

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on December 3, 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 Daniel C. Jones, Finance Director/Treasurer Beth Wright, Arts & Tourism Director Angelia Burgett, Public Works Director Dean Barber, 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 November 19, 2019; bills and payroll for the last half of November, 2019.

Bills & Payroll  
last half of November, 2019

	<u>General Fund</u>		
Payroll		\$	374,088.14
Bills		\$	<u>732,259.84</u>
	Total	\$	1,106,347.98
	<u>Hotel Tax Administration</u>		
Payroll		\$	6,821.50
Bills		\$	<u>11,268.39</u>
	Total	\$	18,089.89
	<u>Festival Mgmt Fund</u>		
Bills		\$	<u>5,736.67</u>
	Total	\$	5,736.67
	<u>Insurance &amp; Tort Jdgmnt</u>		
Bills		\$	<u>70.00</u>
	Total	\$	70.00
	<u>Midtown TIF Fund</u>		
Bills		\$	<u>115,836.26</u>
	Total	\$	115,836.26
	<u>I-57 East TIF District</u>		
Bills		\$	<u>4,628.48</u>
	Total	\$	4,628.28
	<u>So Rt 45 TIF Dist. Fund</u>		
Bills		\$	<u>9,521.00</u>
	Total	\$	9,521.00

	<u>Broadway East Bus Dist</u>		
Bills		\$	24,552.50
		Total	\$ 24,552.50
	<u>Water Fund</u>		
Payroll		\$	44,968.52
Bills			532,962.15
		Total	\$ 577,930.67
	<u>Sewer Fund</u>		
Payroll		\$	42,789.31
Bills		\$	600,618.23
		Total	\$ 643,407.54
	<u>Health Insurance Fund</u>		
Bills		\$	132,145.98
		Total	\$ 132,145.98
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	12,690.67
		Total	\$ 12,690.67

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

PUBLIC HEARING: Tax Levy for FY2020

Mayor Gover opened the Public Hearing for the Tax levy for FY2020 in the City Hall Council Chambers at 6:32 p.m. City Finance Director and Treasurer conducted the hearing and reviewed the prior year's extension of \$4,464,878, preliminary levy of \$4,797,349 with an increase of approximately 7.45% resulting in \$4,564,866 after PTELL was applied; pension contributions after PTELL would be approximately 80.44% of the levy with the actuary recommendation of \$4,823,104 and statutory minimum of \$4,189,592 and using the statutory minimum causing an increase of \$251,588; Library receives 10.16%, which left very little for the City; and an anticipated increase of \$142,019 of personal property replacement tax. Mayor Gover opened the floor for questions or comments with no response. The Public Hearing closed at 6:35 p.m.

NEW BUSINESS

Commissioner Owen seconded by Commissioner Hall moved to adopt Special Ordinance No. 2019-1730, levying taxes for all corporate purposes for the fiscal year beginning May 1, 2019 and ending April 30, 2020.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2019-1730**

**AN ORDINANCE LEVYING TAXES FOR ALL CORPORATE PURPOSES FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2019 AND ENDING APRIL 30, 2020**

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

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**Section 1. Assumed Equalized Assessed Valuation.** The corporate authorities have assumed the Equalized Assessed Valuation (EAV) of property within the municipality will increase from \$200,959,518 to \$207,459,518, three and twenty-three one hundredths of a percent (3.23%) 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, 2019 and ending April 30, 2020. 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 2019 tax levy (to be received in 2020) is hereby abated for the following General Obligation Bonds:

<u>Issue</u>	<u>Tax Levy Years</u>	<u>Bond Ordinance Number</u>
Series 2017A General Obligation Refunding Bonds	2017 thru 2027	Ordinance 2017-5397
Series 2017B General Obligation Refunding Bonds	2017 thru 2027	Ordinance 2017-5398
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 2019 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:

