

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on June 7, 2011.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover 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 Chris Rankin, YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Sue McLaughlin, Attorney & Treasurer J. Preston Owen, Community Development Coordinator Kyle Gill, Public Works Director Dean Barber, Police Chief Jeff Branson, and City Clerk Susan O'Brien.

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting May 17 and special meeting May 31, 2011; bills and payroll for the last half of May, 2011, and HOME Rehab Expenditures.

Bills and Payroll for the last half of May, 2011

	<u>General Fund</u>		
Payroll		\$	277,334.17
Bills		\$	<u>278,719.93</u>
	Total	\$	556,054.10
	<u>Hotel Tax Fund</u>		
Payroll		\$	2,053.65
Bills		\$	<u>6,328.72</u>
	Total	\$	8,382.37
	<u>Festival Management Fund</u>		
Bills		\$	<u>1,523.81</u>
	Total	\$	1,523.81
	<u>Capital Project Fund</u>		
Bills		\$	<u>3,968.99</u>
	Total	\$	3,968.99
	<u>I-57 East TIF Fund</u>		
Bills		\$	<u>420.36</u>
	Total	\$	420.36
	<u>Water Fund</u>		
Payroll		\$	30,774.36
Bills		\$	<u>120,979.49</u>
	Total	\$	151,753.85
	<u>Sewer Fund</u>		
Payroll		\$	34,132.31
Bills		\$	<u>29,573.45</u>
	Total	\$	63,705.76
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	<u>14,129.28</u>
	Total	\$	14,129.28
	<u>Health Insurance Fund</u>		
Bills		\$	<u>205,969.03</u>
	Total	\$	205,969.03

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Rankin moved to approve Council Decision Request 2011-1215, ratifying the Mayor's appointment of Bob Becker as Commissioner to succeed Commissioner Tim Gover for a term on the City Council expiring with the next municipal election, due to the election of Mayor Tim Gover.

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

City Clerk O'Brien administered the oath of office to Robert (Bob) D. Becker as duly-appointed Commissioner for the City of Mattoon.

PRESENTATIONS, PETITIONS & COMMUNICATIONS

Mayor Gover opened the floor for public comments and presentations. Mrs. Jackie Record requested with the passage of the Tree Trimming Policy to have a reappointment of the Tree Commission and tree replacement program. Mayor Gover referred the matter to Administrator McLaughlin and Director Barber.

Mayor Gover opened the floor for other public discussion with no responders.

NEW BUSINESS:

Mayor Gover seconded by Commissioner Ervin moved to adopt Resolution 2011-2843, assigning members of the City Council to Departments for the administration of the municipal government.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2011-2843

A RESOLUTION ASSIGNING MEMBERS OF THE CITY COUNCIL TO DEPARTMENTS FOR THE ADMINISTRATION OF THE MUNICIPAL GOVERNMENT

BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

BE IT RESOLVED that the powers and duties of the Commissioners assigned to the following Departments were established by Sections 33.015 through 33.055 of the municipal code of the City of Mattoon, Coles County, Illinois:

- (A) Department of Public Affairs,
- (B) Department of Accounts and Finances,
- (C) Department of Streets and Public Improvement,
- (D) Department of Public Property
- (E) Department of Public Health and Safety.

BE IT FURTHER RESOLVED that the following members of the City Council are assigned to the foregoing Departments:

Timothy D. Gover to the Department of Public Affairs.

- (A) Randy Ervin to the Department of Accounts and Finances.
- (B) Bob Becker to the Department of Streets and Public Improvement.
- (C) Chris Rankin to the Department of Public Property.
- (D) Rick Hall to the Department of Public Health and Safety.

Upon motion by Mayor Gover, seconded by Commissioner Ervin adopted this 7th day of June, 2011, by a roll call vote, as follows:

AYES (Names): Commissioner Becker, Commissioner Ervin,
Commissioner Hall, Commissioner Rankin, Mayor Gover.
 NAYS (Names): None
 ABSENT (Names): None

Approved this 7th day of June, 2011.

