

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on March 3, 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, Police Chief David Griffith, Community Development Coordinator Kyle Gill, 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 February 17, 2009; Police Department report for the month of January 2009; payroll and bills for the last half of February, 2009.

### **Bills and Payroll last half of February, 2009**

#### **General Fund**

Payroll	\$	250,008.95
Bills	\$	<u>533,022.02</u>
Total	\$	783,030.97

#### **Hotel Tax Fund**

Payroll	\$	1,618.08
Bills	\$	<u>1,829.26</u>
Total	\$	3,447.34

#### **Festival Management**

Bills	\$	<u>10,241.49</u>
Total	\$	10,241.49

#### **Insurance & Tort Judgment**

Bills	\$	<u>4,661.00</u>
Total	\$	4,661.00

#### **Capital Project Fund**

Bills	\$	<u>29,467.19</u>
Total	\$	29,467.19

#### **Water Fund**

Payroll	\$	28,579.56
Bills	\$	<u>47,679.32</u>
Total	\$	76,258.88

#### **Sewer Fund**

Payroll	\$	30,817.43
Bills	\$	<u>33,327.79</u>
Total	\$	64,145.22

#### **Cemetery Fund**

Payroll	\$	3,532.62
Bills	\$	<u>1,428.90</u>
Total	\$	4,003.40

#### **Motor Fuel Tax Fund**

Bills	\$	<u>6,924.55</u>
	\$	6,924.55

Total

## Health Insurance

Bills		\$ 126,384.17
	Total	\$ 126,384.17

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.

Mayor Cline stated all public comments needed to be made at this time. Commissioner Hall stated a change in procedure with anyone wanting to address the Council needed to do so during this portion of the meeting. Mayor Cline called for the public to address anything not on the agenda. There were no public communications. Mayor Cline called for public discussion for items on the agenda. Mr. Herb Meeker of the Journal Gazette inquired as to the appointment to the Fire Pension Board. Mayor Cline clarified the trustee position and treasurer to the Fire Pension Board. Attorney & Treasurer Owen stated the municipal treasurer is a non-voting member of the Fire Pension Board, but the trustee is a voting member of the Board, and further explained the State statute. There was no further public communication.

Commissioner Ervin seconded by Commissioner Schilling moved to approve Council Decision Request 2009-937, approving \$2,400 in grants by the Tourism Advisory Committee from hotel/motel tax funds to Mattoon Slugger Baseball for hosting the 2009 Mattoon Spring Classic Invitational to be held April 24, 25, 26, 2009 in the amount of \$1,400.00; and \$1,000 to Parks Department for field preparation.

Mayor Cline called for comments from the Council. Commissioner Hall inquired as to the payment to the Parks Department. Commissioner Ervin responded by stating the separation represented a procedural change by the Tourism Committee to clarify allocations of the grant. Commissioner McKenzie inquired if the grant included Park overtime. Commissioner Ervin responded that the Grantee discussed with the Parks Superintendent Kurt Stretch for the Park Department's portion of field preparation. Commissioner Schilling explained the collection of hotel/motel taxes, which can only be used for tourism events, as funding for Tourism grants.

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 approve Council Decision Request 2009-938, ratifying Mayor Cline's re-appointment of J. Preston Owen to the Firemen's Pension Board for a term expiring April 17, 2012.

Mayor Cline called for comments from the Council. Commissioner Schilling inquired as to the number of trustees on the Fire Pension Board with Attorney & Treasurer Owen stating five including two active firefighters, one retired firefighter, and two trustees appointed by the Mayor. Mayor Cline stated the State statute regulated the membership of the Board.

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 2009-939, approving the bid specifications, and authorizing a competitive solicitation for the 2009 Street Maintenance, and authorizing the Mayor to sign the documents. 09-00000-00-GM. (*Bituminous Materials, Seal Coat Aggregate, CA-16 Crushed Stone*)

Mayor Cline called for comments from the Council. There were no comments from the Council.

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 2009-940, approving the bid specifications, and authorizing a competitive solicitation for water chemicals at the Water Treatment Plant, and authorizing the Mayor to sign the documents.

Mayor Cline called for comments from the Council. There were no comments from the Council.

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 Ervin moved to adopt Special Ordinance 2009-1322, granting a sign variance to the municipal sign code on real estate owned by Dr. Don Freesmeier located at 1528 Broadway Avenue.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2009-1322**

**AN ORDINANCE APPROVING A VARIANCE TO THE SIGN CODE OF THE MUNICIPALITY FOR A SIGN LOCATED AT 1528 BROADWAY AVENUE.**

**WHEREAS**, there was filed with the Community Development Coordinator of the City of Mattoon, County of Coles, Illinois, a certain Petition by Don Freesmeier, praying that variance be granted from requirements of the sign code of the municipality on real estate described as:

Part of Lot 6, Block 118 of the Original Town of Mattoon, now the City of Mattoon, book 298, page 573 24' by 103'; commonly known as 1528 Broadway Avenue.

**WHEREAS**, said Petition was reviewed by the Community Development Coordinator and recommended to the City of Mattoon Planning Commission; and

**WHEREAS**, said Petition was submitted to the Planning Commission for their recommendation on February 23, 2009; and

**WHEREAS**, said Petition was considered by the Planning Commission on February 23, 2009 and the commission recommended that a variance be granted from requirements of the sign code to allow a new sign to be installed over the city sidewalk instead of replacing the faces of the existing sign.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon 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 Ordinance.

**Section 2.** A variance is hereby granted from requirements of the sign code as authorized by Section §160.13 of Chapter 160 of the Code of Ordinances of the City of Mattoon for real estate described above, to allow the replacement of a sign overhanging the city sidewalk instead of replacing the faces of the existing sign.

**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 Mayor Cline seconded by Commissioner Ervin, adopted this 3<sup>rd</sup> 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 3<sup>rd</sup> 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 4, 2009.

Mayor Cline called for comments from the Council. Commissioner McKenzie inquired for the reason of the variance. Mayor Cline stated Dr. Freesmeier wanted to upgrade and reduce the size of the sign. Coordinator Gill verified the sign would be small and lightweight, requiring a permit.

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 approve Council Decision Request 2009-941, accepting the recommendations of the TIF Incentive Review Committee for Dr. Don Freesmeier for a building located at 1528 Broadway Avenue granting an annual subsidy of \$8,000 to be disbursed over 10 years beginning in fiscal year 2010 for façade improvements, emergency structural repairs, building code and electrical upgrades.

Mayor Cline called for comments from the Council. There were no comments from the Council.

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 Schilling moved to adjourned at 6:45 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