

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on December 6, 2016.

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.

Mayor Gover opened the Public Hearing of the FY17 proposed tax levy at 6:30 p.m. in the City Hall Council Chambers. Treasurer & Finance Director Wright explained the 105% increase to the prior year's extension, the City needed to have a hearing. The 2015 extension was \$4,136,595. The 2016 extension will be \$4,669,519, which represents a 12.8832% increase. After PTELL is applied, the 2016 extension will be \$4,205,986, which is a 1.677% increase. Fire and Police Pension contributions were explained and increased by \$500,000 over the prior year. Owner-occupied with homeowner's exemptions should see approximately a \$9.86 increase in City property taxes. The floor was opened for questions. Council and Treasurer & Finance Director Wright discussed the increase clarification, consumer price index, and PTELL formula for new construction. Mayor Gover opened the floor for further questions of the Council or Public with no response. Mayor Gover closed the Public Hearing of the FY17 proposed tax levy at 6:35 p.m.

#### CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting November 15, 2016, Fire Department report for the month of November 2016, and bills and payroll for the last of November, 2016.

#### **Bills & Payroll** **last half of November, 2016**

| <b><u>General Fund</u></b>             |       |    |              |
|--|-------|----|--------------|
| Payroll                                |       | \$ | 610,536.91   |
| Bills                                  |       | \$ | 479,693.81   |
|  | Total | \$ | 1,090,230.72 |
| <b><u>Hotel Tax Administration</u></b> |       |    |              |
| Payroll                                |       | \$ | 4,919.22     |
| Bills                                  |       | \$ | 4,574.92     |
|  | Total | \$ | 9,494.14     |
| <b><u>Festival Mgmt Fund</u></b>       |       |    |              |
| Bills                                  |       | \$ | 3,878.43     |
|  | Total | \$ | 3,878.43     |

|         |   |    |            |
|---------|---|----|------------|
|         | <b><u>Insurance &amp; Tort Judgment</u></b> |    |            |
| Bills   |   | \$ | 49,440.00  |
|         | Total                                       | \$ | 49,440.00  |
|         | <b><u>Capital Project Fund</u></b>          |    |            |
| Bills   |   | \$ | 6,113.94   |
|         | Total                                       | \$ | 6,113.94   |
|         | <b><u>Revolving Loan Fund</u></b>           |    |            |
| Bills   |   | \$ | 630.00     |
|         | Total                                       | \$ | 630.00     |
|         | <b><u>Midtown TIF Fund</u></b>              |    |            |
| Bills   |   | \$ | 137,839.21 |
|         | Total                                       | \$ | 137,839.21 |
|         | <b><u>Water Fund</u></b>                    |    |            |
| Payroll |   | \$ | 73,921.48  |
| Bills   |   | \$ | 64,445.15  |
|         | Total                                       | \$ | 138,366.63 |
|         | <b><u>Sewer Fund</u></b>                    |    |            |
| Payroll |   | \$ | 75,313.05  |
| Bills   |   | \$ | 35,877.79  |
|         | Total                                       | \$ | 111,190.84 |
|         | <b><u>Health Insurance Fund</u></b>         |    |            |
| Bills   |   | \$ | 282,569.91 |
|         | Total                                       | \$ | 282,569.91 |
|         | <b><u>Motor Fuel Tax Fund</u></b>           |    |            |
| Bills   |   | \$ | 5,690.26   |
|         | Total                                       | \$ | 5,690.26   |

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

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

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Commissioner Hall acknowledged the attendance of three Boy Scouts from Troop 57. Mayor Gover opened the floor for Public comment with no response.

**NEW BUSINESS**

Commissioner Owen seconded by Commissioner Hall moved to adopt Special Ordinance No. 2016-1646, levying taxes for all corporate purposes for the fiscal year beginning May 1, 2016 and ending April 30, 2017.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2016-1646**

**AN ORDINANCE LEVYING TAXES FOR ALL CORPORATE PURPOSES FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2016 AND ENDING APRIL 30, 2017**

**BE IT ORDAINED** by the Mayor and City Council of the City of Mattoon, Coles County, Illinois:

**Section 1. Assumed Equalized Assessed Valuation.** The corporate authorities have assumed the Equalized Assessed Valuation (EAV) of property within the municipality will increase from \$192,469,579 to \$197,826,925, two and seventy-eight tenths percent (2.78%) over the previous fiscal year.

