

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on May 17, 2022. Mayor Hall presided and called the meeting to order at 6:30 p.m.

Mayor Hall led the Pledge of Allegiance.

The following members of the Council answered roll call physically present in person: YEA Commissioner Jim Closson, YEA Commissioner Cox, YEA Commissioner Sandra Graven, YEA Commissioner David Phipps (attended by electronic means), and YEA Mayor Rick Hall.

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, Fire Chief Jeff Hilligoss, Police Chief Sam Gaines, and City Clerk Susan O'Brien.

**CONSENT AGENDA**

Mayor Hall seconded by Commissioner Cox moved to approve the consent agenda consisting of Regular Meeting minutes of May 3, 2022; bills and payroll for the first half of May, 2022; and Resolution No. 2022-3193, approving the continuance of a Local State of Emergency due to the Coronavirus (COVID – 19).

**Bills and payroll for the first part of May, 2022**

	<b><u>General Fund</u></b>		
Payroll		\$	268,310.35
Bills		\$	<u>615,805.38</u>
	Total	\$	884,115.73
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	3,552.09
Bills		\$	<u>7,058.03</u>
	Total	\$	10,610.12
	<b><u>Festival Mgmt Fund</u></b>		
Bills		\$	<u>12,192.65</u>
	Total	\$	12,192.65
	<b><u>Mobile Equip Fund</u></b>		
Bills		\$	<u>93,255.00</u>
	Total	\$	93,255.00
	<b><u>Capital Project Fund</u></b>		
Bills		\$	<u>2,326.28</u>
		\$	2,326.28
	<b><u>Broadway East Bus Dist</u></b>		
Bills		\$	<u>3,513.58</u>
		\$	3,513.58
	<b><u>Insurance &amp; Tort Jdgmnt</u></b>		
Bills		\$	<u>126,866.88</u>
	Total	\$	126,866.88

	<b><u>Water Fund</u></b>		
Payroll		\$	43,174.68
Bills		\$	40,796.21
	Total	\$	<u>83,970.89</u>
	<b><u>Sewer Fund</u></b>		
Payroll		\$	41,559.49
Bills		\$	43,124.59
	Total	\$	<u>84,684.08</u>
	<b><u>Health Insurance Fund</u></b>		
Bills		\$	219,626.67
	Total	\$	<u>219,626.67</u>
	<b><u>Motor Fuel Tax Fund</u></b>		
Bills		\$	8,113.68
	Total	\$	<u>8,113.68</u>

**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2022-3193**

**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, Rick Hall, Mayor of the City of Mattoon do hereby declare that a Local State of Emergency exists as of this date, May 17, 2022, 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, Rick Hall, 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/Rick Hall

Rick Hall, Mayor

City of Mattoon, Coles County, Illinois

Mayor Hall declared the motion to approve the consent agenda carried by the following omnibus vote: YEA Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Phipps, YEA Mayor Hall.

### **PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Hall opened the floor for Public comments.

Ms. Renee Fonner of the Salvation Army Advisory Board explained the use as extra storage for canteen, additional freezers, and walk-in coolers of 1220 Richmond, if the Salvation Army wins the bid award.

Mayor Hall opened the floor for questions with no response. Mayor Hall opened the floor for online attendees' comments with no response.

Mr. Harold Burwell, 724 S. 24<sup>th</sup> Street, addressed the Council with his concern for the need of walk path no parking; and inquired as to the Sports Complex. Commissioner Closson explained the discussions he had with Administrator Gill in an attempt to find a happy medium. Council with Administrator Gill and Attorney Jones discussed the situation, previous conversations, railroad ties, additional signage, sponsorship cooperation, certain immunities, fencing for the 8-10 weeks during tournaments, A-frame signs and Police and Ambulance usage. Commissioner Closson stated signage and sponsorship self-policing could be used during tournaments. Mayor Hall addressed the proposed Sports Complex noting a series of three meetings of the Council for information, (1) the Public for questions (2) before any meeting (3) for formal approval; and noted many components to be determined.

Mayor Hall opened the floor for further questions with no response.

BID OPENING: 1220 Richmond Avenue

Mayor Hall directed Clerk O'Brien to open the bids for the sale of 1220 Richmond Avenue. The bids were:

1. Dennis L. Bahrns in the amount of \$2,513.00
2. Standerfer Construction, Inc. in the amount of \$2,575.00
3. The Salvation Army in the amount of \$2,500.00
4. Allen J. Cobble in the amount of \$5,111.00

Director Barber stated the R1 zoning of the property, and a meeting with the high bidder to make sure the intended use meets R1 zoning requirements; and explained the selection process.

