

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on May 7, 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, Deputy Police Chief Sam Gaines, Parks/Lakes/Cemetery Superintendent Kurt Stretch, 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 16, 2019; bills and payroll for the last half of April, 2019 and May 3, 2019.

Bills & Payroll
last half of April, 2019

	<u>General Fund</u>		
Payroll		\$	573,493.91
Bills		\$	<u>253,200.39</u>
	Total	\$	826,694.30
	<u>Hotel Tax Administration</u>		
Payroll		\$	8,103.75
Bills		\$	<u>1,587.60</u>
	Total	\$	9,691.35
	<u>Festival Mgmt Fund</u>		
Bills		\$	<u>11,949.53</u>
	Total	\$	11,949.53
	<u>Ins & Tort Jdgmt</u>		
Bills		\$	<u>302.29</u>
	Total	\$	302.29
	<u>Midtown TIF Fund</u>		
Bills		\$	<u>40,000.00</u>
	Total	\$	40,000.00
	<u>Capital Project Fund</u>		
Bills		\$	<u>101,750.45</u>
	Total	\$	101,750.45

	<u>Broadway East Bus Dist</u>		
Bills		\$	45,236.21
		\$	45,236.21
	<u>Water Fund</u>		
Payroll		\$	85,688.36
Bills		\$	141,155.48
	Total	\$	226,843.84
	<u>Sewer Fund</u>		
Payroll		\$	91,596.48
Bills		\$	81,155.72
	Total	\$	172,752.20
	<u>Health Insurance Fund</u>		
Bills		\$	270,687.94
	Total	\$	270,687.94
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	18,124.74
	Total	\$	18,124.74

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 presented Captain Rich Heuerman a retirement plaque. Deputy Chief Gaines provided accolades for his service and experience.

NEW BUSINESS

Mayor Gover seconded by Commissioner Hall moved to adopt Resolution No. 2019-3040, re-appointing Dan Jones to the Office of City Attorney and authorizing a two-year extension of the Legal Services Agreement for the City Attorney position.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2019-3040**

A RESOLUTION EXTENDING THE CONTRACT OF, AND REAPPOINTING DANIEL C. JONES TO THE OFFICE OF CITY ATTORNEY AND AUTHORIZING THE EXECUTION OF THE LEGAL SERVICES AGREEMENT FOR THE CITY ATTORNEY POSITION

WHEREAS, the status of appointed officers of the municipality are traditionally re-evaluated after the election of new members to the City Council; and

WHEREAS, the City Council of the City of Mattoon appointed Daniel C. Jones of The Tapella Eberspacher Law Firm, to the office of City Attorney for a two year term; and

WHEREAS, Daniel C. Jones has served as City Attorney for the past 2 years and has presided over City Court; and,

WHEREAS, it is necessary to extend the contract for an addition two year term and reappoint Daniel C. Jones as City Attorney to enable the business of the municipal corporation to continue.

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

Section 1. The Council hereby ratifies the mayor's reappointment of Daniel C. Jones to the office of City Attorney effective May 1, 2019.

Section 2. The Council hereby approves a two-year extension of the letter of engagement prepared by Daniel C. Jones regarding services as the City of Attorney (Exhibit A).

Upon motion by Mayor Gover seconded by Commissioner Hall adopted this 7th day of May, 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 7th day of May, 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/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on May 7, 2019 .

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 Graven , YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Owen seconded by Commissioner Graven moved to approve Council Decision Request 2019-1926, accepting the electrical aggregation bid in the amount of 4.65¢ KW*hr from Homefield Energy for the Electrical Supply for residential users in the City of Mattoon.

Mayor Gover opened the floor for questions/comments/discussion. Director Barber explained the bids; and reviewed the cost summary, cumulative savings, and consideration of dropping out of the aggregation after 18 months. Mayor Gover opened the floor for further 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 Graven , YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Owen second by Commissioner Cox moved to approve Council Decision Request 2019-1927, approving a water and sewer adjustment in the amount of \$1,558.55 for Sopris View Holdings, L.L.C. due to a water leak.

Mayor Gover opened the floor for questions/comments/discussion. Mayor Gover noted the reason for the Council consideration was due to the adjustment over \$1,000.

