

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on March 15, 2011.

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

Acting 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 Acting 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, Fire Shift Captain Sean Junge, Police Chief Jeff Branson, and City Clerk Susan O'Brien.

Acting Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting March 1, and special meeting March 8, 2011; Fire Department reports and Financial reports for February; bills and payroll for the first half of March, 2011.

**Bills and Payroll for the first half of March, 2011**

**General Fund**

Payroll		\$ 236,107.48
Bills		<u>\$ 135,094.91</u>
	Total	\$ 371,202.39

**Hotel Tax Fund**

Payroll		\$ 1,666.65
Bills		<u>\$ 1,861.73</u>
	Total	\$ 3,528.38

**Festival Management**

Bills		<u>\$ 18,150.00</u>
	Total	\$ 18,150.00

**Insurance & Tort Judgment**

Bills		<u>\$ 38,506.58</u>
	Total	\$ 38,506.58

**Water Fund**

Payroll		\$ 25,625.32
Bills		<u>\$ 241,939.68</u>
	Total	\$ 267,565.00

**Sewer Fund**

Payroll		\$ 30,769.11
Bills		<u>\$ 54,705.06</u>
	Total	\$ 85,474.17

**Motor Fuel Tax Fund**

Bills		<u>\$ 2,013.10</u>
	Total	\$ 2,013.10

**Health Insurance**

Bills		<u>\$ 90,783.78</u>
	Total	\$ 90,783.78

Acting Mayor Gover opened the floor for discussion with no responders.

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

PRESENTATIONS, PETITIONS & COMMUNICATIONS

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

NEW BUSINESS:

Acting Mayor Gover seconded by Commissioner Rankin moved to adopt Ordinance 2011-5316, approving and causing publication of the Official Zoning Map of the City of Mattoon, Illinois.

**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2011-5316**

**ORDINANCE APPROVING AND CAUSING PUBLICATION OF THE OFFICIAL ZONING MAP OF THE CITY OF MATTOON, ILLINOIS**

**WHEREAS**, the Illinois Municipal Code requires the City Council of the City of Mattoon, Illinois to cause to be published each year a map showing the existing zoning classifications and revisions made during the preceding year and the map so published shall be the Official Zoning Map for the City of Mattoon; and

**WHEREAS**, the Community Development Coordinator has submitted a request to approve the revised Official Zoning Map; and

**WHEREAS**, after due and proposed consideration, the Mattoon City Council has deemed it to be in the best interest of the City of Mattoon to approve the new Official Zoning Map.

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

**Section 1.** The attached map entitled Official Zoning Map of Mattoon, Illinois dated March 31, 2011 is hereby approved as the Official Zoning Map of the City of Mattoon, Illinois pursuant to the Illinois Municipal Code and Section 159.20 of the Mattoon Code of Ordinances, which said map reflects the correct location of the official zoning districts in the City of Mattoon between March 31, 2010 and March 31, 2011.

**Section 2.** Updated versions of the Official Zoning Map may be printed in the interim between the approval of this Official Zoning Map and the approval of the Official Zoning Map next year.

**Section 3.** The City Clerk is hereby directed to publish a full-sized copy of the Official Zoning Map and to make copies available in her office for inspection and purchase by the public.

**Section 4.** The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

Upon motion by Acting Mayor Gover, seconded by Commissioner Rankin, adopted this 15th day of March, 2011, by a roll call vote as follows:

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

APPROVED this 15th day of March, 2011.

/s/ Timothy D. Gover  
Timothy D. Gover, Acting 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 5, 2011.

Acting Mayor Gover opened the floor for discussion with no responders.

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

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2011-1186, awarding the former Garment Factory proposal in the amount of \$20,000 to Commercial Refrigeration of Central IL, Inc.; and directing the City Attorney to prepare a contract for the sale of the property located at 312 South 32<sup>nd</sup> Street in accordance with the terms of the proposal.

Acting Mayor Gover opened the floor for discussion with no responders.