### **NEW BUSINESS**

Mayor Hall seconded by Commissioner Cox move to adopt Special Ordinance No. 2022-1812, rezoning Grant Park Place from R1 (Residential) to C4 (General Commercial District) to allow construction of a post frame building for office and warehouse space by Insulation, Gutter, and Border Company located at 201-221 DeWitt Avenue. Petitioners: Kirk and Spencer Swensen

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## **CITY OF MATTOON, ILLINOIS**

### **SPECIAL ORDINANCE NO. 2022-1812**

#### **AN ORDINANCE GRANTING RE-ZONING AT 201-221 DEWITT AVENUE**

**WHEREAS**, there has been filed a written Petition for Kirk and Spencer Swenson requesting a re-zoning of the parcel(s) legally described as

**GRANT PARK PLACE LOT 1, 2, 3, 4, 5 & 6 BLOCK 12**  
Commonly known as 201 to 221 DeWitt Avenue

**WHEREAS**, said site(s) are zoned R-1, residential; and

**WHEREAS**, the property is well suited for a C-4 zoning; and

**WHEREAS**, the Planning Commission held a public hearing on May 10, 2022 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 re-zoning.

**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

**GRANT PARK PLACE LOT 1, 2, 3, 4, 5 & 6 BLOCK 12**  
Commonly known as 201-221 DeWitt Avenue

, be and the same is granted a re-zoning from R-1 to C-4 for the purpose of construction of a warehouse/office.

**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 Hall, seconded by Commissioner Cox, adopted this 17th day of May, 2022, by a roll call vote, as follows:

AYES (Names): Commissioner Closson, Commissioner Cox,  
Mayor Hall  
NAYS (Names): Commissioner Graven  
ABSENT (Names): None  
ABSTAIN (Names): Commissioner Phipps

Approved this 17th day of May, 2022.

/s/Rick Hall  
Rick Hall, 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 May 17, 2022.

Mayor Hall opened the floor for discussion/questions. Mr. Spencer Swensen stated his excitement to erect the building and expand. Commissioner Graven expressed concern of the C-4 rezoning and issues with a future selling of the property and need for outside storage; and recent granting with the Hild Landscaping property for outside storage. Mr. Swensen explained the need for outside storage involving landscaping materials, sand, future request of C-4 zoning in less than one year, and further expansion of the area. Administrator Gill explained Hild Landscaping had C-3 which allows for farm and garden supply outside storage. Mayor Hall opened the floor for additional questions with no response.

Mayor Hall declared the motion carried by the following vote: YEA Commissioner Closson, YEA Commissioner Cox, NAY Commissioner Graven, ABSTAIN Commissioner Phipps, YEA Mayor Hall.

Mayor Hall seconded by Commissioner Graven move to adopt Special Ordinance No. 2022-1813, granting a special use located at 1121 N. 33<sup>rd</sup> Street allowing for a satellite utility. Petitioner: Randy Jones, ViaSat

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2022-1813**

**AN ORDINANCE GRANTING SPECIAL USE AT 1121 N. 33<sup>rd</sup> STREET TO ALLOW FOR A SATELLITE UTILITY**

**WHEREAS**, there has been filed a written Petition for SSC Inc. requesting a Special Use of the parcel(s) legally described as

**PROPOSED LEASE AREA**

A PARCEL OF LAND, BEING A PART OF AND LYING ENTIRELY WITHIN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 NORTH, RANGE 7 EAST OF THE 3RD P.M., COLES COUNTY, ILLINOIS, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 10;

THENCE ALONG AND UPON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, SOUTH 00°50'57" WEST, A DISTANCE OF 1029.52 FEET;

THENCE LEAVING SAID EASTERLY LINE, NORTH 90°00'00" WEST, A DISTANCE OF 35.13 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF N 33RD ST.;

THENCE ALONG AND UPON SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 00°36'30" WEST, A DISTANCE OF 20.01 FEET;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 87°25'00" WEST, A DISTANCE OF 319.47 FEET;

THENCE NORTH 00°54'00" EAST, A DISTANCE OF 31.54 FEET TO THE POINT-OF-BEGINNING;

THENCE CONTINUING NORTH 00°54'00" EAST, A DISTANCE OF 25.00 FEET (L1);

THENCE SOUTH 89°06'00" EAST, A DISTANCE OF 28.00 FEET (L2);

THENCE SOUTH 00°54'00" WEST, A DISTANCE OF 25.00 FEET (L3);

THENCE NORTH 89°06'00" WEST, A DISTANCE OF 28.00 FEET (L4) TO THE POINT-OF- BEGINNING;

CONTAINING 700 SQUARE FEET (0.02 ACRES) MORE OR LESS.

