

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on November 15, 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 Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner David Phipps 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, 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 Phipps move to approve the consent agenda consisting of Regular Meeting minutes of November 1, 2022; bills and payroll for the first half of November, 2022; Resolution No. 2022-3219; and approving the continuance of a Local State of Emergency due to the Coronavirus (COVID – 19).

Bills and payroll for the first half of November, 2022

	<u>General Fund</u>		
Payroll		\$	273,464.85
Bills		\$	<u>71,273.05</u>
	Total	\$	344,737.90
	<u>Hotel Tax Administration</u>		
Payroll		\$	3,876.21
Bills		\$	<u>3,215.06</u>
	Total	\$	7,091.27
	<u>Capital Project Fund</u>		
Bills		\$	<u>427,591.25</u>
	Total	\$	427,591.25
	<u>Broadway East Bus. Dist.</u>		
Bills		\$	<u>297,034.12</u>
	Total	\$	297,034.12
	<u>Water Fund</u>		
Payroll		\$	45,886.50
Bills		\$	<u>85,768.88</u>
	Total	\$	131,655.38
	<u>Sewer Fund</u>		
Payroll		\$	43,397.90
Bills		\$	<u>53,664.70</u>
	Total	\$	97,062.60

Health Insurance Fund

Bills		\$	178,311.38
	Total	\$	178,311.38
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	341,480.86
	Total	\$	341,480.86

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2022-3219

DECLARATION OF LOCAL STATE OF EMERGENCY

State of Illinois
County of Coles
City of Mattoon

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, November 15, 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 Public Hearing on the Casey Bank development proposal in the City Hall Council Chambers at 6:32 p.m. Administrator Gill explained the Public Hearing at the Corridor Review Committee meeting on October 13, 2022 where the development of special standards, setbacks off of Lerna Road and Route 16, building a parking lot, landscaping requirements of the Corridor, approval by the Corridor Review Committee and approval of site plan to be sent to Council for consideration were heard. Administrator Gill opened the floor for questions. With no response Mayor Hall closed the Public Hearing at 6:36 p.m.

A Bid Opening for the sale of real estate consisting of a portion of PIN 06-0-00662-000 (Surplus Land East of Logan) was conducted. Clerk O'Brien opened the single bid from Portugal Properties, L.L.C. in the amount of \$2,500.00. The Council would consider awarding the bid at the December 06, 2022 Council meeting.

Mayor Hall opened the floor for in-person Public comments. Mrs. Julianne Stelle, 2700 Cedar Avenue, voiced her concerns about any marijuana dispensary and presented information regarding the use of marijuana. Mr. Jonathan Kaye addressed the Council regarding a butterfly sanctuary and asked for an extension for mowing until Spring and requested more areas along the bike path. Commissioner Cox inquired whether there was a designation of the land with Mr. Kaye stating no signage. Mayor Hall stated someone would get back with Mr. Kaye.

NEW BUSINESS

Mayor Hall seconded by Commissioner Graven moved to adopt Special Ordinance No. 2022-1839, authorizing a successor contract with Aetna for the Administration of the self-insured health plan and Qualified High-Deductible Health Plan, and Delta Dental of Illinois for the Administration of the self-insured dental plan for employees and retirees of the municipality; authorizing the continuation of an

optional supplemental plan for those current Medicare participants; and authorizing the mayor to sign all documents.

Mayor Hall opened the floor for discussion/comments. Administrator Gill noted the discussion of options and a reduced price from Aetna.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2022-1839

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH AETNA FOR THE ADMINISTRATION OF THE SELF-FUNDED MEDICAL, QUALIFIED HIGH-DEDUCTIBLE HEALTH PLAN AND PHARMACY BENEFIT PLANS AND DELTA DENTAL OF ILLINOIS FOR THE ADMINISTRATION OF THE SELF-FUNDED DENTAL BENEFIT PLAN FOR EMPLOYEES AND RETIREES OF THE MUNICIPALITY

WHEREAS, the City of Mattoon currently has third-party health insurance through Aetna; and

WHEREAS, it is the desire of the Mattoon City Council to continue a relationship with the Aetna and Delta Dental plans currently offered through the First Mid Insurance Group to the employees and retirees of the City of Mattoon.

