

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on March 17, 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: Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Tourism Director Angelia Burgett, Police Chief David Griffith, Fire Chief Mike Chism, Assistant Fire Chief Andy Adair, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Ervin moved to approve the consent agenda consisting of minutes of the regular meeting March 3, 2009; payroll and bills for the first half of March, 2009; and HOME Rehab Grant expenditures.

Bills and Payroll first half of March, 2009

General Fund

| | |
|---------|---------------------|
| Payroll | \$ 245,002.31 |
| Bills | <u>\$ 97,704.33</u> |
| Total | \$ 342,706.64 |

Hotel Tax Fund

| | |
|---------|-----------------|
| Payroll | \$ 1,618.08 |
| Bills | <u>\$ 53.73</u> |
| Total | \$ 1,671.81 |

Festival Management

| | |
|-------|-----------------|
| Bills | <u>\$ 37.70</u> |
| Total | \$ 37.70 |

Insurance & Tort Judgment

| | |
|-------|----------------------|
| Bills | <u>\$ 173,341.75</u> |
| Total | \$ 173,341.75 |

Capital Project Fund

| | |
|-------|-----------------|
| Bills | <u>\$ 17.50</u> |
| Total | \$ 17.50 |

I - 57 East Business Dist

| | |
|-------|---------------------|
| Bills | <u>\$ 16,000.00</u> |
| Total | \$ 16,000.00 |

Water Fund

| | |
|---------|---------------------|
| Payroll | \$ 37,217.01 |
| Bills | <u>\$ 35,695.28</u> |
| Total | \$ 72,912.29 |

Sewer Fund

| | |
|---------|---------------------|
| Payroll | \$ 29,382.24 |
| Bills | <u>\$ 25,565.89</u> |
| Total | \$ 54,948.13 |

Cemetery Fund

| | |
|---------|--------------------|
| Payroll | \$ 3,412.12 |
| Bills | <u>\$ 1,738.08</u> |
| Total | \$ 4,003.40 |

Health Insurance

| | |
|-------|---------------------|
| Bills | <u>\$ 99,798.22</u> |
| Total | \$ 99,798.22 |

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.

Mrs. Julia Boyd made a presentation regarding World Autism Awareness Day and the challenges of living with an autistic child. She invited everyone to attend a celebration and prayer service on April 2 at the Broadway Christian Church from noon to 7:00 p.m.

Mayor Cline read a proclamation on World Autism Awareness Day:

PROCLAMATION

WHEREAS, autism affects all persons regardless of ethnicity, geography or class;

WHEREAS, the incidence of autism in the United States is 1 in 150, and a child is diagnosed with autism every 20 minutes;

WHEREAS, more children will be diagnosed with autism this year than with diabetes, cancer and AIDS combined;

WHEREAS, autism is a lifelong condition in which the bulk of cost falls in adulthood, creating an enormous economic impact;

WHEREAS, this proclamation designates World Autism Day as a United Nations Day to be observed to raise global awareness of autism;

WHEREAS, the aim for World Autism Awareness Day is to inform the general public about the global health crisis of autism, stress the importance of early diagnosis and early intervention, and to celebrate the unique talents and qualities of individuals with autism;

NOW, let it be resolved that the City of Mattoon implements the ideals of World Autism Awareness Day in the United States on April 2nd in perpetuity until the cure for autism is found.

IN RECOGNITION THEREOF, I Mayor David W. Cline have hereunto set my hand and seal of the City of Mattoon, Coles County, Illinois to be affixed this 17th day of March, 2009.

(SEAL)

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

Mr. Herb Meeker of the Mattoon Journal Gazette inquired about the budget meeting. Mayor Cline responded with a preliminary budget meeting with the Department Heads. Attorney & Treasurer Owen responded the same and added the next council would determine the budget. He announced an all day April 9th budget meeting where the new council would attend.

Mr. Meeker requested verification on the Depot bid change as only the terrazzo flooring and reduction in cost. Mayor Cline confirmed the bid change, allowing the reduction portion for overruns.

Mr. Terry Tomer requested the Council to consider public comments and questions after the motions and Council discussions.

Commissioner McKenzie seconded by Commissioner Ervin moved to adopt Ordinance 2009-5274, approving the placement of a stop sign on the corner of Marion and 28th Street.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2009-5274**

**AN ORDINANCE DIRECTING THAT THE INTERSECTION OF
MARION AVENUE AND SOUTH 28TH STREET BE CHANGED
FROM STOPPING MARION AVENUE TRAFFIC
TO STOPPING SOUTH 28TH STREET TRAFFIC**

WHEREAS, the City of Mattoon's Public Works Department has completed a traffic study for the intersection of 28th Street and Marion Avenue, in accordance with City Ordinance No. 2003-5172; and,

WHEREAS, City Ordinance No 2003-5172 states the City of Mattoon shall follow the standards and guidance contained in the most recent Manual for Uniform Traffic Control Devices; and,

WHEREAS, that manual states that for two-way stop intersections the lower volume street should stop at the higher volume street; and,

WHEREAS, the traffic study shows that at the intersection Marion Avenue and 28th Street Marion Avenue has the higher traffic volume.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The following sections of Schedule III of Chapter 74 of the City of Mattoon Code of Ordinances are hereby repealed:

(A) Where Stop Signs control the right of way at an Intersection.

