

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on April 6, 2021. Acting Mayor Graven presided and called the meeting to order at 6:30 p.m.

Acting Mayor Graven led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner David 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, Public Works Director Dean Barber, Arts & Tourism Director Angelia Burgett- audio, Police Chief Sam Gaines, Fire Chief Jeff Hilligoss - audio and City Clerk Susan O'Brien.

CONSENT AGENDA

Acting Mayor Graven seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the Special and Regular Meetings March 16, 2021 and Special Meeting March 22, 2021; bills and payrolls for the first half of March, 2021.

Bills & Payrolls last half of March, 2021

	<u>General Fund</u>		
Payroll		\$	516,403.68
Bills		\$	<u>105,560.35</u>
	Total	\$	621,964.03
	<u>Hotel Tax Administration</u>		
Payroll		\$	5,435.20
Bills		\$	<u>863.82</u>
	Total	\$	6,299.02
	<u>Mobile Equipment Fund</u>		
Bills		\$	<u>92,985.00</u>
	Total	\$	92,985.00
	<u>Insurance & Tort Jdgmnt</u>		
Bills		\$	<u>109,558.50</u>
	Total	\$	109,558.50
	<u>Midtown TIF Fund</u>		
Bills		\$	<u>32.20</u>
	Total	\$	32.20
	<u>Capital Project Fund</u>		
Bills		\$	<u>103,882.06</u>
	Total	\$	103,882.06
	<u>I-57 East TIF Dist</u>		
Bills		\$	<u>7,500.00</u>
	Total	\$	7,500.00

	<u>Water Fund</u>		
Payroll		\$	80,632.09
Bills		\$	<u>31,931.99</u>
	Total	\$	112,564.08
	<u>Sewer Fund</u>		
Payroll		\$	68,911.50
Bills		\$	<u>467,396.15</u>
	Total	\$	536,307.65
	<u>Health Insurance Fund</u>		
Bills		\$	<u>327,217.41</u>
	Total	\$	327,217.41
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	<u>11,316.11</u>
	Total	\$	11,316.11

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

Acting Mayor Graven seconded by Commissioner Hall moved to approve the consent agenda by the following vote: YEA Commissioner Cox, YEA Commissioner Hall, YEA Commissioner Owen, YEA Acting Mayor Graven.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

LAKE MATTOON PUMP STATION PRESENTATION

Director Barber explained the Water Fund project at the south end of the lake and east end of dam to improve water quality and security, existing pump station issues, preliminary design on tonight's agenda, debt free out of Capital Revenues, and determining whether to save up or finance the project. Commissioner Hall inquired as to solving the odor problems and timeline with Director Barber noting good water quality, additional chemicals to eliminate blue-green algae and improved taste, and in place in five to seven years.

BUDGET HEARING PRESENTATION

Acting Mayor Graven opened the Public Hearing on the City's FY22 Budget in the City Hall Council Chambers on April 6, 2021 at 6:42 p.m. Administrator Gill reviewed the General Fund with a balanced budget after much work by the Director and Treasurer Wright and Department Heads, largest expenditures, property tax levy, budgeted revenues/expenditures and largest expenditures of the motor fuel tax, Hotel Tax Fund, Festival Management Fund, Mobile Equipment Fund, Home Rehab Grant (DCEO Grant for Home Improvement), Revolving Loan Fund, Capital Projects Fund, Mid-town TIF (2027), I-57 East TIF (2030), I-57 East Business District, Broadway Avenue East TIF, Broadway Avenue East Business District (Mall), South Route 45 TIF (2031), South Route 45 Business District (2031), Water Fund, Sewer Fund, Health Insurance Fund and Insurance & Tort Judgement Fund. Acting Mayor Graven opened the floor for questions from Council, attendees and online attendees. Mr. Alex Walker inquired about debt and revenues with Administrator Gill responding. With no further questions Acting Mayor Graven closed the Public Hearing at 7:06 p.m.

Acting Mayor Graven opened the floor for Public comments. Mr. James DiNaso inquired about a possible one-percent county-wide sales tax and was opposed to the tax. Administrator Gill responded and added increasing sales tax must be done by referendum. Mr. Alex Walker expressed his opinion on people being ignored by council. Acting Mayor Graven opened the floor for any additional questions from online or in attendance with no response.

