

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on November 2, 2010.

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, Police Chief Jeff Branson, and City Clerk Susan O'Brien.

Commissioner Hall seconded by Commissioner Rankin moved to approve the consent agenda consisting of minutes of the regular meeting October 19, 2010; bills and payroll for the last half of October, 2010.

**Bills and Payroll for the last half of October 2010**

**General Fund**

Payroll		\$ 233,891.94
Bills		<u>\$ 52,432.83</u>
	Total	\$ 286,324.77

**Hotel Tax Fund**

Payroll		\$ 1,666.65
Bills		<u>\$ 1,495.10</u>
	Total	\$ 3,161.75

**Festival Management**

Bills		<u>\$ 330.00</u>
	Total	\$ 330.00

**Insurance & Tort Judgment**

Bills		<u>\$ 1,663.55</u>
	Total	\$ 1,663.55

**Midtown TIF District**

Bills		<u>\$ 5,200.00</u>
	Total	\$ 5,200.00

**Broadway East TIF District**

Bills		<u>\$ 99,156.25</u>
	Total	\$ 99,156.25

**So Rt 45 TIF District**

Bills		<u>\$ 75,253.45</u>
	Total	\$ 75,253.45

**Capital Project**

Bills		<u>\$ 63,137.59</u>
	Total	\$ 63,137.86

**Water Fund**

Payroll		\$ 25,792.29
Bills		<u>\$ 25,411.20</u>
	Total	\$ 51,203.49

**Sewer Fund**

Payroll		\$	32,239.74
Bills		\$	<u>26,773.09</u>
	Total	\$	59,012.83

**Motor Fuel Tax Fund**

Bills		\$	<u>4,056.16</u>
	Total	\$	4,056.16

**Health Insurance**

Bills		\$	<u>128,212.74</u>
	Total	\$	128,212.74

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

Acting 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 Acting Mayor Gover.

**PUBLIC COMMENTS/PRESENTATION AND NON-AGENDA ITEMS:**

Mr. Michael Beavers represented a group of concerned citizens regarding coyotes living in the drudge ditch near the Middle School and Broadway Christian Church. Council discussed the situation. Commissioner Ervin was to contact Mr. Ron Boeser, a trapper.

Mr. Harold Shores voiced to the Council concerns of additional potential drainage issues in the 1600 block of Broadway due to the YMCA Parking Lot expansion project. Administrator McLaughlin and Commissioner Rankin addressed the issue with Acting Mayor Gover suspending further discussion until after the meeting.

Mr. Terry Kroening, owner of Downtown Diner located at 1626 Broadway, addressed the Council by requesting repairs to sidewalks and curbing in front of his business; and to re-mark the three parking places now that there were stop signs at the corner of 17<sup>th</sup> Street and Broadway. Chief Branson and Commissioner Rankin discussed the issue with Mr. Kroening. Chief Branson was to review the area and respond to Mr. Kroening.

**PRESENTATIONS:**

Mr. Brian Daniell of West & Company, LLC, presented the FY09/10 Audit and reviewed the General Fund's revenues and expenditures, MFT Funds, Hotel/Motel Tax Fund, Festival Management Fund, Capital Improvement Project Fund, HOME Rehab, RLF, I-57 East TIF, SR 45 Business District, Midtown TIF, I-57 East Business District, Broadway East TIF District and Business District, and SR 45 TIF; summary of all government funds; and proprietary funds. Mr. Daniell further noted the actuary unreported health insurance obligation was \$26 million dollars amortized over a 30 year basis, and a pension obligation of \$60 million. Attendees discussed pension reform.

**NEW BUSINESS:**

Commissioner Rankin seconded by Commissioner Ervin moved to adopt Substitute Ordinance 2010-5311, approving amendments to the Enterprise Zone territory.

