

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on February 4, 2020.

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, Public Works Director Dean Barber, Police Chief Jason Taylor, Interim Fire Chief Kevin Schott 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 January 21, 2020; bills and payroll for the last half of January, 2020.

Bills & Payroll
last half of January, 2020

	<u>General Fund</u>		
Payroll		\$	251,220.12
Bills		\$	<u>43,456.80</u>
	Total	\$	294,676.92
	<u>Hotel Tax Administration</u>		
Payroll		\$	2,800.62
Bills		\$	<u>2,211.03</u>
	Total	\$	5,011.65
	<u>Festival Mgt Fund</u>		
Bills		\$	<u>382.80</u>
	Total	\$	382.80
	<u>Capital Project Fund</u>		
Bills		\$	<u>27,866.91</u>
	Total	\$	27,866.91
	<u>Midtown TIF Fund</u>		
Bills		\$	<u>6,156.90</u>
	Total	\$	6,156.90
	<u>Water Fund</u>		
Payroll		\$	38,043.45
Bills		\$	<u>41,212.00</u>
	Total	\$	79,255.45

	<u>Sewer Fund</u>		
Payroll		\$	39,942.29
Bills		\$	<u>24,970.79</u>
	Total	\$	64,913.08
	<u>Health Insurance Fund</u>		
Bills		\$	<u>322,864.71</u>
	Total	\$	322,864.71
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	<u>7,645.97</u>
	Total	\$	7,645.97

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

Mr. Robb Perry of 1593 ECR 250N questioned the debt of the City in comparison to the City of Charleston. Commissioner Owen explained the police and fire pensions and OPEB debt, the addressing of debt in budget meetings and bound by union contracts. Administrator Gill noted a difference in number of no retirees' subsidies on health insurance in Charleston and reduction of employees to reduce debt. Commissioner Hall added the City addresses these issues every year during the budget process. Mr. James DiNaso of 19 Tammydale Lane in Charleston reiterated his concerns of Mr. Perry's business and the need to grow the economy. Commissioner Cox noted the City's efforts to work with others to grow the economy. Commissioner Graven noted a difference between Mattoon and Charleston could be when Charleston implemented audit standards. Mr. Charles Stodden of Trilla questioned the City's progress in paying debt and need for raw agricultural material. Mayor Gover noted the city cannot declare bankruptcy. Commissioner Cox acknowledged the issues with debt. Mr. Rex Dukeman [11549 ECR 600N] questioned Mattoon in Motion's addressing of subdivisions and annexation of properties. Mayor Gover acknowledged the consideration of annexations. Commissioner Hall noted the possibility of residential TIFs, government grants, and Housing Committee of Mattoon in Motion addressing properties. Mayor Gover noted the importance of counting citizens during this year's census. Mr. Kirk Allen of Edgar County Watchdogs questioned an amendment for inconsistencies with the liquor ordinance and the City's ISO rating. Attorney Jones noted the State allows cities a lot of leeway and could make changes. Administrator Gill stated last year's ISO was 4 and had not received the results from this year. Commissioner Owen noted former Fire Chief Nichols and former Interim Fire Chief Phipps and the Department did much work to reduce the ISO rating for this year.

NEW BUSINESS

Commissioner Cox seconded by Commissioner Graven moved to approve Council Decision Request 2020-2010, approving the fee proposal in the amount of \$41,830.00 from Crawford, Murphy & Tilly for the design of Phase 1 of the Combined Sewer Overflow (CSO) Piping Project; and authorizing the mayor to sign the proposal.

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 Hall seconded by Commissioner Cox moved to adopt Resolution No. 2020-3062, giving notice to the Illinois Department of Transportation of the 4th of July parade to be sponsored by the City of Mattoon.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2020-3062

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 Ave**;

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the 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 Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between **9:00 AM** and **10:30 AM** on **July 04, 2020**.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the **4th of July 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 to the fullest extent permitted by law, the **City of Mattoon** shall be responsible for any and all injuries to persons or damages to property, and shall indemnify and hold harmless the Illinois Department of Transportation, its officers, employees and agents from any and all claims, lawsuits, actions, costs and fees (including reasonable attorney's fees and expenses) of every nature or description, arising out of, resulting from or connected with the exercise of authority granted by the Department which is the subject of this resolution. The obligation is binding upon the **City of Mattoon** regardless of whether or not such claim, damage or loss or expense is caused in part by the act, omission or negligence of the Department or its officers, employees or agents.

