

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on October 6, 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 Tim Gover, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Mayor David Cline.

Also physically present were City personnel: Interim City Administrator John Kolata, City Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Fire Chief Anthony Nichols, Police Chief David Griffith, Community Development Coordinator Kyle Gill (6:37 p.m.), and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting September 15 and special meetings September 28, 29 & 30, 2009; Police Department Report for the month of August, 2009 and Fire Department Report for the month of September, 2009; payroll and bills for the last half of September, 2009.

Bills and payroll for the last part of September, 2009

General Fund

Payroll		\$ 516,563.24
Bills		<u>\$ 159,412.17</u>
	Total	\$ 675,975.41

Hotel Tax Fund

Payroll		\$ 3,724.30
Bills		<u>\$ 20,312.24</u>
	Total	\$ 24,036.54

Festival Management

Bills		<u>\$ 278.00</u>
	Total	\$ 278.00

Midtown TIF Fund

Bills		<u>\$ 71,623.49</u>
	Total	\$ 71,623.49

Capital Project Fund

Bills		<u>\$ 275,882.00</u>
		\$ 275,882.00

Water Fund

Payroll		\$ 54,446.39
Bills		<u>\$ 49,315.60</u>
	Total	\$ 103,761.99

Sewer Fund

Payroll		\$ 54,055.16
Bills		<u>\$ 46,561.34</u>
	Total	\$ 100,616.50

Cemetery Fund

Payroll		\$ 6,955.66
Bills		<u>\$ 1,551.54</u>
	Total	\$ 8,507.20

Health Insurance

Bills		\$ 61,417.78
	Total	\$ 61,417.78

Motor Fuel Tax Fund

Bills		\$ 2,640.04
	Total	\$ 2,640.04

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

Mayor Cline opened the floor for public comments/ presentations and non-agenda items. Commissioner Hall presented Fire Chief Michael Chism a retirement plaque acknowledging his 24+ years of service with the Mattoon Fire Department. Chief Chism expressed his gratitude to the City and Fire Department.

Mr. Brian Daniell of West & Company presented to the Council a preliminary City audit for FY2008/2009 with Attorney & Treasurer Owen providing specifics within the audit.

Director Wortman announced to the Council an emergency expenditure of \$15,663.00 for a sewer collapse near the railroad tracks on 21st Street; and stated the City was working with IDOT and CN Railroad for permitting issues.

There were no further comments or discussion.

Administrator Kolata reviewed the agenda items. Director Wortman provided a revision of Exhibit A to Council Decision Request 2009-1022 for an emergency callout inclusion to the specifications.

There were no further comments or discussion.

Ordinance 2009-5282, amending Chapter 159 “Zoning” of the Municipal Code of Ordinances for streamlining interaction between the Zoning Board of Appeals, Planning Commission, and City Council was pulled from the agenda.

Ordinance 2009-5283, amending sections of the Municipal Code of Ordinances referring to Planned Unit Developments (PUD) for incorporation with the Subdivision Regulation was pulled from the agenda.

Ordinance 2009-5284, amending the Municipal Code of Ordinances by adding a new §33.058, “ZONING BOARD OF APPEALS (ZBA)” was pulled from the agenda.

Ordinance 2009-5285, amending the Municipal Code of Ordinances to update and replace administrative procedures for the Planning Commission was pulled from the agenda.

Ordinance 2009-5286, amending the Municipal Code of Ordinances by transferring Police & Fire Commissioners and updating the Fire & Police Pension sections to Chapter 33 was pulled from the agenda.

Mayor Cline seconded by Commissioner Gover moved to adopt Special Ordinance 2009-1363, granting a variance from the front yard setback requirements for 2725 Essex Avenue. David & Clarissa Skocy – Petitioners.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2009-1363

AN ORDINANCE GRANTING A VARIANCE FROM THE FRONT YARD SET BACK REQUIREMENT AT 2725 ESSEX AVENUE

WHEREAS there has been filed a written Petition by David and Clarissa Skocy for a variance, respecting the property legally described as:

Lot ninety-six (96), Meadows Subdivision of the City of Mattoon, Coles County, Illinois; commonly known as 2725 Essex Avenue, Mattoon

WHEREAS, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow the construction of an addition to the garage that encroaches into the front yard setback on the west side of the property located at 2725 Essex Ave., and which will reduce the front yard setback on Unique Court from the required 25 feet to 22 feet; and

WHEREAS the zoning code requires front yard setback on both streets on corner lots in R1, Single Family Residence Zoning District; and

WHEREAS the Zoning Board of Appeals held a properly noticed, public hearing on September 15th, 2009 regarding petitioner’s request for said variance; and

WHEREAS both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested variance be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

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 variance of the front yard setback requirement to enable the construction of an addition to the garage that encroaches into the front yard setback on the west side of the property located at 2725 Essex Ave., and which will reduce the front yard setback on Unique Court from the required 25 feet to 22 feet.

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 Mayor Cline, seconded by Commissioner Gover, adopted this 6th day of October, 2009, by a roll call vote, as follows:

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

Approved this 6th day of October, 2009.

/s/ David W. Cline
David W. Cline, 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 October 7th, 2009.

Mayor Cline called for comments. No additional comments.