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**CITY OF MATTOON, ILLINOIS  
ORDINANCE NO. 2010-5311 (SUBSTITUTE)**

**ORDINANCE AMENDMENT TO ADD TERRITORY  
TO ENTERPRISE ZONE**

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**WHEREAS**, on December 14, 1989, the City of Mattoon, Illinois (hereinafter "City"), passed and adopted an Ordinance entitled: "AN ORDINANCE ESTABLISHING THE COLES TOGETHER ENTERPRISE ZONE WITHIN THE CITY OF

MATTOON, ILLINOIS" (hereinafter "Ordinance"); which Ordinance has been amended from time to time, and WHEREAS, the City desires to amend the Ordinance to add thereto and include therein certain additional territory; NOW THEREFORE BE IT ORDAINED by the City Council of the City of Mattoon, Illinois as follows:  
Section 1: That said Ordinance is hereby amended by adding to the end of the "Mattoon (LAFAYETTE Township) Legal Descriptions"

Section of Exhibit A of said Ordinance the following: Also:

**"Starting at the SE Corner of Section 34, Township 13 North, Range 7 East"**

Heading 0 degrees 9 minutes 53 seconds a distance of 1679.767 feet.  
Then heading 246 degrees 19 minutes 27 seconds a distance of 65.569 feet.  
Then heading 254 degrees 53 minutes 58 seconds a distance of 79.764 feet.  
Then heading 250 degrees 10 minutes 2 seconds a distance of 111.738 feet.  
Then heading 244 degrees 40 minutes 19 seconds a distance of 125.759 feet.  
Then heading 240 degrees 41 minutes 57 seconds a distance of 172.396 feet.  
Then heading 225 degrees 55 minutes 33 seconds a distance of 105.479 feet.  
Then heading 200 degrees 13 minutes 15 seconds a distance of 74.267 feet.  
Then heading 202 degrees 18 minutes 4 seconds a distance of 51.545 feet.  
Then heading 200 degrees 55 minutes 9 seconds a distance of 44.504 feet.  
Then heading 189 degrees 51 minutes 42 seconds a distance of 28.552 feet.  
Then heading 216 degrees 27 minutes 0 seconds a distance of 34.959 feet.  
Then heading 237 degrees 5 minutes 11 seconds a distance of 24.753 feet.  
Then heading 267 degrees 7 minutes 40 seconds a distance of 36.126 feet.  
Then heading 298 degrees 18 minutes 54 seconds a distance of 15.960 feet.  
Then heading 275 degrees 36 minutes 58 seconds a distance of 33.109 feet.  
Then heading 268 degrees 7 minutes 23 seconds a distance of 32.977 feet.  
Then heading 261 degrees 18 minutes 3 seconds a distance of 53.556 feet.  
Then heading 263 degrees 53 minutes 51 seconds a distance of 55.967 feet.  
Then heading 230 degrees 4 minutes 43 seconds a distance of 38.739 feet.  
Then heading 198 degrees 36 minutes 13 seconds a distance of 55.890 feet.  
Then heading 201 degrees 19 minutes 28 seconds a distance of 60.910 feet.  
Then heading 236 degrees 8 minutes 48 seconds a distance of 57.245 feet.  
Then heading 257 degrees 43 minutes 44 seconds a distance of 50.862 feet.  
Then heading 274 degrees 12 minutes 42 seconds a distance of 51.469 feet.  
Then heading 293 degrees 6 minutes 28 seconds a distance of 34.857 feet.  
Then heading 300 degrees 28 minutes 22 seconds a distance of 36.815 feet.  
Then heading 303 degrees 19 minutes 4 seconds a distance of 37.959 feet.  
Then heading 294 degrees 5 minutes 1 seconds a distance of 48.031 feet.  
Then heading 280 degrees 45 minutes 55 seconds a distance of 24.949 feet.  
Then heading 279 degrees 42 minutes 30 seconds a distance of 20.280 feet.  
Then heading 0 degrees 24 minutes 5 seconds a distance of 3049.264 feet.  
Then heading 0 degrees 41 minutes 37 seconds a distance of 566.787 feet.  
Then heading 270 degrees 0 minutes 0 seconds a distance of 38.088 feet.  
Then heading 0 degrees 9 minutes 39 seconds a distance of 713.684 feet.  
Then heading 219 degrees 19 minutes 19 seconds a distance of 102.751 feet.  
Then heading 179 degrees 41 minutes 23 seconds a distance of 45.274 feet.  
Then heading 181 degrees 7 minutes 26 seconds a distance of 42.530 feet.  
Then heading 184 degrees 21 minutes 8 seconds a distance of 42.530 feet.  
Then heading 187 degrees 34 minutes 48 seconds a distance of 42.530 feet.  
Then heading 190 degrees 48 minutes 28 seconds a distance of 42.530 feet.  
Then heading 194 degrees 2 minutes 10 seconds a distance of 42.530 feet.  
Then heading 197 degrees 15 minutes 49 seconds a distance of 42.530 feet.  
Then heading 200 degrees 29 minutes 31 seconds a distance of 42.530 feet.  
Then heading 203 degrees 43 minutes 12 seconds a distance of 42.530 feet.  
Then heading 206 degrees 56 minutes 52 seconds a distance of 42.530 feet.  
Then heading 210 degrees 10 minutes 32 seconds a distance of 42.530 feet.  
Then heading 213 degrees 24 minutes 15 seconds a distance of 42.530 feet.  
Then heading 216 degrees 37 minutes 53 seconds a distance of 42.530 feet.  
Then heading 219 degrees 51 minutes 34 seconds a distance of 42.530 feet.  
Then heading 223 degrees 5 minutes 16 seconds a distance of 42.530 feet.  
Then heading 226 degrees 18 minutes 56 seconds a distance of 42.530 feet.

