

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on January 19, 2021.

Acting Mayor Graven 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 Rick Hall, YEA Commissioner Preston Owen, YEA Acting Mayor Sandra Graven.

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, and City Clerk Susan O’Brien.

CONSENT AGENDA

Acting Mayor Graven seconded by Commissioner Owen moved to approve the consent agenda consisting of minutes of the regular meeting January 5, 2021; bills and payroll for the first half of January, 2021.

**Bills & Payroll first half of
January, 2021**

	<u>General Fund</u>		
Payroll		\$	256,704.30
Bills		\$	<u>135,101.98</u>
	Total	\$	391,806.28
	<u>Hotel Tax Administration</u>		
Payroll		\$	2,309.82
Bills		\$	<u>2,809.16</u>
	Total	\$	5,118.98
	<u>Festival Mgmt Fund</u>		
Bills		\$	<u>80.68</u>
	Total	\$	80.68
	<u>Insurance & Tort Jdgmnt</u>		
Bills		\$	<u>42,504.71</u>
	Total	\$	42,504.71
	<u>Capital Project Fund</u>		
Bills		\$	<u>4,336.40</u>
	Total	\$	4,336.40
	<u>Broadway East Bus Dist</u>		
Bills		\$	<u>3,012.94</u>
	Total	\$	3,012.94
	<u>Water Fund</u>		
Payroll		\$	45,788.74
Bills		\$	<u>34,108.62</u>
	Total	\$	79,897.36

	<u>Sewer Fund</u>		
Payroll		\$	42,388.39
Bills		\$	<u>210,914.25</u>
	Total	\$	253,302.64
	<u>Health Insurance Fund</u>		
Bills		\$	<u>217,198.37</u>
	Total	\$	217,198.37
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	<u>4,392.54</u>
	Total	\$	4,392.54

Acting Mayor Graven opened the floor for comments with no response.

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

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

Acting Mayor Graven announced the resignation of and honored Dennis Gathmann for his 30 plus years of service with the Board of Fire & Police Commissioners effective 01/18/2021; and would present a plaque at a future meeting where Mr. Gathmann could attend.

Commissioner Cox acknowledged the retirement of Michael C. Nichols with more than 14 years of service with the Wastewater Treatment Plant on February 02, 2021; and noted a retirement plaque was presented to Mr. Nichols due to inability to attend the Council meeting, and provided accolades of his employment.

Acting Mayor Graven opened the floor for Public comments. Mr. Jonathan Kaye, property manager, physically present in person questioned Council on his dismissal of participating with the Mattoon in Motion group with Council stating Mattoon in Motion was not a City of Mattoon organization and was not appropriate for discussion at a City Council meeting. Acting Mayor Graven opened the floor for any further Public comment twice with no response from the Public.

NEW BUSINESS

Acting Mayor Graven seconded by Commissioner Cox moved to adopt Ordinance No. 2021-5436, amending the municipal code to approve the removal of the 4-way Stop Signs and replacing with 2-way Stop Signs at the intersection of 12th Street and DeWitt Avenue.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2021-5436

AN ORDINANCE APPROVING STOP SIGNS

WHEREAS, the City of Mattoon owns and maintains a municipal street system; and

WHEREAS, the City of Mattoon is responsible for regulating the traffic on said street system; and

WHEREAS, certain traffic regulations have been determined to be in need of modification for the safe and efficient operation of the municipal street system.

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. Chapter 74, Schedule II, Sub-Schedule ‘B’ of the Code of Ordinances be amended by as follows:

Schedule II (B) Four-Way Stop Intersections
Eliminate the intersection of Dewitt Avenue and 12th Street
from the list of 4-way stop intersections.

Section 3. Chapter 74, Schedule II, Sub-Schedule ‘D’ of the Code of Ordinances be amended by as follows:

Schedule II (D) Two-Way Stop Intersections
Add the following to the list of 2-way stop intersections:

Street	Stops Approaching
12th Street	Dewitt Avenue

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 publication in pamphlet form and approval as provided by law.

Upon motion by Acting Mayor Graven, seconded by Commissioner Cox, adopted this 19th day of January, 2021, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Hall,
Commissioner Owen, Acting Mayor Graven
NAYS (Names): None
ABSENT (Names): None

Approved this 19th day of January, 2021.

