

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

Mayor Pro-Tem Owen 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 Mayor Pro-Tem Preston Owen.

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, Fire Chief Jeff Hilligoss, Police Chief Jason Taylor; and City Clerk Susan O’Brien.

CONSENT AGENDA

Mayor Pro-Tem Owen seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting December 1, 2020; bills and payroll for the first half of December, 2020.

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

	<u>General Fund</u>		
Payroll		\$	256,359.71
Bills		\$	994,983.08
	Total	\$	1,251,342.79
	<u>Hotel Tax Administration</u>		
Payroll		\$	2,935.90
Bills		\$	861.32
	Total	\$	3,797.22
	<u>Festival Mgmt Fund</u>		
Bills		\$	6,008.62
	Total	\$	6,008.62
	<u>Insurance & Tort Jdgmnt</u>		
Bills		\$	500.00
	Total	\$	500.00
	<u>Capital Project Fund</u>		
Bills		\$	8,453.95
	Total	\$	8,453.95
	<u>Midtown TIF Fund</u>		
Bills		\$	112,151.61
	Total	\$	112,151.61
	<u>I-57 East TIF Dist</u>		
Bills		\$	4,701.25
	Total	\$	4,701.25

	<u>South RT 45 TIF Dist.</u>		
Bills		\$	9,757.54
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		Total	\$ 9,757.54
	<u>Broadway East Bus Dist</u>		
Bills		\$	24,935.12
			<hr/>
		Total	\$ 24,935.12
	<u>Water Fund</u>		
Payroll		\$	44,400.18
Bills		\$	49,885.60
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		Total	\$ 94,285.78
	<u>Sewer Fund</u>		
Payroll		\$	42,437.33
Bills		\$	597,150.69
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		Total	\$ 639,588.02
	<u>Health Insurance Fund</u>		
Bills		\$	163,813.24
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		Total	\$ 163,813.24
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	21,392.81
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		Total	\$ 21,392.81

Mayor Pro-Tem Owen declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, and YEA Mayor Pro-Tem Owen.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

Clerk O'Brien opened the two sealed bids on the 1100 Broadway Parking Lot resulting in the following bids:

1. Mattoon Area Industrial Development (M.A.I.D.) \$120,000
2. Todd Fuller \$12,144

The bids would be in the City Clerk's Office until Council consideration on Friday.

Mayor Pro-Tem Owen opened the floor for Public comments. Mr. Robb Perry provided his opinion on City credit cards, read a newspaper article from Chicago on Mattoon's property taxes, and challenged the Council to unite the Central IL area and contact State officials. Mr. James DiNaso provided his opinion on credit card purchases. Mr. David Phipps requested an update on the Fire & Police contract negotiations/lawsuits with Administrator Gill providing the update. Mr. Charles Stodden inquired about City debt with Finance Director & Treasurer Wright, Administrator Gill and Mayor Pro-Tem Owen responding. Commissioner Cox commented on regular communications with Springfield noting Former Mayor Gover was an Officer with the IML. Mayor Pro Tem-Owen opened the floor for additional Public comment with no response.

NEW BUSINESS

Commissioner Hall seconded by Commissioner Graven moved to adopt Ordinance No. 2020-5435, amending Section 32.05 of Chapter 32 of the municipal code to provide for hiring of full-time employees with an affirmative super-majority vote by members of Council currently holding office.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2020-5435

AN ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE REGARDING CITY COUNCIL POWER, FUNCTIONS AND DUTIES

WHEREAS, Chapter 32 of the Municipal Code of the City of Mattoon, Coles County, Illinois, provides for the general provisions of the City Council and council committees 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 general provision of the City Council; and

WHEREAS, Section 32.05 Powers, Functions and Duties subsection (D) appointment authority is the focus of said desire to modify.

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. Section 32.05 POWERS, FUNCTIONS AND DUTIES, subsection (D) Appointment authority of Chapter 32 of the Code of Ordinances of the City of Mattoon is hereby amended as follows:

(D) Appointment authority. New probationary, regular full-time, regular part-time, exempt and non-exempt employees of the municipality may be hired only by the affirmative vote of ~~four~~ a super majority (75% or more) of the total members of the City Council then holding office. Temporary employees may be appointed by departmental directors with the approval of the departmental commissioner.

Section 3. 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 4. This ordinance shall be effective immediately upon its passage by the City Council as provided by law. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

Upon motion by Commissioner Hall, seconded by Commissioner Graven, adopted this 15th day of December 2020, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
Commissioner Hall, Mayor Pro-Tem Owen

NAYS (Names): None

ABSENT (Names): None

Approved this 15th day of December, 2020.

/s/J.Preston Owen

J. Preston Owen, Mayor Pro-Tem
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 15, 2020.

Mayor Pro-Tem Owen opened the floor for discussion. Council discussed the temporary reduction of votes necessary to hire individuals due to the reduction of Council members, reductions in the Police Department with resignations and retirements in the near future, two current applicants without the need for Academy training, the Tech applicant to replace the current I.T. Director in the near future, lateral transfers of the two qualified police applicants and difficult decisions. Mayor Pro-Tem Owen stated he would not vote to hire for anyone now and explained his decision. Chief Taylor explained the need for the new officers. Mr. Dustin Hay inquired as to cuts within the Council's benefits with Administrator Gill responding.

Mayor Pro-Tem Owen declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, and YEA Mayor Pro-Tem Owen.

