

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on August 16, 2022. Mayor Hall presided and called the meeting to order at 6:30 p.m.

Mayor Hall led the Pledge of Allegiance.

Mayor Hall called for a moment of silence in respect for the passing of former Mayor Roger Dettro.

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

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 Closson move to approve the consent agenda consisting of Regular Meeting minutes of August 2, 2022; bills and payroll for the first half of August, 2022; and Resolution No. 2022-3202, approving the continuance of a Local State of Emergency due to the Coronavirus (COVID – 19).

**Bills and payroll for the first half of August, 2022**

	<b><u>General Fund</u></b>		
Payroll		\$	323,905.80
Bills		\$	<u>1,661,771.50</u>
	Total	\$	1,985,677.30
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	4,134.41
Bills		\$	<u>1,819.25</u>
	Total	\$	5,953.66
	<b><u>Festival Mgmt Fund</u></b>		
Bills		\$	<u>15,441.87</u>
	Total	\$	15,441.87
	<b><u>Capital Project Fund</u></b>		
Bills		\$	<u>54,019.34</u>
	Total	\$	54,019.34
	<b><u>Mobile Equipment Fund</u></b>		
Bills		\$	<u>82,212.92</u>
	Total	\$	82,212.92
	<b><u>Midtown Tif Fund</u></b>		
Bills		\$	<u>2,756.87</u>

	Total	\$	2,756.87
	<b><u>Insurance &amp; Tort Jdgmnt</u></b>		
Bills		\$	7,979.60
	Total	\$	7,949.60
	<b><u>I-57 East Tif District</u></b>		
Bills		\$	688.75
	Total	\$	688.75
	<b><u>Broadway East Business District</u></b>		
Bills		\$	2,033.74
	Total	\$	2,033.74
	<b><u>Water Fund</u></b>		
Payroll		\$	44,797.44
Bills		\$	54,975.39
	Total	\$	99,772.83
	<b><u>Sewer Fund</u></b>		
Payroll		\$	43,230.23
Bills		\$	55,653.77
	Total	\$	98,884.00
	<b><u>Health Insurance Fund</u></b>		
Bills		\$	107,989.43
	Total	\$	107,989.43
	<b><u>Motor Fuel Tax Fund</u></b>		
Bills		\$	78,924.31
	Total	\$	78,924.31

**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2022-3202**

**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, August 16, 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

Commissioner Closson requested his comments to be changed from "resurfaced" to "a meeting to discuss the paving project".

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 other than the Sports Complex with no response. Mayor Hall opened the floor for Public comments for the Sports Complex. Mr. Matt Titus, Rhydon Vassey, Kurt Swensen, James Rieck, Mark Masse, Samuel Mazard, Keith Summers, Chris Maleske, Ed Dowd, Vinay Adukia spoke as proponents for the Sports Complex. Mayor Hall opened the floor for those online to have an opportunity to speak on the Sports Complex with no response. Mr. Blake Pierce of Rural King and Mr. John Hansen of IRR spoke on behalf the Sports Complex project and advocated for the project. With no further comments from the Public, Mayor Hall explained the attendees who would be available to answer questions.

### NEW BUSINESS

Commissioner Graven seconded by Commissioner Cox move to adopt Ordinance No. 2022-5455, approving the proposed business district at Remington Road and I-57; and fixing a time and place for a public hearing date on the plan and designation of the business district. Mayor Hall explained the ordinance forms a business district; and called for questions with no response.

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## **CITY OF MATTOON, ILLINOIS**

### **ORDINANCE NO. 2022-5455**

#### **AN ORDINANCE OF THE CITY OF MATTOON THAT PROPOSES THE APPROVAL OF A BUSINESS DISTRICT PLAN FOR THE PROPOSED REMINGTON ROAD AND I-57 BUSINESS DISTRICT AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING DATE ON THE PLAN AND DESIGNATING THE BUSINESS DISTRICT**

**WHEREAS**, the City of Mattoon, Coles County, Illinois (the “City”) has the authority to designate certain areas of the City as a Business District pursuant to the Illinois Business District Development and Redevelopment Business District Law, Section 65 ILCS 5/11-74.3-1, et seq., as amended (the “Business District Law”); and

**WHEREAS**, pursuant to the Business District Law, the City has prepared a Business District Plan (the “Plan”) for the area generally located West of the I-57 interchange. This general area constitutes the proposed Remington Road and I-57 Business District (the “Business District”); and

**WHEREAS**, because of the preponderance of deteriorated site improvements and non-existent and inadequate street layout, the proposed Business District has become an economic liability to the community; and

**WHEREAS**, the purpose of the Plan and the designation of the Business District is to eradicate the blighting conditions that exist and to assure opportunities for encouraging private investment and attracting sound and stable business and commercial growth to the Business District; and

**WHEREAS**, the Business District Law requires that the City hold a public hearing to take testimony from the public regarding the proposed Plan and designation of the Business District.

**NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Mattoon, Coles County, Illinois, as follows:**

**Section 1.** That the preceding recitations of this Ordinance are realleged, restated and adopted as paragraph one (1) of this Ordinance; and

**Section 2.** That the public hearing shall be held before the City Council meeting on September 06, 2022, beginning at 6:00 p.m., at the Mattoon City Hall.

**Section 3.** That the City Clerk is hereby authorized and directed to publish notices of this public hearing as required under the Business District Law.

**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**Section 5.** That this Ordinance shall become effective immediately upon its passage.

Upon motion by Commissioner Graven, seconded by Commissioner Cox, adopted this 16th day of August, 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 16th day of August, 2022.

/s/Rick Hall  
Rick Hall, Mayor  
City of Mattoon, 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 August 16, 2022.

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 Graven moved to adopt Resolution No. 2022-3203 SUBSTITUTE: Approving the official intent of an economic development project for a sports complex, negotiating project agreements, commencing statutory procedures, negotiating intergovernmental agreements, negotiating economic incentive agreements and other agreements necessary for the furtherance of the implementation of such economic development project.

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2022-3203 (SUBSTITUTE)**

**RESOLUTION OF OFFICIAL INTENT OF THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS REGARDING AN ECONOMIC DEVELOPMENT PROJECT PROPOSED TO BE DEVELOPED IN THE CITY TO INCLUDE A “SPORTS COMPLEX” EXPECTED TO BE OWNED BY MATTOON SPORTS COMPLEX, INC., AN ILLINOIS NON-PROFIT CORPORATION (THE “MSC NON-PROFIT”), A “NEW COMMERCIAL DEVELOPMENT” INCLUDING APPROXIMATELY 200,000 SQUARE FEET OF RETAIL SPACE AND HOTELS ADJACENT TO THE SPORTS COMPLEX, AND RELATED “INFRASTRUCTURE AND PUBLIC IMPROVEMENTS” (COLLECTIVELY THE “ECONOMIC DEVELOPMENT PROJECT”); SETTING FORTH CERTAIN TERMS RELATED TO THE OWNERSHIP, FINANCING, IMPLEMENTATION AND OPERATION OF SUCH ECONOMIC DEVELOPMENT PROJECT; PROVIDING AUTHORITY TO PROCEED WITH:**

**(I) NEGOTIATION OF PROJECT AGREEMENTS RELATED TO OWNERSHIP, DEVELOPMENT, CONSTRUCTION, FINANCING, AND OPERATION OF THE SPORTS COMPLEX AND THE NEW COMMERCIAL DEVELOPMENT;**

**(II) COMMENCING STATUTORY PROCEDURES FOR FORMATION OF A BUSINESS DISTRICT PURSUANT TO THE BUSINESS DISTRICT ACT TO PROVIDE FUNDING FOR THE ECONOMIC DEVELOPMENT PROJECT AND IMPLEMENTATION OF THE BUSINESS DISTRICT PLAN;**

**(III) NEGOTIATION OF INTERGOVERNMENTAL AGREEMENTS WITH TAXING DISTRICTS WITHIN THE REGION TO PROVIDE FUNDING FOR THE ECONOMIC DEVELOPMENT PROJECT;**

**(IV) NEGOTIATION OF ECONOMIC INCENTIVE AGREEMENTS TO PROVIDE FOR THE CITY’S REBATE OF CERTAIN TAX REVENUES GENERATED BY THE ECONOMIC DEVELOPMENT PROJECT IN SUPPORT OF THE ECONOMIC DEVELOPMENT PROJECT; AND**

**(V) NEGOTIATION OF SUCH OTHER AGREEMENTS AND TAKING OF SUCH OTHER ACTIONS AS NECESSARY OR IN FURTHERANCE OF IMPLEMENTATION OF SUCH ECONOMIC DEVELOPMENT PROJECT.**

**WHEREAS,** the City of Mattoon (*“City”*) is an Illinois non-home rule municipality organized and operating under the Illinois Municipal Code (*“Code”*); and