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 \$1,000,000 per person and \$2,000,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insureds and which protects them from all claims arising from the requested road closing. A copy of said policy or endorsement will be provided to the Department before the road is closed.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the 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.

APPROVED, and ADOPTED by the City Council of the City of Mattoon this 4th day of February, **2020** A.D.

/s/Timothy D. Gover
MAYOR

ATTEST:

/s/Susan J. O'Brien
MUNICIPAL CLERK

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 adopt Resolution No. 2020-3063, giving notice to the Illinois Department of Transportation of the Bagelfest parade to be sponsored by the City of Mattoon.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2020-3063

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 Ave**;

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the 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 Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between **6:00 PM** and **7:30 PM** on **July 17, 2020**.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the **Bagelfest 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 to the fullest extent permitted by law, the **City of Mattoon** shall be responsible for any and all injuries to persons or damages to property, and shall indemnify and hold harmless the Illinois Department of Transportation, its officers, employees and agents from any and all claims, lawsuits, actions, costs and fees (including reasonable attorney's fees and expenses) of every nature or description, arising out of, resulting from or connected with the exercise of authority granted by the Department which is the subject of this resolution. The obligation is binding upon the **City of Mattoon** regardless of whether or not such claim, damage or loss or expense is caused in part by the act, omission or negligence of the Department or its officers, employees or agents.

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 \$1,000,000 per person and \$2,000,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insureds and which protects them from all claims arising from the requested road closing. A copy of said policy or endorsement will be provided to the Department before the road is closed.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the 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.

APPROVED, and ADOPTED by the City Council of the City of Mattoon this 4th day of February, **2020** A.D.

/s/Timothy D. Gover
MAYOR

ATTEST:

/s/Susan J. O'Brien
MUNICIPAL CLERK

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 Graven moved to adopt Resolution No. 2020-3064, giving notice to the Illinois Department of Transportation of the Veterans Day parade to be sponsored by the City of Mattoon.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2020-3064

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 Ave**;

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the 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 Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between **10:00 AM** and **11:00 AM** on **November 11, 2020**.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the **Veterans Day 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 to the fullest extent permitted by law, the **City of Mattoon** shall be responsible for any and all injuries to persons or damages to property, and shall indemnify and hold harmless the Illinois Department of Transportation, its officers, employees and agents from any and all claims, lawsuits, actions, costs and fees (including reasonable attorney's fees and expenses) of every nature or description, arising out of, resulting from or connected with the exercise of authority granted by the Department which is the subject of this resolution. The obligation is binding upon the **City of Mattoon** regardless of whether or not such claim, damage or loss or expense is caused in part by the act, omission or negligence of the Department or its officers, employees or agents.

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 \$1,000,000 per person and \$2,000,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insureds and which protects them from all claims arising from the requested road closing. A copy of said policy or endorsement will be provided to the Department before the road is closed.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the 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.

APPROVED, and ADOPTED by the City Council of the City of Mattoon this 4th day of February, **2020** A.D.

/s/Timothy D. Gover

MAYOR

ATTEST:

/s/Susan J. O'Brien

MUNICIPAL CLERK

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. 2020-3065, giving notice to the Illinois Department of Transportation of the Celebrate Downtown parade to be sponsored by the City of Mattoon.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2020-3065

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 **Broadway Avenue to Western Ave**;

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 **Broadway Avenue to Western 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 **7:00 PM** and **8:00 PM** on **December 04, 2020**.

BE IT FURTHER RESOLVED that this closure is for the public purpose of the **Celebrate Downtown 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 Broadway Avenue to Western 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 to the fullest extent permitted by law, the **City of Mattoon** shall be responsible for any and all injuries to persons or damages to property, and shall indemnify and hold harmless the Illinois Department of Transportation, its officers, employees and agents from any and all claims, lawsuits, actions, costs and fees (including reasonable attorney's fees and expenses) of every nature or description, arising out of, resulting from or connected with the exercise of authority granted by the Department which is the subject of this resolution. The obligation is binding upon the **City of Mattoon** regardless of whether or not such claim, damage or loss or expense is caused in part by the act, omission or negligence of the Department or its officers, employees or agents.