	<u>Amount Budgeted</u>	<u>Amount To Be Received from Other Sources</u>	<u>Amount To Be Raised By Tax Levy</u>
<b>General Fund</b>			
General Government	1,167,461	908,137	259,324
Public Safety	12,490,585	8,507,514	3,983,071
Public Works	1,421,307	1,421,307	-0-
Health & Welfare	1,507,627	1,507,627	-0-
Culture & Recreation	1,104,407	1,026,610	77,797
Economic Development	50,000	50,000	-0-
Debt Service	228,906	228,906	-0-
Other Financing Uses	<u>1,235,091</u>	<u>1,235,091</u>	<u>-0-</u>
Total General Fund	\$ 19,205,384	\$ 14,885,192	\$ 4,320,192

Statutory Authority:

General Corporate Tax (65 ILCS 5/8-3-1): 0.25 Limit	259,324
Fire Protection (65 ILCS 5/11-7-1): 0.15 Limit	155,595
Police Protection (65 ILCS 5/11-1-3): 0.15 Limit	155,595
Parks (65 ILCS 5/11-98-1): 0.075 Limit	77,797
Firemen's Pension (40 ILCS 5/4-118) No Limit	1,904,786
Firemen's Pension (35 ILCS 200/18-185) No Limit	34,175
Policemen's Pension (40 ILCS 5/3-125) No Limit	<u>1,732,920</u>
	\$ 4,320,192

	<u>Amount Budgeted</u>	<u>Amount To Be Received from Other Sources</u>	<u>Amount To Be Raised By Tax Levy</u>
<b>Other Governmental Funds:</b>			
Library Fund	\$ 620,983	\$ 143,826	\$ 477,157
Motor Fuel Tax Fund	579,438	579,438	-0-
Hotel & Motel Tax Fund	373,875	373,875	-0-
Festival Management Fund	124,025	124,025	-0-
Mobile Equipment Fund	354,300	354,300	-0-
Insurance & Tort Judgment Fund	1,003,010	1,003,010	-0-
Home Rehab Grant Fund	258,226	258,226	-0-
Revolving Loan Fund	44,581	44,581	-0-
Midtown TIF Fund	1,156,666	1,156,666	-0-
East I-57 TIF Fund	7,100	7,100	-0-
East I-57 Business District Fund	0	0	-0-
South Route 45 TIF District Fund	74,560	74,560	-0-
South Route 45 Business District Fund	0	0	-0-
Broadway East TIF District Fund	14,660	14,660	-0-
Broadway East Business District Fund	347,018	347,018	-0-
Capital Improvement Fund	<u>\$1,095,574</u>	<u>\$1,095,574</u>	<u>-0-</u>
Total Other Governmental Funds	\$6,054,016	\$5,576,859	\$ 477,157

Statutory Authority:

Library (75 ILCS 5/3-1, 5/3-4, 5/3-7) 0.23 Limit \$ 477,157

	<u>Amount Budgeted</u>	<u>Amount To Be Received from Other Sources</u>	<u>Amount To Be Raised By Tax Levy</u>
<b>Enterprise Funds:</b>			
Water Fund	\$ 6,518,854	\$ 6,518,854	-0-
Sewer Fund	<u>18,258,892</u>	<u>18,258,892</u>	<u>-0-</u>
Total Enterprise Funds	\$ 24,777,746	\$ 24,777,746	-0-
<b>All Fund Totals</b>	<b>\$ 50,037,146</b>	<b>\$45,239,797</b>	<b>\$4,797,349</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 shall for any reason is held 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 10th day of December, 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 3rd day of December, 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/Daniel C. Jones  
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on December 3, 2019.

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 Hall seconded by Commissioner Cox moved approve Council Decision Request 2019-1994, ratifying the appointment of Melissa M. Harden to the Mattoon Arts Council with an unexpired term ending September 30, 2020.

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.

Mayor Gover seconded by Commissioner Graven moved to approve Council Decision Request 2019-1995, ratifying the re-appointments of Jeff Collings, Mark Cox and Kirk Miller to the Public Works Advisory Board with terms ending 12/31/2022.

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 Graven seconded by Commissioner Cox moved to approve Council Decision Request 2019-1996, approving the plans and specifications for the Water and Sewer Main Extensions for Phase 2 of the Coles Centre Subdivision.

