

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on July 5, 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 and YEA Mayor 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, Arts & Tourism Director Angelia Burgett, 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 June 21, 2022; bills and payroll for the last half of June, 2022; and Resolution No. 2022-3197, approving the continuance of a Local State of Emergency due to the Coronavirus (COVID – 19).

Bills and payroll for the last half of June, 2022

General Fund

Payroll		\$	306,166.89
Bills		\$	<u>1,000,165.18</u>
	Total	\$	1,306,332.07

Hotel Tax Administration

Payroll		\$	3,778.12
Bills		\$	<u>334.31</u>
	Total	\$	4,112.43

Festival Mgmt Fund

Bills		\$	<u>1,700.00</u>
	Total	\$	1,700.00

Midtown TIF Fund

Bills		\$	<u>1,950.00</u>
	Total	\$	1,950.00

Capital Project Fund

Bills		\$	<u>30,494.00</u>
		\$	30,494.00

Broadway East Bus Dist

Bills		\$	<u>2,695.60</u>
		\$	2,362.50

Insurance & Tort Jdgmnt

Bills		\$	<u>38,511.00</u>
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		Total	\$	38,511.00
	<u>Water Fund</u>			
Payroll			\$	44,983.88
Bills			\$	<u>47,285.04</u>
		Total	\$	92,268.92
	<u>Sewer Fund</u>			
Payroll			\$	43,755.24
Bills			\$	<u>47,263.68</u>
		Total	\$	91,018.92
	<u>Health Insurance Fund</u>			
Bills			\$	<u>271,944.29</u>
		Total	\$	271,944.29
	<u>Motor Fuel Tax Fund</u>			
Bills			\$	<u>15,225.94</u>
		Total	\$	15,225.94

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2022-3197

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, July 5, 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 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

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meetings Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments. We would also ask you to state your name and address for the record as well as stand when speaking.

Mayor Hall opened the floor for Public comments. Mr. David Myers, 1217 Champaign, requested park benches and picnic tables for Cunningham Park, swing replacements at Vanlaningham Park and Peterson Park. Commissioner Closson was to check with Parks Superintendent Kurt Stretch. Ms. Kassie Hall requested more shading in the parks.

Discussion: Backyard Chicken Ordinance

Director Barber introduced the speakers and draft rules for Backyard Chickens. Mrs. Ashley and Joe Herbert at 1101 Bell, Kim Morrison of the Illinois Extension Office/4-H, Karl Rabe of MHS FFA, Beau and Ashley Scott of Fit-2-Serve, Cheryl Lee of Fit-2-Serve and Kassie Hall addressed the Council requesting consideration for Backyard Chickens. Council discussed with the group and Director Barber various concerns. Mayor Hall noted the Council wanted to start with the best ordinance and would consider formal action at a future Council meeting.

NEW BUSINESS

Mayor Hall seconded by Commissioner Graven moved to adopt Special Ordinance No. 2022-1817, approving a Memorandum of Understanding (MOU) between the City of Mattoon and the Illinois Police Benevolent and Protective Association (PBPA), Unit #35, providing clarification on accrued sick leave payout for employees leaving the service of the City by way of retirement.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2022-1817

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE CITY OF MATTOON AND THE ILLINOIS POLICE BENEVOLENT AND PROTECTIVE ASSOCIATION, UNIT #35 PROVIDING CLARIFICATION ON ACCRUED SICK LEAVE PAYOUT FOR EMPLOYEES LEAVING THE SERVICE OF THE CITY BY WAY OF RETIREMENT.

WHEREAS, the City of Mattoon (hereinafter “City”) entered into a Collective Bargaining Agreement (hereinafter “CBA”) with the Illinois Police Benevolent and Protection Association PBPA #35 (“PBPA” or “Union”) on August 30, 2021 which remains in effect until a successor contract is approved; and,

WHEREAS, the City and the PBPA agree to amend various provisions of the CBA, until the parties execute a new CBA through a MOU; and

WHEREAS, said MOU is to provide clarification to the parties’ collective bargaining agreement with regard solely to the accrued sick leave payout for employees leaving the service of the City by way of retirement or a duty-related disability pension; and,

WHEREAS, the City and PBPA have drafted said MOU to memorialize the terms of their agreement.

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

Section 1. The City Council hereby approves and ratifies the Memorandum of Understanding (“MOU”) attached hereto as Exhibit “A” and incorporated herein by this 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 Mayor Hall, seconded by Commissioner Graven, adopted this 5th day of July, 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 5th day of July, 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 C. Jones
Dan C. Jones, City Attorney

Recorded in the Municipality's Records on July 5th, 2022.

Mayor Hall opened the floor for discussion. Administrator Gill noted the MOU clarified that service had to be with the City.

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

Mayor Hall seconded by Commissioner Closson moved to approve Council Decision Request 2022-2269, approving the appointment of Officer Ashley Orr to regular employment status with the Mattoon Police Department after successful completion of her probationary period effective 07/06/2022.

Mayor Hall opened the floor for discussion. Chief Gaines stated that both probationary employees were doing a great job.

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

Mayor Hall seconded by Commissioner Phipps moved to approve Council Decision Request 2022-2270, approving the appointment of Officer Blake Craft to regular employment status with the Mattoon Police Department after successful completion of his probationary period effective 07/06/2022.

Mayor Hall opened the floor for comments with no response.

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

Commissioner Closson seconded by Commissioner Cox moved to approve Council Decision Request 2022-2271, approving the plans and specifications for the City Hall Tuckpointing Project.