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

Section 1. The Mayor is authorized to sign the renewal agreement (letter) with Aetna for the administration of the self-funded medical, qualified high-deductible health, and pharmacy benefit plans and the Delta Dental plan for employees and retirees of the municipality, copies of which are attached and incorporated by reference.

Section 2. The City has decided to continue to offer an optional supplemental health insurance for Medicare recipients who are currently on the City's health plan, but with a change to an Aetna Medicare Advantage/Prescription Drug Plan (MAPD). This option allows the participant(s) to return to the City's primary health plan at renewal time as long as premiums have continued to be paid to the City. The City reserves the right to make changes or to discontinue the optional supplemental health insurance at its discretion. If the City decides to make changes or to discontinue the optional supplemental health insurance, those actively participating at that time will be allowed to return to the City's primary health plan as long as premiums have continued to be paid to the City.

Section 3. The City shall continue to offer an optional Qualified High-Deductible Health Plan with rates for Active Employees: Single at \$37.50/month, Single +1 at \$75/month and Family at \$150/month and Retirees under the age of 65: Single at \$75/month, Single +1 at \$150/month and Family at \$300/month. The City is offering an initial incentive of up to \$1,000 match for the calendar 2023 for Active employees. New employees hired after the first of the year will be given

a 12-month match for their initial incentive. Incentives in subsequent years are to be determined by the Council for those subsequent years. This option allows the participant(s) to return to the City's primary health plan at renewal time as long as premiums have continued to be paid to the City. The City reserves the right to make changes or to discontinue the optional Qualified High-Deductible Health Plan insurance at its discretion. If the City decides to make changes or to discontinue the optional Qualified High-Deductible Health Plan insurance, those actively participating at that time will be allowed to return to the City's primary health plan as long as premiums have continued to be paid to the City.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Hall, seconded by Commissioner Graven, adopted this 15th day of November, 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 15th day of November, 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 November 15, 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 moved to adopt Special Ordinance No. 2022-1840, approving placement of the annual property and casualty insurance and workers compensation coverage for a term beginning December 1, 2022; and authorizing the mayor to sign all documents.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2022-1840

AN ORDINANCE AUTHORIZING PLACEMENT OF THE CITY'S PROPERTY & CASUALTY, AND WORKERS COMPENSATION INSURANCE COVERAGE

WHEREAS, Dimond Brothers Insurance, Inc., an insurance broker for the City, solicited proposals from insurance companies that underwrite property, casualty and workers compensation insurance for municipal government exposures; and

WHEREAS, proposals have been received from Illinois Counties Risk Management Trust (ICRMT) for General Liability, Auto Liability, Auto Physical Damage, Law Enforcement Liability, Public Officials Liability/Employment Practices Liability, Employee Benefits Liability, Umbrella Liability, Cyber Liability, Property, Inland Marine, Commercial Crime, Workers Compensation; and Chubb for Volunteers AD&D, and Cincinnati for the dam policy; and Arlington Roe/Nexus for Fiduciary Liability. These proposals have been determined to be the most cost effective and secure solutions for managing the City's Property & Casualty and Workers Compensation exposures.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. The Mayor, City Clerk and Dimond Brothers Insurance, Inc. are hereby authorized to take such administrative action necessary to bind the coverages of the City of Mattoon from Illinois Counties Risk Management Trust (ICRMT) for General Liability, Auto Liability, Auto Physical Damage, Law Enforcement Liability, Public Officials Liability/Employment Practices Liability, Employee Benefits Liability, Umbrella Liability, Cyber Liability, Property, Inland Marine, Commercial Crime, Workers Compensation; and Chubb for Volunteers AD&D, and Cincinnati for the dam policy; and Arlington Roe/Nexus for Fiduciary Liability for the policy year beginning December 1, 2022 and ending November 30, 2023 pursuant to the proposal which is attached hereto and incorporated herein 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 Mayor Hall, seconded by Commissioner Cox, adopted this 15th day of November, 2022, by a roll call vote, as follows:

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

Approved this 15th day of November, 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 November 15 _____, 2022.

Mayor Hall opened the floor for discussion. Administrator Gill noted two good bidders with ICRMT's lower bid and recommended staying with them for at least another year.