Then heading 229 degrees 32 minutes 38 seconds a distance of 42.530 feet.  
Then heading 232 degrees 46 minutes 16 seconds a distance of 42.530 feet.  
Then heading 235 degrees 59 minutes 57 seconds a distance of 42.530 feet.  
Then heading 239 degrees 13 minutes 38 seconds a distance of 42.530 feet.  
Then heading 240 degrees 46 minutes 49 seconds a distance of 60.519 feet.  
Then heading 256 degrees 12 minutes 14 seconds a distance of 206.584 feet.  
Then heading 240 degrees 46 minutes 49 seconds a distance of 66.636 feet.  
Then heading 239 degrees 38 minutes 48 seconds a distance of 31.405 feet.  
Then heading 237 degrees 23 minutes 50 seconds a distance of 31.405 feet.  
Then heading 181 degrees 31 minutes 6 seconds a distance of 1684.776 feet.  
Then heading 179 degrees 58 minutes 22 seconds a distance of 715.180 feet.  
Then heading 179 degrees 58 minutes 23 seconds a distance of 681.780 feet.  
Then heading 90 degrees 38 minutes 50 seconds a distance of 654.302 feet.  
Then heading 180 degrees 14 minutes 55 seconds a distance of 138.351 feet.  
Then heading 180 degrees 14 minutes 54 seconds a distance of 1169.251 feet.  
Then heading 180 degrees 14 minutes 54 seconds a distance of 33.001 feet.  
Then heading 90 degrees 10 minutes 39 seconds a distance of 642.023 feet.  
Then heading 179 degrees 50 minutes 38 seconds a distance of 33.000 feet.  
Then heading 179 degrees 51 minutes 7 seconds a distance of 1299.704 feet.  
Then heading 179 degrees 51 minutes 17 seconds a distance of 1356.834 feet.  
Then heading 88 degrees 44 minutes 57 seconds a distance of 60.014 feet.  
Then heading 359 degrees 51 minutes 17 seconds a distance of 1300.964 feet.  
Then heading 359 degrees 51 minutes 6 seconds a distance of 239.541 feet.  
Then heading 359 degrees 51 minutes 11 seconds a distance of 179.630 feet.  
Then heading 359 degrees 59 minutes 57 seconds a distance of 505.886 feet.  
Then heading 6 degrees 15 minutes 17 seconds a distance of 35.030 feet.  
Then heading 10 degrees 31 minutes 25 seconds a distance of 35.030 feet.  
Then heading 14 degrees 47 minutes 34 seconds a distance of 35.030 feet.  
Then heading 19 degrees 3 minutes 43 seconds a distance of 35.030 feet.  
Then heading 23 degrees 19 minutes 51 seconds a distance of 35.030 feet.  
Then heading 27 degrees 35 minutes 59 seconds a distance of 35.029 feet.  
Then heading 31 degrees 52 minutes 7 seconds a distance of 35.030 feet.  
Then heading 36 degrees 8 minutes 14 seconds a distance of 35.030 feet.  
Then heading 40 degrees 24 minutes 25 seconds a distance of 35.030 feet.  
Then heading 44 degrees 40 minutes 31 seconds a distance of 35.030 feet.  
Then heading 48 degrees 56 minutes 39 seconds a distance of 35.030 feet.  
Then heading 53 degrees 12 minutes 50 seconds a distance of 35.030 feet.  
Then heading 57 degrees 28 minutes 55 seconds a distance of 35.029 feet.  
Then heading 61 degrees 45 minutes 4 seconds a distance of 35.030 feet.  
Then heading 66 degrees 1 minutes 13 seconds a distance of 35.030 feet.  
Then heading 70 degrees 17 minutes 21 seconds a distance of 35.030 feet.  
Then heading 74 degrees 33 minutes 28 seconds a distance of 35.029 feet.  
Then heading 78 degrees 49 minutes 39 seconds a distance of 35.030 feet.  
Then heading 83 degrees 5 minutes 46 seconds a distance of 35.029 feet.  
Then heading 87 degrees 21 minutes 54 seconds a distance of 35.030 feet.  
Then heading 89 degrees 29 minutes 57 seconds a distance of 816.973 feet.  
Then heading 0 degrees 6 minutes 54 seconds a distance of 30.000 feet.  
Returning to the starting point. Said addition being 174.68 Acres.

