

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on April 2, 2019.

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 Dan Jones, Finance Director/Treasurer Beth Wright, Arts & Tourism Director Angelia Burgett, Public Works Director Dean Barber, Interim Fire Chief Kris Phipps, Police Chief Jason Taylor, 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 March 19, 2019; bills and payroll for the last half of March, 2019.

Bills & Payroll
last half of March, 2019

	<u>General Fund</u>		
Payroll		\$	252,136.65
Bills		\$	<u>72,861.85</u>
	Total	\$	324,998.50
	<u>Hotel Tax Administration</u>		
Payroll		\$	2,322.82
Bills		\$	<u>1,873.59</u>
	Total	\$	4,196.41
	<u>Festival Mgmt Fund</u>		
Bills		\$	<u>20,175.00</u>
	Total	\$	20,175.00
	<u>Ins & Tort Jdgmt</u>		
Bills		\$	<u>1,530.00</u>
	Total	\$	1,530.00
	<u>Capital Project Fund</u>		
Bills		\$	<u>900.00</u>
	Total	\$	900.00
	<u>Water Fund</u>		
Payroll		\$	39,256.95
Bills		\$	<u>41,210.86</u>
	Total	\$	80,467.81

	<u>Sewer Fund</u>		
Payroll		\$	38,847.78
Bills		\$	32,483.88
		Total	\$ 71,331.66
	<u>Health Insurance Fund</u>		
Bills		\$	117,239.93
		Total	\$ 117,239.93
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	6,223.26
		Total	\$ 6,223.26

Mayor Gover opened the floor for questions/comment/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.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

Mayor Gover read the following proclamation:

PROCLAMATION

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation’s cities are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century, to fighting the opioid epidemic, to responding to natural disasters, to supporting veterans and military families; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with local leaders nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, the National Association of Counties, Cities of Service, and local leaders across the country for National Service Recognition Day on April 2, 2019.

THEREFORE, BE IT RESOLVED that I, Timothy D. Gover, Mayor of Mattoon do hereby proclaim April 2, 2019, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our community, to thank those who serve; and to find ways to give back to their communities; and have hereunto set my hand and caused the seal of the City of Mattoon, Coles County, Illinois to be affixed this 2nd day of April, 2019.

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

Mrs. Cheryl Lee, AmeriCorps Vista and Director of Farm-2-Table, introduced Ms. Cheyenne Hardin and Mr. Bill Duey; and provided Council with a goodie bag, and described their program.

Mayor Gover opened the FY20 Budget Hearing at 6:39 p.m. in the City Hall Council Chambers on April 02, 2019. Administrator Gill reviewed the FY19 Review projections, FY20 General Fund Obstacles, Property Taxes vs Pensions graph, Projection, FY Changes/Cuts, Budgeted Revenues, Four Largest Sources of Revenues, Budgeted Expenditures, Four Largest Areas of Expenditures, Pensions/Health Insurance, Health and Dental Insurance Overview, General Fund Overview, Capital Projects Fund Overview, Tax Increment Financing Districts, Business Districts Overview, Hotel/Motel Tax Fund, Festival Management Fund, Water/Sewer Funds Overview, Water Fund Projects, Sewer Fund Projects, Mobile Equipment Fund (MEF) Purchase/Payments, MEF Future Acquisitions, FY20 Recommendations and Projected FY21 graph. Administrator Gill opened the floor for questions. Mayor stated some revenues are designated for certain funds, State mandates generate expenditures. Mayor Gover opened the floor for questions from the Council or Public. Mr. Randy Hausle, 400 Crestview, questioned the mandated costs for the Water Funds with Administrator Gill stating the IEPA made demands. With no additional questions, Mayor Gover closed the Budget Hearing at 7:03 p.m.

NEW BUSINESS

Mayor Gover seconded by Commissioner Graven moved to approve Council Decision Request 2019-1909, approving the re-appointment of Harold Gambill to the Electrical Board with a term expiring 04/30/2023.

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 Cox moved to approve Council Decision Request 2019-1910, approving the re-appointment of Mark Welton to the Police Pension Board with a term expiring 04/30/2021.

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.

Commissioner Cox seconded by Commissioner Graven moved to approve Council Decision Request 2019-1911, awarding the bid of \$58,500 to Joe Coleman Salvage & Demolition for the demolition of 221 N. 12th Street, the former Public Works Building.

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.