/s/ Timothy D. Gover
 Timothy D. Gover, Mayor
 City of Mattoon, Coles County, Illinois

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

APPROVED AS TO FORM:
/s/ J. Preston Owen
 J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 21, 2011.

Mayor Gover opened the floor for discussion. Mayor Gover noted the assignment of departments as a routine matter with a new commissioner.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to adopt Resolution 2011-2844, establishing the prevailing rate of wages in the Coles County Area as determined by the Illinois Department of Labor as the wages that must apply to public works of the City of Mattoon consistent with mandates of Illinois statute.

**CITY OF MATTOON, ILLINOIS
 RESOLUTION NO. 2011-2844**

RESOLUTION ESTABLISHING THE PREVAILING RATE OF WAGES IN THE COLES COUNTY AREA AS DETERMINED BY THE ILLINOIS DEPARTMENT OF LABOR AS THE WAGES THAT MUST APPLY TO PUBLIC WORKS CONSTRUCTION OF THE CITY OF MATTOON CONSISTENT WITH MANDATES OF ILLINOIS STATUTE

WHEREAS, the State of Illinois has enacted "An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by anyone under contract for public works," approved June 26, 1941, as amended, being Chapter 820 ILCS 130/1-12 Illinois Compiled Statutes, commonly referred to as The Prevailing Wage Act, and

WHEREAS, the aforesaid Act requires that the City Council of the City of Mattoon, Illinois investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of said City of Mattoon, Illinois employed in performing construction of public works, for said City of Mattoon, Illinois.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MATTOON, COUNTY OF COLES, AND STATE OF ILLINOIS:

SECTION 1: To the extent and as required by “An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, County, City or any public body or any political subdivision or by anyone under contract for public works,” approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the City of Mattoon, Illinois is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Coles County area as determined by the Department of Labor of the State of Illinois as of June 2011, a copy of that determination being attached hereto as Exhibit “A” and incorporated herein by reference. The definition of any terms appearing in this Resolution which are also used in aforesaid Act shall be the same as in said Act.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works of the City of Mattoon, Illinois to the extent required herein by the aforesaid Act.

SECTION 3: The City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the City of Mattoon, Illinois this determination of such prevailing rate of wage.

SECTION 4: The City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed or file their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The City Clerk shall promptly file a certified copy of this Resolution with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

SECTION 6: The City Clerk shall cause a notice to be published in a newspaper of general circulation within the area that the determination of prevailing wages has been made. Said notice shall conform substantially to the notice attached hereto. Such publication shall constitute notice that this is the determination of the City of Mattoon, Illinois and is effective.

Upon motion by Mayor Gover seconded by Commissioner Hall adopted this 7th day of June, 2011, by a roll call vote, as follows:

AYES (Names): Commissioner Becker, Commissioner Ervin,
Commissioner Hall, Commissioner Rankin,
Mayor Gover
NAYS (Names): None
ABSENT (Names): None

Approved this 7th day of June, 2011.

/s/ Tim Gover
Tim Gover, Mayor
City of Mattoon, Coles County, Illinois

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

APPROVED AS TO FORM:
/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 21, 2011.

Published this 8th day of June, 2011.

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Commissioner Becker seconded by Commissioner Rankin moved to approve Council Decision Request 2011-1216, approving the Tree Trimming Policy for maintenance of facilities within the public right-of-way.

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2011-1217, authorizing the Mayor to execute a Renewal Lease Agreement 3015057/IL-26794 between the City of Mattoon, Illinois and the Canadian National/Illinois Central Railroad. This lease is for a term of 4 years beginning August 1, 2011 through July 31, 2015 and obligates the City to an annual lease expense payment of \$150.00.