**Section 2:** That said Ordinance is hereby amended by deleting from the "Mattoon (MATTOON Township) Legal Descriptions" Section of Exhibit A of said Ordinance the following:

**"Starting at the SE Corner of Section 7, Township 12 North, Range 8 East"**

Heading 0 degrees 6 minutes 8 seconds a distance of 39.350 feet.  
Then heading 359 degrees 58 minutes 30 seconds a distance of 208.250 feet.  
Then heading 359 degrees 58 minutes 31 seconds a distance of 138.900 feet.  
Then heading 359 degrees 58 minutes 31 seconds a distance of 92.740 feet.  
Then heading 359 degrees 58 minutes 32 seconds a distance of 2194.070 feet.  
Then heading 359 degrees 58 minutes 32 seconds a distance of 2423.090 feet.

Then heading 269 degrees 7 minutes 42 seconds a distance of 1755.907 feet.  
Then heading 200 degrees 5 minutes 58 seconds a distance of 2544.176 feet.  
Then heading 200 degrees 5 minutes 28 seconds a distance of 48.033 feet.  
Then heading 89 degrees 10 minutes 45 seconds a distance of 337.835 feet.  
Then heading 89 degrees 10 minutes 47 seconds a distance of 140.374 feet.  
Then heading 180 degrees 10 minutes 34 seconds a distance of 3593.847 feet.  
Then heading 90 degrees 4 minutes 49 seconds a distance of 4729.195 feet.  
Then heading 359 degrees 47 minutes 6 seconds a distance of 1078.060 feet.  
Then heading 267 degrees 18 minutes 12 seconds a distance of 2546.485 feet.  
Returning to the starting point. Said deletion being 362.17 acres.

**Section 3:** That except as amended herein, the provisions of said Ordinance as first provided for and all amendments thereto shall be and remain in full force and effect and shall apply to the premises herein described, including authorizing and directing the County Clerk to abate of that portion of its taxes on real property within the enterprise zone provided, however, that no such abatement shall be applicable to any such improvement project located within the boundaries of a Tax Increment Financing Redevelopment Project District.