NEW BUSINESS

Acting Mayor Graven seconded by Commissioner Owen moved to adopt Special Ordinance No. 2021-1770, approving the rezoning of approximately 55 acres located at 5600 Lerna Road from RS (Rural Suburban) to C-3 (Service Commercial) for the purposes of constructing a winery and vineyard. Petitioner: Warren James, L.L.C. 06-0-01053-001 & 06-0-01016-001

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2021-1770

AN ORDINANCE GRANTING REZONING AT 5600 LERNA ROAD, MATTOON FROM R-S TO C-3 FOR THE PURPOSES OF CONSTRUCTING A WINERY

WHEREAS, there has been filed a written Petition for Warren James L.L.C. requesting rezoning of the parcel(s) legally described as:

Tract 1 of Plat of Survey of the East half (E.1/2) of the Northeast Quarter (NE.1/4) OF Section Twenty-Eight (28) and part of the West Half W.1/2) of the Northwest Quarter (NW.1/4) OF Section 27, all in Township Twelve (12) North, Range Eight (8) East of the Third principal Meridian, Coles County, Illinois, as recorded as Document #200900714182 in the Recorder's Office, containing +/- 54.905 acres.

**Also known as: 5600 Lerna Road; Mattoon, Illinois 61938
06-0-01053-001 & 06-0-01016-001**

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

WHEREAS, the property has historically been, and is well suited for a development; and,

WHEREAS, the Planning Commission held a public hearing on March 23, 2021 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 a rezoning to allow the construction of said winery.

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:

Tract 1 of Plat of Survey of the East half (E.1/2) of the Northeast Quarter (NE.1/4) OF Section Twenty-Eight (28) and part of the West Half W.1/2) of the Northwest Quarter (NW.1/4) OF Section 27, all in Township Twelve (12) North, Range Eight (8) East of the Third principal Meridian, Coles County, Illinois, as recorded as Document #200900714182 in the Recorder's Office, containing +/- 54.905 acres

**Also known as: 5600 Lerna Road; Mattoon, Illinois 61938
06-0-01053-001 & 06-0-01016-001**

be and the same is granted a rezoning to C-3 (Service Commercial).

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 Acting Mayor Graven, seconded by Commissioner Owen, adopted this 6th day of April, 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 6th day of April, 2021.

/s/Sandra L. Graven
Sandra L. Graven, 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 April 6, 2021.

Acting Mayor Graven opened the floor for questions/comments. Administrator Gill noted the Planning Commission passed unopposed and addressed concerns of neighbors. Commissioner Cox commended the Pierce brothers for their entrepreneurship and would be well received. Acting Mayor Graven opened the floor for further 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.

Commissioner Cox seconded by Commissioner Hall moved to approve Council Decision Request 2021-2114, approving a fee proposal of \$146,450.00 from Crawford, Murphy & Tilly for the preliminary design and cost estimate for a new Raw Water Pump Station at Lake Mattoon.

Acting Mayor Graven opened the floor for questions/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 Owen moved to approve Council Decision Request 2021-2115, awarding the bid of \$172,986.55 from Bartels Construction for the Marshall Avenue Sidewalks Project from 25th Street to 21st Street.

Acting Mayor Graven opened the floor for questions/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 approve Council Decision Request: 2021-2116, approving the bids and specifications for the DeWitt Avenue Patching Project at 6th Street and DeWitt Avenue.

Acting Mayor Graven opened the floor for questions/comments. Director Barber noted the patching was similar to the Logan and 12th Street projects.

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 approve Council Decision Request 2021-2117, ratifying the re-appointment of Mark Welton as trustee to the Police Pension Board for a term ending 04/30/2023.

Acting Mayor Graven opened the floor for questions/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 2021-2118, ratifying the re-appointment of Mark Nelson to the Coles County Airport Authority with a term ending April 30, 2026.

Acting Mayor Graven opened the floor for questions/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 Owen seconded by Commissioner Cox moved to approve Council Decision Request 2021-2119, ratifying the re-appointment of Tom Graven to Electrical Commission with a term ending 04/30/2025.

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

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

Acting Mayor Graven seconded by Commissioner Hall moved to approve Council Decision Request 2021-2120, ratifying the re-appointment of Beth Wright to Fire Pension Board with a term ending 04/30/2024.

Acting Mayor Graven opened the floor for questions/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 approve Council Decision Request 2021-2121, ratifying the appointment of Skylor Harden to the Mattoon Arts Council with an unexpired term ending 09/30/2022.

Acting Mayor Graven opened the floor for questions/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 Hall moved to approve Council Decision Request 2021-2122, waiving the formal bidding requirement and approving the invoice in the amount of \$30,637.90 from Matthews & Sons Contractors for emergency sanitary sewer repairs under the Canadian National Railroad near 27th Street.

Acting Mayor Graven opened the floor for questions/comments. Director Barber noted the sewer failure, emergency repairs and future projects to prevent future failures.

