

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on June 2, 2015.

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

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, YEA Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Police Chief Jeff Branson, Deputy Police Chief Jason Taylor, Arts & Tourism Director Angelia Burgett, IT Director Brian Johanpeter, and City Clerk Susan O'Brien.

**CONSENT AGENDA**

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting May 19, 2015; fire department reports for the months of March and April, 2015; and bills and payroll for the last half of May, 2015.

**Bills and Payrolls for the last half of May, 2015**

<b><u>General Fund</u></b>			
Payroll		\$	309,465.57
Bills		\$	88,827.67
	Total	\$	398,293.24
<b><u>Hotel Tax Administration</u></b>			
Payroll		\$	2,162.61
Bills		\$	24,614.63
	Total	\$	26,777.24
<b><u>Arts Council</u></b>			
Bills		\$	2,874.17
	Total	\$	2,874.17
<b><u>Festival Mgmt Fund</u></b>			
Bills		\$	31,022.34
	Total	\$	31,022.34
<b><u>Insurance &amp; Tort Fund</u></b>			
Bills		\$	50,636.32
	Total	\$	50,636.32
<b><u>Midtown TIF Fund</u></b>			
Bills		\$	5,925.00
	Total	\$	5,925.00
<b><u>Capital Project Fund</u></b>			
Bills		\$	163,051.48
		\$	163,051.48
<b><u>Water Fund</u></b>			
Payroll		\$	31,827.89
Bills		\$	59,122.97
	Total	\$	90,950.86
<b><u>Sewer Fund</u></b>			

Payroll		\$	40,148.62
Bills		\$	81,195.60
	Total	\$	121,344.22
<b><u>Heath Insurance Fund</u></b>			
Bills		\$	164,628.46
	Total	\$	164,628.46
<b><u>Motor Fuel Tax Fund</u></b>			
Bills		\$	6,953.88
	Total	\$	6,953.88

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover opened a Public Hearing on the YMCA land exchange at 6:32 p.m. in the City Hall Council Chambers on June 2, 2015. Administrator Gill state the publication of the Public Notice on May 18, 2015 for the land exchange and extension of the bike trail; described the land to be exchanged between the YMCA and City; explained the YMCA lease with the City; reviewed the square footage connecting the bike trail to 10<sup>th</sup> Street, plats for review, and price per square foot for both areas were equal; and opened the floor for questions of the Public, which resulted in no questions from the Public. Mayor Gover closed the Public Hearing at 6:34 p.m.

Mayor Gover opened the floor for Public comments. Mr. Mike Stopka, Executive Director of PADS, spoke on behalf of PADS, wanted to address concerns of the Council and Police Department, and hoped the City would support the need. Mrs. Janie Youhas, 2313 Charleston, was a volunteer at PADS; and spoke in support of PADS' request to build on the lot next to the Salvation Army, and her understanding of the situation. Mr. Charles E. Miller, 3001 Marion, spoke of his experience in homelessness, in support of PADS, and the Richmond/13<sup>th</sup> Street location. Mr. Jason Duhamell, 2908 Moultrie, spoke of his volunteerism along with the Boy Scouts at PADS and asked the City to uphold its commitment to lease the property. Mr. Lee Herns spoke on behalf of PADS. Ms. Ryan Franklin, 2009 DeWitt Avenue, spoke in opposition to PADS at the proposed location due to the Salvation Army's after school program where children play in the greenspace, but was in favor of PADS. Mrs. Erin Clifford, teacher at Mattoon High School, takes students to PADS and spoke in support of PADS at the proposed location.

Mayor Gover recognized all of those in attendance and their passion about PADS; noted Commissioner Owen's suggestions on the proposal between the City and PADS; and stated the Council was going to review the suggestions among themselves. Commissioner Owen stated he emailed the Council individually to obtain their concerns and suggested items for the lease. Commissioner Graven agreed to have the lease considered on the June 16<sup>th</sup> Council meeting. Commissioner Owen noted the following added items: 1. Restrictions on the number of individuals serviced to thirty in one night except when emergency weather events occur; 2. Insurance language listing the City as an additional insured on policies; 3. Trees to be moved would be at the PADS' expense; 4. Obtain background checks from Mattoon Police Department at no cost to PADS due to inadequate internet searches by PADS; 5. Requirement of statistical reporting to the City on a quarterly basis and utilization of facility; and 6. Focusing on preferential guests of Coles and the five contiguous counties. The changes made to the proposal addressed the concerns of the Council and Public, but noted the proposal was not finished and could be changed before the vote. Mayor Gover opened the floor for questions or comments from the Council with no response.