Commissioner Cox seconded by Commissioner Hall moved to adopt Resolution No. 2019-3038, approving a reimbursement agreement between the City of Mattoon and the National Railroad Passenger Corporation (Amtrak) for the replacement of the Depot sanitary sewer through an ADA Accessibility Project.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2019-3038

A RESOLUTION APPROVING A REIMBURSEMENT AGREEMENT WITH THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

WHEREAS, the City of Mattoon owns and operates a Train Depot at 1718 Broadway Avenue; and

WHEREAS, the National Railroad Passenger Corporation, a.k.a. Amtrak, leases said Train Depot from the City of Mattoon for the purpose of loading and unloading of passengers; and

WHEREAS, Amtrak is in the process of completing ADA accessibility improvements at their passenger stations across the United States; and

WHEREAS, Amtrak is preparing to begin construction of ADA accessibility improvements to the Train Depot at 1718 Broadway Avenue at no cost to the City of Mattoon; and

WHEREAS, the City of Mattoon owns and maintains a sanitary sewer under the east passenger platform of said Train Depot; and

WHEREAS, the City of Mattoon wishes to pay to have said sanitary sewer replaced as part of the ADA Accessibility Project; and

WHEREAS, the terms and conditions for the cost participation by the City of Mattoon are detailed in the Reimbursement Agreement attached as Exhibit 'Z'.

WHEREAS, a sketch showing the proposed reconstruction limits for said sanitary sewer is attached as Exhibit 'A'.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Mattoon, Coles County, Illinois, that the Reimbursement Agreement with the National Railroad Passenger Corporation attached as Exhibit 'Z' be approved.

Upon motion by Commissioner Cox seconded by Commissioner Hall, adopted this 2nd day of April, 2019 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 2nd day of April, 2019.

/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/Dan C. Jones
Dan C. Jones, City Attorney

Recorded in the Municipality's Records on April 2, 2019.

Mayor Gover opened the floor for questions/comments/discussion. Director Barber explained the Amtrak platform project and the City's replacement of the sanitary sewer under the platform, which would commence in May and complete in the Fall of 2020; described the new platform; and noted the west side of the track was not covered in the scope of Amtrak, but a Canadian National issue.

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 Owen moved to approve Council Decision Request 2019-1912, approving and authorizing the employment of Matthew Wingfield as a probationary firefighter, pending passage of his evaluations.

Mayor Gover opened the floor for questions/comments. Commissioner Hall acknowledged Mr. Wingfield's attendance and welcomed him.

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 adopt Special Ordinance No. 2019-1704, granting a Special Use for a Drug Rehabilitation Facility at 3516 Powell Lane.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2019-1704

AN ORDINANCE GRANTING A SPECIAL USE FOR DRUG REHABILITATION FACILITY

WHEREAS, Teen Challenge Illinois is the prospective owner of the property commonly known as 3516 Powell Lane (legal description attached hereto). Teen Challenge has filed a Petition with the City Clerk's office of the City of Mattoon, requesting that said premises be granted a special use for the lawful right to operate a drug rehabilitation facility; and,

WHEREAS, said premises is zoned R3, Multi-Family which does not allow rehabilitation uses unless a special use is granted; and,

WHEREAS, upon examination of all of the facts and circumstances, the property is well suited for the operation of a Drug Rehabilitation Facility; and,

WHEREAS, the Petition for the Special Use was the subject of a public hearing before the Planning Commission for the City of Mattoon, Coles County, Illinois, and following that Public Hearing, the Plan Commission considered the facts and the relevant ordinances and thereafter recommended to the City Council that the requested special use permit be granted subject to certain specified conditions; and,

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve a special use permit to allow the operation of a drug rehabilitation facility.

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

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a special use permit for lawful right to operate a Drug Rehabilitation Facility with the following conditions.

- a. The facility shall be a "locked down" facility, with security measures in place to mitigate the potential of a resident escape.
- b. The operations of the facility shall be managed by the operator so as not to create a nuisance factor or otherwise interfere with neighbors' enjoyment of their property.

- c. The physical plant, property and grounds, and operations of the facility shall be managed and maintained by the operator so as not have an adverse effect on the value of surrounding properties nor impede their proper development.
- d. The operations of the facility shall be managed by the operator so as to not make any loud or unusual noise as will disturb the peace and quiet of the surrounding neighborhood.
- e. The special use shall only be granted to operate a “phase 2” and above facility. A detoxification or “phase 1“, rehabilitation facility is not granted under this ordinance.
- f. An inspection and evaluation of the property shall be made annually or at such time any written complaints are filed.
- g. The special use permit may be revoked for a specific period at the discretion of the City Council should there be a breach of any of the conditions of approval.
- h. The special use permit is not transferable without the consent of the City Council, which consent shall not be unreasonably withheld.
- i. This facility shall operate no more than 60 beds.
- j. This facility must meet all code, standards, and ordinances currently in place at time of passing.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Mayor Gover, seconded by Commissioner Owen, adopted this 2nd day of April, 2019, 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 2nd day of April, 2019.

/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/Dan C. Jones
Dan C. Jones, City Attorney

Recorded in the Municipality's Records on April 2, 2019.