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 \$1,000,000 per person and \$2,000,000 on aggregate which as the Illinois Department of Transportation and its officials, employees and agents as insureds and which protects them from all claims arising from the requested road closing. A copy of said policy or endorsement will be provided to the Department before the road is closed.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the 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.

APPROVED, and ADOPTED by the City Council of the City of Mattoon this 4th day of February, 2020 A.D.

/s/ Timothy D. Gover
MAYOR

ATTEST:

/s/Susan J. O'Brien
MUNICIPAL CLERK

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 stated the previous resolutions all involved parades which need IDOT approval due to the crossing of Rt45.

Commissioner Cox seconded by Commissioner Hall moved to approve Council Decision Request 2020-2011, approving the fee proposal in the amount of \$30,830.00 from Clark Dietz, Inc. for the design of the Waste Water Treatment Plant (WWTP) Transformer Relocation Project; and authorizing the mayor to sign the Professional Services Agreement.

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 Owen seconded by Commissioner Hall moved to adopt Ordinance No. 2020-5426, amending Sections 35.18, 35.21 and 35.22 in the municipal code of the City to update the procurement policy and procedures to mirror the State Statutes and petty cash.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2020-5426

AN ORDINANCE AMENDING THE PURCHASING POLICIES & PROCEDURES AND PETTY CASH IN THE CITY OF MATTOON CODE OF ORDINANCES

WHEREAS, the Purchasing Policies and Procedures for the City of Mattoon are contained in Section 35.15 thru Section 35.29 of the City of Mattoon Code of Ordinances; and

WHEREAS, the Policies and Procedures are based, in part, on the purchasing requirements for municipalities in Title 65 of the Illinois Compiled Statutes (ILCS) Section 5, also known as the Illinois Municipal Code, Article 8 Finance, Division 9 Purchasing and Public Works Contracts in Municipalities of less than 500,000 (population), and

WHEREAS, said Title 65 ILCS/5.8.9 was amended on August 25, 2017 to increase the requirement for competitive bidding of public improvements for municipalities of less than 500,000 population from \$20,000.00 to \$25,000.00, and

WHEREAS, the City of Mattoon wishes to modify portions of said Purchasing Policies and Procedures in Chapter 35 of the Mattoon Code of Ordinances to match said competitive bidding requirements in Title 65 ILCS/5.8.9.

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. **Section 35.18** is hereby amended as follows:

PURCHASING POLICIES & PROCEDURES

§35.18 PURCHASE AUTHORITY

(A) In general, all supplies, materials, equipment and contractual/professional services required for operational efficiency will have been included in the annual Budget.

(B) Purchase of same as required during the fiscal year shall proceed in accordance with these procedures upon approval of the annual Budget by the City Council.

(C) Department Directors may authorize purchases, as identified in the operating budget, up to \$9,999.99. The City Administrator, or his/her designee, must approve all purchases in excess of \$10,000. Purchases in excess of ~~\$20,000~~ \$25,000 require City Council approval.

(D) Each department director of the City shall be responsible for its own department's purchasing needs in strict compliance with the procedures set forth herein.

(E) The City Administrator, or his/her designee, is responsible for determining if an item is budgeted, if adequate funds are available and if the proper purchasing procedures have been followed.

(F) If a budgeted expenditure is to be financed by an anticipated grant, the expenditure shall not be authorized until the grant is actually received or the City Council has authorized an agreement that assures reimbursement.

(G) Contracts for a public improvement or for the maintenance of the public property of the municipality that will exceed ~~\$20,000~~ \$25,000 may only be authorized by a contract let to the lowest responsible bidder after advertising for bids. The specifications for such contracts shall be formally approved by the City Council before the contract is advertised for bids. The City Council may waive the bidding process when deemed necessary.

(H) Procurements of supplies and services need not be formally advertised for bids, but Departmental Directors shall endeavor to locally shop the procurement, choose from a pre-approved vendor list and assure that the municipality is receiving the best value for its expenditures.

