

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on April 18, 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, 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, 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 April 4, 2017; bills and payroll for the first half of April, 2017.

**Bills & Payroll**  
**first half of April, 2017**

	<b><u>General Fund</u></b>		
Payroll		\$	273,052.69
Bills		\$	<u>208,736.95</u>
	Total	\$	481,789.64
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	2,743.61
Bills		\$	<u>325.29</u>
	Total	\$	3,068.90
	<b><u>Festival Mgt</u></b>		
Bills		\$	<u>12,091.00</u>
	Total	\$	12,091.00
	<b><u>Insurance &amp; Tort Judgment</u></b>		
Bills		\$	<u>72,133.71</u>
	Total	\$	72,133.71
	<b><u>Broadway East Bus. Dist.</u></b>		
Bills		\$	<u>2,514.40</u>
	Total	\$	2,514.40
	<b><u>Water Fund</u></b>		
Payroll		\$	33,237.79
Bills		\$	<u>28,559.77</u>
	Total	\$	61,797.56

	<b><u>Sewer Fund</u></b>		
Payroll		Total	\$ 34,113.48
Bills			\$ 21,799.84
		Total	\$ 55,913.32
	<b><u>Health Insurance Fund</u></b>		
Bills			\$ 192,811.27
		Total	\$ 192,811.27
	<b><u>Motor Fuel Tax Fund</u></b>		
Bills			\$ 14,804.46
		Total	\$ 14,804.46

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**

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

**NEW BUSINESS**

Commissioner Owen seconded by Commissioner Graven moved to adopt Special Ordinance No. 2017-1656, adopting the budget for the fiscal year that begins May 1, 2017 and ends April 30, 2018.

**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2017-1656**

**AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MATTOON  
FOR THE FISCAL YEAR THAT BEGINS MAY 1, 2017 AND ENDS APRIL 30,  
2018**

**WHEREAS**, the proposed budget was filed with the City Clerk and became available for public inspection on March 24, 2017; and

**WHEREAS**, notice of a public hearing to consider comments on the proposed budget was published in the *Mattoon Journal Gazette*; and

**WHEREAS**, a public hearing was held on April 04, 2017 at which hearing any taxpayer was given an opportunity to appear and be heard in favor of or against any of the proposed revenues and expenditures provided in the tentative budget; and

**WHEREAS**, after the public hearing the City Council adopted changes to the tentative budget as outlined in the final budget which is attached to this ordinance and marked as "Final Budget – April 18, 2017"; and,

**WHEREAS**, the process and procedures for the annual budget have been completed in accordance with provisions of Illinois Statutes 65 ILCS 5/8-2-9.1 through 65 ILCS 5/8-2-9.10 and City of Mattoon Ordinance No. 2002-5101.

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

Section 1. Estimates of revenues and expenditures shown in the attached budget, as amended, are hereby adopted as the budget for the City of Mattoon for the fiscal year that begins May 1, 2017 and ends April 30, 2018.

Section 2. The budget as it has been adopted is attached and incorporated herein by reference.

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.

Upon motion by Commissioner Owen, seconded by Commissioner Graven, adopted this 18<sup>th</sup> day of April, 2017.

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

Approved this 18th day of April, 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 April 18, 2017.

Mayor Gover opened the floor questions/comments/discussion. Administrator Gill noted a balanced budget after receiving the final figures for the health insurance which allowed gaming funds to be disbursed in the coming fiscal year.

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 Owen seconded by Commissioner Hall moved to adopt Resolution No. 2017-2986, prescribing contributions required of Employees and Retirees who elect to participate in the group health, group Medicare, and life insurance plan of the municipality.