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

Commissioner Owen seconded by Commissioner Cox moved to approve Council Decision Request 2019-1928, approving a water and sewer adjustment in the amount of \$1,396.74 for Gregory Patterson due to a water leak.

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 Graven , YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Graven moved to approve Council Decision Request 2019-1929, approving and authorizing the employment of Steven W. Gray as a probationary firefighter, pending passage of his evaluations.

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 Graven , YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Owen moved to adopt Special Ordinance No. 2019-1710, authorizing an amendment of license agreement between the City of Mattoon and Niemann Foods, Incorporated in order to extend the right-of-way license agreement for North 20th and Prairie Avenue for an additional 20 years.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2019-1710

AN ORDINANCE AUTHORIZING AN AMENDMENT OF LICENSE BETWEEN THE CITY OF MATTOON AND NIEMANN FOODS, INCORPORATED

WHEREAS, the City of Mattoon owns Right-of-Way, North 20th Street, North 21st Street and Prairie Avenue around the County Market, and;

WHEREAS, the land had been under a License Agreement the last twenty (20) years for parking and operation of a grocery store, and;

WHEREAS, the License Agreement will expire unless a new amendment to the license agreement is approved, and;

WHEREAS, Niemann Foods, Inc. desires an amendment to the license for an additional twenty (20) years to continue to use the right-of-ways for parking and operation of a grocery store, and;

WHEREAS, the City Council for the City of Mattoon, Coles County, Illinois deems the Amendment of License is in the public interest and;

WHEREAS, the Amendment of License is attached hereto as Exhibit “A” and incorporated in this Special Ordinance by this reference.

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

Section 1. The Mayor is hereby authorized to execute the Amendment of License and any and all other documents necessary to execute the Agreement through May 17, 2039.

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

Upon motion by Commissioner Cox, seconded by Commissioner Owen, adopted this 7th day of May, 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 7th day of May, 2019.

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

Effective Date: _____

Recorded in the Municipality's Records on May 7, 2019.

Mayor Gover opened the floor for questions/comments/discussion. Administrator Gill noted the location and the responsibility of Niemann for removing items when lease expires.

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

Commissioner Cox seconded by Commissioner Hall moved to approve Council Decision Request 2019-1930, waiving the formal bidding requirement and accepting the price quote in the amount of \$32,500 from Birkey's Construction Equipment for the purchase of one 2017 Case CX30C Mini Excavator for Dodge Grove Cemetery.

Mayor Gover opened the floor for questions/comments/discussion. Administrator Gill and Superintendent Stretch explained the necessity of the equipment.

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

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2019-1931, awarding the bid in the amount of \$63,615.40 from Coach House Garages for a storage building for the Mattoon Arts Council to be located north of the Depot at 1718 Broadway Avenue.

Mayor Gover opened the floor for questions/comments/discussion. Council discussed the approval of the Arts Council, additional costs, and funding by the Tourism or Arts Council.

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.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT noted economic development research with Finance Director & Treasurer Wright, union negotiations and attorneys' arbitration preparation. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY thanked everyone for his reappointment. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted business as usual with insurance and pension issues and foia requests. Mayor Gover opened the floor for questions with no response.

FINANCE completed the public disclosure of Public Act 97-0609 for the Total Compensation; auditor meeting scheduled; and completed the accounting for Fire Pension investments and Trial Balance, adjustments and accruals. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS announced the City-wide Cleanup Day on May 18th; and updated Council on the Howell Asphalt project, Joe Coleman demolition project, Boyd's work on Champaign Avenue, and Caldwell tanks project. Mayor Gover opened the floor for questions with no response.

FIRE provided statistics since the last meeting, updated Council on the inspections, school drills, and hydrant flow testing; and notified Council of the new hire testing on June 22nd at Lake Land College. Mayor Gover opened the floor for questions with no response.

POLICE provided statistics since the last meeting; announced Jose Aceves' upcoming graduation from the Academy; and updated Council on busy Court with a forfeiture hearing of a house. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM announced Sound Source Music recitals, Gardenfest, and Bagelfest Oak Ridge Boys' ticket sales. Mayor Gover opened the floor for questions with no response.

Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 6:59 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)).

Council reconvened at 7:10 p.m.

Administrator Gill discussed economic development. Council discussed a development agreement and size of the facility.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:26 p.m.

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

/s/Susan J. O'Brien
City Clerk