**WHEREAS,** the City has received the Mattoon Sports Complex/Mattoon Illinois – Market Opportunity Report, dated September 2020 (the *“Mattoon Sports Complex Opportunity Report”*), prepared by Sports Facilities Advisory, LLC that sets forth a plan for the construction and

operation of a Sports Complex (as described therein and as shown on Exhibit A) to serve the recreational needs and provide for the economic development of the City and the region; and

**WHEREAS**, in response to the Mattoon Sports Complex Opportunity Report various community organizations, local leaders and citizen groups have provided leadership in support of and developing plans for implementation of the Economic Development Project; and

**WHEREAS**, such community support includes the commitment by Rural King Realty, LLC, or its affiliates (“*Rural King*”) to donate approximately 110 acres of real property as shown on Exhibit A as the site for the Sports Complex Project and to exercise commercially reasonable efforts to implement the development of the New Commercial Development adjacent to the Sports Complex Project as shown on Exhibit A; and

**WHEREAS**, such community support also includes the preparation of a report by Applied Economics Report, dated June, 2022, (the “*Economic Impact Report*”) that details certain positive economic impacts of the Economic Development Project on businesses and development in the region (including the “*Adjacent Commercial Development*” as shown on Exhibit A), as well as on the economic condition of and tax revenues received by the City, the County, and other public entities in the region; and

**WHEREAS**, such community support also includes the formation of Mattoon Sports Complex, Inc., an Illinois non-profit corporation (the “*MSC Non-Profit*”), to obtain financing for and other sources of funding (including charitable donations) and to own, construct, and operate the Sports Complex Project; and

**WHEREAS**, the City is desirous of authorizing certain actions in furtherance of the Economic Development Project as described herein, within the parameters set forth herein (the “*Project Parameters*”), and subject to such subsequent further actions and approvals by the City Council as may be required herein or by law.

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

**SECTION 1: RECITALS.** The Mayor and City Council find the foregoing recitals are an accurate and complete reflection of the authority for, purpose and intent of this resolution and incorporate them as though restated herein.

**SECTION 2: PROJECT PARAMETERS.** The City expects that the Economic Development Project will include and be implemented within the following Project Parameters:

- A. *Components of Economic Development Project.* The Economic Development Project will include components to be located and generally as depicted on the Development Plan attached hereto as Exhibit A. The area that comprises such components as shown on Exhibit A is referred to herein as the “*Project Area*” and includes,
- i. a Sports Complex to be owned and operated by MSC Non-Profit;
  - ii. a New Commercial Development to be developed by Rural King (“*New Commercial Developer*”);

iii. Infrastructure and Public Improvements to serve the Economic Development Project; and

iv. Adjacent Commercial Development consisting of existing and new development in the area as shown on Exhibit A which is expected to experience growth in retail activity as a result of the Economic Development Project.

B. *Donation of Sports Complex Site.* Rural King has committed to donate the land comprising the site for the Sports Complex (as shown on Exhibit A, the “**Sports Complex Site**”) to MSC Non-Profit.

C. *MSC Non-Profit and Fiscal Sponsor.* MSC Non-Profit [will apply / has applied] and is expected to qualify for tax-exempt status as a 501(c)(3) corporation. Until such time as such status is approved, MSC Non-Profit expects to contract with an existing 501(c)(3) corporation to serve as a “fiscal sponsor” for MSC Non-Profit to allow the Economic Development Project to progress while the organization awaits its 501(c)(3) determination letter from the IRS.

D. *Business District Sales Tax and Hotel Tax.* The City has authorized statutory procedures to: (1) establish a Business District and approval of a Business District Development Plan for the Project Area in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3 et. seq., and impose certain Business District taxes within the Project Area in support of implementation of the *Business District Development Plan as follows:*

i. 1% “Business District Retailers’ Occupation Tax” and “Business District Service Occupation Tax” (the “**Business District Sales Tax**”), and

ii. 1% “Business District Hotel Operators’ Occupation Tax” (the “**Business District Hotel Tax**”)

