

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on September 15, 2020.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

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 – Audio, Public Works Director Dean Barber – Audio, Deputy Police Chief Sam Gaines, Fire Chief Jeff Hilligoss 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 September 1, 2020; bills and payroll for the first half of September, 2020.

**Bills & Payroll**  
**first half of September, 2020**

	<b><u>General Fund</u></b>		
Payroll		\$	249,506.24
Bills		\$	<u>105,387.68</u>
	Total	\$	354,893.92
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	2,708.60
Bills		\$	<u>810.53</u>
	Total	\$	3,519.13
	<b><u>Festival Mgmt Fund</u></b>		
Bills		\$	<u>435.00</u>
	Total	\$	435.00
	<b><u>Insurance &amp; Tort Jdgmnt</u></b>		
Bills		\$	<u>46,202.00</u>
	Total	\$	46,202.00
	<b><u>Capital Project Fund</u></b>		
Bills		\$	<u>48,755.60</u>
	Total	\$	48,755.60
	<b><u>Midtown TIF Fund</u></b>		
Bills		\$	<u>207,578.30</u>
	Total	\$	207,578.30
	<b><u>South Rt 45 TIF District</u></b>		
Bills		\$	<u>6,053.00</u>
	Total	\$	6,053.00

	<b><u>Water Fund</u></b>		
Payroll		\$	43,775.63
Bills		\$	<u>376,759.67</u>
	Total	\$	420,535.30
	<b><u>Sewer Fund</u></b>		
Payroll		\$	41,964.51
Bills		\$	<u>74,131.46</u>
	Total	\$	116,095.97
	<b><u>Health Insurance Fund</u></b>		
Bills		\$	<u>121,956.84</u>
	Total	\$	121,956.84
	<b><u>Motor Fuel Tax Fund</u></b>		
Bills		\$	<u>34,431.89</u>
	Total	\$	34,431.89

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, and YEA Mayor Gover.

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

[Retirement of Debbie Prater with more than 25 years of service with the Mattoon Police Department on September 21, 2020.]

Commissioner Graven acknowledged the retirement of Michael E. Bennett with more than 34 years of service in the Public Works Department on September 22, 2020. Mr. Bennett provided background on his employment and acknowledged his grandfather.

Mayor Gover opened the floor for Public comments. Mr. Robb Perry by audio means inquired as to pension contributions and the former 12<sup>th</sup> Street Public Works building’s demolition with Commissioner Owen addressing the pension contributions inquiry and Administrator Gill addressing the demolition inquiry. Mr. James DiNaso expressed his opinion on the elected officials’ benefits. Mr. Dustin Hay inquired about business card disbursements and Attorney Jones’ role in negotiations with Director & Treasurer Wright addressing credit card purchases and Attorney Jones addressing a separate counsel involved with negotiations.

**NEW BUSINESS**

Commissioner Graven seconded by Commissioner Cox moved to adopt Resolution No. 2020-3102, approving the MFT expenditure in the amount of \$115,000 for pavement patching at the intersection of 12<sup>th</sup> Street and DeWitt Avenue and the intersection of Logan Street and DeWitt Avenue; and authorizing the city clerk to sign the document. [19-00314-00-PP]

**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2020-3102**



**Resolution for Improvement by Municipality Under the Illinois Highway Code**

Resolution Type	Resolution Number	Section Number
Original	2020-3102	19-00314-00 PP

BE IT RESOLVED, by the \_\_\_\_\_ Council  
 \_\_\_\_\_ Governing Body Type  
 of the City \_\_\_\_\_ of Mattoon  
 \_\_\_\_\_ Local Public Agency Type

Illinois that the following described street(s) road(s)/structure be improved under the Illinois Highway Code.