Mayor Gover opened the floor for questions/comments/discussion. Mr. Larry Metzelaars, 812 N. 32nd Street, reiterated Chief Taylor's newspaper comments in opposition of the facility. Mr. Mike Erwin, 1501 S. 2nd Street, Ralph Adams, 7 Carrolton Estates, Gary Finley, 1217 S. Lawn Drive, John **Exstrong?**, 1201 Rudy, Burt Wright, 1013 Lafayette, Jordan Thomas, 408 S. 17th Street, Deb Ray, 1532 Broadway, Zoraida Irizarry, 609 N. 26th Street, Mr. Nicholson provided personal examples and support of the facility. Administrator Gill stated the ordinance was standard for rehabilitation centers. Council commented and expressed their concerns on the facility. Mr. Paul Hinzman, CEO of the Adult Challenge, explained his involvement with the community and business leaders, the exit strategies of individuals wanting to leave the program, operations could not wait two years to expand to 60 beds, no intentions to sue City due to faith-based organization, and willingness to meet with community and Police Department. Mr. Brian Wood, Executive Director of the Chicago program, stated his program would not accept new applicants into the program without having enough beds, operates below capacity to make sure there are beds available, and usually takes 12-18 months before reaching full capacity.

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

Commissioner Hall seconded by Commissioner Cox moved to adopt Special Ordinance No. 2019-1705, declaring personal property owned by the City of Mattoon surplus; and authorizing the sale or disposal of the property.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2019-1705

A SPECIAL ORDINANCE DECLARING PERSONAL PROPERTY OWNED BY THE MUNICIPALITY SURPLUS AND AUTHORIZING THE SALE OR DISPOSAL OF THE PROPERTY

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

Section 1. Supplies and equipment identified on Exhibit A to this ordinance are no longer necessary or useful to, or for the best interest of, the City of Mattoon, and are hereby declared surplus to the needs of the City of Mattoon.

Section 2. The City of Mattoon, Illinois does not express any warranty or imply any statement of condition of this surplus property. The Department Heads are hereby authorized to administratively sell by the most advantageous means and to negotiate the conditions for the sale, recycle, or other disposition of the property without further formal consideration or approval by the City Council. The City of Mattoon shall reserve the right to accept or reject any and/or all offers for this property.

Section 3. The Mayor and City Clerk are authorized and directed to execute any documents necessary to complete the sale or disposal of the property.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hall, seconded by Commissioner Cox, adopted this 2nd day of April, 2019, 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 2nd day of April, 2019.

/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/Dan C. Jones
Dan C. Jones, City Attorney

Recorded in the Municipality's Records on April 2, 2019.

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

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

Commissioner Graven seconded by Commissioner Hall moved to approve Council Decision Request 2019-1913, approving Change Order #2 for Phase 2 of the Marshall Avenue Reconstruction Project from 9th Street to 14th Street in the amount of \$36,995.28.

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

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

Commissioner Owen seconded by Commissioner Graven moved to approve Council Decision Request 2019-1914, approving a water and sewer billing adjustment in the amount \$4,791.44 on behalf of Partridge, Inc. at 609 Marion Avenue, due to a water leak.

Mayor Gover opened the floor for questions/comments/discussion. Mayor Gover noted Council action was due to the adjustment more than \$1,000.

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

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT noted work on the budgets, negotiations and ordinances. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY noted preparation of reports and paperwork; business as usual. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted 146 voters in the Consolidated Election so far, insurance issues, the return of some summer help, many boat registrations and fishing licenses. Mayor Gover opened the floor for questions with no response.

FINANCE noted a PTELL calculation of approximately \$4.4 million in 2018 property taxes with 80% going to Police and Fire Pensions and the remainder to the Library and General Fund; and processing of budget and IDOT MFT Audit. Mayor Gover opened the floor for questions. Commissioner Owen reiterated the General Fund would receive about 10% or \$400,000 out of \$4.4 million dollars in property taxes.

PUBLIC WORKS updated Council on the Library tuckpointing, Water Treatment Plant SCADA and Clearwell projects, and Marshall restoration project. Commissioner Hall inquired as to the demolition of the 12th Street building. Director Barber explained the process. Commissioner Owen inquired if it would be a green site. Director Barber answered affirmatively after the bike trail project was complete. Mayor Gover opened the floor for further questions with no response.

FIRE reported on the statistics of the Fire Department, the passing of two retirees, training, two structure fires (house and Shores Jewelry), Departmental critique of fire and analysis; extended thanks to Gary Kepley and Schultz for cooking, Water Treatment Plant Superintendent Dave Basham for providing status on water flow, the community, Mr. Shores and the Fire Department for doing a great job. Mayor Gover opened the floor for questions with no response.

POLICE noted 47 arrests since last meeting; and reiterated a request for more officers due to adding more social services. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM announced a partnership with Lytle Park for the Gardenfest, a new Celebrate Downtown logo for all events, a successful Art Show in the Lone Elm Room and an

announcement for Bagelfest entertainment soon. Mayor Gover opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, Hall and Owen had no further comments. Chief Taylor stated the need for a one percent sales tax to fund public safety for police and fire. Mr. Gary Stephens inquired as to the video gaming with Chief Taylor stating video gaming was through State Statutes.

Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 8:08 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the discussion of collective negotiating matters between the City of Mattoon and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees (5ILCS 120 (2)(C)(2)); and litigation that is affecting the City and an action is probable or imminent (5ILCS 120(2)(C)(11)).

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.

Council reconvened at 8:50 p.m.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 8:51 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