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2017-2986**

**A RESOLUTION ESTABLISHING CONTRIBUTIONS REQUIRED OF EMPLOYEES AND RETIREES WHO ELECT TO PARTICIPATE IN THE CITY OF MATTOON'S GROUP HEALTH, DENTAL AND LIFE INSURANCE PLANS**

**WHEREAS**, the City of Mattoon is subject to three collective bargaining agreements and two of which prescribe that employees shall pay 20% of the cost of the health insurance plan by payroll deduction beginning with the first paycheck of May after the costs for the preceding calendar year are disclosed by the Employer's health insurance administrator; and

**WHEREAS**, actual costs for stop loss insurance, fees, medical, prescription and dental claim expenditures for calendar year 2016 were \$715.31 per month for single coverage and \$1,543.15 per month for family coverage, as reported by Aetna (City Plan and Group Medicare Plan) and Delta Dental of Illinois, the Employer's health and dental insurance plan administrators; and

**WHEREAS**, State statutes do not presently require a municipality to pay any portion of the cost of post employment benefits for retired employees and the City reserves the right to make changes to the rates; and

**WHEREAS**, the City began to require retired employees, whose pensions are more than \$1,625 per month, to contribute a higher share of the cost of the health insurance plan by Resolution 2004-2548 adopted April 6, 2004; and

**WHEREAS**, group life insurance will be provided by Dearborn National for a two-year term effective May 1, 2017; and

**WHEREAS**, the time is now appropriate to prescribe contributions required of employees and retirees for the health and life insurance plans for the 2017/2018 fiscal year.

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

**Section 1.** The following tables prescribe contributions required of eligible employees and retirees who elect to participate in the City of Mattoon's group health insurance plan.

Eligible Employees and Retirees Whose Pensions Are Less Than \$1,625 Per Month

	Total Monthly	Employer Share	Employee Share
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	Cost	80%	20%
Single Coverage	\$715.31	\$572.25	\$ 143.06
Family Coverage	\$1,543.15	\$1,234.51	\$ 308.64

Eligible Retirees Whose Pensions Are More Than \$1,625 Per Month

	Total Monthly Cost	Employer Share 65%	Retiree Share 35%
Single Coverage	\$ 715.31	\$464.95	\$ 250.36
Family Coverage	\$1,543.15	\$1,003.05	\$ 540.10

**Section 2.** Retirees, who are currently enrolled, may participate in the City of Mattoon’s group term life insurance plan by monthly withholdings from pensions, whether such retiree is paid by the Illinois Municipal Retirement Fund, the Firefighters Pension Fund or the Police Pension Fund. The retiree contribution for \$10,000 life insurance shall be \$19.64 per month for retirees under 70. For retirees age 70 or over, the retiree contribution for \$5,000 life insurance shall be \$9.82 per month.

**Section 3.** Employee and retiree contributions adopted by this resolution shall become effective May 1, 2017.

**Section 4.** All contributions for payment of health and life insurance shall be deducted directly on a monthly basis from the pension benefits received by the retiree. The only exception to the direct deduction rule shall be when the IMRF rules and regulations do not allow for said direct deduction.

Upon motion by Commissioner Owen seconded by Commissioner Hall, adopted this 18<sup>th</sup> day of April, 2017, 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

/s/ Tim Gover  
Tim 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 April 18, 2017.

Mayor Gover opened the floor 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 adopt Ordinance No. 2017-5396, ratifying the Mattoon Code of Ordinances to update the City's Electrical Code with local amendments and establishing an Educational Contractor regulation.

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**CITY OF MATTOON, ILLINOIS  
ORDINANCE NO. 2017-5396**

**AN ORDINANCE UPDATING THE CITY'S ELECTRICAL CODE WITH LOCAL  
AMENDMENTS AND ESTABLISHING AN EDUCATIONAL CONTRACTOR REGULATION**

**WHEREAS**, the City of Mattoon has previously acknowledged the need for and has adopted codes to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of electrical systems in the City of Mattoon; and

**WHEREAS**, by Ordinance No. 99-5001, Mattoon adopted regulations for installation of electrical work, including the *National Electrical Code*® and provided for the registration of electrical contractors, the issuance of permits and fees therefore; and

**WHEREAS**, the *National Electrical Code*® has become the most widely adopted code in the United States – it is the standard used in all 50 states and all U.S. territories; and

**WHEREAS**, building code enforcement officials have long recognized a need for uniform code provisions for administration of the *National Electrical Code*® and other national standards applicable to electrical systems; and

**WHEREAS**, Article 80 of the 2008 edition of the *National Electrical Code*® published by the National Fire Protection Association is designed to meet these needs through model code regulations.