E. *IGA Funding From Increased Real Estate Taxes.* The City will negotiate an Intergovernmental Cooperation Agreement (the “**IGA**”) among the City and other taxing districts within the area that are expected to benefit from the Economic Development Project *to provide funding in support of implementation of the Economic Development Project. The revenues received pursuant to the IGA will be pledged to secure bonds or other payment obligations issues to fund or applied directly to pay the costs of the Economic Development Project. The terms of the IGA are expected to include the following:*

i. *Purpose of the IGA is to create economic development growth, increase tourism, growth in tax revenues for the public entities, new jobs, and provide recreational facilities for use by residents and sports teams in the area;*

ii. All parties to the IGA agree to rebate increased real estate tax revenue (the “**IGA Tax Revenues**”) generated by the Sports Complex Site and the site of the New Commercial Development (“**New Commercial Development Site**”) to MSC Non-Profit;

iii. Covenants of IGA Parties:

▪ Provide for segregation and payment by County Collector of the IGA Tax Revenues directly for deposit into a segregated trust account;

▪ Term of payment for the lesser of 30 years or until bonds or other payment obligations issued to fund the Economic Development Project are paid;

▪ No amendment to IGA without consent of all parties; and

- Funds not subject to annual appropriation, or if must be appropriated, covenant to annually submit request for appropriation to the governing body of the public entity.

F. *City Economic Incentive Agreement.* City to enter into an Economic Incentive Agreement with MSC Non-Profit pursuant to the “Economic Incentive Act” (65 ILCS 5/8-11-20 to 21) that will provide for the City to rebate sales tax revenues generated by the Sports Complex and New Commercial Development (1% State and ½% non-home rule) and Hotel Tax (5% rate) for a term of the lesser of 30 years or until bonds or other payment obligations issued to fund the Economic Development Project are paid to provide funding in support of implementation of the Economic Development Project conditioned on City Council findings set forth in the Economic Incentive Act.

G. *Cooperation Agreement.* The officers of the City are authorized to execute and deliver the Cooperation Agreement among the City, Rural King and MSC Non-Profit, substantially in the form attached hereto as Exhibit B.

H. *General Improvement Fees.* New Commercial Developer to enter into a Development Agreement with MSC Non-Profit relating to the development of the New Commercial Development pursuant to which the New Commercial Developer will agree to obligate all retail and hotel operators in the New Commercial Development to pay General Improvement Fees to MSC Non-Profit to provide funding in support of implementation of the Economic Development Project in the form of a General Improvement Fee Charge of 2% on all taxable sales transactions.

I. *Other Funding Sources.* Other funding expected to be available to MSC Non-Profit in support of implementation of the Economic Development Project is expected to include charitable donations, State and federal grants (public improvements), and net revenues from the operations of the Sports Complex.

J. *Sports Complex Management.* The Sports Complex is expected to be managed under a Qualified Management Agreement between MSC Non-Profit and a manager experienced in the management of such facilities.

K. *Project Implementation in Stages.* The Economic Development Project may be completed in stages depending upon the availability of sources of funds to develop the Economic Development Project.

L.

#### **SECTION 4: CITY SUPPORT OF THE ECONOMIC DEVELOPMENT PROJECT.**

The Council has determined that the Economic Development Project including the development and operation of the Sports Complex will provide substantial benefits to the City and its residents, the region and the taxing districts and public entities in the region. The Economic Development Project is expected to create or retain job opportunities within the City and the region. The Economic Development Project is expected to further the development of adjacent areas, to strengthen the commercial sector of the City, and to enhance the tax base of the City and other taxing districts and public entities in the region. The City Council has determined that it is in the best interest of the City and its residents to undertake this Economic Development Project pursuant to the Project Parameters as herein provided.

**SECTION 5: AUTHORIZATION.** The administration and staff of the City are authorized and directed to proceed with implementation of the Economic Development Project, including negotiation of contracts and agreements as described herein, working with MSC Non-

Profit and the New Commercial Developer regarding planning and zoning, design and construction, applying for grants, donations and other revenues, and other actions as necessary or in furtherance of implementation of the Economic Development Project. The administration and staff shall bring to the City Council for its consideration such further resolutions, ordinances and approvals required to authorize various actions of the City necessary or desirable to implement the Economic Development Project.

**SECTION 6: OFFICIAL INTENT.** The City plans to cooperate with the pledge of the aforementioned revenue streams to MSC Non-profit so that it may then pledge the revenue to the issuance of one or more series of bonds to finance or refinance certain expenditures related to the acquisition, construction, improvement, expansion, remodeling, renovation and equipping of the Economic Development Project.

**SECTION 7: SEVERABILITY.** If any section, subsection, sentence, clause, phrase of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 8: CONFLICT.** All prior Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

**SECTION 9: EFFECTIVE DATE.** This Resolution shall be in full force and effect upon passage, approval and publication in pamphlet form as provided by law.

