First Mid-Illinois Bank & Trust, N.A. on behalf of Coles Together.

Section 3. The Mayor and City Clerk are also authorized to do any act and sign any additional documents necessary to implement the intent of this Ordinance. Including, but not limited to, signing one twelve (12) month extension of this note if the note is not paid in full by March 16, 2010.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Upon motion by Commissioner Schilling, seconded by Commissioner Ervin, adopted this 7th day of April 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall
Commissioner McKenzie, Commissioner Schilling
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 7th day of April, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 8, 2009.

Mayor Cline called for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin adjourned at 6:54 p.m.

Attorney & Treasurer Owen announced a special council meeting on April 9, 2009 for budgeting discussion, inviting the commissioners-elect, and commencing with an executive session to discuss personnel.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

/s/ Susan J. O'Brien
City Clerk