Commissioner Cox seconded by Commissioner Owen moved to adopt Special Ordinance No. 2015-1596, authorizing an agreement between the City of Mattoon and the Mattoon Area Family YMCA for the exchange of a portion of real estate in addition to \$23,500 for the purchase of real estate lying between North 15<sup>th</sup> Street and North 16<sup>th</sup> Street owned by the Mattoon Area Family YMCA for the future bike trail extension; and authorizing the Mayor to sign all necessary documents to complete the transaction.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2015-1596**

**AN ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF MATTOON, ILLINOIS AND MATTOON AREA FAMILY YOUNG MEN'S CHRISTIAN ASSOCIATION, INC. (YMCA) FOR THE EXCHANGE OF A PORTION OF CITY REAL ESTATE CURRENTLY LEASED BY THE MATTOON AREA FAMILY YMCA TOGETHER WITH TWENTY-THREE THOUSAND FIVE HUNDRED DOLLARS FOR A PORTION OF THE FORMER CLEVELAND, CINCINNATI, CHICAGO AND ST. LOUIS RAILWAY COMPANY LAND LYING BETWEEN NORTH 15<sup>TH</sup> STREET AND NORTH 16<sup>TH</sup> STREET, CURRENTLY OWNED BY THE MATTOON AREA FAMILY YMCA**

**WHEREAS**, at a regular meeting held on June 2, 2015, the City Council held a public hearing on a proposed agreement for a land exchange whereby the City of Mattoon (hereinafter "CITY") would exchange a portion of its real estate which is currently leased to the Mattoon Area Family Young Men's Christian Association, Inc. (hereinafter "YMCA") for a portion of the former Cleveland, Cincinnati, Chicago and St. Louis Railway Company land lying between North 15<sup>th</sup> Street and North 16<sup>th</sup> Street which is currently owned by the YMCA; and

**WHEREAS**, the real estate that would be conveyed from the YMCA to the CITY is legally described as:

*A part of Section 13, Township 12 North, Range 7 East of the Third Principal Meridian, Coles County, Illinois, more particularly described as follow:*

Beginning at an iron pin with #2548 cap at the point in the east right of way line of 16<sup>th</sup> Street in the City of Mattoon that is distant southerly 18 feet as measured at right angles from the center line of the former eastbound main track of the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company; thence azimuth 55 degrees 42 minutes 28 seconds (azimuths based on plat of survey by IPLS #3140 dated March 13, 2008), 90.95 feet to a point that is 12 feet as measured at right angles from the center line of the said former eastbound main track of said railroad company; thence azimuth 74 degrees 58 minutes 06 seconds parallel with the center line of said former eastbound main track of said railroad company, 233.47 feet to a point on the west right of way line of said 15<sup>th</sup> Street, 31.09 feet to an iron pin with #2548 cap, said iron pin also being azimuth 180 degrees 09 minutes 20 seconds, 276.58 feet from an iron pin with #3140 cap at the northeast corner of Lot 1 in Block 109 in the original town, now City of Mattoon; thence azimuth 254 degrees 58 minutes 06 seconds parallel with the center line of said former eastbound main track of said railroad company, 311.18 feet to the Point of Beginning, containing 8170 square feet, more or less, and is as shown by a plat attached hereto and made a part hereof (Exhibit A); and

**WHEREAS**, the real estate that would be conveyed by the CITY to the YMCA is a portion of its real estate, which is currently leased to the YMCA and is legally described as:

Part of Block 110 in the Original Town of Mattoon, now City of Mattoon, Coles County, Illinois, more particularly described as follows:

Commencing at an iron pin with #3140 cap at the northeast corner of Lot 1 of Block 110 in the Original Town of Mattoon; thence on an assumed azimuth 270 degrees 01 minute 16 seconds along the north line of said Block 110 a distance 231.51 feet to a drill hole in concrete; thence azimuth 180 degrees 22 minutes 33 seconds, 152.52 feet to an iron pin with #3140 cap being the Point of Beginning; thence continue azimuth 180 degrees 22 minutes 33 seconds, 31.21 feet; thence azimuth 270 degrees 17 minutes 20 seconds, 44.14 feet to the Point of Beginning containing 486 feet, more or less, and is as shown on the plat attached hereto and made a part hereof (Exhibit B);and