Upon motion by Mayor Hall, seconded by Commissioner Graven, adopted this 16th day of August, 2022, by a roll call vote, as follows:

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

NAYS (Names): Commissioner Closson, Commissioner Phipps,

ABSENT (Names): None

Approved this 16th day of August, 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

Dan C. Jones  
Dan C. Jones, City Attorney

Recorded in the Municipality's Records on August 16, 2022.

Mayor Hall opened the floor for discussion. Administrator Gill noted the substitute was to correct the official name of Rural King as well as within the cooperation agreement; and removal of the MSC under Section 1 of the cooperation agreement. Mayor Hall explained the clerical errors; and called for Council comments/questions. Commissioner Closson questioned what the need was for the 1.5% with Mr. Hansen explaining the layering of incentive tools and to have a reasonable margin for error. Mr. Pierce added the need for start-up revenues to build everything.

Commissioner Closson inquired as to the \$13 million dollars in grants and \$4 million in an infrastructure grant with Mr. Hansen stating the grants and donations were combined and the need for infrastructure.

Commissioner Closson commented on the pensions needing to be at 90% and the City's need to fund the pensions, but acknowledged support of the project. Mayor Hall stated the big project with due diligence being done, and the expansion of possibilities outside of the Sports Complex. Mayor Hall opened the floor for additional questions with no response.

Mayor Hall declared the motion carried by the following vote: NAY Commissioner Closson, YEA Commissioner Cox, YEA Commissioner Graven, NAY Commissioner Phipps (based on the language in the contract), YEA Mayor Hall.

Commissioner Closson seconded by Commissioner Cox move to adopt Special Ordinance No. 2022-1823, declaring real estate surplus located at 2017 Western Avenue (empty lot); and authorizing the public auction of 2017 Western Avenue.

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## **CITY OF MATTOON, ILLINOIS**

### **SPECIAL ORDINANCE NO. 2022-1823**

#### **AN ORDINANCE DECLARING THE REAL ESTATE AT 2017 WESTERN AVENUE NO LONGER NECESSARY OR REQUIRED FOR THE USE OF THE MUNICIPALITY AND AUTHORIZING THE SALE BY PUBLIC AUCTION**

**WHEREAS**, the City of Mattoon owns certain real estate at 2017 Western Avenue, also known as Lot 7 of Block 111 of Noyes Addition to the Original Town of Mattoon; and

**WHEREAS**, State Statute 65 ILCS 5/11-76-4.1 enables corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

**WHEREAS**, it has been determined that it is in the best interest of the City of Mattoon to sell said real estate; and

**WHEREAS**, the City of Mattoon intends to sell said real estate by public auction with a minimum acceptable bid of the appraised value of \$5,750.00.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, that

**Section 1.** Pursuant to the procedures prescribed by Illinois State Statute 65ILCS 5/11-76-4.1, a finding is hereby made by the City Council that the following described real estate is no longer necessary or required for the use of the municipality:

2017 Western Avenue.  
Lot 7 of Block 111 of Noyes Addition to the Original Town of Mattoon.  
PIN 07-2-11099-000.  
Lot Size = 20' x 100' = 2,000 Square Feet  
Zoning Classification = C-3

**Section 2.** Management staff is authorized to sell said real estate by public auction with a minimum acceptable bid of \$5,750.00.

**Section 3.** The City Clerk is directed to publish a notice of the public auction at the first opportunity following its adoption and approval by the City Council.

Upon motion by Commissioner Closson, seconded by Commissioner Phipps, adopted this 16th day of August, 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 16th day of August, 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/Daniel C. Jones  
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on August 16th, 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 Phipps move to adopt Resolution No. 2022-3204, authorizing a Distributed Energy Resource Agreement between the City of Mattoon and Voltus, Incorporated to reduce the City's Treatment Plants' electrical usage during overloads on the electrical grid; and authorizing the mayor to sign the agreement.

Mayor Hall opened the floor for comments with no response.