**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.** Chapter 151.03 PROVISIONS SUPERSEDED BY LOCAL AMENDMENT

Section E. 334.10 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

**E. 334.10 Nonmetallic-sheathed Cable Uses Permitted.** Type NM, Type NMC and Type NMS nonmetallic-sheathed cable may ONLY be used in ~~one and two family dwellings and residential garages~~ dwellings not to exceed 4 units (residential installations for the purpose of this ordinance) and commercial structures utilizing a 200 Ampere single phase service or less. Furthermore this cable shall be sized no smaller than #12, unless on a switched leg, or by special permission of the electrical inspector.

- (1) Unless special permission is granted, anything other than the installations mentioned above (commercial installations for the purpose of this ordinance) shall be installed in approved metallic raceway, no smaller than metric designator 16 (trade size 1/2").
- (2) Metallic sheathed cable of metric designator 12 (trade size 3/8") may be used in no length greater than 6', and where not exposed to physical damage, to facilitate the wiring of branch circuit receptacles, and lighting whip. Longer lengths may be permitted with special permission of the electrical inspector.

**Section 3. Amendments.** Chapter 151.03 PROVISIONS SUPERSEDED BY LOCAL AMENDMENT  
Section H. 760.49 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

**H. 760.49 Non-Power Limited Fire Alarm Circuit Conductors**

(D) Raceway Identification

Conductors supplying NPLFA circuits shall be installed in metallic raceway, no smaller than trade size 1/2" and continuously red in color.

**Section 4. Amendments.** Chapter 151.03 PROVISIONS SUPERSEDED BY LOCAL AMENDMENT  
Section I. 760.176 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

**I. 760.176 Listing and Marking of Power Limited Fire Alarm Circuit Cables**

(H) Cable Color

Cables supplying NPLFA circuits shall be continuously red in color.

**Section 5. Amendments.** Chapter 151.06 CERTIFICATE OF REGISTRATION Section A of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

**A. Definitions.** Unless otherwise expressly stated the following words and terms shall, for the purposes of this code, have the following meanings:

**1. Direct light.** Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminary.

**2. Educational Contractor.** A person authorized by registration to perform limited installation, alteration or repair of electrical equipment or wiring for the sole purpose of education. The number of registrations shall be limited to one (1) at any given period of time.

**3. Electrical Contractor.** Any person engaged in the business of installing, altering, erecting, repairing, or contracting to install, alter, erect or repair electrical equipment or wiring to supply light,

heat or power, not including radio apparatus or equipment for wireless reception of sound or signals, and not including apparatus, conductors and other equipment installed for or by public utilities, including common carriers that are under the jurisdiction of the Illinois Commerce Commission, for use in their operations as public utilities. The term "Electrical Contractor" includes any person who supervises and is responsible for the electrical business. It does not include employees employed by such contractors. Nothing in this section shall preclude the principal owner of a single family residence from installing and erecting electrical equipment and wiring to supply light, heat and power in his personal place of residence.

**4. Electrical Board.** An examination and registration authority of the City of Mattoon, created and established by Article 80.15 of the NEC® as supplemented by Section 3 of this ordinance.

**5. Electrical Serviceperson.** A person authorized by registration to perform limited installation, alteration or repair of electrical equipment or wiring for laundry washing and drying appliances, dishwashing appliances, refrigerators, freezers, ranges, furnaces, garbage and trash compacting appliances, garage door openers, air conditioning units, sump pumps, security, alarm and telecommunication systems.

**6. Fixture.** The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

**7. Flood or spotlight.** Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

**8. Fully-shielded (full-cutoff) light.** Outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report.

**9. Glare.** means light emitting from a luminary with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

**10. Grandfathered luminaries.** Luminaries not conforming to this chapter that were in place at the time this chapter was voted into effect. When an ordinance "grandfathers" a luminary, it means that such already existing outdoor lighting does not need to be changed.

**11. Height of luminary.** The height of a luminary shall be the vertical distance from the ground directly below the centerline of the luminary to the lowest direct-light-emitting part of the luminary.