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to adopt Special Ordinance 2011-1438, declaring Public Works equipment surplus and authorizing its sale or disposal.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE: 2011-1438**

**A SPECIAL ORDINANCE DECLARING THE PERSONAL PROPERTY OWNED BY THE MUNICIPALITY
SURPLUS AND AUTHORIZING THE DISPOSAL**

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

Section 1. Supplies and equipment identified on Exhibit A to this ordinance are hereby declared surplus to the needs of the City of Mattoon.

Section 2. The Public Works Superintendent is hereby authorized to administratively sell, recycle, or otherwise destroy the property without further formal consideration or approval by the City Council.

Section 3. The City of Mattoon, Illinois does not express any warranty or imply any statement of condition in regard to this equipment.

Section 4. The Mayor and City Clerk are authorized and directed to execute any documents necessary to affect the disposal of the property.

Section 5. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 6. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Rankin, seconded by Commissioner Ervin, adopted this 7th day of June, 2011, by a roll call vote, as follows:

AYES (Names): Commissioner Becker, Commissioner Ervin,
Commissioner Hall, Commissioner Rankin,
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 7th day of June, 2011.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

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

APPROVED AS TO FORM:

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

Recorded in the Municipality's Records on June 21, 2011.

EXHIBIT A

- 1.) 1996 Dodge, 1500
VIN #1B7HC16X5TS714736
miles 112,329
- 2.) Back up pump Lake Paradise
Cummins
Model: N855-F
Serial #: 10614680
305 hours (Engine only)

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Ervin moved to adopt Ordinance: 2011-5321, amending the Mattoon Code of Ordinances to update the ambulance services provisions.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2011-5321**

AN ORDINANCE AMENDING THE MATTOON CODE OF ORDINANCES TO UPDATE THE AMBULANCE SERVICES PROVISIONS

WHEREAS, the City of Mattoon currently has ordinances that deal with the operation of an ambulance by the City; and

WHEREAS, the City wishes to provide coverage for Advanced Life Support ambulance service within the City and enhance the City's ability to provide ambulance services; and

WHEREAS, The City has recently acquired an additional ambulance; and

WHEREAS, to better utilize the training and experience of the current employees, the City desires to provide full-time ambulance service to the City of Mattoon in rotation with the existing ambulance services; and

WHEREAS, the City wishes to augment and not replace the current private ambulance service serving the City of Mattoon; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. 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 Ordinance.

Section 2. Amendments. Section 34.55 of Chapter 34 of the Code of Ordinances of the City of Mattoon is hereby amended by adding Section 34.55 (G) as follows:

- (G) The Mattoon Fire Department is authorized to provide Advanced Life Support (ALS) ambulance service in full rotation with the existing ambulance services currently serving the City of Mattoon and the western half of Coles County. Charges for these services shall be in accordance with the rates specified in §35.01 (D)(2).

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

AYES (Names): Commissioner Becker, Commissioner Ervin,
Commissioner Hall, Mayor Gover
NAYS(Name) Commissioner Rankin
ABSENT, (Name) None

Approved this 7th day of June, 2011.

/s/ Tim Gover
Tim Gover, 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 June 21, 2011.

Mayor Gover opened the floor for discussion. Commissioner Rankin, Mr. Dave Krchak representing Mitchell-Jerdan Ambulance Service, and Harold Burwell spoke in opposition to the second ambulance in rotation due to competition. Commissioner Ervin [Fire Chief Tony Nichols arrived at 6:47 p.m. due to a fire call on I-57] and Commissioner Hall spoke in favor of the second ambulance in rotation, and cited their reasons.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, NAY Commissioner Rankin, YEA Mayor Gover.