**WHEREAS**, the CITY intends to use the land to be conveyed to it, to construct an extension to the public bike trail; and

**WHEREAS**, notice of the public hearing on this proposed real estate exchange was published in the *Mattoon Journal Gazette* on May 18, 2015; and

**WHEREAS**, said hearing was duly held on June 2, 2015 at which hearing interested persons were given an opportunity to appear and be heard in favor of or against the proposed real estate exchange.

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

**Section 1.** The City Council hereby makes the following findings pertaining to this proposed real estate exchange:

- A. The recitals presented in the preamble to this resolution are found to be true and correct.
- B. State statutes prescribe that an appraised market value must be offered when a state or local government acquires real estate. The value of the property the CITY would convey, per the costs incurred for the acquisition of the property is \$1,500 to which CITY will add a cash payment of \$23,500 for a total of \$25,000.00. The property being conveyed to the CITY has an estimated appraised market value of \$25,000.00 as calculated by multiplying the per square foot price which the YMCA paid to acquire the property being purchased by the number of square feet of ground being acquired by the CITY.
- C. Beyond the relative values for this real estate exchange as set forth in Paragraph B of this Section, the municipality is expected to receive additional value important to community economic development, public health and welfare including:
- (1) By the additional land that will be made available for the extension of the bike trail; and
  - (2) By providing non-motorized links between neighborhoods, parks, community facilities, commercial areas and employment centers.
- D. The premises to be conveyed by the municipality pursuant to such exchange, in the opinion of the City Council, is no longer needed by the municipality for the public interest and is hereby declared as surplus.
- E. The premises to be received by the municipality pursuant to such exchange will prove useful to the municipality and will be for the public interest.
- F. The total value and benefit of the proposed premises to be acquired by the CITY exceeds the value of the premises for which same is being exchanged, as determined by the City Council, taking into consideration the long-term best interest of the public.
- G. This real estate exchange is consistent with the Comprehensive Plan for the City of Mattoon adopted April 16, 2013.

**Section 2.** The Mayor is authorized to sign an “**AGREEMENT FOR THE EXCHANGE AND PURCHASE OF REAL ESTATE**”, a copy of which is attached and incorporated herein by reference.

**Section 3.** The City Council hereby authorizes the Mayor, City Attorney & City Administrator to take such other administrative actions that may be necessary to implement the intent of this Special Ordinance.

Upon motion by Commissioner Cox, seconded by Commissioner Owen, adopted this 2nd day of June, 2015, by a roll call vote, as follows:

AYES (Names):           Commissioner Cox, Commissioner Graven,  
                                   Commissioner Hall, Commissioner Owen,  
                                   Mayor Gover

NAYS (Names):           None

ABSENT (Names):       None

Approved this 2<sup>nd</sup> day of June, 2015.

/s/Timothy D. Gover  
 Timothy D. Gover, Mayor  
 City of Mattoon, Coles County, Illinois

ATTEST:  
  
/s/Susan J. O'Brien

APPROVED AS TO FORM:  
  
/s/Janett Winter-Black

Recorded in the Municipality's Records on June 2, 2015.

Mayor Gover opened the floor for questions/comments with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Graven moved to adopt Resolution No. 2015-2937, approving and supporting the application for a grant under the Community Development Assistance Program (CDAP) Housing Rehabilitation Component in the amount of \$400,000 for the use of housing rehabilitation activities.

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2015-2937**

**RESOLUTION OF SUPPORT FOR A CDAP HOUSING GRANT**

**WHEREAS**, the City of Mattoon shall apply to the State of Illinois for a Community Development Assistance Program grant for the purposes of providing housing rehabilitation activities, and

**WHEREAS**, it is necessary that an application be made and agreements entered into with the State of Illinois.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

- 1) The City of Mattoon shall apply for a grant under the terms and conditions of the State of Illinois and shall enter into and agree to the understandings and assurances contained in said application.
- 2) The Mayor and City Clerk, on behalf of the City of Mattoon, shall execute such documents and all other documents necessary for the carrying out of said application.
- 3) The Mayor and City Clerk shall be authorized to provide such additional information as may be required to accomplish the obtaining of such grant.