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

Acting Mayor Gover seconded by Commissioner Hall moved to adopt Resolution 2011-2837, declaring the premises commonly known as 2017 Western Avenue, Mattoon, Illinois, as a dangerous building; and authorizing the Community Development Coordinator and City Attorney to take whatever steps necessary to demolish or cause to be repaired all the buildings located on the premises, including bringing a lawsuit against the owners of the property.

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## CITY OF MATTOON, ILLINOIS

### RESOLUTION 2011-2837

#### A RESOLUTION CONCERNING A DANGEROUS BUILDING

**WHEREAS**, it is the desire of the City Council for the City of Mattoon, Coles County, Illinois, to remove unsafe, dangerous and unsightly buildings or to require the owners to repair them; and,

**WHEREAS**, the building located on the premise commonly known as 2017 Western Avenue, Mattoon, Illinois, has deteriorated to the point that it is dangerous and unsafe and is a continuing hazard to the public.

**NOW THEREFORE BE IT RESOLVED**, by the City Council for the City of Mattoon, Coles County, Illinois, that

**Section 1.** The recitals set forth above are incorporated herein as part of this Resolution.

**Section 2.** The building located on the premise commonly known as 2017 Western Avenue, Mattoon, Illinois, is unsafe, dangerous and is a continuing hazard to the public and should be condemned.

**Section 3.** The City Attorney & Treasurer and Community Development Coordinator hereby are instructed to take whatever steps necessary to demolish or cause to be repaired the building located on the premise commonly known as 2017 Western Avenue, Mattoon, Illinois, including bringing an appropriate lawsuit in the Coles County Circuit Court against the owner compelling the repair and/or demolition thereof.

Upon motion by Acting Mayor Gover, seconded by Commissioner Hall, adopted this 15<sup>th</sup> day of March, 2011, by a roll call vote, as follows:

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

NAYS (Names): None

ABSENT (Names): None

Approved this 15<sup>th</sup> day of March, 2011.

/s/ Timothy D. Gover  
Timothy D. Gover, Acting 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 & Treasurer

Recorded in the Municipality's Records on April 5, 2011.

Acting Mayor Gover opened the floor for discussion with no responders.

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

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2011-1187, approving a \$15,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Pride Softball, Inc. for hosting five 2011 softball tournaments:

ASA Season Opener	April 16-17
National Jr. College Assoc. Region 24	May 5-7
Mattoon NSA World Series Qualifier	June 10-12
Mattoon Bagelfest Tournament	July 21-24;

and authorizing the Acting Mayor to sign the agreement.

Acting Mayor Gover opened the floor for discussion. Commissioner Hall noted the Pride's financials, use of volunteers, and worthwhile group.

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

Commissioner Ervin seconded by Commissioner Rankin moved to adopt Special Ordinance 2011-1428, declaring Public Works equipment surplus and Acting Mayor Gover opened the floor for discussion with no responders.

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## CITY OF MATTOON, ILLINOIS

### SPECIAL ORDINANCE: 2011-1428

#### 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 Ervin, seconded by Commissioner Rankin, adopted this 15th day of March, 2011, by a roll call vote, as follows:

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

Approved this 15<sup>th</sup> day of March, 2011.

/s/ Timothy D. Gover  
Tim Gover, Acting 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 & Treasurer

Recorded in the Municipality's Records on April 5, 2011.

Acting Mayor Gover seconded by Commissioner Ervin moved to adopt Special Ordinance 2011-1429, 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.

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## CITY OF MATTOON, ILLINOIS

### SPECIAL ORDINANCE NO. 2011-1429

#### A SPECIAL ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN AN EXTENSION OF A PROMISSORY NOTE AND ASSOCIATED DOCUMENTS WITH FIRST MID-ILLINOIS BANK & TRUST, N.A.