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

Mayor Cline seconded by Commissioner Rankin moved to adopt Resolution 2009-2788, approving the conceptual plan of the Coles County Dial-A-Ride vehicle storage facility located at 11011 East County Road 800 North, which is within Mattoon’s Corridor District.

CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2009-2788

RESOLUTION APPROVING CONCEPTUAL PROPOSAL FOR AN ADDITION TO THE DIAL-A-RIDE VEHICLE STORAGE FACILITY LOCATED AT 11011 EAST COUNTY ROAD 800 NORTH

WHEREAS, Coles County Dial-a-Ride is the owner of the following described real estate:

Commencing at the Southeast Corner of the Southeast Quarter (SE ¼) of Section Eleven (11), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian; thence azimuth 268 degrees 25 minutes 03 seconds along the south line of said Southeast Quarter (SE ¼) a distance of 692.44 feet; thence azimuth 358 degrees 24minutes 06 seconds a distance of 45.80 feet to the north line of the right of way line as described in Deed Book 454, Page 60 in the Recorder's Office of Coles County, Illinois and the place of beginning; thence continue azimuth 358 degrees 24 minutes 06 seconds a distance of 414.85 feet; thence azimuth 88 degrees 04 minutes 52 seconds a distance of 210.00 feet; thence azimuth 178 degrees 24 minutes 06 seconds a distance of 414.85 feet to the aforementioned right of way line; thence azimuth 268 degrees 04 minutes 52 seconds along said right of way line a distance of 210.00 feet to the place of beginning, situated in Lafayette Township, Coles County, Illinois and containing 2.00 acres more or less, more commonly known as 11011 E. County Road 800 N., Charleston, IL 61920;

and has requested approval of the Concept Plan for the purpose of constructing an addition to the existing storage facility, parking lot and drainage system for the above described; and

WHEREAS, the above described property lies within the Corridor Development District and the mile and a half jurisdiction of the City of Mattoon; and

WHEREAS, the Concept Plan is authorized pursuant to the provisions of Chapter 159, Section 159.61 of the Code of Ordinances, of the City of Mattoon, Coles County, Illinois; and

WHEREAS, the Corridor Review Committee, upon proper notice and hearing, has recommended the approval of the Concept Plan and found the plan desirable to the public convenience and welfare and in harmony with the various elements and objections of the Corridor Development District and the Zoning Ordinance of the City of Mattoon;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Mattoon, Coles County, Illinois, as follows:

That the petitioner be and is hereby granted approval of the Concept Plan on the said afore-described property so as to permit an addition to the Dial-A-Ride Vehicle Storage Facility located at 11011 E. County Road 800 N., Charleston, IL 61920, within the Corridor District.

Upon motion by Mayor Cline, seconded by Commissioner Rankin, adopted this 6th day of October, 2009, by a roll call vote, as follows:

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

Approved this 6th day of October, 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 October 7th, 2009.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following votes YEA Commissioner Ervin, Abstain Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2009-1020, ratifying the Mayor's re-appointments of Scott Claypool, Beth Heldebrandt, Robert McClean, and Julie Wilkerson for two-year terms expiring September 30, 2011; and Scott Gradle, Justin Grady, Bruce Karmazin, and Janahn Kolden for three-year terms expiring September 30, 2012 to the Mattoon Arts Council (MAC).

Mayor Cline called for comments. No additional comments.

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

Mayor Cline seconded by Commissioner Hall moved to approve Council Decision Request 2009-1021, ratifying the Mayor's appointment of Randall Ross to the Policemen's Pension Board, replacing Jon Spitz, with a term ending May 10, 2010; and re-appointing Lewis Stiff to the Policemen's Pension Board with a term ending May 09, 2011.

Mayor Cline called for comments. No additional comments.

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

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2009-1022, approving the bid specifications for janitorial services of City buildings and authorizing the competitive solicitation for services.

Mayor Cline called for comments. No additional comments.

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

Commissioner Hall seconded by Commissioner Gover moved to approve Council Decision Request 2009-1023, approving a \$3,200 grant by the Tourism Advisory Committee from hotel/motel tax funds to Lake Land College Athletic Department for the purpose of holding the Laker Classic Basketball Tournament on December 18 & 19, 2009.

Mayor Cline called for comments. No additional comments.

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

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2009-1024, approving a \$12,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to be equally divided between Mattoon Babe Ruth Baseball of \$6,250.00 and the Mattoon American Legion of \$6,250.00 for improvements to the Grimes Field Press Box in Peterson Park in place of annual Tourism Grant contributions for the 2009 baseball season.

Mayor Cline called for comments. No additional comments.

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

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2009-1025, approving the quote from Metzger Welding in the amount of \$12,026.06 to repair the North 1975 Clarifier at the Waste Water Treatment Plant.

Mayor Cline called for comments. No additional comments.

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

Mayor Cline seconded by Commissioner Ervin moved to recess to closed session at 7:32 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)); and litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)).

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

Council reconvened at 8:33 p.m.

Council discussed a preliminary NIU study, and city administrator article in the Journal Gazette.

Commissioner Hall seconded by Commissioner Rankin moved to adjourned 8:36 p.m.

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

/s/Susan J. O'Brien
City Clerk