Commissioner Becker seconded by Commissioner Rankin moved to adopt Ordinance 2011-5322, approving a 3-way stop at the intersection of Broadway Avenue and 17th Street.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2011-5322**

**AN ORDINANCE APPROVING A 3-WAY STOP AT THE
INTERSECTION OF BROADWAY AVENUE AND 17TH
STREET**

WHEREAS, the City of Mattoon approved temporary stop signs for the intersection of Broadway Avenue and 17th Street during the construction of the Charleston Avenue Bridge over the Canadian National Railroad; and

WHEREAS, the City wishes to make those stop conditions permanent now that construction is complete.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. 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 Ordinance.

Section 2. Chapter 74, Schedule II, Sub-Schedule 'C' of the Code of Ordinances is amended by the addition of the following:

Three-Way Stop Intersections

Street

Intersects with

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

Upon motion by Commissioner Becker, seconded by Commissioner Rankin, adopted this 7th day of June, 2011, by a roll call vote, as follows:

AYES (Names): Commissioner Becker, Commissioner Hall,
Commissioner Rankin, Mayor Gover
 NAYS (Names): Commissioner Ervin
 ABSENT (Names): None

Approved this 7th day of June, 2011.

/s/ Timothy D. Gover
 Timothy D. Gover, Mayor
 City of Mattoon, Coles County, Illinois

ATTEST:

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

APPROVED AS TO FORM:

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

Recorded in the Municipality's Records on June 21, 2011.

Mayor Gover opened the floor for discussion. Commissioner Ervin spoke in opposition to the 3-way stop. Commissioner Hall, Director Barber, Administrator McLaughlin, and Chief Branson discussed the need to retain the 3-way stop at the intersection.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, NAY Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2011-1218, approving a \$500 grant by the Tourism Advisory Committee from hotel/motel tax funds to the East Central Illinois Antique Farm Equipment Club Summer Tractor Show to be held July 15-17, 2011; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR – reported working on union negotiations, contacted a value engineer for Progress Square project and Depot lot; working on Depot lease agreement with the Historical Society; attended the Joint Review Board TIF meeting, working on the comprehensive plan, reported on the successful fishing tournament at Lake Paradise, noted the progress on the revamped website, and upcoming attendance at the ILMCA conference. Administrator McLaughlin opened the floor for questions with no responders.

ATTORNEY & TREASURER – reported working on the JRB TIF reports, end-of-year audit and end-of-month reports, and noted the Young's Radiator discovery case trial in October. Mayor Gover opened the floor for questions with no responders.

CITY CLERK – noted the mailing of liquor license renewals and business as usual. Mayor Gover opened the floor for questions with no responders.

PUBLIC WORKS – thanked Bill Jones for his help with the City-wide cleanup day and Howell Asphalt and Diepholz Trucking for their work at the Junior Football League’s parking lot. Mayor Gover opened the floor for questions. Mayor Gover noted the compliments received on Lawson Park during the baseball tournaments, extended the compliments to Parks Superintendent Stretch and the Public Works Department, and noted the compliments on the City due to Community Pride. Director Barber praised Superintendent Stretch for his efforts.

COMMUNITY DEVELOPMENT – reported on permits, variances, nuisances, and liens; and noted the cleanup efforts on South 21st Street and 2712 Richmond. Mayor Gover opened the floor for questions with no responders. Mayor Gover commended Attorney & Treasurer Owen for his efforts in the processing of violations.

FIRE – reported on yearly walkthroughs and the necessity of the additional ambulance. Mayor Gover noted another fatal accident on I-57 today. Mayor Gover opened the floor for questions with no responders.

POLICE- noted the completion of the 2nd floor project and acquisition of squad cars on Friday. Mayor Gover reiterated the use of seizure money for the purchase.

Mayor Gover opened the floor for questions of the staff or Council with no responders.

Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 7:11 p.m. pursuant to the Illinois Open Meetings Act for the purpose of discussing collective bargaining negotiating matters (5 ILCS 120/2(c)(2)).

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Council reconvened at 7:46 p.m.

Commissioner Hall seconded by Commissioner Rankin moved to adjourned at 7:46 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

/s/ Susan J. O'Brien
City Clerk