**WHEREAS**, said site(s) are zoned C-3, Commercial, which does allow the operation of said development; and

**WHEREAS**, the property is well suited for a Satellite Utility; and

**WHEREAS**, the Planning Commission held a public hearing on May 10, 2022 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 special use to allow the operation of said satellite utility.

**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

**PROPOSED LEASE AREA**

A PARCEL OF LAND, BEING A PART OF AND LYING ENTIRELY WITHIN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 NORTH, RANGE 7 EAST OF THE 3RD P.M., COLES COUNTY, ILLINOIS, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 10;

THENCE ALONG AND UPON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, SOUTH 00°50'57" WEST, A DISTANCE OF 1029.52 FEET;

THENCE LEAVING SAID EASTERLY LINE, NORTH 90°00'00" WEST, A DISTANCE OF 35.13 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF N 33RD ST.;

THENCE ALONG AND UPON SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 00°36'30" WEST, A DISTANCE OF 20.01 FEET;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 87°25'00" WEST, A DISTANCE OF 319.47 FEET;

THENCE NORTH 00°54'00" EAST, A DISTANCE OF 31.54 FEET TO THE POINT-OF-BEGINNING;

THENCE CONTINUING NORTH 00°54'00" EAST, A DISTANCE OF 25.00 FEET (L1);

THENCE SOUTH 89°06'00" EAST, A DISTANCE OF 28.00 FEET (L2);

THENCE SOUTH 00°54'00" WEST, A DISTANCE OF 25.00 FEET (L3);

THENCE NORTH 89°06'00" WEST, A DISTANCE OF 28.00 FEET (L4) TO THE POINT-OF-BEGINNING;

CONTAINING 700 SQUARE FEET (0.02 ACRES) MORE OR LESS.

, be and the same is granted a special use allowing for lawful right to operate a Satellite Utility.

**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 Hall, seconded by Commissioner Graven, adopted this 17th day of May, 2022, by a roll call vote, as follows:

AYES (Names): Commissioner Closson, Commissioner Cox,  
Commissioner Graven, Commissioner Phipps,  
Mayor Hall

NAYS (Names): None

ABSENT (Names): None

Approved this 17th day of May, 2022.

/s/Rick Hall  
Rick Hall, 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 May 17, 2022.

Mayor Hall opened the floor for comments. Administrator Gill noted the special use petition was heard by the Planning Commission and would be an eight-foot satellite utility. Mr. Randy Jones of ViaSat stated the dish was six foot with a chain link fence surrounding the dish and was typically for rural customers and broadband.

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

Commissioner Closson seconded by Commissioner Cox move to approve Council Decision Request 2022-2253, authorizing the employment of Robert Pierce for the Cemetery Maintenance IV position effective May 27, 2022, pending a background check and drug testing.

Mayor Hall opened the floor for comments. Administrator Gill provided a background for Mr. Pierce's employment search and his discussions with the current Cemetery Sexton, Rob Newlin. Commissioner Closson noted Mr. Pierce would have seven months of training before Mr. Newlin retired. Commissioner Cox provided accolades for Mr. Pierce.

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

Congratulations were expressed to Mr. Pierce.

Commissioner Phipps seconded by Commissioner Closson move to approve Council Decision Request 2022-2254, awarding the bid from Bobcat of Effingham in the amount of \$73,712.92 for the Bobcat Model E60 mini excavator.

Mayor Hall opened the floor for comments. Director Barber noted the primary use would be for utility repairs with a future purchase of mower attachments which would help with clearing vegetation around the south side flooding.

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

Commissioner Cox seconded by Commissioner Closson move to approve Council Decision Request 2022-2255, approving a \$6,000 grant by the Tourism Advisory Committee from FY22/23 hotel/motel tax funds to the Mattoon YMCA in support of the:

1. Lytle Park Tri to be held on June 18, 2022
2. Last Chance Tri to be held on October 2, 2022, and

3. Ghouls in the Pool Swim Meet to be held October 29, 2022; and authorizing the mayor to sign the agreement.

Mayor Hall opened the floor for comments. Commissioner Cox noted the longstanding events and Tourism and the YMCA's contributions to the community.