4) The following intersections are two-way stop intersections:

| | | |
|---------------|-------------------|-------------|
| Marion Avenue | stops approaching | 28th Street |
|---------------|-------------------|-------------|

Section 2. Schedule III of Chapter 74 of the City of Mattoon Code of Ordinances is hereby amended as follows:

(A) Where Stop Signs control the right of way at an Intersection.

4) The following intersections are two-way stop intersections:

| | | |
|-------------|-------------------|---------------|
| 28th Street | stops approaching | Marion Avenue |
|-------------|-------------------|---------------|

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.

Upon motion by Commissioner McKenzie, seconded by Commissioner Ervin, adopted this 17th day of March, 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 17th day of March, 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 March 18, 2009

Mayor Cline called for comments or questions. Attorney & Treasurer Owen stated the removal of the stop sign at Marion Avenue and the placement of the sign on 28th Street.

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 seconded by Commissioner Hall moved to adopt Special Ordinance 2009-1323, adopting higher fees for copies of various documents and services provided by the Office of the City Clerk, Water Plant Laboratory, and Police Department.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2009-1323

AN ORDINANCE ADOPTING HIGHER FEES FOR COPIES OF VARIOUS DOCUMENTS AND SERVICES PROVIDED BY THE OFFICE OF THE CITY CLERK, THE WATER PLANT LABORATORY AND THE POLICE DEPARTMENT

WHEREAS, user charges based upon the cost of providing services for specialized beneficiaries of those services is a fiscal policy objective of the City Council;

WHEREAS, fees for copies of various documents and services provided by the City of Mattoon are lower than other local governments in Central Illinois; and

WHEREAS, State of Illinois mandates for implementation of the Illinois Vital Records System has caused additional expenditures in providing certifications of death.

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

Section 1. Birth and Death Certificates. Fees assessed for birth certificates are \$10.00 for the first copy and \$2.00 for each additional copy. Fees for death certificates are \$16.00 for the first copy and \$6.00 for each additional copy, including the \$2.00 fee remitted to the Illinois Department of Vital Records as mandated by Public Act 92-0141. External corrections of death certificates are assessed an additional \$4.00 fee for the correction and reprinting purposes.

Section 2. Water Plant Laboratory Fees. Fees assessed for fecal coliform tests provided by the Water Plant Laboratory are \$15.00 each.

Section 3. Police Department Services. Fees and charges for copies of various documents and services provided by the Police Department are hereby established as displayed on Exhibit A to this ordinance, a copy of which is attached and incorporated herein by reference.

Section 4. Effective Date. Fees established by this ordinance shall become effective upon its approval as provided by law

Upon motion by Mayor Cline, seconded by Commissioner Hall, adopted this 17th day of March, 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 17th day of March, 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 March 18, 2009

Mayor Cline called for comments or questions. There was no discussion.

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 2009-942, awarding the following Depot bids to Grunloh Construction of Effingham; and authorizing the Mayor and City Clerk to execute all necessary documents to complete the project:

Base Bid in the amount of \$2,492,000; and
Bid Alternate G-1 Masonry Restoration in the amount of \$98,000; and
Bid Alternate G-2 Window Restoration in the amount of \$140,000.

Mayor Cline called for comments or questions. There was no discussion.

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 2009-943, approving Change Order #1 to Grunloh Construction of Effingham in the amount of \$382,761 deleting the terrazzo floor repair from the Base Bid reducing the Base Bid amount contained in the contract awarded to Grunloh Construction from \$2,492,000 to a reduced Base Bid of \$2,109,239.

Mayor Cline called for comments or questions. There was no discussion.

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 McKenzie moved to adopt Special Ordinance 2009-1324, authorizing the Mayor to sign an outright grant agreement by and between the City of Mattoon and Dr. Donald Freesmeier reimbursing up to \$80,000 from available Mid-town TIF revenues over a ten-year term for façade improvements, emergency structural repairs, and building code and electrical updates to a building located at 1528 Broadway Avenue.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2009-1324

AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND, DONALD FREESMEIER. IN CONNECTION WITH THE MATTOON MID-TOWN REDEVELOPMENT PROJECT AREA

WHEREAS, Donald Freesmeier. (the “**Grantee**”), has submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) for redevelopment of a part of the Municipality’s Mattoon Mid-town Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the “**Grant Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

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

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantees, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner McKenzie, adopted this 17th day of March, 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 17th day of March, 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 March 18, 2009

Mayor Cline called for comments or questions. There was no discussion.

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 2009-944, awarding the bid from B&T Drainage & Excavating of Marshall, Illinois in the amount of \$93,976 for a watermain relocation of US Route 45 and County Road 1000N Water and Sewer Force Main Improvements.

Mayor Cline called for comments or questions. There was no discussion.

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 seconded by Commissioner Schilling moved to recess to closed session at 6:47 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

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.

Council reconvened at 7:41 p.m.

Commissioner Ervin seconded by Commissioner Hall moved to adjourn at 7:41 p.m.

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