

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on September 1, 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, Fire Chief Tony Nichols, Police Chief Jeff Branson, Arts & Tourism Director Angelia Burgett 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 August 18, 2015; Fire Department report for the months of June and July, 2015; bills and payroll for the last half of August, 2015.

**Bills and Payroll for the last half of August, 2015**

	<b><u>General Fund</u></b>		
Payroll		\$	256,039.00
Bills		\$	<u>619,391.10</u>
	Total	\$	875,430.10
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	2,472.11
Bills		\$	<u>2,371.01</u>
	Total	\$	4,843.12
	<b><u>Arts Council</u></b>		
Bills		\$	<u>390.12</u>
	Total	\$	390.12
	<b><u>Festival Mgmt Fund</u></b>		
Bills		\$	<u>3,154.21</u>
	Total	\$	3,154.21
	<b><u>Mobile Equipment Fund</u></b>		
Bills		\$	<u>28,717.99</u>
	Total	\$	28,717.99
	<b><u>Insurance &amp; Tort Judgment</u></b>		
Bills		\$	<u>44,327.00</u>
	Total	\$	44,327.00
	<b><u>Capital Project Fund</u></b>		
Bills		\$	<u>23,132.00</u>
	Total	\$	23,132.00

<b><u>Water Fund</u></b>			
Payroll		\$	34,704.05
Bills		\$	<u>20,432.41</u>
	Total	\$	55,136.46
<b><u>Sewer Fund</u></b>			
Payroll		\$	35,867.70
Bills		\$	<u>28,469.03</u>
	Total	\$	64,336.73
<b><u>Health Insurance Fund</u></b>			
Bills		\$	<u>143,677.62</u>
	Total	\$	143,677.62
<b><u>Motor Fuel Tax Fund</u></b>			
Bills		\$	<u>9,178.04</u>
	Total	\$	9,178.04

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.

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Gover opened the floor for Public discussion with no response from the Public.

**NEW BUSINESS**

Commissioner Cox seconded by Commissioner Graven moved to approve Council Decision Request 2015-1635, rejecting the construction bids for the Heritage Park Project.

Mayor Gover opened the floor for comments/questions/discussion. Director Barber with questions from Council stated the low bid from Curry Construction was several hundred thousand dollars over the Lumpkin Family funding, so reconsideration of the project without diminishing the important features of the project was underway. The Lumpkin Family has the final decision.

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 Owen moved to adopt Resolution No. 2015-2942, approving a Development Agreement between the City of Mattoon, Lanman Oil Company, Inc., and Eastern Illinois Industries, Inc. to enable road construction east of Miller Road and south of IL Route 16.

**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2015-2942**

**A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT  
FOR THE CONSTRUCTION OF A CITY STREET NEAR THE INTERSECTION OF MILLER ROAD  
AND HURST DRIVE**

**WHEREAS**, Lanman Oil Company is in the process of expanding their service station facility at Miller Road & Illinois Route 16 to include semi-truck accommodations; and

**WHEREAS**, Lanman Oil Company wishes to construct a City Street along the south side of the proposed development and dedicate it to the City; and

**WHEREAS**, the proposed street would provide access to two undeveloped properties east of Miller Road; and

**WHEREAS**, the proposed street is located on property owned by Eastern Illinois Industries; and

**WHEREAS**, Eastern Illinois Industries also wishes to have a City Street constructed and dedicated to the City in order to provide access to the developable properties east of Miller Road.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Mattoon, Coles County, Illinois, that the Development Agreement between the City of Mattoon, Lanman Oil Company, and Eastern Illinois Industries for the construction of a City Street near the intersection of Miller Road and Hurst Drive be approved.

Upon motion by Commissioner Graven, seconded by Commissioner Owen, adopted this 1st day of September, 2015, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Owen, Mayor Gover  
NAYS (Names): None  
ABSENT (Names): None  
ABSTAIN (Names): Commissioner Hall

Approved this 1st day of September, 2015.

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

ATTEST:  
/s/Susan J. O'Brien  
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:  
/s/Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on September 1, 2015.

