

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on April 18, 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, Police Chief Sam Gaines and City Clerk Susan O'Brien.

CONSENT AGENDA

Mayor Hall seconded by Commissioner Cox moved to approve the consent agenda consisting of Regular Meeting minutes of April 4, 2023; bills and payroll for the first half of April 2023; Resolution No. 2023-3241; and approving the continuation of a Local State of Emergency due to the Coronavirus (COVID – 19).

		<u>Bills and payroll for the first half of April, 2023</u>	
		<u>General Fund</u>	
Payroll		\$	263,868.75
Bills		\$	<u>305,215.83</u>
	Total	\$	569,084.58
		<u>Hotel Tax Administration</u>	
Payroll		\$	3,876.21
Bills		\$	<u>15,170.44</u>
	Total	\$	19,046.65
		<u>Festival Mgmt Fund</u>	
Bills		\$	<u>3,000.00</u>
	Total	\$	3,000.00
		<u>Insurance & Tort Jdgmnt</u>	
Bills		\$	<u>26,441.28</u>
	Total	\$	26,441.28
		<u>Capital Project Fund</u>	
Bills		\$	<u>3,735.40</u>
	Total	\$	3,735.40
		<u>I 57 East TIF Dist. Fund</u>	
Bills		\$	<u>270.05</u>
	Total	\$	270.05
		<u>Water Fund</u>	
Payroll		\$	46,682.32

Bills		\$	41,366.98
	Total	\$	88,049.30
	<u>Sewer Fund</u>		
Payroll		\$	45,128.92
Bills		\$	58,309.31
	Total	\$	103,438.23
	<u>Health Insurance Fund</u>		
Bills		\$	190,271.12
	Total	\$	190,271.12
	<u>Motor Fuel Tax Fund</u>		
Bills		\$	30,978.20
	Total	\$	30,978.20

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2023-3242

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, April 18, 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 from those in attendance and online with no response.

NEW BUSINESS

Commissioner Graven seconded by Commissioner Phipps moved to approve Council Decision Request 2023-2349, approving the budget amendments to provide for the adjustments experienced throughout FY23 which ends on April 30, 2023.

Mayor Hall opened the floor for questions/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 Graven seconded by Commissioner Closson moved to adopt Special Ordinance No. 2023-1856, adopting the budget for the fiscal year that begins May 1, 2023 and ends April 30, 2024.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2023-1856

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MATTOON FOR THE FISCAL YEAR THAT BEGINS MAY 1, 2023 AND ENDS APRIL 30, 2024

WHEREAS, the proposed budget was filed with the City Clerk and became available for public inspection on March 24, 2023; and

WHEREAS, notice of a public hearing to consider comments on the proposed budget was published in the *Mattoon Journal Gazette* on March 24, 2023; and

WHEREAS, a public hearing was held on April 04, 2023 at which hearing any taxpayer was given an opportunity to appear and be heard in favor of or against any of the proposed revenues and expenditures provided in the tentative budget; and

WHEREAS, after the public hearing the City Council adopted changes to the tentative budget as outlined in the final budget which is attached to this ordinance and marked as “Final Budget – April 18, 2023”; and,

WHEREAS, the process and procedures for the annual budget have been completed in accordance with provisions of Illinois Statutes 65 ILCS 5/8-2-9.1 through 65 ILCS 5/8-2-9.10 and City of Mattoon Ordinance No. 2002-5101.

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

Section 1. Estimates of revenues and expenditures shown in the attached budget, as amended, are hereby adopted as the budget for the City of Mattoon for the fiscal year that begins May 1, 2023 and ends April 30, 2024.

Section 2. The budget as it has been adopted is attached and incorporated herein by reference.

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

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Graven, seconded by Commissioner Closson, adopted this 18th day of April, 2023.

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

NAYS (Names): None

ABSENT (Names): None

Approved this 18th day of April, 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/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on 04-18, 2023.

Mayor Hall opened the floor for comments/questions. Administrator Gill thanked Director & Treasurer Wright and Clerk O'Brien for the team effort in finalizing the budget.

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 adopt Resolution No. 2023-3243, prescribing contributions required of Employees and Retirees who elect to participate in the group Health, group Medicare, and Life insurance plan of the municipality.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2023-3243

A RESOLUTION ESTABLISHING CONTRIBUTIONS REQUIRED OF EMPLOYEES AND RETIREES WHO ELECT TO PARTICIPATE IN THE CITY OF MATTOON'S GROUP HEALTH, DENTAL AND LIFE INSURANCE PLANS

WHEREAS, the City of Mattoon is subject to three collective bargaining agreements and all three agreements of which prescribe that employees shall pay 25% of the cost of the health insurance plan by payroll deduction beginning with the first paycheck of May after the costs for the preceding calendar year are disclosed by the Employer's health insurance administrator; and

