

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on January 17, 2023. 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 Dave 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, Community Development/Planning Manager Alex Benishek, Fire Chief Jeff Hillgoss, 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 January 3, 2023; bills and payroll for the first half of January, 2023; Resolution No. 2022-3229; and approving the continuation of a Local State of Emergency due to the Coronavirus (COVID – 19).

Bills and payroll for the first half of January, 2023

	<u>General Fund</u>		
Payroll		\$	310,879.37
Bills		\$	<u>606,208.72</u>
	Total	\$	917,088.09
	<u>Hotel Tax Administration</u>		
Payroll		\$	4,376.21
Bills		\$	<u>8,687.26</u>
	Total	\$	13,063.47
	<u>Festival Mgt Fund</u>		
Bills		\$	<u>205.68</u>
	Total	\$	205.68
	<u>Mobile Equipment Fund</u>		
Bills		\$	5,000.00
	Total	\$	5,000.00
	<u>Insurance & Tort Jdgmnt</u>		
Bills		\$	410.19
	Total	\$	410.29
	<u>Broadway East Bus Dist</u>		
Bills		\$	<u>1,896.14</u>
	Total	\$	1,896.14
	<u>Capital Project Fund</u>		
Bills		\$	<u>4,274.10</u>

		Total	\$	4,274.10
	<u>Water Fund</u>			
Payroll			\$	50,121.17
Bills			\$	<u>83,836.50</u>
		Total	\$	133,957.67
	<u>Sewer Fund</u>			
Payroll			\$	44,991.65
Bills			\$	<u>82,472.73</u>
		Total	\$	127,464.38
	<u>Health Insurance Fund</u>			
Bills			\$	<u>224,122.72</u>
		Total		224,122.72
	<u>Motor Fuel Tax Fund</u>			
Bills			\$	<u>3,765.01</u>
		Total	\$	3,765.01

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2023-3229

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, January 17, 2023, 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. Kory Culp of Clear Water Service Corporation spoke on a project to prevent future outages and uninterrupted service which required an easement with the City. Mayor Hall inquired as to the estimated cost of the project which Mr. Culp responded with \$200,000 and explained the extent of the project. Mayor Hall opened the floor for further questions with no response.

Commissioner Closson acknowledged the retirement of Richard Orr with over 26 years of service with the City at the Parks Department on January 13, 2023; and Mr. Orr's assistance with the Dodge Grove Cemetery and Lake Mattoon, Lightworks, Bagelfest, lawn maintenance and concrete work. Commissioner Cox added accolades of Mr. Orr as well.

NEW BUSINESS

Commissioner Closson seconded by Commissioner Phipps moved to adopt Special Ordinance No. 2023-1848, authorizing the purchase of a permanent easement in the amount of \$3,455.00 and a temporary construction easement located at 3615 Marshall Avenue for the Phase 1 Piping portion of the Little Wabash Drainage Project. PIN 07-1-00507-001 [Doug & Amy Overmyer]

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2023-1848

**AN ORDINANCE AUTHORIZING THE PURCHASE OF A PERMANENT EASEMENT
AND A TEMPORARY CONSTRUCTION EASEMENT FOR
THE PHASE 1 PIPING FOR THE LITTLE WABASH DRAINAGE PROJECT**

WHEREAS, the City of Mattoon is in the planning phase for a storm sewer project on the west side of the community known as the Little Wabash Drainage Project; and

WHEREAS, the City of Mattoon is in need of a 25' wide permanent easement, and a 50' wide temporary construction easement, from the property owned by Doug and Amy Overmyer at 3615 Marshall Avenue, PIN 07-1-00507-001; and

WHEREAS, Doug and Amy Overmyer have agreed to sell the 25' wide permanent easement to the City of Mattoon for the appraised value of \$3,455.00; and

WHEREAS, Doug and Amy Overmyer have agreed to convey the 50' wide temporary construction easement to the City of Mattoon in exchange for the widening and replacement of their concrete driveway to IL-16 (Marshall Avenue); and

WHEREAS, a location map of the property is attached as Exhibit 'X', the proposed easement is attached as Exhibit 'Y', the survey plat is attached as Exhibit 'Z'.

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

Section 1. The purchase of the 25' wide permanent easement at 3615 Marshall Avenue as described in Exhibit 'Y' is approved at the appraised value of \$3,455.00 and that the Mayor and the City Clerk are authorized to execute the document.

Section 2. The acquisition of the 50' wide temporary construction easement at 3615 Marshall Avenue as described in Exhibit 'Y' is approved in exchange for the widening and reconstruction of the driveway at said address.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. the City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Commissioner Closson, seconded by Commissioner Phipps, adopted this 17th day of January, 2023, by a roll call vote, as follows:

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

NAYS (Names): None

ABSENT (Names): None

Approved this 17th day of January, 2023.

/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 January 17, 2023.

Mayor Hall opened the floor for discussion. Commissioner Graven inquired as to the concrete entrance and replacement of driveway with Director Barber stating \$6,000. Mayor Hall opened the floor for additional questions with no response.