**12. Indirect light.** Direct light that has been reflected or has scattered off of other surfaces.

**13. Lamp.** The component of a luminary that produces the actual light.

**14. Light trespass.** means the shining of light produced by a luminary beyond the boundaries of the property on which it is located.

**15. Luminary.** This is a complete lighting system, and includes a lamp or lamps and a fixture.

**16. Mounting height.** Includes the total height of any proposed base combined with the height of the light pole and fixture.

**17. Outdoor lighting.** The nighttime illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

**18. Temporary outdoor lighting.** The specific illumination of an outside area of object by any man-made device located outdoors that produces light by any means for a period of less than seven days, with at least one hundred eighty (180) days passing before being used again.

**Section 6. Amendments.** Chapter 151.06 CERTIFICATE OF REGISTRATION Section G of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

**G. Registration Fee; Duration.** The fee for registration as an Electrical Contractor shall be twenty-five dollars (\$25.00) per annum and shall permit an Electrical Contractor to do all phases of electrical wiring within the City of Mattoon. The fee for registration as an Electrical Serviceman shall be twenty-five dollars (\$25) per annum. Any registration fee shall be paid to the Finance Department and deposited in the city's treasury, in advance, with the application. The Certificate of Registration issued shall expire on the 31st day of December of the year in which it is issued; provided that any educational contractor, business manager, building or plant engineer or electrician who shall engage in electrical installation work or repairs solely upon the premises of his employer shall secure a Certificate of Registration without charge, which Certificate shall, however, be confined to the premises of his employment and shall not permit engaging in such work in any place other than upon such premises. Registrants shall be issued a new Certificate of Registration for the ensuing year provided that they have paid the required fee not later than December 31st of the ensuing year; they had been issued valid Certificate of Registration for the previous calendar year and submit evidence of bonding and insurance. All other applicants shall be examined as provided in Paragraph C or D as applicable hereof.

**Section 4.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases may be declared unconstitutional.

**Section 8.** The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form, to mail it to all electrical contractors and servicemen presently registered by the City of Mattoon and to make it available for public inspection in the Mattoon Public Library and in the Office of the City Clerk.

**Section 9.** This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 days after its publication in pamphlet form as herein provided.

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 18<sup>th</sup> day of April, 2017, 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 18<sup>th</sup> day of April, 2017.

/s/Timothy D. Gover  
Timothy D. Gover, Mayor  
City of Mattoon, 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 April 18, 2017.

Mayor Gover opened the floor questions/comments. Administrator Gill explained the laxing of the conduit ordinance and establishment of the Educational Contractor. Commissioner Cox inquired as to the savings for the school with Administrator Gill stating about \$8,000 per year. Commissioner Owen inquired as to the cost of the permit, which Administrator Gill stated \$25.00 per permit. Chief Nichols asked if there was only one Educational Contractor available with Administrator Gill answering affirmatively.

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 adopt Resolution No. 2017-2987, giving notice to the Illinois Department of Transportation of the Christmas parade to be sponsored by the City of Mattoon.

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2017-2987**

WHEREAS, the City of Mattoon is sponsoring a Parade in the City of Mattoon which event constitutes a public purpose;

WHEREAS, this Parade will require the temporary closure of US 45 / IL 121, a State Highway in the City of Mattoon from Western Avenue to Broadway Avenue;

WHEREAS, Section 4-408 of the Illinois Highway Code Authorizes the Illinois Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mattoon that permission to close off US 45 / IL 121 from Western Avenue to Broadway Avenue as above designated, be requested of the Illinois Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between 1:00 PM and 2:00 PM on November 18, 2017.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the Christmas Parade.

BE IT FURTHER RESOLVED that traffic from the closed portion of highway shall be detoured over routes with an all weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway. (The parking of vehicles shall be prohibited on the detour route to allow an uninterrupted flow of two-way traffic.)\* The detour shall be as follows: The parade will only be crossing the State route at an angle from Western Avenue to Broadway Avenue; therefore, a detour will not be necessary due to the ability to open the road to traffic as required.

\*To be used when appropriate.