(I) Department Directors may authorize expenditures exceeding individual line item amounts in the approved budget with the prior approval of the City Administrator. A formal budget amendment with City Council approval at a regular or special meeting, at the time of the transaction or by the end of the fiscal year, shall be required in all of the following circumstances:

- (1) For any deviation that would increase the number of full or part-time positions authorized by the budget;
- (2) For any deviation from the approved budget that will exceed the "bottom line" established for total departmental expenditures;
- (3) For any deviation from the approved budget that will transfer money between funds; and,
- (4) For expenditures valued greater than ~~\$20,000~~ \$25,000, regardless if the project or program has been authorized in the approved budget.

(J) Procurements shall NOT be broken up into less expensive transactions to avoid the expenditure approval limitations prescribed by this policy.

Section 3. Amendments. Section 35.21 is hereby amended as follows:

§35.21 PURCHASING PROCEDURES

(A). Purchases less than \$5,000

- (1) Purchases in this category can best be described as those day to day purchases needed to perform a job or service.
- (2) Department directors are responsible for the purchases made by personnel within their department. They may delegate this purchasing authority to subordinates, but still bear responsibility that these procedures are followed.

(3) Although day to day purchasing will be done without prior approval, the responsibility still exists for making the most economical purchases. Spot price checks and surveys must be made from time to time to insure that the price being paid is the best price available and that the quality is the best that is required.

(4) Day to day purchasing shall be made through that vendor who offers the best usable product at the lowest price. Also, accepting deliveries shall rate preference over picking up where no delivery charges are involved and there is no immediate need for the item.

(5) Invoices are forwarded to the Finance Department with account code, initials and date for processing.

(B). Purchases in excess of \$5,000 but less than \$10,000

(1) Every effort shall be taken to secure at least three quotations before deciding on a suggested vendor. The requesting department shall secure the quotations themselves.

(2) In the event that a department director feels that a purchase under this category should be made from one certain vendor rather than through quotations, he/she should submit a memo to the City Administrator stating the reasons for the certain vendor preference.

(C). Purchases in Excess of \$10,000

(1) All paperwork for such purchases must be approved by signature of the City Administrator or his/her designee.

(2) All other general purchasing policies will apply.

(D). Purchases in Excess of ~~\$20,000~~ \$25,000

(1) City ordinance requires that all purchases made from one vendor for the particular item or like types of items exceeding a cost of ~~\$20,000~~ \$25,000 must be accomplished through formal bidding procedures or by a bid waiver approved by the City Council. The splitting of a purchase into two or more purchase orders for the purpose of avoiding the bidding process is not allowed.

(2) In certain circumstances it may be felt by the department director and/or City Administrator that the best interests of the City would be served by a purchase from one particular vendor despite the amount of the purchase being in excess of ~~\$20,000~~ \$25,000. In such case, a request to waive competitive bidding must be submitted to the City Council for their consideration and approval.

(3) If it is found that an emergency condition exists and a purchase in excess of ~~\$20,000~~ \$25,000 must be made to remedy the emergency condition, the department director may make such purchase if verbally authorized by the City Administrator. The department director must report the purchase to the City Administration by memorandum as expeditiously as possible relating the full facts concerning the emergency and the costs incurred. A report shall then be sent to the City Council for their action as may be required. An emergency condition is described as a condition where the health and/or welfare of the City or its residents are affected.

(E). Petty Cash

(1) Petty cash drawers are maintained by the City at the City Clerk's Office (~~(\$100.00)~~(\$200.00), Police Department (~~(\$100.00)~~(\$300), Cemetery Office (~~(\$100.00)~~) and Finance Department (~~(\$100.00)~~(\$300.00) for the purpose of reimbursing incidental costs incurred for City operations.

(2) The Finance Department's cash drawer maintains a cash balance of \$400.00 for the sole purpose of making change for transactions at the cash register. This drawer is balanced daily as part of the end of the day close process.

(3) Petty cash funds will be used primarily to reimburse employees for incidental expenses associated with bona fide City operations. Advances may be requested upon the approval of the department director.

(4) All requests for petty cash reimbursement must be submitted with appropriate receipts and documentation supporting the amount of the request. All requested information must be completed prior to making any disbursements including date of request, payee, account number to be charged, amount due, signature of requestor and a description of the nature of the expense.

