

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on February 7, 2017.

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, Absent 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 called for a moment of silence in the passing of Commissioner Hall's mother.

### CONSENT AGENDA

Mayor Gover seconded by Commissioner Cox moved to approve the consent agenda consisting of minutes of the regular meeting January 17, 2017, bills and payroll for the last half of January, 2017.

#### **Bills & Payroll** **last half of January, 2017**

<b><u>General Fund</u></b>			
Payroll		\$	259,244.94
Bills		\$	<u>60,465.04</u>
	Total	\$	319,709.98
<b><u>Hotel Tax Administration</u></b>			
Payroll		\$	2,497.61
Bills		\$	<u>652.43</u>
	Total	\$	3,150.04
<b><u>Festival Mgt Fund</u></b>			
Bills		\$	<u>1,012.26</u>
	Total	\$	1,012.26
<b><u>Insurance &amp; Tort Fund</u></b>			
Bills		\$	<u>15,457.00</u>
	Total	\$	15,457.00
<b><u>Water Fund</u></b>			
Payroll		\$	31,752.26
Bills		\$	<u>25,761.35</u>
	Total	\$	57,513.61

	<b><u>Sewer Fund</u></b>		
Payroll		\$	35,424.26
Bills		<u>\$</u>	<u>839,163.33</u>
	Total	\$	874,587.59
	<b><u>Health Insurance Fund</u></b>		
Bills		<u>\$</u>	<u>290,880.78</u>
	Total	\$	290,880.78
	<b><u>Motor Fuel Tax Fund</u></b>		
Bills		<u>\$</u>	<u>149,734.02</u>
	Total	\$	149,734.02

Mayor Gover opened the floor for discussion.

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

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Gover opened the floor for Public questions or comments with no response from the Public.

Mr. Scott Gradle, Chairman of the Mattoon Arts Council, reviewed the promotion of Arts over the last 10 years, activities in 2016, and various scholarships. Mayor Gover opened the floor for questions with no response. Mayor Gover thanked Mr. Gradle and other committee members for their service.

**NEW BUSINESS**

Mayor Gover seconded by Commissioner Cox moved to adopt Ordinance No. 2017-5393, amending the Municipal Code of Ordinances by establishing Chapter 119 for the regulation of cable/video providers and consumer protection law.

**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2017-5393**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY ESTABLISHING CHAPTER 119 "CABLE/VIDEO PROVIDERS"**

**WHEREAS**, the corporate authorities of the City of Mattoon has franchise agreements with cable and video operators operating within the City of Mattoon; and

**WHEREAS**, 220 ILL. COMP. STAT. 5/21-401 allows cable and video operators to obtain a State-issued authorization to operate a cable television system providing cable television service to households in the State of Illinois under an Authorization to Offer Cable or Video Services granted by the Illinois Commerce Commission; and

**WHEREAS**, 220 ILL. COMP. STAT 5/21-801 permits the City of collect service provider fees from a cable operator within the City pursuant to a State authorization; and

**WHEREAS**, the corporate authorities of the City of Mattoon deem it to be in the interest of public health, safety, and welfare of the residents of the City of Mattoon to amend the City Municipal Code to establish a Cable/Video Service Provider Fee and adopt Customer Protection Laws.

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

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2. Amendments.** Title XI: BUSINESS REGULATIONS is hereby amended by establishing Chapter 119: “Cable and Video Service Providers” to the Code of Ordinances of the City of Mattoon as set forth in Attachment “A” to this Ordinance and, which is considered to be part of this Ordinance as if fully set forth herein.

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 4.** This ordinance shall be effective upon its approval as provided by law. The City Clerk is hereby directed to publish this Ordinance in pamphlet form.

Upon motion by Mayor Gover, seconded by Commissioner Cox, adopted this 7th day of February, 2017, by a roll call vote, as follows:

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

NAYS (Names): None

ABSENT (Names): Commissioner Hall

Approved this 7th day of February, 2017.

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

ATTEST:

APPROVED AS TO FORM:

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

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on February 7, 2017.

Mayor Gover opened the floor for questions/comments. Administrator Gill described the present franchise contracts with Mediacom and Consolidated Communications, the 2007 State Law allowing State-wide franchising and continuation of the City receiving the 5% fee.

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

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2017-1736, approving an additional \$25,000 in Construction Engineering Assistance from the Upchurch Group for the Public Works Building Project.

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, Absent Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

### DEPARTMENT REPORTS

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT noted preparation of budgets, staff and public inquiries, and scheduling a meeting with the PBPA next week for contract negotiations. Mayor Gover reminded Council of the budget meeting on Friday in the Lone Elm Room of the Depot, and opened the floor for questions. Commissioner Cox noted several new businesses opening. Administrator Gill stated several new businesses and many remodeling projects with anticipation of more in 2017.

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

CITY CLERK noted supplement insurance issues; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

FINANCE noted preparation of the General Fund budget with a sizeable gap. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS updated Council on Street Crews projects – repair of the manhole at Broadway & 19<sup>th</sup> Street, painting contract for the Burgess Osborne, and request for proposals for design work for the year. Mayor Gover opened the floor for questions with no response.

FIRE described FA inspections at the Airport, upcoming school inspections, and budget preparation with Finance Director & Treasurer Wright and Administrator Gill. Mayor Gover opened the floor for questions with no response.

POLICE distributed and reviewed the end of year Police Report; noted an increase of activity and stats; and commended officers for a job well done. Commissioner Cox and Chief Branson discussed the number of calls and number of officers, while stating Mattoon continued to be a safe place to live. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM updated Council on the attendance of the various workshops, finalizing the Lightworks report, purchasing new displays, preparation of Bagelfest, and described grant process changes. Mayor Gover opened the floor for questions. Commissioner Graven inquired as to the demographics of those in attendance of the workshops. Director Burgett stated the demographics could

be reported and explained some of the events. Mayor Gover opened the floor for further questions with no response.

COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, and Owen had no further comments.

Commissioner Cox seconded by Commissioner Graven moved to adjourn at 7:01 p.m.

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

/s/ Susan J. O'Brien  
City Clerk