**Section 2. Tax Levy.** The amount hereinafter set forth, or so much thereof as may be authorized by law, and the same are hereby levied upon all property subject to taxation within the municipality as that property is assessed and equalized for the current year, to defray expenses and liabilities for the City of Mattoon, Coles County, Illinois, for the fiscal year beginning May 1, 2016 and ending April 30, 2017. The total property tax levy extension is attached hereto and marked as “Exhibit A” and incorporated herein by reference.

**Section 3. Maximum Rates for Certain Services.** If the equalized assessed value of the municipality ends up lower or higher than the value anticipated by this ordinance, the Coles County Clerk is petitioned to levy the maximum property tax rate authorized by law for General Corporate, Police Protection and Fire Protection.

**Section 4. Tax Abatement for General Obligation Bonds.** Since alternative revenue sources will be sufficient to pay debt service on the City of Mattoon’s General Obligation Bonds, the 2016 tax levy (to be received in 2017) is hereby abated for the following General Obligation Bonds:

| <u>Issue</u>                                   | <u>Tax Levy Years</u> | <u>Bond Ordinance Number</u> |
|--|-----------------------|------------------------------|
| Series 2009 A General Obligation Bonds         | 2009 thru 2027        | Special Ordinance 2009-5275  |
| Series 2009 B General Obligation Bonds         | 2009 thru 2027        | Special Ordinance 2009-5276  |
| Series 2014 General Obligation Refunding Bonds | 2014 thru 2024        | Ordinance 2014-5368          |

The levy for paying principal and interest on these bonds shall only be abated for the 2016 tax levy. In all other respects, the ordinances that authorized the foregoing bonds shall continue in effect according to the express terms thereof.

**Section 5. Amount to be Raised by Tax Levy.** The amount to be levied for each purpose is placed in a separate column under the heading “Amount to be Raised by Tax Levy”, which appears over same being as follows, to wit:

|                      | Amount<br><u>Budgeted</u> | Amount To Be<br>Received from<br><u>Other Sources</u> | Amount To<br>Be Raised By<br><u>Tax Levy</u> |
|----------------------|---------------------------|---|--|
| <b>General Fund</b>  |                           |   |  |
| General Government   | 936,069                   | 441,502   | 494,567                                      |
| Public Safety        | 11,083,014                | 7,511,434   | 3,571,580                                    |
| Public Works         | 1,686,634                 | 1,686,634   | -0-  |
| Health & Welfare     | 1,764,305                 | 1,764,305   | -0-  |
| Culture & Recreation | 1,026,768                 | 878,398   | 148,370                                      |
| Economic Development | 50,000                    | 50,000  | -0-  |
| Debt Service         | 409,306                   | 409,306   | -0-  |
| Other Financing Uses | <u>1,232,246</u>          | <u>1,232,246</u>                                      | <u>-0-</u>                                   |
| Total General Fund   | \$ 18,188,342             | \$ 13,973,825   | \$ 4,214,517                                 |

Statutory Authority:

|   |           |
|---|-----------|
| General Corporate Tax (65 ILCS 5/8-3-1): 0.25 Limit | 494,567   |
| Fire Protection (65 ILCS 5/11-7-1): 0.15 Limit      | 296,741   |
| Police Protection (65 ILCS 5/11-1-3): 0.15 Limit    | 296,741   |
| Parks (65 ILCS 5/11-98-1): 0.075 Limit              | 148,370   |
| Firemen's Pension (40 ILCS 5/4-118) No Limit        | 1,539,010 |
| Firemen's Pension (35 ILCS 200/18-185) No Limit     | 45,190    |