Mayor Gover opened the floor for comments/questions/discussion. Administrator Gill stated the City received Lanman Oil's letter of credit for road construction today.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, ABSTAIN due to a conflict of interest Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2015-1636, approving an engineering agreement with the Upchurch Group in the amount of \$83,263.22 for the design of the reconstruction of Marshall Avenue from 6th Street to 9th Street. 14-00266-01-PV

Mayor Gover opened the floor for questions/comments/discussion. Administrator Gill noted this motion is for Upchurch to design and the next motion is for the construction. Council inquired about additional engineering fees and reduction of fees for the rest of the project. Director Barber stated there would be additional fees using Federal funding, good pricing from Upchurch, and an estimate of \$240,000 overall for the project.

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 adopt Resolution No. 2015-2943, appropriating \$84,000 of Motor Fuel Tax Funds for the design engineering services for the reconstruction of Marshall Avenue between 6<sup>th</sup> Street and 9<sup>th</sup> Street. 14-00266-01-PV

**City of Mattoon**

**Resolution No. 2015-2943**



**Resolution for Improvement by Municipality Under the Illinois**

BE IT RESOLVED, by the City Council of the City of Mattoon of the State of Illinois Council or President and Board of Trustees that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Marshall Avenue	FAU-7676	6th Street	9th Street

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Design Engineering Services for the reconstruction of Marshall Avenue from 6th Street to 9th Street.

  and shall be constructed 30' (face to face) wide and be designated as Section 14-00266-01-PV

2. That there is hereby appropriated the (additional  Yes  No) sum of Eighty-Four Thousand Dollars ( \$84,000.00 ) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved	I, <u>Susan J. O'Brien</u> Clerk in and for the <u>City of Mattoon</u> of <u>Mattoon</u> City, Town or Village County of <u>Coles</u> , hereby certify the
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Date

Department of Transportation

Regional Engineer

foregoing to be a true, perfect and complete copy of a resolution adopted

by the City Council

Council or President and Board of Trustees

at a meeting on September 1, 2015

Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this

2<sup>nd</sup> day of September, 2015.

(SEAL)

/s/ Susan J. O'Brien

City, Town, or Village Clerk

Mayor Gover opened the floor for questions/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.

Mayor Gover seconded by Commissioner Graven moved to approve Council Decision Request 2015-1637, authorizing a five-year term engagement with Arthur Gallagher to serve as the City of Mattoon's "Broker of Record" for property, casualty and workers compensation insurance; and authorizing the Mayor to sign the Insurance Services Agreement.

Mayor Gover opened the floor for comments/discussion/questions. Commissioner Hall inquired as to the previous agreement with Administrator Gill stating the same length of a five-year contract.

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 attended M.A.I.D. and E.C.I.D.C. meetings, considered a health insurance co-op with several communities, noted steady construction/remodeling and nuisance issues. Mayor Gover opened the floor for questions. Commissioner Cox inquired whether there was more construction on an annual basis with Administrator Gill stating about the same as previous years. Mayor Gover opened the floor for further questions with no response.

CITY ATTORNEY had nothing new to report. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted several FOIAs, the purge of records declared eligible for disposal, and business as usual. Mayor Gover opened the floor for questions with no response.

FINANCE noted receipt of the first installment of property taxes with the second installment to be received in the middle of the month. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS updated the Council on the street crews' projects. Mayor Gover complimented the Wabash project, and opened the floor for questions with no response.

FIRE noted several FOIAs and return of Engine 21. Mayor Gover inquired as to the length of service time, perhaps 10 years with Chief Nichols stating the maximum of eight years. Mayor Gover opened the floor for questions with no response.

POLICE noted the new speed sign arrived and business as usual. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM noted with school starting there was an increase in the traffic at the Depot, filling the Lone Elm Room and Dracula performance in October and community engagement, and receipt of the last bills from Bagelfest and 4<sup>th</sup> of July events. Mayor Gover opened the floor for questions with no response.

#### COMMENTS BY THE COUNCIL

Commissioners Cox, Hall, and Owen had no further comments. Commissioner Graven thanked the Mattoon Police Department and Fire Department for their assistance with the Relay for Life event held in Peterson Park; and noted talks between Steve Thompson and Luke Owen to promote a skate park event in Mattoon.

Mayor Gover seconded by Commissioner Graven moved to recess to closed session at 6:50 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the discussion of litigation under Section 2(c)(11) that is affecting the City of Mattoon (5 ILCS 120(2)(c)(11)).

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.

Council reconvened at 7:05 p.m.

Commissioner Hall seconded by Commissioner Cox moved to adjourned at 7:05 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