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 2<sup>nd</sup> day of June, 2015, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Commissioner Owen,  
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 2<sup>nd</sup> day of June, 2015.

/s/ Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

Recorded in the Municipality's Records on June 2, 2015.

Mayor Gover opened the floor for comments/discussion. Administrator Gill noted the City's receipt of CDAP grants on an annual basis since the 90's, and \$25,000-\$35,000 grant funds per owner-occupied home, which Coles County Regional Planning & Development Commission (CCRP-DC) administers the grants for the City.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2015-1611, approving the plans and specifications for the resurfacing project of Wabash from 19<sup>th</sup> Street to 21<sup>st</sup> Street.

Mayor Gover opened the floor for questions/comments. Director Barber reviewed the project on Wabash from 19<sup>th</sup> Street to 21<sup>st</sup> Street; and noted his uncertainty of Mr. Summers' plans on the road. Administrator Gill noted the utilities had to stay where the utilities were. Mayor Gover noted nothing could be built over the road due to utilities.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Owen moved to approve Council Decision Request 2015-1612, authorizing the employment of Devin G. Patterson as a probationary police officer with the Mattoon Police Department effective June 28, 2015.

Mayor Gover opened the floor for comments/discussion. Chief Branson noted Mr. Patterson's attendance at the academy in late June, and his excellent pedigree as well as glad to have him on the force.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover congratulated Mr. Patterson.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2015-1613, approving a \$6,200 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon American Legion Post 88 Baseball Club for supporting the 2015 Firecracker Classic to be held June 19-21<sup>st</sup> for the Junior event and June 26-28, 2015 for the Senior event; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2015-1614, approving a \$17,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Cobras for supporting the 2015 Cobras Softball Tourneys was held May 8-10<sup>th</sup> and June 19-21<sup>st</sup> and October 10-11, 2015; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for questions/comments/discussion. Commissioner Graven inquired as to the request of \$27,500. Administrator Gill noted the request of \$27,500 with Tourism Commission only granting \$17,000.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

## DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted the Fire Department testing process and vacancy to be filled in July; numbers for Attorney Beal for Police arbitration; Community Development as steady with several developers and small projects; and opened the floor for questions. Commissioner Graven inquired as to the Fuller-Wente cleanup. Administrator Gill stated they agreed to move the pipes. Mayor Gover opened the floor for questions of the Council or Public with no response.

CITY ATTORNEY had nothing to report, but stated working with Administrator Gill on the PADS' request. Mayor Gover opened the floor for questions of the Council or Public with no response.

CITY CLERK noted preparation of various reports, codification update, and renewal of liquor licenses; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

FINANCE noted preparation of FY15 audit, FY15 budget information would be available in July, and late August for property taxes. Commissioner Hall inquired as to a comparison of property tax receipts last year. Director & Treasurer Wright stated last year's property tax receipts were in late June. Mayor Gover speculated property tax bills not mailed until August. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS updated Council on Carl Bartels' Broadway Avenue Alley project progress with Oklahoma project scheduled for next week; Howell Asphalt's project completed except for striping; plans for bid on Wabash Avenue resurfacing project, and preparation of Heritage Park plans for next week. Commissioner Graven noted some trees were removed. Director Barber stated the contractor would replace the trees. Mayor Gover opened the floor for question with no response.

FIRE Commissioner Hall had no report for the Fire Department.

POLICE noted a graduation date for Officer Hesse from the Academy with him in the 95<sup>th</sup> percentile; otherwise, nothing to report. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM noted the June 13<sup>th</sup> Artworks event, preparation for fireworks, the 4<sup>th</sup> of July, and Bagelfest. Mayor Gover opened the floor for questions or comments with no response.

## COMMENTS BY THE COUNCIL

Commissioner Cox acknowledged Andrew Capitosti, a Boy Scout, in the audience working on his Merit Badge; thanked the Council and Attorney Winter-Black for their work on the PADS issue, and the Council's open and willingness to discuss PADS' request, but would be negligent to approve after one meeting. Commissioners Graven, Hall, and Owen had no comments.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:13 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, NAY Commissioner Owen, YEA Mayor Gover.

/s/ Susan J. O'Brien  
City Clerk