BE IT FURTHER RESOLVED that the City of Mattoon assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED that the police officers or authorized flaggers shall at the expense of the City of Mattoon be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

BE IT FURTHER RESOLVED that police officers, flaggers and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED that all debris shall be removed by the City of Mattoon prior to reopening the State Highway.

BE IT FURTHER RESOLVED that such signs, flags, barricades, etc., shall be used by the City of Mattoon as may be approved by the Illinois Department of Transportation. These items shall be provided by the City of Mattoon.

BE IT FURTHER RESOLVED that the closure and the detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED that an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for the traffic on intersecting highways pursuant to conditions noted above. (Note: This paragraph is applicable when the Resolution pertains to a Parade or when a detour is required)

BE IT FURTHER RESOLVED that the City of Mattoon hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED that the City of Mattoon shall provide a comprehensive general liability insurance policy or an additional endorsement in the amount of \$100,000 per person and \$500,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insured's and which protects them from all claims arising from the requested road closing.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Illinois Department of Transportation so serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

PRESENTED this 18th day of April, 2017 A.D.

APPROVED this 18th day of April,2017 A.D.  
ADOPTED this 18<sup>th</sup> day of April, 2017. A.D.

/s/ Timothy D. Gover  
MAYOR

ATTEST:

/s/Susan J. O'Brien  
MUNICIPAL CLERK

Mayor Gover opened the floor 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.

Commissioner Cox seconded by Commissioner Owen moved to adopt Special Ordinance No. 2017-1657, authorizing an ordinance for the sale of Lot 60 in Lake Paradise Subdivision to Jean Davidson, owner of a home on leased premises at Lot 60, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. Commonly known as 3003 East Lake Paradise Road – 10-0-00987-000

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2017-1657**

**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 60; 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**, Jean Davidson owns a cabin and leases the real estate at Lot 60 of Lake Paradise Subdivision, also known as 3003 East Lake Paradise 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**, Jean Davidson wishes to purchase said real estate at the appraised value of \$18,400.00; and

**WHEREAS**, the City Council declared Lot 60 “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 16th, 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 Jean Davidson in exchange for payment in the amount of \$18,400.00.

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

Lot 60 of Lake Paradise Subdivision, Paradise Township, Coles County, Illinois, commonly known as 3003 East Lake Paradise Road, Mattoon, Illinois.

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 18th day of April, 2017, 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 18<sup>th</sup> day of April, 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 March 18, 2017.

Mayor Gover opened the floor 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.

Commissioner Cox seconded by Commissioner Graven moved to approve Council Decision Request 2017-1758, awarding the 2017 Water Treatment Plant chemical bids to:

USALCO for	Alum	@	\$0.1809 /pound
Hawkins for	Ammonium Sulfate	@	\$0.2875 /pound
Matheson Tri-Gas, Inc. for	Carbon Dioxide	@	\$0.0760 /pound
Polydyne for	Cationic Polymer	@	\$0.3970 /pound
DPC for	Chlorine	@	\$0.2325 /pound
Hawkins for	Fluoride	@	\$0.3250 /pound
Hawkins for	Permanganate	@	\$0.8200 /pound
Hawkins for	Phosphate Blend	@	\$0.4600 /pound; and,
Thatcher for	Powdered Activated Carbon	@	\$0.5580 /pound.

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 2017-1759, approving a \$15,000 grant by the Tourism Advisory Committee from FY17/18 hotel/motel tax funds to the Mattoon Cobras for four softball tournaments (12<sup>th</sup> Annual Mother's Day Tournament held May 12 -14, 2017; 2017 USSSA Schools Out Blowout to be held June 2-4, 2017; 2017 USSSA State Tournament to be held June 16-18, 2017; and 2017 USSSA Fall Qualifier Tournament to be held October 7-8, 2017); and authorizing the mayor to sign the agreement.

Mayor Gover opened the floor questions/comments/discussion. Commissioner Hall explained the accounts of the Tourism Committee and their in depth questioning of applicants. Commissioner Cox inquired whether the Fall Qualifier was a new event with Chief Nichols and Commissioner Hall answering affirmatively.