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

Commissioner Cox seconded by Commissioner Graven move to approve Council Decision Request 2022-2256, approving a \$3,000 grant by the Tourism Advisory Committee from FY22/23 Festival Management funds to the Mattoon YMCA in support of the Run for the Bagel event to be held on July 23, 2022; and authorizing the mayor to sign the agreement.

Mayor Hall opened the floor for questions/comments. Administrator Gill reiterated the use of Bagelfest funds for this grant.

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

### **DEPARTMENT REPORTS:**

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT updated Council on the review of resumes, interviews for open positions, and code enforcement activities and permits. Mayor Hall opened the floor for questions with no response.

CITY ATTORNEY announced an upcoming hearing on the Quakenbush properties to determine how Mr. Quakenbush would become in compliance with the Judge's order. Mayor Hall opened the floor for questions with no response.

CITY CLERK noted processing the State Biennial PSEBA report and distribution of forms to recipients, providing Lauterbach & Amen with Police Pension Annual Reporting information, readied the Council Packet, assisted with insurance and personnel issues, and continuing to process summer help and FOIA requests; and announced there was not enough interest in the AFLAC vision insurance from employees this year. Mayor Hall opened the floor for questions with no response.

FINANCE distributed and reviewed the April Financial Report with FY22 cash basis comparing the accrual basis for FY21, cash position, Revenue Tracking Report for May and unrestricted cash; and announced the need for a single audit requirement which adds to the Audit and anticipation of the auditors' engagement letter. Mayor Hall opened the floor for questions with no response.

PUBLIC WORKS stating taking credit for the single audit due to receiving Federal Funds for the Combined Sewer Overflow piping project; and provided a DeWitt Avenue report on Howell Asphalt's progress and a successful Artworks event. Commissioner Cox added WCIA covered the event. Mayor Hall opened the floor for questions.

FIRE reported on calls for service, inspections and follow-ups and the review of firework sales applications, training, and Image Trend software to be live on June 1<sup>st</sup> including the billing side of the software. Mayor Hall opened the floor for questions with no response.

POLICE reported on calls for service, 41 arrests, implementation of the Safe Passage Program, and the second session of training at the Pistol Range. Mayor Hall opened the floor for questions with no response.

ARTS AND TOURISM Commissioner Cox announced Director Burgett would have a detailed report next meeting, a busy May for Tourism, and a phenomenal Artworks event with the Arts Council building and growing the event.

### **COMMENTS BY THE COUNCIL**

Commissioner Closson announced completion of the Cunningham Park playground equipment due to the Kiwanis donation with Director Barber to install signage, Lake Paradise Boat Ramp new light and trash container, an upcoming Dog Park Committee meeting, and attendance of meetings on the Sports Complex. Mayor Hall added all of the upcoming Sports Complex meetings will be posted and minutes would be available online, which would allow citizens to forward further questions in writing. Commissioner Cox congratulated Mr. Pierce on his appointment. Mayor Hall opened the floor for questions with no response. Commissioner Graven announced her attendance at the Depot Museum and transfer of displays with good comments from the Public; and congratulated Mr. Pierce. Commissioner Phipps described a good meeting with the stakeholders on the 12<sup>th</sup> Street/Shelby Avenue road closure and tour of the new Lift facility; and congratulated Mr. Pierce. Mayor Hall opened the floor for questions with no response. Mayor Hall provided an update on the Sports Complex including progress on an organizational structure, availability of Council on the 29<sup>th</sup> and 30<sup>th</sup> of June for a special meeting, current view and steps confirmed, financing, name change, fundraising, design of building, SBLHC to rent a space for a clinic, meeting with various partners to expand, build residential areas, and a positive Lift project. Council discussed meeting dates for the Sports Complex special meetings which Council would need to further discuss their availability before announcing special meetings. Mayor Hall opened the floor for questions with no response.

Mayor Hall seconded by Commissioner Cox move to recess to closed session at 7:31 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 under (5ILCS 120 (2)(C)(1)).

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

Council reconvened at 8:30 p.m.

Commissioner Cox seconded by Commissioner Closson move to adjourn at 8:31 p.m.

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

/s/Susan J. O'Brien  
City Clerk