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

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2023-2319, approving the water and sewer billing adjustments in the amounts of \$1,608.33 and \$1,127.19 on behalf of Mavadi Krupa Inc. located at 1512 Marion Avenue. (Mark's My Store)

Mayor Hall opened the floor for questions 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 2023-2320, approving the final 2022 MFT Street Maintenance Expenditure Statement in the amount of \$599,720.34; and authorizing the Public Works Director to sign the Municipal Maintenance Expenditure Statement. [22-00000-00-GM]

Mayor Hall opened the floor for questions 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 Closson moved to adopt Resolution No. 2023-3230, appropriating \$688,600 of Motor Fuel Tax funds for the 2023 Street Maintenance uses; approving the 2023 MFT Street Municipal Estimate of Maintenance Costs Statement in the amount of \$688,600; and authorizing the Public Works Director and city clerk to sign the documents. [23-00000-00-GM]



CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2023-3230

Resolution for Maintenance
Under the Illinois Highway Code

Table with 5 columns: District, County, Resolution Number, Resolution Type, Section Number. Row 1: 7, Coles, 2023-3230, Original, 23-00000-00-GM

BE IT RESOLVED, by the Council of the City of Mattoon, Illinois that there is hereby appropriated the sum of Six Hundred Eighty-Eight Thousand Six Hundred and No/100 Dollars (\$688,600.00) of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of Illinois Highway Code from 01/01/23 to 12/31/23.

BE IT FURTHER RESOLVED, that only those operations as listed and described on the approved Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Susan O'Brien, Clerk in and for said City of Mattoon, Illinois, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council of Mattoon at a meeting held on 01/17/23.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of January, 2023.

(SEAL, if required by the LPA)

Clerk Signature & Date
01/17/2023

APPROVED

Regional Engineer Signature & Date
Department of Transportation

Mayor Hall opened the floor for comments/questions 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.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/COMMUNITY DEVELOPMENT described the budget timeline; announced the Chamber Annual Dinner; addressed Public internet complaints; and collaborated with Manager Benishek. Manager Benishek reported on Community Development including zoning ordinance requests, permits, digital billboards, tour of private developments, land banking research and correction of disparities in the ordinance definitions. Mayor Hall opened the floor for questions. Commissioner Graven inquired on regulations for digital billboards due to their blinding effects with Manager Benishek stating there would be regulations.

CITY ATTORNEY noted the Quakenbush hearing for next week and reporting afterwards. Mayor Hall opened the floor for questions with no response.

CITY CLERK noted training of new hire and day-to-day issues being addressed.

FINANCE distributed and reviewed the December Financial Report including the revenues/expenditures, surplus, cash position, TIF surplus payouts, revenue tracking and unrestricted cash. Mayor Hall opened the floor for questions with no response.

PUBLIC WORKS noted Consolidated Communications installation of Depot cameras, the intermittent closing of the bike trail while Ameren installs transmission lines, and collaboration with Grant Writer Carnes on the \$925,000 grant request for the Little Wabash easement project. Commissioner Closson inquired as to the IDOT interchange project with Director Barber noting the expectation of bidding to occur in March with activity in June. Mayor Hall opened the floor for questions with no response.

FIRE reported on calls for service, inspections & follow-ups, training, upcoming year-end calls for service report, and new dispatch system at the end of February. Mayor Hall opened the floor for questions. Mayor Hall inquired as to the use of the assistance provided to Charleston with a house fire with Chief Hilligoss describing the use of our ladder truck. Mayor Hall opened the floor for further questions with no response.

POLICE With the absence of Chief Gaines, Administrator Gill reported on the calls for service and 40 arrests. Mayor Hall opened the floor for questions with no response.

ARTS AND TOURISM distributed and reviewed the Lightworks final numbers including yearly comparisons and 4,000 pedestrian traffic. Commissioner Phipps inquired as to the electric use and previous years with Director Burgett noting the electrical add-ins as additional and 38 waiting sponsors. Commissioner Graven inquired whether the Parks staff's extra overtime was included with Director Burgett stating overtime was included when Tourism was provided a billing for overtime. Mayor Hall opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Closson commented on preliminary discussion on the replacement of Richie Orr and timeframe for resurfacing of tennis courts for pickleball. Commissioner Phipps extended best wishes

for Mr. Orr in retirement. Commissioners Cox and Graven had no further comments. Mayor Hall announced receiving a call from the National Forum for Heart Disease and Stroke Prevention and their Public Service announcement with the mayor at no cost to the City. Mayor Hall opened the floor for questions with no response.

Mayor Hall seconded by Commissioner Cox moved to recess to closed session at 7:01 p.m. pursuant to the Illinois Open Meetings Act for the purpose of litigation which is affecting the City and an action is probable or imminent (5ILCS 120 (2)(C)(11)); and the review of minutes of meetings lawfully closed for purposes of the semi-annual review as mandated by Section 2.06 (5 ILCS 120(2)(c)(21)).

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 7:22 p.m.

Mayor Hall seconded by Commissioner Phipps moved to approve Council Decision Request 2023-2321, authorizing the release of all Executive Session minutes from May 18, 2010 through December 31, 2022, except for May 18, 2010; February 1, 2012; July 2, 2013; June 15, 2017; December 19, 2017; January 16, 2018; March 20, 2018; April 03, 2018; May 01, 15, 2018; June 05, 19, 2018; July 03, 11, 2018; August 07, 2018; October 02, 2018; December 18, 2018; January 15, 2019; February 14, 2019; March 19, 2019; May 21, 2019; July 02, 2019; October 15, 2019; January 07, 2020; June 16, 2020; October 06, 2020; December 15, 2020; January 19, 2021, April 06, 2021; May 04, 2021, June 01, 2021; July 06, 20, 2021; September 21, 2021; October 05, 19, 2021; January 04, 18, 2022; February 01, 15, 2022; March 01, 15, 2022; April 05, 2022; May 03, 2022; June 21, 2022; July 05, 2022; August 02, 2022; September 06, 2022; October 18, 2022.; and approving the destruction of Executive Session verbatim records which have been approved for release in written form through June, 2021.

Administrator Gill noted arbitration briefs were due January 15th with an arbitrator response expected in 30 days.

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 Cox seconded by Commissioner Closson moved to adjourn at 7:24 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