**Section 4:** That the Mayor of the City of Mattoon, Illinois shall have and is hereby given authority to execute an Enterprise Zone Amended Intergovernmental Agreement between the Cities of Charleston, Mattoon and Oakland, Illinois and the County of Coles to add thereto and include therein the real estate described herein, which Agreement is attached hereto, marked Exhibit B and made a part hereof.

Upon motion by Commissioner Rankin, seconded by Commissioner Ervin, adopted this 2nd day of November, 2010, 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 2<sup>nd</sup> day of November, 2010.

/s/ Tim 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 November 3rd, 2010.

Acting Mayor Gover opened the floor for discussion. Mr. Doug McDermand of Coles County Regional Planning and Development Commission reviewed the legal description, joint enterprise zone and deletions of residential districts for business expansions.

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 Special Ordinance 2010-1405, approving a special use for an agricultural building on Old State Road. William Rasmussen, Jr. – Petitioner

**AN ORDINANCE GRANTING A SPECIAL USE FOR THE CONSTRUCTION OF AN AGRICULTURE POST FRAME BUILDING WITHIN THE MILE AND ONE HALF JURISDICTION OF THE CITY OF MATTOON.**

**WHEREAS**, Bill Rasmussen, Jr., owner of the following described property:

Part of the west one-half of the west one-half of sections 20 township 12 north, range 8 east, containing more or less 108.3 acres. Book 488, Page 309.

Commonly known as 7167 Old State Road

has filed a petition with the City Clerks Office of the City of Mattoon, requesting that said premises to be granted a special use for the lawful right to construct an agriculture post frame building for farming purposes, located across from Brian Drive North of Old State Road; and

**WHEREAS**, said premises is zoned RS, Rural Suburban District which does not allow agriculture uses unless a special use is granted; and

**WHEREAS**, the property is well suited for the construction of an agriculture post frame construction building; and

**WHEREAS**, the Planning Commission held a public hearing for the City of Mattoon, Coles County, Illinois, and has recommended that the requested special use permit be granted; and

**WHEREAS** the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve a special use permit to allow the construction of an agriculture post frame building for farming purposes, located across from Brian Drive, North of Old State Road.

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

**Section 1.** Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a special use permit for lawful right to construct an agriculture post frame building for farming purposes.

**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.

**Section 4.** The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Acting Mayor Gover, seconded by Commissioner Ervin, adopted this 2nd day of November, 2010, 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 2<sup>nd</sup> day of November, 2010.

/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 November 3rd, 2010.

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 Special Ordinance 2010-1406, approving a variance from parking requirements in the zoning ordinance at 2916 Marshall Avenue. (United Graphics) Midwest Property Management, LLC, PMC Property Management, LLC, and First Trust & Savings Bank –Applicants.

Acting Mayor Gover opened the floor for discussion. Commissioner Rankin and Coordinator Gill discussed the request for variance. United Graphics representatives were to be requested to attend the next Council meeting for clarification on the variance request.

Commissioner Rankin seconded by Commissioner Hall moved to table Special Ordinance 2010-1406.

Acting Mayor Gover declared the motion to table 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 adopt Special Ordinance 2010-1407, approving the final plat of Coles Centre Subdivision B First Addition, City of Mattoon, Coles County, Illinois. Coles Centre LLC – Petitioner

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**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2010-1407**

**AN ORDINANCE APPROVING THE FINAL SUBDIVISION PLAT OF  
COLES CENTRE SUBDIVISION B FIRST ADDITION**

**WHEREAS**, Coles Centre L.L.C. as owner and Agracel Inc. as Managing Member of the following described property:

A PART OF OUTLOT A OF COLES CENTRE SUBDIVISION, REFERENCE MADE TO BOOK 5, PAGE 229, IN THE COLES COUNTY RECORDER'S OFFICE, LOCATED IN THE SOUTHEAST QUARTER, OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, COLES COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID OUTLOT A, BEING AN IRON PIN;

THENCE, S 00° 00' 24" W, ALL BEARINGS ARE REFERENCED TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE DATUM OF 1983, ALONG THE EAST LINE OF SAID OUTLOT A, A DISTANCE OF 163.05 FEET, TO AN IRON PIN;