Mayor Hall opened the floor for discussion. Administrator Gill explained previous tuckpointing was 22 years ago, and the top seven feet or so was losing mortar. Director Barber added there were other areas as well.

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

Commissioner Closson seconded by Commissioner Phipps moved to approve Council Decision Request 2022-2272, authorizing the promotion of David Ollesch to the position of Lead Operator at the Water Treatment Plant, effective July 16, 2022.

Mayor Hall opened the floor for discussion. Director Barber stated Mr. Ollesch does a good job.

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

Commissioner Closson seconded by Commissioner Graven moved to approve Council Decision Request 2022-2273, authorizing the waiver of the formal bidding requirement; and accepting the price quote in the amount of \$30,337.50 from Earl Walker Company, Inc. for the Dodge Grove Cemetery Oil & Chip Contract.

Mayor Hall opened the floor for discussion with no response.

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

Commissioner Phipps seconded by Commissioner Cox moved to approve Council Decision Request 2022-2274, awarding the bid in the amount of \$20,170.20 from Varsity Striping for the 2022 Striping Contract; and approving Change Order #1 in the amount of \$10,245.30 for a total of \$30,415.50.

Mayor Hall opened the floor for discussion. Director Barber explained adding two more intersections, the increased costs, and bids were less than expected resulting in the additional two intersections.

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

Commissioner Phipps seconded by Commissioner Closson moved to adopt Resolution No. 2022-3198, authorizing the Motor Fuel Tax funds for the materials testing and construction engineering assistance by Upchurch and Associates for the DeWitt Avenue Resurfacing Project. 19-00309-00-RS

Mayor Hall opened the floor for discussion with no response.

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

Mayor Hall seconded by Commissioner Cox moved to approve Council Decision Request 2022-2275, authorizing the employment of Anna K. Miller as an Administrative Assistant with an annual salary of \$31,200.00 in the City Clerk's Office, effective July 13, 2022, pending a drug screen and background check.

Mayor Hall opened the floor for discussion. Administrator Gill reviewed the interview results, best fit for the Office; and provided a background of Mrs. Miller. Commissioner Graven inquired as to Mattoon Electric with Administrator Gill noting no issues.

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

DEPARTMENT REPORTS

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT updated Council on the PBPA MOU, mediation with MFD, Dunham's opening and Sports Complex meeting with Council on Friday. Mayor Hall opened the floor for questions with no response.

CITY ATTORNEY noted Judge's communication with Quakenbush's counsel tomorrow morning. Mayor Hall opened the floor for questions with no response.

CITY CLERK noted administrative assistant interviews, liquor license renewals, audit inquires/documents, insurance issues, and processing of new hires. Commissioner Graven inquired as to the Rob Perry liquor license hearing with Attorney Jones stating sometime in August. Mayor Hall opened the floor for further questions with no response.

FINANCE reported on receipt of the June 24th property tax, audit fieldwork on July 25; and reviewed the Revenue Tracking Report through the end of August and unrestricted cash in the General Fund. Commissioner Closson inquired as to the video gaming terminals at \$250 per unit with Administrator Gill answering affirmatively.

PUBLIC WORKS announced the new camera system in the Depot next week. Mayor Hall inquired as to the DeWitt Avenue progress with Director Barber noting good progress. Mayor Hall opened the floor for questions with no response.

FIRE reported on calls for service, inspections & follow-ups, training, good coordination with Police Department, community activities, no major incidents with fireworks and Image Trend software to be live on July 1st. Mayor Hall opened the floor for questions with no response.

POLICE reported on calls for service, 33 arrests, testing for new hires and Pistol Range Berm upgrade. Commissioner Cox inquired as to the number of applicants with Chief Gaines stating 14 in attendance with no paramedics' mandate. Commissioner Cox commented on the Fire Department's lack of applicants and disappointment with the grievance filed by the Fire Union. Commissioner Cox and Fire Captain Bart Owen discussed the grievance and need for a negotiation session. Mayor Hall opened the floor for questions with no response.

ARTS AND TOURISM updated Council on the successful 4th of July, upcoming Bagelfest, Arts Council activities, Bimbo's upcoming 50th anniversary celebration requesting Council attendance; and reported on hotel/motel taxes as better than last year. Mayor Hall opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Closson announced the Cal Ripken 12-year-olds State tournament; and work by Director Barber on the boat ramp at Lake Paradise including new light, signage, dumpster and replacement of dock. Commissioner Phipps thanked the Fire and Police Chiefs for the safe 4th and weekend. Mayor Hall described his voting for the top-decorated boat at Lake Paradise. Commissioner Closson added the WCIA Our Town Mattoon to be on July 15th and requested discussion on rescheduling for the Sports Complex meeting. Commissioner Cox and Graven had no further comments.

Mayor Hall seconded by Commissioner Cox moved to recess to close session at 7:58 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)); 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 under (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 Hall declared the motion carried by the following vote: YEA Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Phipps, YEA Mayor Hall.

Council Reconvened at 9:01 p.m.

Council and Administrator Gill discussed the second Sport Complex meeting for Public comments and no final vote on the August 2nd Council meeting, July 8th meeting at 11:00 a.m., regular July 19th meeting and August 16th regular council meeting as an opportunity to be decided at the meeting on July 8th.

Commissioner Graven updated on the ambulance billing on a cash basis. Administrator Gill provided budget and ambulance parameters.

Commissioner Cox seconded by Commissioner Closson moved to adjourn at 9:11 p.m.

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

/s/Susan J. O'Brien
City Clerk