/s/Sandra L. Graven
Sandra L. Graven, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/Susan J. O'Brien
Susan J. O'Brien, City Clerk

Dan C. Jones
Dan C. Jones, City Attorney

Recorded in the Municipality's Records on January 19th, 2021.

Acting Mayor Graven opened the floor for comments. Director Barber explained the requirement for stop signs and noted the implementation starting February 1st with notices for a safe change over. Acting Mayor Graven opened the floor for further comments with no response.

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

Commissioner Cox seconded by Commissioner Owen moved to adopt Special Ordinance No. 2021-1765, authorizing an ordinance for the sale of Lot 95 in Lake Paradise Subdivision to Diane and Stephen Stanley, owners of a home on leased premises at Lot 95, Lake Paradise Subdivision, and authorizing the acting mayor to sign all documents necessary to complete the transaction. (Commonly known as 1874 Scenic Lane – 10-0-01022-000)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2021-1765

**AN ORDINANCE AUTHORIZING THE SALE OF
SURPLUS REAL ESTATE**

WHEREAS, the City of Mattoon owns certain real estate parcels at Lake Paradise Subdivision including Lot 95; and

WHEREAS, State Statute 65 ILCS 5/11-76-4.1 enables municipalities to sell real estate, at a price of not less than 80% of the appraised value, if it is determined to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office; and

WHEREAS, Diane Stanley and Stephen Stanley own a cabin, and lease the real estate at Lot 95 of Lake Paradise Subdivision, also known as 1874 Scenic Lane; and

WHEREAS, said real estate is further described on the attached sketch labeled Exhibit ‘X’ and the attached deed labeled Exhibit ‘Y’; and

WHEREAS, Diane Stanley and Stephen Stanley wish to purchase said real estate in the name of Stephen Stanley at the appraised value of \$11,754.00; and

WHEREAS, the City Council declared Lot 95 “no longer necessary or required for the use of the municipality” and “authorized management staff to negotiate contracts to sell said lots” by virtue of Resolution No. 2006-2642; and

WHEREAS, the City Council established certain Covenants, Restrictions, and Limitations for Lake Paradise Subdivision in a Declaration made May 16, 2006 and caused said document to be recorded at the Coles County Clerk and Recorder’s Office as Document No. 0690359, said covenants are attached as Exhibit ‘Z’.

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

Section 1. The City Council determines that it would be inappropriate to offer this property to competitive bidding since the leasee has already invested in permanent improvements on the premises that cannot be conveniently separated.

Section 2. The Mayor and City Clerk are authorized to sign documents conveying, by Warranty Deed, attached as Exhibit ‘Y’, title to the real estate described in Section 3 of this ordinance to Stephen Stanley in exchange for payment in the amount of \$11,754.00.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 95 of Lake Paradise Subdivision, Paradise Township, Coles County, Illinois, commonly known as 1874 Scenic Lane, Mattoon, Illinois.

Excepting any interest or estate in the minerals underlying the surface of the land which may have been heretofore conveyed or reserved, and all rights and easements in favor of any such mineral interest or estate.

Section 4. The Covenants, Restrictions, and Limitations for Lake Paradise Subdivision, Paradise Township, Coles County, Illinois, attached as Exhibit ‘Z’, shall run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them and for the benefit of, and limitations on, future owners in such subdivision.

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.

Upon motion by Commissioner Cox, seconded by Commissioner Owen, adopted this 19th day of January, 2021, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cox, Commissioner Hall, Commissioner Owen</u> <u>Acting Mayor Graven</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 19th day of January, 2021.

/s/Sandra L. Graven
Sandra L. Graven, Acting 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 January 19, 2021.

Acting Mayor Graven opened the floor for comments with no response.

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

Acting Mayor Graven seconded by Commissioner Hall moved to approve Council Decision Request 2021-2083, approving the final 2020 MFT Street Maintenance Expenditure Statement in the amount of \$425,381.42; and authorizing the acting mayor to sign the Municipal Maintenance Expenditure Statement. [20-00000-00-GM]

Acting Mayor Graven opened the floor for comments with no response.

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

Commissioner Hall seconded by Commissioner Owen moved to approve Council Decision Request 2021-2084, approving a \$2,000 grant by the Tourism Advisory Committee from FY20/21 hotel/motel tax funds to support the Mattoon American Legion on behalf of signage for the Peterson Park Tank, a historical attraction for the City of Mattoon; and authorizing the acting mayor to sign the agreement.