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

Commissioner Closson seconded by Commissioner Phipps moved to adopt Resolution No. 2022-3220, approving a real estate sales contract between the City of Mattoon and the United States Department of Agriculture Rural Development (USDA Rural Development) for Lots 49 & 59 of Lake Paradise Subdivision on behalf of Phillip Goben; and authorizing the mayor and city clerk to sign the Option to Purchase Real Property contract. (Commonly known as 3009 East Lake Paradise Road) PIN 10-0-00986-000

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2022-3220

A RESOLUTION APPROVING A REAL ESTATE SALES CONTRACT FOR LOTS 49 & 59

WHEREAS, the City of Mattoon owns certain real estate parcels at Lake Paradise Subdivision including Lots 49 & 59; and

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

WHEREAS, Phillip Goben owns a residence, and leases the real estate at Lots 49 & 59 of Lake Paradise Subdivision, also known as 3009 East Lake Paradise Road; and

WHEREAS, Phillip Goben wishes to purchase said Lots 49 & 59; and

WHEREAS, Phillip Goben intends to secure funding for said purchase through a loan from USDA Rural Development; and

WHEREAS, USDA Rural Development has requested approval of the real estate sales contract attached as Exhibit 'A' before proceeding with their loan approval process; and

WHEREAS, the City Council declared Lots 49 & 59 “no longer necessary or required for the use of the municipality” and “authorized management staff to negotiate contracts to sell said lots” by virtue of Resolution No. 2006-2642.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mattoon, Coles County, Illinois, that the real estate sales contract attached as Exhibit ‘A’ be approved, and that the Mayor and the City Clerk are authorized to sign the document.

Upon motion by Commissioner Closson, seconded by Commissioner Phipps, adopted this 15th day of November, 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 15th day of November, 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 Jones
Dan Jones, City Attorney

Recorded in the Municipality’s Records on November 15, 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 adopt Resolution No. 2022-3221, approving a \$225,000 Grant Agreement with the Department of Commerce and Economic Opportunity for the Bike Trail Expansion Project from 10th Street to 16th Street; and authorizing the mayor to sign the grant agreement. Agreement No. 22-203302

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2022-3221

A RESOLUTION APPROVING A \$225,000.00 GRANT AGREEMENT WITH THE DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY FOR THE BIKE TRAIL EXPANSION PROJECT FROM 10TH STREET TO 16TH STREET.

WHEREAS, the City of Mattoon owns and maintains a recreational trail known as the Lincoln Prairie Grass Trail; and

WHEREAS, the City of Mattoon intends to extend the existing trail from its western terminus at 10th Street to 16th Street; and

WHEREAS, the estimated cost of the Bike Trail Expansion Project is \$650,000.00; and

WHEREAS, the Department of Commerce and Economic Opportunity (DCEO) is in the process of approving a grant in the amount \$225,000.00 for said project; and

WHEREAS, the grant terms are detailed in the Grant Agreement attached as Exhibit 'X'.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mattoon, Coles County, Illinois, that the \$225,000.00 Grant Agreement with the Department of Commerce and Economic Opportunity (DCEO) attached as Exhibit 'X' be approved, and that the mayor be authorized to sign the agreement.

Upon motion by Commissioner Closson, seconded by Commissioner Cox, adopted this 15th day of November, 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 15th day of November, 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 November 15, 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 Closson, YEA Commissioner Graven, YEA Commissioner Phipps, Yea Mayor Hall.

Commissioner Closson seconded by Commissioner Cox moved to adopt Resolution No. 2022-3222, approving the concept plan for a development proposal from Casey State Bank and its compliance with the standards of the corridor development district.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2022-3222

A RESOLUTION APPROVING THE CONCEPT PLAN FOR A DEVELOPMENT PROPOSAL FROM CASEY STATE BANK AND ITS COMPLIANCE WITH THE STANDARDS OF THE CORRIDOR DEVELOPMENT DISTRICT

WHEREAS, Casey State Bank as owners of the following described property:

Part of Lots, 7, 18 and Outlot "C" in Buxton Centre, Addition to the City of Mattoon, Coles County Illinois, commonly known as 2400 Samsa Drive.