Policemen's Pension (40 ILCS 5/3-125) No Limit

1,393,898

\$ 4,214,517

|                                       | Amount<br><u>Budgeted</u> | Amount To Be<br>Received from<br><u>Other Sources</u> | Amount To<br>Be Raised By<br><u>Tax Levy</u> |
|---------------------------------------|---------------------------|---|--|
| <b>Other Governmental Funds:</b>      |                           |   |  |
| Library Fund                          | \$ 522,320                | \$ 67,318   | \$ 455,002                                   |
| Motor Fuel Tax Fund                   | 1,377,600                 | 1,377,600   | -0-  |
| Hotel & Motel Tax Fund                | 286,133                   | 286,133   | -0-  |
| Festival Management Fund              | 152,850                   | 152,850   | -0-  |
| Mobile Equipment Fund                 | 531,170                   | 531,170   | -0-  |
| Insurance & Tort Judgment Fund        | 930,424                   | 930,424   | -0-  |
| Revolving Loan Fund                   | 31,061                    | 31,061  | -0-  |
| Midtown TIF Fund                      | 1,148,646                 | 1,148,646   | -0-  |
| East I-57 TIF Fund                    | 7,827                     | 7,827   | -0-  |
| South Route 45 TIF District Fund      | 72,396                    | 72,396  | -0-  |
| South Route 45 Business District Fund | 44,000                    | 44,000  | -0-  |
| Broadway East TIF District Fund       | 11,864                    | 11,864  | -0-  |
| Broadway East Business District Fund  | 375,881                   | 375,881   | -0-  |
| Capital Improvement Fund              | <u>\$3,796,320</u>        | <u>\$3,796,320</u>                                    | <u>-0-</u>                                   |
| Total Other Governmental Funds        | \$9,288,492               | \$8,833,490   | \$ 455,002                                   |

Statutory Authority:

Library (75 ILCS 5/3-1, 5/3-4, 5/3-7) 0.23 Limit

\$ 455,002

| Amount<br><u>Budgeted</u> | Amount To Be<br>Received from<br><u>Other Sources</u> | Amount To<br>Be Raised By<br><u>Tax Levy</u> |
|---------------------------|---|--|
|---------------------------|---|--|

**Enterprise Funds:**

|                        |                      |                     |                    |
|------------------------|----------------------|---------------------|--------------------|
| Water Fund             | \$ 3,964,326         | \$ 3,964,326        | -0-                |
| Sewer Fund             | <u>20,694,294</u>    | <u>20,694,294</u>   | <u>-0-</u>         |
| Total Enterprise Funds | \$ 24,658,620        | \$ 24,658,620       | -0-                |
| <b>All Fund Totals</b> | <b>\$ 52,135,454</b> | <b>\$47,465,935</b> | <b>\$4,669,519</b> |

**Section 6.** The City Clerk shall make and file with the Clerk of Coles County, on or before the last Tuesday in December, a duly certified copy of this ordinance.

**Section 7.** If any section, subdivision or sentence of this ordinance for any reason is held to be invalid or to be unconstitutional, such decision shall not affect the validity of the remaining part of this ordinance.

**Section 8.** This ordinance shall be in full force and effect after its adoption, as provided by law.

Upon motion by Commissioner Owen, seconded by Commissioner Hall, adopted this 6th day of December, 2016, 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 6th day of December, 2016.

/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 Winter-Black, City Attorney

Recorded in the Municipality's Records on December 6, 2016.

Mayor Gover opened the floor for comments/questions/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 Cox seconded by Commissioner Owen moved to adopt Special Ordinance No. 2016-1647, authorizing an ordinance for the sale of Lot 48 and Lot 58 in Lake Paradise Subdivision to Kent and Lee Coffman, owners of a home on leased premises at Lot 48 and Lot 58, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (Commonly known as 3015 E. Lake Paradise Road – 10-0-00985-000)

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**CITY OF MATTOON, ILLINOIS**  
**SPECIAL ORDINANCE NO. 2016-1647**  
**AN ORDINANCE AUTHORIZING THE SALE OF**  
**SURPLUS REAL ESTATE**

**WHEREAS**, the City of Mattoon owns certain real estate parcels at Lake Paradise Subdivision including Lot 48 and Lot 58; and

**WHEREAS**, State Statute 65 ILCS 5/11-76-4.1 enables municipalities to sell real estate, at a price of not less than 80% of the appraised value, if it is determined to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office; and

**WHEREAS**, Kent and Lee Coffman own a cabin and lease the real estate at Lot 48 and Lot 58 of Lake Paradise Subdivision, also known as 3015 East Lake Road; and

**WHEREAS**, said real estate is further described on the attached sketch labeled Exhibit 'X' and the attached deed labeled Exhibit 'Y'; and

**WHEREAS**, Kent and Lee Coffman wish to purchase said real estate at the appraised value of \$8,500.00; and

**WHEREAS**, the City Council has declared Lot 48 and Lot 58 "no longer necessary or required for the use of the municipality" and "authorized management staff to negotiate contracts to sell said lots" by virtue of Resolution No. 2006-2642; and

**WHEREAS**, the City Council established certain Covenants, Restrictions, and Limitations for Lake Paradise Subdivision in a Declaration made May 16, 2006 and caused said document to be recorded at the Coles County Clerk and Recorder's Office as Document No. 0690359, said covenants are attached as Exhibit 'Z'.