(5) Unless otherwise authorized by the City Administrator or his/her designee, petty cash reimbursements shall be limited to no more than \$50 per request. Separate requests for one purchase exceeding \$50 will not be accepted.

(6) Responsibility for the safety, security and proper control of each petty cash drawer rests with the head of the department to which the drawer is assigned. Each department director may assign the day to day duties of petty cash administration to an appropriate custodian. All reimbursements made by the petty cash custodian must be dated and include the initials of the custodian disbursing the funds. Advances should be clearly marked on the request and marked out and revised to the correct total once the proper change is returned with the receipt.

(7) When the balance of the drawer is getting low, the designated custodian shall prepare a reconciliation of the petty cash fund providing a count of cash currently in the box as well as a detailed listing of petty cash reimbursement slips received. Any discrepancies must be documented and reported to the Treasurer.

(8) Unannounced audits of petty cash drawers may be made at any time by the Treasurer or his/her designee.

(F). Declared Emergency Purchases

If an "emergency" has been declared by the Mayor, the following guidelines will be observed:

(1) Any employee designed by their Department director may make purchases up to \$500 in estimated cost;

(2) Those emergency purchases with an estimated costs of \$500 to \$1,000 require the verbal approval of the Department director or a designee prior to expenditure;

(3) Those emergency purchases with an estimated cost of \$1,000 to \$10,000 for goods and services and up to ~~\$20,000~~ \$25,000 for Public Works construction or MFT funded projects require the verbal approval of the City Administrator or a designee prior to expenditure;

(4) Those purchases in excess of \$10,000 for goods and services and ~~\$20,000~~ \$25,000 for Public Works construction or MFT funded projects; the City Administrator is required to ask the Mayor for approval prior to expenditure. If the Mayor is unavailable, the Administrator will be authorized to enter into an emergency purchase with follow-up notification to the Mayor and City Council.

Section 4. Amendments. Section 35.22 is hereby amended as follows:

§35.22 JOINT PURCHASING

(A) It should be duly noted that joint purchasing should be encouraged whenever possible.

(B) Certain items are annually let for bids by the Procurement Division of the State of Illinois. Any unit of government in the state may avail themselves of these bid prices. Purchasing through State Purchasing may satisfy the requirements for bidding even though the purchases may be in excess of ~~\$20,000~~ \$25,000. Purchases in excess of ~~\$20,000~~ \$25,000 require City Council approval.

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. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

Upon motion by Commissioner Owen seconded by Commissioner Hall , adopted this 4th day of February, 2020, 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 4th day of February, 2020.

/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 February 4, 2020.

Mayor Gover opened the floor for questions/comments/discussion. Commissioner Owen noted an increase to the competitive bidding requirements from \$20,000 to \$25,000 to match State Statutes and an update of petty cash.

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 2020-2012, awarding the bid in the amount of \$328,643.00 from Curry Construction for the Sarah Bush Re-chlorination Project.

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 2020-2013, approving the plans and specifications for Phase 3 of the Marshall Avenue Reconstruction Project.

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 approve Council Decision Request 2020-2014, approving the plans and specifications for Phase 1 of the Bike Trail Expansion Project.

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 Cox moved to adopt Special Ordinance No. 2020-1733, declaring personal property owned by the municipality surplus and authorizing the sale or disposal of the property

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2020-1733**

**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 Cox, adopted this 4th day of February, 2020, by a roll call vote, as follows:

AYES (Name) Commissioner Cox, Commissioner Graven,
 Commissioner Hall, Commissioner Owen,
 Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 4th day of February, 2020.

/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 February 4, 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 Cox moved to adopt Ordinance No. 2020-5427, amending Section 114.40.2 of municipal code Chapter 114 Liquor Control to allow monthly product sampling and to update hearing appeal language.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2020-5427

**AN ORDINANCE AMENDING CHAPTER 114 OF THE MUNICIPAL CODE
REGARDING LIQUOR CONTROL**

WHEREAS, Chapter 114 of the Municipal Code of the City of Mattoon, Coles County, Illinois, provides for the licensing and control of the sale of alcoholic liquor within the City limits; and,

WHEREAS, City ordinances are reviewed and from time to time and changes recommended when staff and/or City Council believe the ordinance is in need of updating; and,

WHEREAS, the City Council desires to modify certain provisions of the liquor control code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon 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. Amendment. Section 114.30 SUSPENSION OR REVOLCATION OF LICENSE OR PERMIT of Chapter 114 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

§ 114.30 SUSPENSION OR REVOCATION OF LICENSE OR PERMIT.