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 2021-2123, approving the promotion of Sergeant Chase R. Kull to the rank of Lieutenant, effective April 10, 2021.

Acting Mayor Graven opened the floor for questions/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 Owen moved to approve Council Decision Request 2021-2124, approving the promotion of Officer Scott L. Robison to the rank of Sergeant, effective April 10, 2021.

Acting Mayor Graven opened the floor for questions/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.

Chief Gaines noted promotions due to the promotion of Lt. Hurst to Deputy Chief, and elaborated on their service.

Commissioner Hall seconded by Commissioner Owen moved to approve Council Decision Request 2021-2125, authorizing the employment of Jedidiah M. Donaldson as a probationary firefighter for the Mattoon Fire Department effective April 13, 2021, contingent upon successful completion of background, physical and psychological exams.

Acting Mayor Graven opened the floor for questions/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 approve Council Decision Request 2021-2126, authorizing the employment of Joshua P. Welling as a probationary firefighter for the Mattoon Fire Department effective April 20, 2021, contingent upon successful completion of background, physical and psychological exams.

Acting Mayor Graven opened the floor for questions/comments. Chief Hilligoss noted the passage of their background and psychological exams and would have their physicals shortly. Captain Hallam Shutts introduced Mr. Welling.

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 congratulated the new employees.

Acting Mayor Graven seconded by Commissioner Cox moved to adopt Resolution No. 2021-3132, approving the continuance of a Local State of Emergency due to the Coronavirus (COVID – 19).

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2021-3132

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, April 06, 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 questions/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.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT expressed appreciation in the assistance he received with the budgets. Acting Mayor Graven opened the floor for questions with no response.

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

CITY CLERK noted busy with various reports, 125 & 457 open enrollments, Prohibiting Sexual Harassment Training, and insurance budget finalization; otherwise, business as usual. Acting Mayor Graven opened the floor for questions with no response.

FINANCE distributed and reviewed the major sources of revenues and unrestricted cash. Acting Mayor Graven opened the floor for questions with no response.

PUBLIC WORKS reported on bids for demolition of the taxi stand and streetscaping of downtown next week. Acting Mayor Graven opened the floor for questions with no response.

FIRE thanked the Council for the two new hires, calls for service, inspections and follow-ups, Banner update, and a significant mulch waste fire at the yardwaste facility; and thanked Chief Gaines, Delbert Hamilton, Rob Newlin, Bill Tatman, Tim Ritter, Dean Barber, Bob Fuller and Mervis Recycling for additional assistance with the fire. Acting Mayor Graven opened the floor for questions with no response.

POLICE commended a great job on the Fire Department; reported the calls for service with 35 arrests, home invasion and business as usual.

ARTS AND TOURISM updated Council on the Bagelfest, 4th of July, and upcoming grants. Acting Mayor Graven opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Cox encouraged candidates to remove their campaign signs quickly. Commissioners Hall and Owen had no further comments. Acting Mayor Graven commented on the yardwaste fire, Firefighter Ueleke and cooperation by the Fire Department and City.

Acting Mayor Graven seconded by Commissioner Hall moved to recess to closed session at 7:39 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 120 (2)(C)(1)); litigation which is affecting the City and an action is probable or imminent (5ILCS 120 (2)(C)(11)); and 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)).

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 7:51 p.m.

Acting Mayor Graven seconded by Commissioner Hall moved to adopt Special Ordinance No. 2021-1771, ratifying a successor four-year collective bargaining agreement with the AFSCME, AFLIO, Council 31, Local 3821 and the City.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2021-1771

AN ORDINANCE RATIFYING A FOUR-YEAR CONTRACT RENEWAL OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, COUNCIL 31, LOCAL 3821

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

Section 1. The Council hereby approves a four-year contract renewal to the “Collective Bargaining Agreement” dated April 6, 2021 with the American Federation of State, County and Municipal Employees, AFL-CIO, Council 31, Local 3821, a copy of which is attached and incorporated by reference.

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.

Upon motion by Acting Mayor Graven, seconded by Commissioner Hall, adopted this 6th day of April, 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 6th day of April, 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 April 6, 2021.

Commissioner Owen seconded by Commissioner Cox moved to amend Special Ordinance 2021-1771 in accordance to the following changes:

- Article 6, Section 6(B) change eight (8) hours to twelve (12) hours of stand-by pay...;
- Article 9, Section 1(A) add “except” to all full-time employees, “except” shift workers...;
- Article 25, Section 6(2) remove “as defined in 21 CFR Part 1308” after “Controlled substances”.

Acting Mayor Graven declared the motion to amend 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 the motion as amended.

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 7:54 p.m.

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

/s/Susan J. O'Brien
City Clerk