WHEREAS, actual costs for stop loss insurance, fees, medical, prescription and dental claim expenditures for calendar year 2022 were \$798.47 per month for single coverage and \$2,057.02 per month for family coverage, as reported by Aetna (City Plan, QHDHP and Group Medicare Plan) and Delta Dental of Illinois, the Employer's health and dental insurance plan administrators; and

WHEREAS, State statutes do not presently require a municipality to pay any portion of the cost of post-employment benefits for retired employees and the City reserves the right to make changes to the rates; and

WHEREAS, the City began to require retired employees, whose pensions are more than \$1,625 per month, to contribute a higher share of the cost of the health insurance plan by Resolution 2004-2548 adopted April 6, 2004; and

WHEREAS, in the wake of the property tax extension limitation effective in Coles County, declining general government revenues, and ever rising costs of health insurance, the City must make additional adjustments and further increase retired employees’ share of the costs of health insurance; and

WHEREAS, doing so represents a change in the City’s policy with respect to the amounts it subsidizes toward health insurance for retiree employees; and

WHEREAS, group life insurance will be provided by BlueCross BlueShield of Illinois (formerly Dearborn National) for a one-year renewal effective through May 1, 2024; and

WHEREAS, the time is now appropriate to prescribe contributions required of employees and retirees for the health and life insurance plans for the 2023/2024 fiscal year.

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

Section 1. The following tables prescribe contributions required of eligible employees and retirees who elect to participate in the City of Mattoon’s group health insurance plan.

Eligible Employees and Retirees Whose Pensions Are Less Than \$1,625 Per Month;
May 01, 2023

	Total Monthly Cost	Employer Share 75%	Employee Share 25%
Single Coverage	\$798.47	\$598.85	\$199.62
Family Coverage	\$2,057.02	\$1,542.78	\$514.24

Eligible Retirees Whose Pensions Are More Than \$1,625 Per Month through April 30, 2024

	Total Monthly Cost	Employer Share 40%	Retiree Share 60%
Single Coverage	\$798.47	\$319.39	\$479.08
Family Coverage	\$2,057.02	\$822.81	\$1,234.21

Section 2. Retirees, who are currently enrolled, may participate in the City of Mattoon’s group term life insurance plan by monthly withholdings from pensions, whether such retiree is paid by the Illinois Municipal Retirement Fund, the Firefighters Pension Fund or the Police Pension Fund. The retiree contribution for \$10,000 life insurance shall be \$19.64 per month for retirees under 70. For retirees age 70 or over, the retiree contribution for \$5,000 life insurance shall be \$9.82 per month.

Section 3. Employee and retiree contributions adopted by this resolution shall become effective May 1, 2023.

Section 4. All contributions for payment of health and life insurance shall be deducted directly on a monthly basis from the pension benefits received by the retiree. The only exception to the direct deduction rule shall be when the IMRF rules and regulations do not allow for said direct deduction.

Upon motion by Commissioner Graven seconded by Commissioner Cox adopted this 18th day of April, 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 18th day of April, 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/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on _____ 04-18, 2023.

Mayor Hall opened the floor for questions/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.

Mayor Hall seconded by Commissioner Graven moved to adopt Special Ordinance No. 2023-1857, establishing the 2023/2024 Compensation Plan for managerial and non-union non-managerial employees of the municipality.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2023-1857

**AN ORDINANCE ESTABLISHING THE 2023-2024 COMPENSATION PLAN FOR THE
MANAGERIAL AND NON-UNION NON-MANAGERIAL EMPLOYEES OF THE
MUNICIPALITY**

WHEREAS, a ratified agreement with two of the collective bargaining agents which represents employees of the municipality has provided a two and one half percent (2.50%) pay increase for the fiscal year beginning May 1, 2023 and ending April 30, 2024; and

WHEREAS, the time is now appropriate to also establish rates of pay for the managerial employees and the non-managerial employees not represented by a collective bargaining agreement effective with the fiscal years that begins May 1, 2023.

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

Section 1. Non-Managerial, Non-Confidential & FLSA Exempt Employees shall be compensated in accordance with the schedule attached to this ordinance and marked Appendix A, which is consistent with the salary increases contained in one of the City’s current collective bargaining agreements. Employees assigned to positions identified on the Schedule of Confidential & FLSA Exempt Supervisory & Management Positions shall receive an average salary increase of 2.50% as outlined in Appendix B effective May 1, 2023.

Section 2. Management employees assigned to positions identified on the Schedule of Confidential & FLSA Exempt Supervisory & Management Positions shall receive a salary increase of 2.50% as outlined in Appendix C effective May 1, 2023.

Section 3. To the extent this ordinance conflicts with prior ordinances establishing a compensation plan for the City’s employees, the prior ordinances shall control except where specifically amended by this ordinance.

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 18th day of April, 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 18th day of April, 2023.