Commissioner Hall seconded by Commissioner Graven moved to approve Council Decision Request 2020-2078, authorizing the employment of Robert Agney as a probationary patrol officer for the Mattoon Police Department effective January 02, 2021, contingent upon successful completion of background, physical and psychological exams.

Mayor Pro-Tem Owen opened the floor for comments with no response.

Mayor Pro-Tem Owen declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, and NAY Mayor Pro-Tem Owen.

Commissioner Hall seconded by Commissioner Graven moved to approve Council Decision Request 2020-2079, authorizing the employment of Judson Wienke as a probationary patrol officer for the Mattoon Police Department effective February 13, 2021, contingent upon successful completion of background, physical and psychological exams.

Mayor Pro-Tem Owen opened the floor for comments with no response.

Mayor Pro-Tem Owen declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, and NAY Mayor Pro-Tem Owen.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2020-2080, authorizing the employment of Dalton Roberts as an Assistant Information Technology Director in the Computer Information Services Department effective January 04, 2021, contingent upon successful completion of a drug screen and background check. [Mr. Roberts did not start employment until 01/11/2021.]

Mayor Pro-Tem Owen opened the floor for comments with no response.

Mayor Pro-Tem Owen declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, and NAY Mayor Pro-Tem Owen.

Mayor Pro-Tem Owen seconded by Commissioner Graven moved to adopt Special Ordinance No. 2020-1764, declaring personal property owned by the municipality surplus and authorizing the sale or disposal of the property.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2020-1764

**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 Pro-Tem Owen, seconded by Commissioner Graven, adopted this 15th day of December, 2020, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
Commissioner Hall, Mayor Pro-Tem Owen

NAYS (Names): None

ABSENT (Names): None

Approved this 15th day of December, 2020.

/s/J.Preston Owen
J. Preston Owen, Mayor Pro-Tem
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 15, 2020.

Mayor Pro-Tem Owen opened the floor for comments with no response.

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

Mayor Pro-Tem Owen seconded by Commissioner Hall moved to adopt Resolution No. 2020-3114, approving the continuance of a Local State of Emergency due to the Coronavirus (Coronavirus COVID-19).

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2020-3114

DECLARATION OF LOCAL STATE OF EMERGENCY

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, J. Preston Owen, the Mayor Pro-Tem of the City of Mattoon do hereby declare that a Local State of Emergency exists as of this date, December 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, J. Preston Owen, 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/J. Preston Owen
J. Preston Owen, Mayor Pro-Tem
City of Mattoon, Coles County, Illinois

Mayor Pro-Tem Owen opened the floor for comments/questions with no response.

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

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT noted business as usual with the exception of the passing of the Mayor and family members, upcoming union negotiations and progressive building construction projects. Mayor Pro-Tem Owen opened the floor for questions with no response.

CITY ATTORNEY updated Council on the Quakenbush and Leonetti properties. Mayor Pro-Tem Owen opened the floor for questions with no response.

CITY CLERK noted business as usual, except the current nine Council Petitions filed. Mayor Pro-Tem Owen opened the floor for questions with no response.

FINANCE distributed and reviewed the November Financial Report including the General Fund revenues and expenditures, Video Gaming Terminal revenues, cash position, paid TIF disbursements, final payment on the ERI and Seimens Energy project, Revenue Tracking and unrestricted cash slightly up from last meeting; and preparing for the budgets and projections. Mayor Pro-Tem Owen opened the floor for questions with no response.

PUBLIC WORKS provided an update on the construction at Coles Centre. Mayor Pro-Tem Owen opened the floor for questions with no response.

FIRE updated Council on calls for service, inspections and follow-ups, Brycer Corporation fire sprinkler system for Council consideration on the second meeting in January, processing of Mitchell-Jerdan's Ambulance application including NIMS (National Incident Management System) training, 26 applicants for testing in January, employee evaluations, and finalizing a small equipment grant. Mayor Pro-Tem Owen opened the floor for questions with no response.

POLICE thanked the Council for the new hires and noted the Department was well. Mayor Pro-Tem Owen opened the floor for questions with no response.

ARTS AND TOURISM announced the Quilter's group virtual approach to programing, and Lightworks surpassing of revenues and car count from previous years. Mayor Pro-Tem Owen opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Cox thanked the Parks staff for the Lightworks' opening and closing each night, commented on the City Staffs' City Hall respect as Mayor Gover's procession passed and thanked employees for their service; and wished everyone Happy Holidays. Commissioner Graven wished everyone a Merry Christmas & Happy New Year. Commissioner Hall thanked the employees and community volunteers for their service. Mayor Pro-Tem Owen thanked the employees of the City and wished everyone a Merry Christmas.

Mayor Pro-Tem Owen seconded by Commissioner Hall moved to recess to closed session at 7:28 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the discussion of the selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office when the public body is given power to remove the occupant under law or ordinance (5ILCS 120 (2)(C)(3)); the appointment, compensation, discipline, performance, or dismissal of specific employees of the City or legal counsel for the City. (5ILCS120 (2)(C)(1)); and litigation which is affecting the City and an action is probable or imminent (5ILCS 120 (2)(C)(11)).

Council reconvened at 7:56 p.m.

Council and Administrator Gill discussed the parking lot bid.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:58 p.m.

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

/s/Susan J. O'Brien
City Clerk