Acting Mayor Graven opened the floor for comments with no response.

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

Acting Mayor Graven seconded by Commissioner Cox moved to adopt Resolution No. 2021-3119, approving the continuance of a Local State of Emergency due to the Coronavirus (COVID-19).

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2021-3119

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, Sandra Graven, Acting Mayor of the City of Mattoon do hereby declare that a Local State of Emergency exists as of this date, January 22, 2021, 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, Sandra Graven, 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/Sandra L. Graven
Sandra L. Graven, Acting Mayor
City of Mattoon, Coles County, Illinois

Acting Mayor Graven opened the floor for comments or questions with no response.

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

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT noted preparations for collective bargaining negotiation and budgets. Acting Mayor Graven opened the floor for comments with no response.

CITY ATTORNEY had nothing new to report; business as usual and working with Administrator Gill on items. Acting Mayor Graven opened the floor for comments with no response.

CITY CLERK – noted new employee, Dalton Roberts, in IT started, prepared budgets, handled insurance issues, prepared with input of Director & Treasurer Wright the Fire Pension DOI Audit Response; otherwise, business as usual. Acting Mayor Graven opened the floor for comments with no response.

FINANCE distributed and reviewed the December Council Report including General Fund revenues which contained the CURE program funds, and Revenue Tracking Sheet with Income, VGT, Use, Sales, Telecom, PPRT taxes and unrestricted cash; and preparation of FY22 first draft. Acting Mayor Graven opened the floor for comments with no response.

PUBLIC WORKS noted preparation of projects to begin in the Spring and budgets. Acting Mayor Graven opened the floor for comments with no response.

FIRE updated Council on calls for service, structure fires, inspections, quote from E1 on a new 75' ladder and pumper combination as well as applying for an AFG grant which had a 5% match resulting in City matching funds of \$46,250 for a \$925,000 fire truck. Chief Hilligoss further elaborated on the Brycer Corporation fire suppression system with Council requesting additional information before considering the system. Acting Mayor Graven opened the floor for comments with no response.

ARTS AND TOURISM updated Council on the upcoming Quilting activities and preparations of Superintendent Kurt Stretch and Mindy Cook for the Lightworks 2021. Acting Mayor Graven opened the floor for comments with no response. Acting Mayor Graven thanked Director Burgett for the Lightworks report.

COMMENTS BY THE COUNCIL

Commissioners Cox, Hall and Owen had no further comments.

Acting Mayor Graven seconded by Commissioner Hall moved to recess to closed session at 7:14 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the discussion of the appointment, compensation, discipline, performance, or dismissal of specific employees of the City or legal counsel for the City. (5ILCS/20 (2)(C)(1)); 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)); litigation which is affecting the City and an action is probable or imminent (5ILCS 120 (2)(C)(11)); and the review of minutes of meetings lawfully closed for purposes of the semi-annual review as mandated by Section 2.06 (5 ILCS 120(2)(c)(21)).

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

Council reconvened at 7:42 p.m.

Commissioner Owen seconded by Commissioner Hall moved to approve Council Decision Request 2021-2085, approving the release of all Executive Session minutes from May 18, 2010 through December 31, 2020, except for May 18, 2010; February 01, 2012; July 2, 2013; February 02, 2016; September 20, 2016; June 15, 2017; December 19, 2017; January 02, 16, 2018; February 06, 2018; March 06, 20, 2018; April 03, 17, 2018; May 01, 15, 2018; June 05, 19, 2018; July 03, 11, 2018; August 07, 2018; October 02, 2018; November 06, 2018; December 18, 2018; January 15, 2019; February 14, 2019; March 19, 2019; April 02, 16, 2019; May 07, 21, 2019; June 18, 2019; July 02, 2019; August 20, 2019; October 15, 2019; November 05, 19, 2019; December 17, 2019; January 07, 2020; March 17, 2020; April 21, 2020; May 19, 2020; June 16, 2020; July 07, 21, 2020; August 18, 2020; September 01, 15, 2020; October 06, 2020; November 03, 2020 December 15, 2020; and to approve the destruction of Executive Session verbatim records which have been approved for release in written form as follows: February 19 and 27, 2019.”

Acting Mayor Graven opened the floor for comments with no response.

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

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:43 p.m.

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

/s/Susan J. O'Brien
City Clerk