Work shall be done by Contract .  
 Contract or Day Labor

For Roadway /Street Improvements

Name of Street(s);	Length	Route	From	To
Dewitt Avenue	1		12 <sup>th</sup> Street	Logan Street

For Structures:

Name of Street(s)/ Road(s)	Existing Structure No.	Route	Location	Feature Crossed

BE IT FURTHER RESOLVED,

- That the proposed improvement shall consist of \_\_\_\_\_  
 Pavement Patching at the intersection of 12<sup>th</sup> Street & Dewitt Ave, and the intersection of Logan Street & Dewitt Ave.
- That there is hereby appropriated the sum of One Hundred Fifteen thousand and 00/100 Dollars ( \$115,000) for the improvements of said section from the Local Public Agency’s allotment of Motor Fuel Tax funds.  
 BE IT FURTHER RESOLVED, that the clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Susan J. O’Brien \_\_\_\_\_ City \_\_\_\_\_ Clerk in and for said City  
 \_\_\_\_\_ Name of Clerk \_\_\_\_\_ Local Public Agency Type \_\_\_\_\_ Local Public Agency Type

of Mattoon \_\_\_\_\_ in the State aforesaid, and keeper of the records and files thereof, as provided by

statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by

Council \_\_\_\_\_ of Mattoon \_\_\_\_\_ at a meeting held on September 15, 2020  
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 15th day of September, 2020  
Day Month, Year

(SEAL)

Clerk Signature	Date
<u>/s/Susan J. O'Brien</u>	09/15/2020

Approved

Regional Engineer Department of Transportation	Date

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 Graven moved to approve Council Decision Request 2020-2070, ratifying the re-appointments of Joyce Jackson and Melissa Harden and appointment of Joy Miller to the Mattoon Arts Council with terms ending September 30, 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 Hall seconded by Commissioner Cox moved to approve Council Decision Request 2020-2071, ratifying the re-appointments of Ed Dowd and Don Freesmeier to the Tourism Committee for terms ending 09-01-2023.

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 Owen moved to approve Council Decision Request 2020-2072, authorizing the employment of Brandon G. Mangan as a probationary firefighter for the Mattoon Fire Department effective September 29, 2020, contingent upon successful completion of background, physical and psychological exams.

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 approve Council Decision Request 2020-2073, waiving the formal bidding requirements and approving the quote from Banner Fire Equipment, Inc. for repairs in the amount of \$26,689 to Ladder 24, a 2006 KME Aerial.

Mayor Gover opened the floor for questions/comments/discussion. Chief Hilligoss explained the upgrades to the module and modem and reason for waiving the formal bidding.

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 Special Ordinance No. 2020-1750, 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. 2020-1750**

#### **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 Hall, adopted this 15th day of September, 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 15th day of September, 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 September 15, 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 adopt Special Ordinance No. 2020-1751, granting a rezoning from R-1 (Residential) to C-3 (Service Commercial District) of Lots 7, 8, 9, 10, 11 and 12 of Block 57 also known as the north side of the 900 block of Shelby Avenue which would allow the operation of a small business. John E. Graham – Petitioner

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2020-1751**

**AN ORDINANCE GRANTING REZONING OF THE NORTH SIDE OF THE 900 BLOCK OF  
SHELBY AVENUE FROM R-1 TO C-3.**

WHEREAS, there has been filed a written Petition for John E. Graham requesting Rezoning of the parcel(s) legally described as:

LOTS 7, 8, 9, 10, 11 & 12, BLOCK 57, ORIGINAL TOWN, NOW CITY OF MATTOON, COLES COUNTY ILLINOIS.

07-1-02989-000 & 07-1-02990-000

WHEREAS, said site is zoned R-1, which does not allow the operation of a business; and

WHEREAS, the property is well suited for a small business; and

WHEREAS, the property had previously been granted the same rezoning on 11-27-84; and

WHEREAS, the Planning Commission held a public hearing for the City of Mattoon, Coles County, Illinois, and has recommended that the request be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve the rezoning of this half block.

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

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a rezoning to C-3.

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

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

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

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 15th day of September, 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 15th day of September, 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/Dan Jones  
Dan Jones, City Attorney

Recorded in the Municipality's Records on September 15, 2020.

Mayor Gover opened the floor for questions/comments/discussion. Administrator Gill reflected on the C-3 zoning in 2015 before City rezoning was processed and the desire to sell Mr. Graham's business.

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. 2020-3103, approving the continuance of a Local State of Emergency due to the virus (Coronavirus COVID-19).