The Local Liquor Control Commissioner may revoke or suspend any license or permit for the sale of alcoholic liquor at retail for any violation of any provision of this chapter, or other valid ordinances or resolutions enacted by the City Council, or any applicable rule or regulation established by the Local Liquor Control Commissioner which is not inconsistent with law, or for any violation of any state law pertaining to the sale of alcoholic liquor, or any applicable rule or regulation established by the Illinois Liquor Control Commission which is not inconsistent with law, according to the power and manner provided by Sections 5 and 6 of Article VII of the Liquor Control Act of the State of Illinois; and such revocation or suspension may be in addition to any fine or penalty imposed for the violation. Any appeal of a decision of the Local Liquor Control Commissioner to the Illinois Liquor Control Commission shall be heard "on the record," and shall only involve a review of the official record of proceedings before the Local Liquor Control Commissioner, with no additional evidence being offered.

Section 3. Amendment. Section 114.40.2 PRODUCT SAMPLING of Chapter 114 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

§ 114.40.2 PRODUCT SAMPLING.

(A) A Class B-1 or D-2 liquor licensee may hold a product sampling event at its licensed retail location once per ~~calendar quarter~~ month. For the purpose of this section a **PRODUCT SAMPLING EVENT** is defined as an event encompassing no more than eight continuous hours at which wine, beer or spirits is dispensed to consumers ~~in glasses~~. Up to three samples, consisting of no more than:

- (1) One-quarter ounce of distilled spirits;
- (2) One ounce of wine; or
- (3) Two ounces of beer may be served to one consumer at any event for which the license holder makes no charge and receives no monetary consideration.

(B) The license holder must comply with the then current policy of the Illinois Liquor Control Commission, and the Mayor must be notified by the license holder, in writing, five days in advance of the product sampling event, of the time, date and location of the event.

(C) The product sampling event will take place within the licensed premises as specified in the original license application. The product sampling event will not conflict with or otherwise violate this or any other ordinance of the city.

Section 4. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision of its application. Each unconstitutional or invalid provision or application of such provision, is severable.

Section 5. This ordinance shall be effective upon its publication and approval as provided by law. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

Upon motion by Mayor Gover, seconded by Commissioner Cox, adopted this 4th day of February, 2020, 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 4th day of February, 2020.

/s/Timothy D. 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 February 4, 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.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT stated budget and ordinance preparations, Census marketing and upcoming union negotiations. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY updated Council on nuisance properties, a trial for 1320 Washington where an agreement for the landlord and tenant to take action, lawsuit filed with multiple counts for Quality Inn which owes the City for hotel/motel taxes. Attorney Jones noted the City's position on Mr. Mark Nelson's appointment to the Airport Authority was not prohibited and had not heard from the Illinois Department of Transportation Aeronautics Division when Mr. Allen questioned the statute where school units and population.

CITY CLERK noted business as usual and announced early voting for the Primary Election to begin on February 6th. Mayor Gover opened the floor for questions with no response.

FINANCE noted budget preparations and processing of Departmental budget requests. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS announced a productive year for public improvements. Mayor Gover opened the floor for questions with no response.

FIRE stated the use of a Departmental questionnaire for budget guidance and succession planning; and would communicate with members of the Council about the information. Mayor Gover opened the floor for questions with no response.

POLICE distributed and reviewed the year-end numbers with a 2019 Calendar Review. Administrator Gill noted Charleston Avenue as the busiest for accidents.

ARTS AND TOURISM Commissioner Hall had no comments.

COMMENTS BY THE COUNCIL

Commissioner Hall reiterated the importance of the Census with information at colescounty2020.com, and the search for a regular fire chief through the Illinois Fire Chiefs Association on three major firefighter sites. Commissioners Cox, Graven and Owen had no further comments.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:37 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