WHEREAS, the Corridor Review Committee held a meeting on the proposed development on Thursday October 13, 2022; and

WHEREAS, the Corridor Review Committee recommends the approval of the proposed plan; and

WHEREAS, a public hearing was held before the City Council on Tuesday, November 15, 2022 at the regular council meeting where the public could be heard; and

WHEREAS, the building construction must substantially conform to the concept plan and fully comply with the requirements of the Corridor Development District.

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

Section 1. Pursuant to enabling authority, that the proposed concept plan for the above referenced property owned by Casey State Bank, be approved and signed by the Mayor, noting any approved or required changes.

Upon motion by Commissioner Closson, seconded by Commissioner Cox, adopted this 15th day of November, 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 15th day of November, 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 November 15, 2022.

Mayor Hall opened the floor for comments. Administrator Gill noted the approving as a procedural consideration.

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

Mayor Hall seconded by Commissioner Graven moved to adopt Special Ordinance No. 2022-1841, granting a special use located at the Southeast corner of County Rd 300 E and County Rd 1000 N for the purpose of constructing a solar farm. Cooks Mill PV I, LLC – Petitioner 07-1-00067-000. #2

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2022-1841

AN ORDINANCE GRANTING A SPECIAL USE AT THE SOUTHEAST CORNER OF COUNTY RD 300 EAST AND COUNTY ROAD 1000 NORTH (PIN 07-1-00067-000) TO ALLOW CONSTRUCTION OF A SOLAR FARM.

WHEREAS, there has been filed a written Petition for Cooks Mill PV I, LLC requesting a Special Use of the parcel legally described as:

A part of the North half of Section 3, Township Twelve (12) North, Range Seven (7) East, more particularly described as follows;

THE WEST 199.76 ACRES OF THE FRACTIONAL NORTH HALF (N1/2) OF SECTION THREE (3), TOWNSHIP TWELVE (12) NORTH, RANGE SEVEN (7) EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT 57.375 ACRES OF EVEN WIDTH OFF THE EAST SIDE THEREOF, COLES COUNTY, ILLINOIS. EXCEPT A PART OF THE NORTH ONE-HALF OF SECTION 3, TOWNSHIP 12 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED IN DEED RECORDED SEPTEMBER 25, 2003 AS DOCUMENT 662859, AS FOLLOWS: BEGINNING AT AN IRON PIN MARKING THE NORTHWEST CORNER OF SAID SECTION 3 PER MONUMENT RECORD BOOK 2 PAGE 39 IN THE COLES COUNTY CLERK AND RECORDER'S OFFICE SAID IRON PIN BEING 20.49 FEET RIGHT OF CENTERLINE STATION 175+66.99 OF COUNTY HIGHWAY 18 IMPROVEMENTS; THENCE ON AN ASSUMED AZIMUTH 90 DEGREES 04 MINUTES 54 SECONDS ALONG THE NORTH LINE OF SAID SECTION 3 A DISTANCE OF 2052.54 FEET TO A POINT 4.43 FEET LEFT OF CENTERLINE STATION 196+18.76 OF SAID IMPROVEMENT; THENCE AZIMUTH 180 DEGREES 48 MINUTES 44 SECONDS, 44.43 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 196.18.23 OF SAID IMPROVEMENT; THENCE AZIMUTH 270 DEGREES 07 MINUTES 58 SECONDS, 230.93 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 193+87.71 OF SAID IMPROVEMENT; THENCE AZIMUTH 270 DEGREES 42 MINUTES 52 SECONDS, 376.16 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 190+11.26 OF SAID IMPROVEMENT; THENCE AZIMUTH 270 DEGREES 18 MINUTES 14 SECONDS, 962.01 FEET

TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 180+49.26 OF SAID IMPROVEMENT; THENCE 402.02 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 7604.40 FEET, A CHORD DISTANCE OF 401.98 FEET AND CHORD AZIMUTH 271 DEGREES 49 MINUTES 07 SECONDS TO A POINT 40.00 RIGHT OF CENTERLINE STATION 176+49.35 OF SAID IMPROVEMENT; THENCE AZIMUTH 273 DEGREES 19 MINUTES 59 SECONDS, 15.14 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 176+34.21 OF SAID IMPROVEMENT; THENCE AZIMUTH 224 DEGREES 26 MINUTES 57 SECONDS, 31.90 FEET TO A POINT 64.03 FEET RIGHT OF CENTERLINE STATION 176+13.23 OF SAID IMPROVEMENT; THENCE AZIMUTH 193 DEGREES 55 MINUTES 36 SECONDS, 86.28 FEET TO A POINT 148.84 FEET RIGHT OF CENTERLINE STATION 175+97.37 OF SAID IMPROVEMENT; THENCE AZIMUTH 270 DEGREES 31 MINUTES 24 SECONDS, 24.10 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 3 SAID POINT BEING 150.02 FEET RIGHT OF CENTERLINE STATION 175+73.30 OF SAID IMPROVEMENT; THENCE AZIMUTH 0 DEGREES 32 MINUTES 39 SECONDS, 129.68 FEET ALONG THE WEST LINE OF SAID SECTION 3 TO THE POINT OF BEGINNING, CONTAINING 1.876 ACRES OF WHICH 1.185 ACRES ARE IN EXISTING RIGHT OF WAY, ALL SITUATED IN MATTOON TOWNSHIP, COLES COUNTY, ILLINOIS.

Commonly known as the Southeast corner of County Rd 300 E and County Rd 1000 N (PIN 07-1-00067-000)

WHEREAS, the Planning Commission views solar farms similar to Public Utility substations and equipment storage to be permitted in all districts with a special use; and

WHEREAS, the property is partially within the one-and one-half mile, extraterritorial jurisdiction of the City of Mattoon; and

WHEREAS, the Planning Commission held a public hearing for the City of Mattoon, Coles County, Illinois, and has recommended that the request be granted with the condition of decommissioning bond in place and renewed every 5 years; 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 special use to allow the construction of said solar farm, and specifically finds that the solar farm is consistent with existing uses and zoning of nearby properties, does not diminish property values, promotes the health, safety, morals and general welfare of the public, provides significant gain the public with no hardship imposed on neighboring property owners, is suitable for the zoned purposes of the project site, and is consistent with the land development in the vicinity.

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 follows:

A part of the North half of Section 3, Township Twelve (12) North, Range Seven (7) East, more particularly described as follows;

THE WEST 199.76 ACRES OF THE FRACTIONAL NORTH HALF (N1/2) OF SECTION THREE (3), TOWNSHIP TWELVE (12) NORTH, RANGE SEVEN (7) EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT 57.375 ACRES OF EVEN WIDTH OFF THE EAST SIDE THEREOF, COLES COUNTY, ILLINOIS. EXCEPT A PART OF THE NORTH ONE-HALF OF SECTION 3, TOWNSHIP 12 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY

DESCRIBED IN DEED RECORDED SEPTEMBER 25, 2003 AS DOCUMENT 662859, AS FOLLOWS:BEGINNING AT AN IRON PIN MARKING THE NORTHWEST CORNER OF SAID SECTION 3 PER MONUMENT RECORD BOOK 2 PAGE 39 IN THE COLES COUNTY CLERK AND RECORDER'S OFFICE SAID IRON PIN BEING 20.49 FEET RIGHT OF CENTERLINE STATION 175+66.99 OF COUNTY HIGHWAY 18 IMPROVEMENTS; THENCE ON AN ASSUMED AZIMUTH 90 DEGREES 04 MINUTES 54 SECONDS ALONG THE NORTH LINE OF SAID SECTION 3 A DISTANCE OF 2052.54 FEET TO A POINT 4.43 FEET LEFT OF CENTERLINE STATION 196+18.76 OF SAID IMPROVEMENT; THENCE AZIMUTH 180 DEGREES 48 MINUTES 44 SECONDS, 44.43 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 196.18.23 OF SAID IMPROVEMENT; THENCE AZIMUTH 270 DEGREES 07 MINUTES 58 SECONDS, 230.93 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 193+87.71 OF SAID IMPROVEMENT; THENCE AZIMUTH 270 DEGREES 42 MINUTES 52 SECONDS, 376.16 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 190+11.26 OF SAID IMPROVEMENT; THENCE AZIMUTH 270 DEGREES 18 MINUTES 14 SECONDS, 962.01 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 180+49.26 OF SAID IMPROVEMENT; THENCE 402.02 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 7604.40 FEET, A CHORD DISTANCE OF 401.98 FEET AND CHORD AZIMUTH 271 DEGREES 49 MINUTES 07 SECONDS TO A POINT 40.00 RIGHT OF CENTERLINE STATION 176+49.35 OF SAID IMPROVEMENT; THENCE AZIMUTH 273 DEGREES 19 MINUTES 59 SECONDS, 15.14 FEET TO A POINT 40.00 FEET RIGHT OF CENTERLINE STATION 176+34.21 OF SAID IMPROVEMENT; THENCE AZIMUTH 224 DEGREES 26 MINUTES 57 SECONDS, 31.90 FEET TO A POINT 64.03 FEET RIGHT OF CENTERLINE STATION 176+13.23 OF SAID IMPROVEMENT; THENCE AZIMUTH 193 DEGREES 55 MINUTES 36 SECONDS, 86.28 FEET TO A POINT 148.84 FEET RIGHT OF CENTERLINE STATION 175+97.37 OF SAID IMPROVEMENT; THENCE AZIMUTH 270 DEGREES 31 MINUTES 24 SECONDS, 24.10 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 3 SAID POINT BEING 150.02 FEET RIGHT OF CENTERLINE STATION 175+73.30 OF SAID IMPROVEMENT; THENCE AZIMUTH 0 DEGREES 32 MINUTES 39 SECONDS, 129.68 FEET ALONG THE WEST LINE OF SAID SECTION 3 TO THE POINT OF BEGINNING, CONTAINING 1.876 ACRES OF WHICH 1.185 ACRES ARE IN EXISTING RIGHT OF WAY, ALL SITUATED IN MATTOON TOWNSHIP, COLES COUNTY, ILLINOIS.

Commonly known as the Southeast corner of County Rd 300 E and County Rd 1000 N (PIN 07-1-00067-000)

be and the same is granted Special Use for the lawful right to operate a solar farm with a condition of decommissioning bond in place and renewed every 5 years, and.

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 15th day of November, 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 15th day of November, 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 November 15, 2022.

Mayor Hall opened the floor for questions/comments. Administrator Gill explained the property was outside the City limits but within the extraterritorial section which required a special use permit, and the Planning Commission's approval with conditions of a decommissioning bond with the State of Illinois and Department of Agriculture and no second decommissioning bond.

Commissioner Phipps seconded by Commissioner Closson moved to amend the motion by adding the requirement of a decommissioning bond through the State of Illinois and Department of Agriculture.

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

Commissioner Phipps inquired if the County was involved with Administrator Gill noting the County had no oversight.

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

Mayor Hall seconded by Commissioner Phipps moved to adopt Special Ordinance No. 2022-1842, Granting a special use located at rural 2100 Evergreen Court for the purpose of a constructing a solar farm. Land of Lincoln – Petitioner 07-1-00327-000 and 07-1-00330-000 #3

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2022-1842

AN ORDINANCE GRANTING A SPECIAL USE AT 2100 EVERGREEN COURT TO ALLOW CONSTRUCTION OF A SOLAR FARM.

WHEREAS, there has been filed a written Petition for Land of Lincoln, LLC requesting a Special Use of the parcel legally described as:

The North Half (N.1/2) of the Southwest Quarter (SW.1/4) of Section Eleven (11), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, Coles County, Illinois; EXCEPT the following described tracts of land:

That part of the Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4) of Section Eleven (11), Township Twelve (12) North, Range Seven (7) East of the Third Principle Meridian bounded and described as follows: Beginning at the Northwest corner of said Quarter Quarter Section, and measure thence Southwardly along the West line of said Quarter Quarter Section, a distance of 208.71 feet; thence deflecting to the left, 90 degrees 52 minutes 37 seconds, measure Eastwardly parallel to the North line of said Quarter Quarter Section a distance of 208.71 feet; thence Northwardly parallel to the West line of said Quarter Quarter Section, a distance of 208.71 feet; thence Westwardly along the North line of said Quarter, Quarter Section, a distance of 208.71 feet to the point of beginning; ALSO EXCEPTING the following described tract of land: Commencing at the Southwest corner of the Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4) of said Section Eleven (11), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian; thence Easterly along the South line of said Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4) 30 feet to the point of beginning, on the East right-of-way line of County Highway 20; thence Easterly 300 feet along the South line of said Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4); thence Northerly 261.1 feet parallel with the West line of the Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4); thence Westerly 300 feet parallel with the South line of the Northwest Quarter (NW.1/4) of the Southwest Quarter(SW.1/4) to the East right-of-way line of County Highway 20; thence Southerly 261.1 feet along the East right-of-way line of County Highway 20, to the point of beginning, Coles County, Illinois;