THENCE, N 89° 59' 36" W, A DISTANCE OF 369.27 FEET TO AN IRON PIN;

THENCE, NORTHERLY TO THE NORTH LINE OF SAID OUTLOT A, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 345.00 FEET, AN ARC LENGTH OF 189.94 FEET, A CHORD DIRECTION OF N 18° 19' 12" E, A CHORD LENGTH OF 187.55 FEET, TO AN IRON PIN;

THENCE, N 45° 23' 44" E, ALONG THE NORTH LINE OF SAID OUTLOT A, A DISTANCE OF 35.59 FEET, TO AN IRON PIN;

THENCE, S 89° 59' 36" E, ALONG THE NORTH LINE OF SAID OUTLOT A, A DISTANCE OF 245.00 FEET TO AN IRON PIN;

THENCE, S 44° 59' 36" E, ALONG THE NORTH LINE OF SAID OUTLOT A, A DISTANCE OF 56.57 FEET, TO THE POINT OF BEGINNING AND CONTAINING 1.50 ACRES, MORE OR LESS.

has caused said premises to be surveyed and subdivided into a lot and street right-of-way as shown on the plat submitted to the City Council for approval in accordance with the Statute of the State of Illinois in such made and provided; and

**WHEREAS**, said plat of the subdivision to be known as Coles Centre Subdivision – First Addition, City of Mattoon, Coles County, Illinois has been submitted to the City Council of the City of Mattoon for approval in the manner as by law required, which plat is attached hereto as Exhibit AA” and made a part hereof by reference thereto; and

**WHEREAS**, it appears from an examination of said plat that the same is in due form as required by law and complies with all rules, regulations, and requirements relative to subdivisions and zoning in the City of Mattoon, Illinois, and that by said plat should be approved; and

**WHEREAS**, the Planning Commission of the City of Mattoon, Coles County, Illinois, has recommended that said plat be approved.

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

**Section 1.** Pursuant to enabling authority, that the plat, of **Coles Centre Subdivision – First Addition**, to the City of Mattoon, Coles County, Illinois, be hereby approved and that a certificate of such approval be endorsed upon said plat signed by the Mayor and the City Clerk in the manner as provided by law.

**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.

**Section 4.** The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Commissioner Rankin, seconded by Commissioner Ervin, adopted this 2<sup>nd</sup> day of November, 2010, 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 2<sup>nd</sup> day of November, 2010.

/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 November 3rd, 2010.

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 Ervin seconded by Commissioner Hall moved to adopt Special Ordinance 2010-1408, declaring the Public Works Bucket Truck surplus and authorizing the sale by the most advantageous means.

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CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE: 2010-1408

A SPECIAL ORDINANCE DECLARING THE PUBLIC WORKS BUCKET TRUCK SURPLUS AND  
AUTHORIZING THE DISPOSAL BY THE PUBLIC WORKS SUPERINTENDENT

**WHEREAS**, the City of Mattoon currently owns a bucket truck that is surplus to the needs of the Public Works Department.

**WHEREAS**, the Public Works Superintendent recommends this used vehicle be declared as surplus due to high mileage and increasing mechanical problems.

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

**Section 1.** One 1990 GMC Top Kick bucket truck (Vin #: 1GDL7H1P5LJ603796) is 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 Hall, adopted this 2<sup>nd</sup> day of November, 2010, 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 2<sup>nd</sup> day of November, 2010.

/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 November 3rd, 2010.

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 Hall moved to adopt Special Ordinance 2010-1409, declaring certain real estate (.527 acres) as surplus, and authorizing the sale of Lake Paradise property to Michael & Carol Fuller.