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 Graven moved to adopt Ordinance No. 2019-5423, amending the municipal code Chapter 161: Storm Water Detention to change the existing requirements for Development.

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## **CITY OF MATTOON, ILLINOIS**

### **ORDINANCE NO. 2019-5423**

#### **AN ORDINANCE AMENDING THE STORM WATER DETENTION REQUIREMENTS FOR DEVELOPMENT**

**WHEREAS,** the City of Mattoon is responsible for establishing regulations for residential, commercial, and industrial development within the City Limits, and for a distance of 1-1/2 miles outside the City Limits; and

**WHEREAS,** the City of Mattoon has established regulations for storm water management for said developments; and

**WHEREAS,** the City Mattoon wishes to amend the existing regulations for storm water detention.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon that

**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 XV (Land Usage) Chapter 161: Storm Water Detention of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

## **CHAPTER 161: STORM WATER DETENTION**

- Section 161.01 Definitions
- Section 161.02 General Requirements
- Section 161.03 Storm Water Detention - Design Method 1
- Section 161.04 Storm Water Detention - Design Method 2
- Section 161.05 Maintenance

### 161.01 Definitions

**Development:** New construction, or expansion, of any site for residential, commercial, industrial, or mixed uses. This includes, but is not limited to; residential subdivisions, planned unit developments, and mixed use subdivisions. This includes, regardless of the number of buildings or separate entities at a site, multi-family residential sites, commercial sites, industrial sites, and trailer parks.

**Phased Development:** New construction, or expansion, in which portions of the work occur at various points in time.

**Significant Run-Off Potential:** All proposed construction activities that would result in the conversion of 0.40 acres, or more, of ~~permeable~~ existing surfaces, ~~or aggregate surfaces, to impermeable~~ to less permeable surfaces.

**Moderate Run-Off Potential:** All proposed construction activities that would result in the conversion of between 0.25 to 0.40 acres of ~~permeable~~ existing surfaces, ~~or aggregate surfaces, to impermeable~~ to less permeable surfaces

**Minor Run-Off Potential:** All proposed construction activities that would result in the conversion of less than 0.25 acres of ~~permeable~~ existing surfaces ~~to impermeable~~ to less permeable surfaces.

~~**Permeable Surfaces:** Naturally occurring surfaces in which significant storm water infiltration is considered by traditional engineering methods to occur. Examples are: bare soil, grass land, wood land, crop land, etc.~~

~~**Impermeable Surfaces:** Manmade surfaces in which significant storm water infiltration is not considered by traditional engineering methods to occur. Examples are: roofs, asphalt, brick, concrete, aggregate, etc.~~

**Permeability:** The relative permeability of existing and proposed surfaces shall be based on the following Run-Off Coefficients; Grass Areas C=0.20, Crops C = 0.35, Aggregate C = 0.50, Pavement C = 0.90, Buildings/Roofs C = 0.90. Surfaces with lower C Values are considered more permeable. Surfaces with higher C Values are considered less permeable.

**Storm Water Detention Facilities:** All wet basins, dry basins, surface storage, underground storage, ditches, swales, and piping designed to convey, store, and discharge storm water at a site.

### 161.02 General Requirements

All Developments resulting in Significant Run-Off Potential shall comply with the requirements of Storm Water Detention - Design Method 1, described below.

All Developments resulting in Moderate Run-Off Potential shall comply with the requirements of Storm Water Detention - Design Method 2, described below.

Storm Water Detention is not required for:

Developments resulting in Minor Run-Off Potential.

The construction of a single-family residence, or two-family residence, that is not constructed in conjunction with a Development resulting in Moderate or Significant Run-Off Potential.

Immediate use versus future use: The ultimate intended future use of the Development shall be used to determine the storm water detention requirements. A residential, or mixed-use, subdivision which is platted and constructed in phases will be allowed to construct the Storm Water Detention Facilities in similar phases. All other Developments shall be required to construct the Storm Water Detention Facilities for full development with the initial construction phase.