Parcel No. 07-1-00327-000; and,

The North Half (N.1/2) of the Northwest Quarter (NW.1/4) of the Southeast Quarter SE.1/4) and the Southwest Quarter (SW.1/4) of the Northwest Quarter (NW.1/4) of the Southeast Quarter (SE.1/4) in Section Eleven (11), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, Coles County, Illinois;

Parcel No. 07-1-00330-000

Commonly known as 2100 Evergreen Court, Mattoon, Illinois.

WHEREAS, the Planning Commission views solar farms similar to Public Utility substations and equipment storage to be permitted in all districts with a special use; and

WHEREAS, the property outside the city corporate boundary being used as agriculture and is well suited for a solar farm; and

WHEREAS, the property owner agree to have the property annexed if granted the right to construct said solar farm through the State of Illinois as a condition of the special use; and

WHEREAS, the Planning Commission held a public hearing for the City of Mattoon, Coles County, Illinois, and has recommended that the request be granted with the condition of being annexed before a construction permit is granted and to repair the public street of the subdivision to preexisting condition if damage during construction; 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 special use to allow the construction of said solar farm, and specifically finds that the solar farm is consistent with existing uses and zoning of nearby properties, does not

diminish property values, promotes the health, safety, morals and general welfare of the public, provides significant gain the public with no hardship imposed on neighboring property owners, is suitable for the zoned purposes of the project site, and is consistent with the land development in the vicinity.

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 follows:

The North Half (N.1/2) of the Southwest Quarter (SW.1/4) of Section Eleven (11), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, Coles County, Illinois; EXCEPT the following described tracts of land:

That part of the Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4) of Section Eleven (11), Township Twelve (12) North, Range Seven (7) East of the Third Principle Meridian bounded and described as follows: Beginning at the Northwest corner of said Quarter Quarter Section, and measure thence Southwardly along the West line of said Quarter Quarter Section, a distance of 208.71 feet; thence deflecting to the left, 90 degrees 52 minutes 37 seconds, measure Eastwardly parallel to the North line of said Quarter Quarter Section a distance of 208.71 feet; thence Northwardly parallel to the West line of said Quarter Quarter Section, a distance of 208.71 feet; thence Westwardly along the North line of said Quarter, Quarter Section, a distance of 208.71 feet to the point of beginning; ALSO EXCEPTING the following described tract of land: Commencing at the Southwest corner of the Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4) of said Section Eleven (11), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian; thence Easterly along the South line of said Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4) 30 feet to the point of beginning, on the East right-of-way line of County Highway 20; thence Easterly 300 feet along the South line of said Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4); thence Northerly 261.1 feet parallel with the West line of the Northwest Quarter (NW.1/4) of the Southwest Quarter (SW.1/4); thence Westerly 300 feet parallel with the South line of the Northwest Quarter (NW.1/4) of the Southwest Quarter(SW.1/4) to the East right-of-way line of County Highway 20; thence Southerly 261.1 feet along the East right-of-way line of County Highway 20, to the point of beginning, Coles County, Illinois;

Parcel No. 07-1-00327-000; and,

The North Half (N.1/2) of the Northwest Quarter (NW.1/4) of the Southeast Quarter SE.1/4) and the Southwest Quarter (SW.1/4) of the Northwest Quarter (NW.1/4) of the Southeast Quarter (SE.1/4) in Section Eleven (11), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, Coles County, Illinois;

Parcel No. 07-1-00330-000

Commonly known as 2100 Evergreen Court, Mattoon, Illinois.

be and the same is granted Special Use for the lawful right to operate a solar farm with a condition of decommissioning bonding, annexing before a construction permit is granted and to repairing the public street of the subdivision to preexisting condition if damage during construction, and.