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**CITY OF MATTOON, ILLINOIS**  
**SPECIAL ORDINANCE NO. 2010-1409**

**A SPECIAL ORDINANCE DECLARING THAT A LOT IN LAKE PARADISE SUBDIVISION IS NO LONGER NECESSARY OR REQUIRED FOR USE OF THE MUNICIPALITY AND AUTHORIZING THE MANAGEMENT STAFF TO NEGOTIATE A SALE OF THE LOT**

**WHEREAS**, in the early 1900's the City of Mattoon purchased Lake Paradise and large parcels of land surrounding it for use in its water system; and

**WHEREAS**, after the purchase of Lake Paradise the City of Mattoon maintained ownership over the property surrounding the lake and since that time has sold portions of that land to individuals to be used for residential purposes; and

**WHEREAS**, the lot described below is immediately adjacent to a property that has been sold to Michael and Carol Fuller; and

**WHEREAS**, Michael and Carol Fuller have maintained the property for more than 40 years and agree to continue maintenance of the property in excess of the value of the lot, as well as \$1,500, in exchange for the ownership of the lot; and

**WHEREAS**, the property has been subdivided by the City of Mattoon and the Plat has recorded with the Coles County Clerk & Recorder.

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

**Section 1.** Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-4.1), a finding is hereby made by the City Council that the following described real estate at Lake Paradise is no longer necessary or required for the use of the municipality.

A part of the NE ¼, Sec. 8, T11N, R7E, 3<sup>rd</sup> PM, all situated in Paradise Township, Coles County, Illinois.

**Section 2.** The real estate described in this special ordinance is in Paradise Township, unincorporated territory of Coles County, where no zoning has been established. Prior to sale the fair market value will be determined by a written appraisal prepared by a licensed real estate appraiser that will be available for public inspection.

**Section 3.** The management staff of the municipality is hereby authorized to negotiate for a contract proposal to sell said real estate. Any such contract negotiated shall be subject to ratification by the City Council.

**Section 4.** The City Clerk is directed to publish a copy of this resolution at the first opportunity following its adoption and approval by the City Council.

Upon motion by Commissioner Rankin, seconded by Commissioner Hall, adopted this 2<sup>nd</sup> day of November, 2010, 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 2<sup>nd</sup> day of November, 2010.

/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 November 3rd, 2010.

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 Rankin moved to approve Council Decision Request 2010-1159, approving the employment of replacement officer Ryan Koop in the Mattoon Police Department, effective November 10, 2010, due to Capt. Stephen Pollum's upcoming retirement.

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 2010-1160, approving a \$4,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Lake Mattoon Sailing Association for hosting the 2011 Y Flyer National Championships Regatta on June 20-24, 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 Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1161, approving a purchase of up to \$65,000 for a replacement bucket truck.

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.

## **COMMUNICATIONS - COUNCIL AND CITY STAFF**

### DEPARTMENT REPORTS:

CITY ADMINISTRATOR – updated the Council on the Garment Factory condemnation; City storage issues; underground septic tank structures in the YMCA Parking Lot; advertisement of the Public Works Director position; and attendance at a meeting with Champaign County managers.

ATTORNEY & TREASURER – notified of completion of the audit; and beginning of TIF Annual Reports.

CITY CLERK – announced 350 early and absentee voters at the City Clerk's Office for the November 2, 2010 General Election.

PUBLIC WORKS – Administrator McLaughlin reviewed the PWAB's discussion on the air curtain and decision to repair the tub grinder with a \$5,000 outlay, initiate a prevention maintenance program; placing hydrants on a top ten list; and replacement of eight water mains within a week.

COMMUNITY DEVELOPMENT – updated the Council on condemnation of houses with 10 demolitions as of the meeting date, and finalizing the new notice to Young's Radiator.

FIRE – Chief Nichols was absent.

POLICE – announced squad cars in service by Friday, Captain Pollum’s retirement and replacement with Officer Koop.

**COMMENTS BY THE COUNCIL**

Commissioner Ervin – nothing at this time.

Commissioner Hall – nothing at this time.

Commissioner Rankin – thanked staff for Saturday’s planning meeting.

Acting Mayor Gover – discussed the beneficial meeting on Saturday and opened the floor for questions of the public for the Department Heads with no responders.

Commissioner Hall seconded by Commissioner Ervin moved to adjourned at 7:38 p.m.

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.

/s/Susan J. O’Brien  
City Clerk