All Storm Water Detention Facilities shall be designed by a Licensed Professional Engineer, at no expense to the City of Mattoon, and shall be submitted to the City for approval. Approval by the City of Mattoon shall not relieve the responsibility for the Developer and/or site owner to design, construct, and maintain a functional storm water detention system.

Storm water run-off shall be calculated by the Rational Method ( $Q=CIA$ ). The following Run-Off Coefficients shall be used for consistency among site plans; Grass Areas  $C=0.20$ , Crops  $C = 0.35$ , Aggregate  $C = 0.50$ , Pavement  $C = 0.90$ , Buildings/Roofs  $C = 0.90$ . ~~Run-Off Coefficients and~~ Rainfall Intensities versus Time of Concentration Charts shall be in accordance with the current edition of the Illinois Department of Transportation Drainage Manual. Alternate calculation methods can be approved, on a case by case basis, at the sole discretion of the City of Mattoon.

The minimum size for an underground discharge device shall be a 12" pipe, or equivalent. The minimum size for restriction devices shall be 6" diameter short tube restrictors. Restrictor devices shall be conveniently accessible for cleaning and maintenance.

Sideslopes around the perimeter of detention basins shall not be steeper than 4:1, horizontal to vertical.

Manipulation of these requirements by Phased Development shall not be allowed. All work on a site since the original adoption of these requirements on December 20, 2011 shall be considered cumulatively when evaluating the storm water requirements for successive phases of development.

#### 161.03 Storm Water Detention - Design Method 1

Storm Water Detention Facilities shall be designed to detain the 100 Year Event for the Developed Site and to release the 10 Year Event for the Existing Site.

#### 161.04 Storm Water Detention - Design Method 2

Storm Water Detention Facilities shall be designed such that there is no increase in the storm water discharge from the site between the developed and existing conditions. Calculations shall be provided for the 10 Year Event and the 100 Year Event.

#### 161.05 Maintenance

The current and future site owner(s) shall be responsible for maintaining the Storm Water Detention Facilities in a manner that:

Provides for the original design storage volumes and discharge rates.



Does not cause a public nuisance by virtue of weeds, debris, odors, insects, and/or diminished ability for use of downstream property.

The City of Mattoon reserves the right to require the current property owner of any Storm Water Detention Facility to comply with the requirements of this subsection (161.05 Maintenance). In the case of failure by a property owner to properly maintain a Storm Water Detention Facility, the City shall first issue a 10 day notice specifying the remediation measures required. In the event that the required remediation measures are not completed within 10 days notice, the City of Mattoon reserves the right to; cause such remediation measures to be completed, to file a lien against the property for the remediation costs, and to pursue any other lawful means for collection of the remediation costs.

**Section 3.** This ordinance shall be in full force and effect upon its publication and approval as provided by law. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 3<sup>rd</sup> day of December, 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 3<sup>rd</sup> day of December, 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 Jones  
Dan Jones, City Attorney

Recorded in the Municipality's Records on December 3, 2019.

Mayor Gover opened the floor for questions/comments/discussion. Director Barber explained the changes for clarity due to a designer's inquiry.

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 Cox moved to approve Council Decision Request 2019-1997, approving a water and sewer billing adjustment in the amount \$2,313.78 on behalf of Richard Daniell due to a water leak at 3501 Powell Lane.

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.

Mayor Gover seconded by Commissioner Hall moved to adopt Ordinance No. 2019-5424, establishing a moratorium on the issuance of any permits for Cannabis Businesses.