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 Phipps adopted this 15th day of November, 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 15th day of November, 2022.

/s/Rick Hall
Rick Hall, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:
/s/Susan J. O'Brien /s/Dan C. Jones
Susan J. O'Brien, City Clerk Dan C. Jones, City Attorney

Recorded in the Municipality's Records on November 15, 2022.

Mayor Hall opened the floor for comments. Administrator Gill noted the property was adjoining the City north of Dodge Grove Cemetery and east of Evergreen Court, and reported on the Planning Commission's concerns of damaging roads during construction and their recommendation with the conditions of a decommissioning letter and annexation of property if granted by the State of Illinois as well as repairs to any damaged roadway. Mr. Preet Joshi stated the amendment requiring the decommissioning letter would be sufficient.

Commissioner Phipps seconded by Commissioner Graven moved to amend the motion by adding the requirement of a decommissioning bond through the State of Illinois and Department of Agriculture.

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

Commissioner Cox seconded by Commissioner Closson moved to approve Council Decision Request 2022-2307, approving the appointment of Firefighter Kolton Rose to regular employment status with successful completion of his probationary period effective November 20, 2022.

Mayor Hall opened the floor for comments. Chief Hilligoss provided a background of Firefighter Rose's accomplishments and asset to the Department.

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

Commissioner Phipps seconded by Commissioner Cox moved to approve Council Decision Request 2022-2308, awarding the bid of \$35,386 from Core & Main for the purchase of fire hydrants and accessories.

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 Phipps, YEA Mayor Hall.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT reported on different insurance meetings for health and property/casualty insurances, upcoming arbitration with the Fire union, Community Development permits and sale of the Hampton Inn. Mayor Hall opened the floor for question with no response.

CITY ATTORNEY updated Council on the upcoming Quakenbush hearing on December 1st and Robb Perry's Liquor Control hearing on November 29th. Mayor Hall opened the floor for questions with no response.

CITY CLERK noted insurance meetings with employees and retirees regarding their interest in an Everside Clinic option for primary health care, surveys went out, and continuation of insurance renewals. Mayor Hall opened the floor for questions with on response.

FINANCE distributed and reviewed the October Financial Report including General Fund revenues/expenditures, cash position, Debt payment in Capital Project Fund, Broadway East Business District paid off in 2028, Revenue Tracking, unrestricted cash, draft copy of the FY22 Audit Report and preparation of management discussion and analysis for the Auditors' Report at next Council meeting.

PUBLIC WORKS updated Council on the Street crews and the completion of the Buxton Sanitary Sewer line, coordination with Grant Writer Carnes for the grant application for piping the Little Wabash area and Public meeting of the Public Works Advisory Board on December 13th for funding to cover \$875,000 of the \$1.2 million dollar project. Mayor Hall opened the floor for questions with no response.

FIRE reported on calls for service, inspections & follow-ups, calls of interest of a fire in the grain bin of the former popcorn factory, the Federal inspection at the Airport, training, and completion of the Santa House project. Mayor Hall opened the floor for questions with no response.

POLICE reported on calls for service, 36 arrests, Officer Payne's graduation of Academy, and upcoming I/O Solutions' sergeant testing. Mayor Hall opened the floor for questions with no response.

ARTS AND TOURISM updated Council on the Lightworks walk, Santa House, Sarah Bush Lincoln Center's Lights event, Douglas Hart's character walkthrough event, increase of 94 Lightworks' displays since 1992, and Heritage Park's lights and tree. Mayor Hall reiterated the days for the dogs to visit Santa. Director Burgett added the Downtown Christmas celebration and parade. Mayor Hall opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Cox expressed a huge thank you for the Santa House due to Bob and Judy Jones' donation, and thanked the Firefighters for their work on the Santa House; and noted the Library's fundraiser tomorrow. Commissioner Graven noted December 3rd the Coles County Historical Society's sponsor of Santa at the Depot. Mayor Hall provided an updated on the sports complex. Commissioners Closson and Phipps had no further comments. Commissioner Cox added a Thanksgiving acknowledgement.

Commissioner Cox seconded by Commissioner Closson moved to Adjourn at 7:22 p.m.

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

/s/Susan J. O'Brien
City Clerk