**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 on the FutureGen project; and,

**WHEREAS**, in March of 2009 the City transferred the amount remaining on the letter of credit into a promissory note for a period of one (1) year and this promissory note was extended for an additional year in March of 2010; and,

**WHEREAS**, the FutureGen Project in Mattoon has been cancelled and Coles Together has the title to the property and is in process of marketing the property and attempting to obtain financing independent of the City of Mattoon; and,

**WHEREAS**, the signing of a short-term extension will allow the City, Coles Together and First Mid-Illinois Bank and Trust to explore the options for paying off this promissory note; 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.

**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 extension of the promissory note in the principal amount of One Million Six Hundred Fourteen Thousand Forty-Eight and 25/100 Dollars (\$1,614,048.25) by First Mid-Illinois Bank & Trust, N.A. on behalf of Coles Together until May 18, 2011.

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

Upon motion by Acting Mayor Gover, seconded by Commissioner Ervin, adopted this 15<sup>th</sup> day of March, 2011, by a roll call vote, as follows:

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

Approved this 15<sup>th</sup> day of March, 2011.

/s/ Timothy D. Gover  
Timothy D. Gover, Acting 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 April 5, 2011.

Acting Mayor Gover opened the floor for discussion. Attorney & Treasurer Owen explained the 60 day extension of the promissory note, FutureGen and Coles Together's relationship and terms of their agreement, and FutureGen's reluctance to surrender their portion.

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

Acting Mayor Gover seconded by Commissioner Ervin moved to adopt Ordinance 2011-5317, approving a Redevelopment Agreement with Coles Centre Hospitality Group, and authorizing certain actions by City officials.

Acting Mayor Gover opened the floor for discussion. Commissioner Rankin explained his concerns of the agreement. Commissioner Hall expressed his concerns of the agreement, and requested more time to review the agreement.

Commissioner Hall seconded by Commissioner Ervin moved to table Ordinance 2011-5317, approving a Redevelopment Agreement with Coles Centre Hospitality Group, and authorizing certain actions by City officials.

Acting Mayor Gover declared the motion to table Ordinance 2011-5317 carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

## DEPARTMENT REPORTS:

CITY ADMINISTRATOR – updated the Council on the budget, union negotiations, Department Head goals meetings, and nomination to be ILCMA’s Vice-President. Acting Mayor Gover opened the floor for questions with no responders.

ATTORNEY & TREASURER – updated the Council on the budget, Young’s Radiator status, and the Finance Department amnesty program for unpaid customer collections. Council discussed the amnesty program and the amount the State owes the City. Acting Mayor Gover opened the floor for questions with no responders.

CITY CLERK – announced early voting through March 31, 2011.

PUBLIC WORKS – elaborated on the monthly projects status report, noted the study by Clark Dietz for sand filters at the WWTP, and announced the bids for the water treatment chemicals would be on the next Council’s agenda for approval. Acting Mayor Gover opened the floor for questions with no responders.

COMMUNITY DEVELOPMENT – updated the Council on the top twelve list of nuisance properties with 14-15 demolitions for this fiscal year. Administrator McLaughlin added the total of 22 nuisance demolitions by both the City and landowners. Acting Mayor Gover thanked Mr. Bill Jones for his contribution of demolishing properties and only charging the City for landfill costs. Acting Mayor Gover opened the floor for questions with no responders.

FIRE – Shift Captain Junge reported on walk through at the WWTP, inspections of Rookies Bar, annual service testing, and Department physicals. Acting Mayor Gover opened the floor for questions with no responders.

POLICE – updated the Council on one officer on light duty, transfer of all of 911 dispatches to the backup center, and an auxiliary drive. Acting Mayor Gover opened the floor for questions with no responders.

## COMMENTS BY THE COUNCIL

Commissioner Ervin, Commissioner Hall, and Commissioner Rankin had no additional comments. Acting Mayor Gover opened the floor for questions from the public and thanked those in attendance. He also noted the rescheduling of April 19<sup>th</sup> Council meeting to April 12, 2011 due to management and Council conflicts on the 19<sup>th</sup>.

Commissioner Hall seconded by Commissioner Rankin moved to adjourn at 6:59 p.m.

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

/s/ Susan J. O’Brien  
City Clerk