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**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2019-5424**

**AN ORDINANCE ESTABLISHING A  
MORATORIUM ON CANNABIS BUSINESS ESTABLISHMENTS**

**WHEREAS**, the City of Mattoon (“City”) is a municipal corporation organized and existing under the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and

**WHEREAS**, the City has established a comprehensive set of regulations concerning zoning regulation within the City’s planning jurisdiction pursuant to and in accordance with Division 13 of the Illinois Municipal Code, 65 ILCS 5/11-13-1 et seq., in Section 159 of the Municipal Code of Ordinances; and

**WHEREAS**, the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 et seq., authorizes the City to enact reasonable zoning ordinances or resolutions, not in conflict with the Act or its rules, regulating registered medical cannabis cultivation centers or medical cannabis dispensing organizations; and

**WHEREAS**, the State of Illinois enacted the Cannabis Regulation and Tax Act, 410 ILCS 705/1-1, et seq., (the “Act”), to regulate, license and permit the operation of “cannabis business establishments,” including cultivation centers, craft growers, processing organizations, dispensing organizations, or transporting organizations; and

**WHEREAS**, Section 55-25 of the Act authorizes the City to:

1. enact reasonable zoning ordinances regulating cannabis business establishments not in conflict with the Act or its administrative rules;
2. enact ordinances governing the time, place, manner, and number of cannabis business establishment operations;
3. regulate on-premises consumption of cannabis at or in a cannabis business establishment within its jurisdiction; and
4. prohibit or significantly limit a cannabis business establishment’s location; and

**WHEREAS**, the Act authorizes state-licensed cannabis “infusers” to produce cannabis infused products, and Subsection 35-10(a)(8) of the Act requires infusers to show compliance with local zoning; and

**WHEREAS**, Section 55-35 of the Act requires various state agencies to adopt administrative rules for the registration and oversight of cannabis business establishments and infusers; and

**WHEREAS**, state agencies are expected to adopt administrative rules for the licensing and oversight of cannabis business establishments and infusers in the coming months; and

**WHEREAS**, the City has determined that the zoning of any cannabis business establishments, infusers, medical cannabis dispensaries, or medical cannabis cultivation centers before the adoption of the State's administrative rules may result in conflicts between such rules and local ordinances that may regulate or prohibit the cannabis business establishments or infusers within the City; and

**WHEREAS**, the City desires to carefully review and consider the impacts that cannabis businesses may have on the public health, safety, comfort, morals and welfare; and

**WHEREAS**, the City's evaluation process requires consultation with stakeholders and the City's elected officials, staff and attorney to determine any appropriate limits on the location and operation of cannabis business establishments and infusers; and

**WHEREAS**, to preserve the status quo while the City conducts the evaluation process, it desires to enforce a moratorium on cannabis business establishments and infusers which is expected to last until May 31, 2020; and

**WHEREAS**, the Mattoon Planning Commission following due publication of notice held a public hearing on November 26, 2019 and recommended enacting a moratorium on cannabis business establishments and infusers; and

**WHEREAS**, a municipality may suspend and deny the issuance of permits for a particular use when it is actively involved in considering amendments to relevant provisions of its code, ordinances, rules and 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. ESTABLISHMENT OF TEMPORARY MORATORIUM.**

**A.** From the effective date of this Ordinance until May 31, 2020, or until new ordinances governing the operation of cannabis business establishments are adopted, whichever comes first, no new applications for the operation of any cannabis business establishments or infusers shall be considered or issued by City staff or the Planning Commission. For purposes of this ordinance, "cannabis business establishments" include "cannabis business establishments" and "infusers" as defined in the Cannabis Regulation and Tax Act, 410 JLCs 705/1-10; and "medical cannabis dispensing organizations," "dispensing organizations," "dispensary organizations," or "cultivation centers" as defined in the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/10.

- B. The Moratorium established in Subsection 2.A of this Ordinance shall be, and is hereby, in effect upon passage of this Ordinance and shall expire at 12:01 AM on June 1, 2020, unless prior to that time City Council, in their sole and absolute discretion, terminate or extend such Moratorium by ordinance duly adopted.
- C. No business shall operate as a “cannabis business establishment” or “infuser,” as defined in the Cannabis Regulation and Tax Act, 410 ILCS 705/1-10, or as a “medical cannabis dispensing organization,” “dispensing organization,” “dispensary organization,” or “cultivation center,” as defined in the Compassionate Use of Medical Cannabis Program Act, 410, ILCS 130/10, within the city limits of Mattoon, Illinois, while the Moratorium established in Subsection 2.A of this Ordinance is in effect, unless the City Council, in its sole and absolute discretion, terminates or extends such Moratorium by ordinance duly adopted.