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2020-3103**

**DECLARATION OF LOCAL STATE OF EMERGENCY**

State of Illinois  
County of Coles  
City of Mattoon

Pursuant to the authority vested in the office of Mayor by the Illinois Municipal Code Section 5/11-1-6, the Illinois Emergency Management Agency Act Section 3305/11 and Ordinance No. 2020-5430 of the City of Mattoon, I, Timothy D. Gover, the Mayor of the City of Mattoon do hereby declare that a Local State of Emergency exists as of this date, September 15, 2020, and shall continue until such time as provided in Ordinance No. 2020-5430.

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency of international concern and on March 11, 2020 declared a worldwide pandemic; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and

WHEREAS, the Governor of the State of Illinois has issued a disaster proclamation on March 9, 2020 due to the impact of the COVID-19 virus and has activated the State Emergency Operations Center; and

WHEREAS, the State Emergency Management Agency has declared a public health emergency due to the impact of the COVID-19 virus; and

WHEREAS, the City Administration has coordinated its response with other Coles County governmental entities.

The nature of the emergency is related to the COVID-19 virus which is causing or anticipated to cause widespread impacts on the health of members of the community.



During the existence of the Local State of Emergency, the Mayor shall execute such authority as provided under the Illinois Municipal Code, the Illinois Emergency Management Agency Act and Ordinance No. 2020-5430.

This Declaration of Local State of Emergency shall be filed with the City Clerk as soon as practicable.

I, Timothy D. Gover, whose name is signed to this instrument, being first duly sworn, signed and executed the instrument as the Declaration of Local State of Emergency, and that I signed willingly, and that I executed it as my free and voluntary act for the purposes therein expressed.

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

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

#### DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT noted business as usual in addition to TIFs, negotiations, economic development and Public complaints/concerns. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY had nothing new to report. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted business as usual with additional work on audits and insurance; and announced the Early Voting for the November 3<sup>rd</sup> General Election to start on Sept 24, 2020 at the Salvation Army Citadel, and with the April 6, 2021 Consolidated Election, City Council nominating petitions would be available on Tuesday, September 22, 2020. Mayor Gover opened the floor for questions with no response.

FINANCE distributed and reviewed the August 2020 Financial Report including the revenues, expenditures, cash position and revenue tracking which had receipts of income, use, sales and telecom tax resulting in unrestricted cash of approximately \$5 million compared to \$4.6 million two weeks ago. There were also TIF distributions of approximately \$200,000. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS reported on the Phase I Bike Trail as completed as ITEP grant applications available and being started, Coles Centre – Otto Baum roads paved with driveways and connections ready to pour, Marshall Avenue – Kinney Construction ready to be poured, DeWitt Avenue – NeCo Asphalt working on the IDOT project, and Champaign Avenue – Bartels Construction's progress. Commissioner Graven inquired as to the completion for Marshall Avenue with Director Barber stating road/pavement work to be completed this Fall with grading/seeding in Spring weather permitting. Commissioner Cox announced numerous compliments on the Bike Path as well as Amtrak's promotion and Mattoon in Motion's additional promotion of the Bike Trail; and expressed appreciation for Director Barber's work. Mayor Gover added the Bike Trail would run from 10<sup>th</sup> to 16<sup>th</sup> Street.

FIRE thanked Council for Firefighter Mangan's pending employment; reported on calls for service, inspections and follow-ups, and grain elevator rescue training provided by Andy Kaufman, Brian Davis and Tate & Lyle. Mayor Gover opened the floor for questions with no response.

POLICE reported on a stabbing over the weekend and false bomb threat at McDonalds with arrests for each incident. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM announced the cancellation of Trunk or Treat and continuation of plans for Downtown Christmas. Mayor Gover opened the floor for questions with no response.

#### COMMENTS BY THE COUNCIL

Commissioner Owen congratulated Firefighter Mangan. Commissioners Cox, Graven and Hall had no further comments.

Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 7:09 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the discussion of collective negotiating matters between the City of Mattoon and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees (5ILCS 120 (2)(C)(2)); and litigation which is affecting the City and an action is probable or imminent (5ILCS 120 (2)(C)(11)).

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

Council reconvened at 8:39 p.m.

Commissioner Graven seconded by Commissioner Hall moved to adjourn at 8:39 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