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 2017-1760, approving a \$20,000 grant by the Tourism Advisory Committee from FY17/18 hotel/motel tax funds to the Mattoon Pride for four softball tournaments (Mattoon NSA World Series Qualifier June 9-11, 2017; ASA National Qualifier June 23-25, 2017; NSA "B" State June 30-July 1, 2017; and Mattoon Bagelfest Tournament July 21-23, 2017); and authorizing the mayor to sign the agreement.

Mayor Gover opened the floor questions/comments. Commissioner Graven requested additional detail on the Pride's application with Clerk O'Brien to obtain and provide the additional information. Council discussed the grant, 110 teams, bracketing for overnight stays as other sports do, and request for numbers of teams and overnight stays reporting.

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 2017-1761, approving a \$2,000.00 grant from Hotel/Motel Taxes from FY 17-18 to the Lake Mattoon Sailing Association for the purpose of supporting the Lake Mattoon Riviera Regatta to be held June 9-11, 2017; and authorizing the mayor to sign the agreement.

Mayor Gover opened the floor questions/comments. Commissioner Hall elaborated on the participation by teams from as far away as New York and the number of participants from out of state.

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 2017-1762, approving a \$5,000.00 grant from Hotel/Motel Taxes from FY 17-18 to the Mattoon American Legion Post #88 Baseball for the purpose of supporting the Firecracker Classic Jr. and Sr. Events June 9-11, 2017 and June 23-25, 2017; and authorizing the mayor to sign the agreement.

Mayor Gover opened the floor 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 approve Council Decision Request 2017-1763, approving a home occupation application for a special use to allow the online sale of firearms by Robert L. Angell at 1 Lafayette Meadows; and authorizing the mayor to sign a permit.

Mayor Gover opened the floor questions/comments/discussion. Administrator Gill noted the home occupation request due to the owners FLL license, described no stock on hand, described the ordering process, and noted others with similar sales. Chief Branson had no major concern with these businesses.

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 finalization of budgets and preparation of Police union negotiations. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY thanked the Council for the Kiwanis Pancake Day ticket purchases and announced her last City Council meeting with appreciation of the opportunity to serve the City. Mayor Gover thanked and expressed appreciation of Ms. Winter-Black's service to the Council.

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

FINANCE distributed the Financial Report for March and reviewed report and cash position. Mayor Gover noted figures of the gaming revenues of more than \$30,000 and hoped for continuance.

PUBLIC WORKS announced the Public Works Advisory Board's next meeting to discuss the management and operations of the yard waste facility, possible elimination of permits for Tree Contractors due to the overabundance of time and work for Public Works; updated Council on the poured footings and plumbing at the new Public Works Building and landscaping at Heritage Park. Commissioner Hall announced that the Kiwanis Adopt a Mile was to be held on May 6<sup>th</sup> and inquired as to the mowing of right-of-ways. Director Barber stated the mowing is to be done the week before Memorial Day.

FIRE updated Council on the testing of firehose, annual trauma life support, annual physicals, students participating in ambulance ride-alongs for paramedic classes, a fire at 32<sup>nd</sup>/Marshall, and thanked the Mattoon Police Department for their assistance in setting up barricades. Mayor Gover opened the floor for questions with no response.

POLICE had nothing to report; business as usual. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM Commissioner Hall had nothing to report.

## COMMENTS BY THE COUNCIL

Commissioner Cox thanked the Kiwanis and Parks Dept. for the playground equipment at Peterson and Lawson Parks. Commissioner Owen thanked Administrator Gill and Finance Director and Treasurer Wright for their work on the budgets. All Commissioners expressed the pleasure to work with City Attorney Winter-Black.

Mayor Gover seconded by Commissioner Hall moved to recessed to closed session at 7:11 p.m. pursuant to the Illinois Open Meetings Act for the purpose of discussing the appointment, compensation, discipline, performance, or dismissal of specific employees of the City or legal counsel 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 7:35 p.m.

Mayor Gover seconded by Commissioner Owen moved to adopt Special Ordinance No. 2017-1657, establishing the 2017/2018 Compensation Plan for managerial and non-union non-managerial employees of the municipality.

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 adjourn at 7:36 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