**Section 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**Section 4.** All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

**Section 5.** This Ordinance shall be in full force and effect upon passage, approval and publication in pamphlet form as provided by law.

Upon motion by Mayor Gover seconded by Commissioner Hall, adopted this 3rd day of December, 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 3rd day of December, 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 Jones  
 Dan Jones, City Attorney

Recorded in the Municipality's Records on December 3, 2019.

Mayor Gover opened the floor for questions/comments/discussion. Administrator Gill announced the requested moratorium was due to the State's continuance of making changes to the Act and the intent to include the Planning Commission on different aspects of determining the appropriate zoning.

Commissioner Graven inquired as to the sales tax in July with Administrator Gill expecting a decision by the end of March for submitting to the State. Council and Administrator Gill discussed the tax revenues, unknown State legislature in Spring session, and changes now could result in additional changes in the Spring.

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 Hall moved to adopt Resolution No. 2019-3053, approving an update to the City's Equal Employment Opportunity Plan (EEOP).

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2019-3053**

**A RESOLUTION APPROVING AN UPDATE TO THE CITY'S EQUAL EMPLOYMENT OPPORTUNITY PLAN**

**WHEREAS**, the purpose of an Equal Employment Opportunity Plan is to insure full and equal participation of men and women regardless of race or national origin in the workforce of an agency that receives federal grant funds; and

**WHEREAS**, it is now necessary for the City Council to update its Equal Employment Opportunity Plan to maintain continued eligibility for federal grants.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS** that the Mayor is authorized to sign a document indicating the Council's approval of an update to the City of Mattoon's "Equal Employment Opportunity Plan", a copy of which is attached hereto and incorporated by reference.

Upon motion by Mayor Gover, seconded by Commissioner Hall, adopted this 3rd day of December, 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 3rd day of December, 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 Jones

Dan Jones, City Attorney

Recorded in the Municipality's Records on December 3, 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 Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Owen moved to adopt Special Ordinance No. 2019-1731, declaring personal property owned by the municipality surplus and authorizing the sale or disposal of the property.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2019-1731**

**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 Mayor Gover, seconded by Commissioner Owen, adopted this 3rd day of December, 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 3rd day of December, 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 Jones  
Dan Jones, City Attorney

Recorded in the Municipality's Records on December 3, 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 Owen, YEA Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT stated wrapping up the end of year items including the sale of the taxi cab station, street right-of-way behind Rookies, liquor sampling ordinances in other municipalities resulting in not every month or at all, and contract technically-agreed upon items. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY updated Council on the Quakenbush trial with Judge Bovard taking the matter under advisement. Mayor Gover opened the floor for questions with no response. Administrator Gill complimented Attorney Jones on the Quakenbush trial.

CITY CLERK noted very busy with renewal of liquor licenses and open enrollments of various benefits; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

FINANCE announced the receipt of the final distribution of 2018 property taxes of less than one million dollars and provided a breakdown of the distribution to the pensions, Library, and TIF Districts' increments. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS updated Council on the progress of Bartels and Fuller on Broadway and the sidewalks and electrical work and Champaign Avenue. Commissioner Graven inquired as to the work near the hospital. Director Barber explained the situation with the re-chlorination project at the hospital.

FIRE Commissioner Hall announced the process of interviewing for an interim fire chief. Mayor Gover opened the floor for question with no response.

POLICE reiterated the need for staffing and the timeline to have a new recruit on the streets, complimented Attorney Jones on the Quakenbush trial, and progress on the public nuisances. Commissioner Cox inquired as to the timelines on processing public nuisances. Chief Taylor explained the process.

ARTS AND TOURISM announced the Celebrate Christmas Downtown and the event's activities, Tourism providing the tree and photographer memorializing the event and a successful Lightworks walkthrough with over 800 participants and two hundred cars more than last year so far. Commissioner Cox commented on several new displays this year.

#### COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, Hall and Owen had no additional comments.

Council adjourned at 7:00 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