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## CITY OF MATTOON, ILLINOIS

### RESOLUTION NO. 2022-3204

#### **A RESOLUTION AUTHORIZING AN AGREEMENT TO REDUCE TREATMENT PLANT ELECTRICAL USAGE DURING OVERLOADS ON THE ELECTRICAL GRID**

**WHEREAS**, the City of Mattoon owns and operates a Water Treatment Plant (WTP) and a Waste Water Treatment Plant (WWTP); and

**WHEREAS**, Voltus Incorporated is assembling a group of major electrical users who are willing to reduce their electrical usage during overloads on the Midcontinent Independent Systems Operators (MISO) electrical grid; and

**WHEREAS**, Voltus Incorporated has extended an offer to the City of Mattoon to participate in said program, the details of which are specified in the Agreement attached as Exhibit 'X'; and

**WHEREAS**, the estimated annual payment to the City of Mattoon for participating in the program is \$8,880.00 plus \$2,000/mWhr of electrical usage reduction during an electrical overload on the MISO electrical grid; and

**WHEREAS**, a map of the Midcontinent Independent Systems Operators (MISO) electrical grid is attached as Exhibit 'Y'.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mattoon, Coles County, Illinois, that the Agreement with Voltus Incorporated attached as Exhibit 'X' is approved, and that the Mayor is authorized to sign the agreement.

Upon motion by Commissioner Closson, seconded by Commissioner Phipps, adopted this 16th day of August, 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 16th day of August, 2022.

/s/Rick Hall  
Rick Hall, Mayor  
City of Mattoon, 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 August 16, 2022.

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 move to approve Council Decision Request 2022-2288, approving the appointment of Officer Andrew Smith to regular employment status with the Mattoon Police Department due to the successful completion of his probationary period effective 08/07/2022.

Mayor Hall opened the floor for comments. Chief Gaines stated both of the officers do a fantastic 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 Graven move to approve Council Decision Request 2022-2289, approving the appointment of Officer Logan Glidewell to regular employment status with the Mattoon Police Department due to the successful completion of his probationary period effective 08/10/2022.

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 noted permits from Code Enforcement, petition for cannabis dispensary, annexation of sports complex area, amendment to

comprehensive plan, and receipt of white box plans for Dunkin Donuts. Mayor Hall opened the floor for questions with no response.

CITY ATTORNEY noted business as usual and opened for questions. Mayor Hall opened the floor for questions with no response.

CITY CLERK noted mostly assisting auditors, employees and retirees with various requests and other reports. Mayor Hall opened the floor for questions with no response.

FINANCE distributed and reviewed the July Financial Report including revenues, expenditures, property taxes, cash position, revenue tracking and unrestricted cash; and preparation of the Annual Treasurer's Report with 16 firefighters in the top salaries. Mayor Hall opened the floor for questions with no response.

PUBLIC WORKS provided an update on Howell Asphalt as finishing up on DeWitt Avenue, Bartels sidewalks project on Logan Street and patching on Dettro Drive; and the receipt of a \$525,000 grant for the 14<sup>th</sup> to 16<sup>th</sup> Street Streetscaping Project. Mayor Hall opened the floor for questions with no response.

FIRE reported on calls for service, inspections and follow-ups, training, hosting of a fire apparatus engineer class and his attendance at an upcoming ISO class; and noted the firefighters' salaries were increased due to overtime. Mayor Hall opened the floor for questions with no response.

POLICE reported on calls for service, 37 arrests, young force doing a great job, grip on meth problem and safe passage program. Mayor Hall opened the floor for questions with no response.

ARTS AND TOURISM updated Council on the Arts Council's Photography Show, 4<sup>th</sup> of July billing and Bagelfest's success including revenue sharing increase with the carnival and increases in sponsorship dollars and vendors. Mayor Hall opened the floor for questions with no response.

#### COMMENTS BY THE COUNCIL

Council thanked those in attendance for their comments. Commissioner Closson updated Council on the Mattoon Community Dog Park groundbreaking on Saturday with a ribbon cutting scheduled for October 8<sup>th</sup>, and Bimbo's Bakery's 50<sup>th</sup> Anniversary celebration on August 24<sup>th</sup> in addition to their \$10,000 donation for Parks and Recreation in Mattoon. Commissioner Cox expressed excitement about the sports complex project which was going in the right direction, and commended the young leaders of the community for speaking in addition to other community leaders. Commissioner Graven acknowledged the great project while noting the work to be done. Commissioner Phipps reiterated Commissioner Cox on the great leadership within the community, thanked Mr. Pierce and Mr. Hansen for their work, and provided an update on the West side Drainage Project. Mayor Hall noted much work ahead with many great people working on the project, and appreciated all of the help.

Commissioner Cox seconded by Commissioner Phipps move to adjourn at 7:47 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