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

**Section 1.** The City Council determines that it would be inappropriate to offer this property to competitive bidding since the leasee has already invested in permanent improvements on the premises that cannot be conveniently separated.

**Section 2.** The Mayor and City Clerk are authorized to sign documents conveying, by Warranty Deed, attached as Exhibit 'Y', title to the real estate described in Section 3 of this ordinance to Kent and Lee Coffman in exchange for payment in the amount of \$8,500.00.

**Section 3.** The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 48 and Lot 58 of Lake Paradise Subdivision, Paradise Township, Coles County, Illinois, commonly known as 3015 East Lake Paradise Road, Mattoon, Illinois, PIN: 10-0-00985-000.

Excepting any interest or estate in the minerals underlying the surface of the land which may have been heretofore conveyed or reserved, and all rights and easements in favor of any such mineral interest or estate.

**Section 4.** The Covenants, Restrictions, and Limitations for Lake Paradise Subdivision, Paradise Township, Coles County, Illinois, attached as Exhibit 'Z', shall run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them and for the benefit of, and limitations on, future owners in such subdivision.

**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 Cox, seconded by Commissioner Owen, adopted this 6th day of December, 2016, 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 6th day of December, 2016.

/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

/s/Janett Winter-Black

Janett Winter-Black, City Attorney

Recorded in the Municipality's Records on December 6, 2016.

Mayor Gover opened the floor for questions 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 Cox moved to approve Council Decision Request 2016-1729, approving a home occupation application and authorizing the Mayor to sign a permit for a special use to enable single-patient counseling services by Lorrie Bierman at 6559 North Country Club Road.

Mayor Gover opened the floor for comments/questions/discussion. Commissioner Hall and Administrator Gill discussed the single occupancy and ample parking.

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 2016-1730, approving Change Order #1 in the amount of \$51,304.00 for foundation design changes on the Public Works Building Project by Grunloh Building, Inc.

Mayor Gover opened the floor for questions/comments/discussion. Director Barber explained the reason for the foundation design change and the process of bidding 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.

## DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT noted review of Aetna agreement finalization, labor attorneys in other communities, upcoming TIF meeting, and other developments; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

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

CITY CLERK reported the transfer of health insurance from Coventry to Aetna effective January 1, 2017 and progress of the transfer; otherwise business as usual. Mayor Gover opened the floor for questions with no response.

FINANCE noted the receipt of the final installment of property taxes, which was 99.6% of the final extension of 2015 taxes, posted auditors' adjustments, and projections for FY17. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS & ARTS & TOURISM reported on Curry construction and Heritage Park, and the successful Downtown Holiday Celebration and Parade. Mayor Gover stated he heard many good comments on the Parade and Celebration.

FIRE – noted the delivery of 165 Thanksgiving food baskets, ambulance standby at the Santa Chase 5K, walkthroughs and other public relations activities. Mayor Gover opened the floor for questions with no response.

POLICE noted the upcoming retirement of Police K-9 Goro and search for another replacement. Chief Branson also praised Kal Kan for their support of the K-9s and donation for the replacement K-9. Additionally, the Chief discussed Shop with a Cop and officers graduating from the Academy and their readiness.

## COMMENTS BY THE COUNCIL

Commissioner Graven received glowing reviews from the Downtown Celebration. Commissioners Cox, Hall, and Owen had no further comments.

Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 7:00 p.m. pursuant to the Illinois Open Meetings Act for the purpose of discussing the employment, compensation of legal counsel for collective bargaining for the City. (5ILCS/20 (2)(C)(1))

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 7:16 p.m.

Administrator Gill requested feedback on an economic development site located on South Route 45 and a Revolving Loan Fund Grant.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:17 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