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

ATTEST:
/s/Susan J. O'Brien
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:
/s/Dan C. Jones
Dan C. Jones, City Attorney

Recorded in the Municipality’s Records on April 18, 2023.

Mayor Hall opened the floor for comments. Administrator Gill noted the two and one half percent increase which was the same as the unions.

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

Commissioner Closson seconded by Commissioner Phipps moved to adopt Ordinance No. 2023-5463, amending §50.096, Rates for Sewer Service, and §51.098, Rates for Water Service, of the municipal code to set water and sewer rates effective May 01, 2023.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2023-5463

AN ORDINANCE AMENDING THE WATER AND SEWER RATES FOR THE CITY OF MATTOON

WHEREAS, the City of Mattoon owns and maintains potable water and waste water systems including; Water Treatment, Water Distribution, Waste Water Collection, and Waste Water Treatment; and

WHEREAS, the City of Mattoon is responsible for establishing rates of service for the potable water and waste water systems sufficient to cover the cost of Operating Expenses, Debt Service, and Capital Reinvestment; and

WHEREAS, the City Mattoon wishes to increase certain rates for potable water service and waste water service by approximately 2% effective May 01, 2023; and

WHEREAS, the City Mattoon wishes to increase the rate for Biochemical Oxygen Demand (BOD) Exceeding 200 mg/l, and the rate for Suspended Solids (SS) Exceeding 250 mg/l, for industrial waste water customers by approximately 5% effective May 01, 2023.

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

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Section 51.098 of the City of Mattoon Illinois Code of Ordinances be replaced in its entirety with the following:

51.098 RATES FOR WATER SERVICE

(A) Effective May 01, 2023 the rates for water service shall be:

(1) There shall be assessed a monthly meter charge according to the size of the meter for each service as follows:

(a) Residential

1. For a 5/8" meter, the base fee shall be \$2.36
2. For a 3/4" meter, the base fee shall be \$7.96
3. For a 1" meter, the base fee shall be \$11.93

(b) Commercial

1. For a 5/8" meter, the base fee shall be \$7.96
2. For a 3/4" meter, the base fee shall be \$11.93
3. For a 1" meter, the base fee shall be \$15.92
4. For a 1-1/2" meter, the base fee shall be \$23.88

5. For a 2" meter, the base fee shall be \$31.82
6. For a 3" meter, the base fee shall be \$63.52
7. For a 4" meter, the base fee shall be \$95.20
8. For a 6" meter, the base fee shall be \$127.03
9. For a 8" meter, the base fee shall be \$159.15

(2) Where there is more than one meter per customer, the monthly meter charge shall apply to each meter.

(3) In addition to the monthly meter charge, the following schedule of rates shall be used to calculate the monthly billing for each customer:

(a) For potable water usage inside the City Limits for each billing period:

1. The first 2,000 cubic feet (14,980 gal) or less shall be \$4.36 per 100 cubic feet.
2. The next 298,000 cubic feet (2,232,020 gal) shall be \$3.48 per 100 cubic feet.
3. Usage over 300,000 cubic feet (2,247,000 gal) shall be \$2.75 per 100 cubic feet.

(b) For potable water usage outside the City Limits for each billing period:

1. The first 2,000 cubic feet (14,980 gal) or less shall be \$6.74 per 100 cubic feet.
2. The next 298,000 cubic feet (2,232,020 gal) shall be \$5.30 per 100 cubic feet.
3. Usage over 300,000 cubic feet (2,247,000 gal) shall be \$4.27 per 100 cubic feet.

Section 3. That Section 50.096 of the City of Mattoon Illinois Code of Ordinances be replaced in its entirety with the following:

50.096 RATES FOR SEWER SERVICE

(A) Effective May 01, 2023 the rates for sewer service shall be:

(1) For sewer service inside the City Limits for each billing period:

- (a.) A billing fee of 1.97 per bill shall be charged for all users.
- (b.) A rate of \$7.01 per 100 cubic feet of potable water use shall be charged for all domestic level users as defined in Section 50.002.
- (c.) Users, other than domestic level users, shall be billed according to the following:
 1. A user fee of \$4.81 per 100 cubic feet.
 2. A debt service fee of \$2.20 per 100 cubic feet.
 3. A surcharge of \$0.66 per pound of BOD in excess of 200 mg/l.
 4. A surcharge of \$1.03 per pound of SS in excess of 250 mg/l.

(2) For sewer service outside the City Limits for each billing period:

- (a.) A billing fee of 1.97 per bill shall be charged for all users.
- (b.) A rate of \$9.95 per 100 cubic feet of potable water use shall be charged for all domestic level users as defined in Section 50.002.
- (c.) Users, other than domestic level users, shall be billed according to the following:
 1. A user fee of \$4.82 per 100 cubic feet.
 2. A debt service fee of \$5.13 per 100 cubic feet.
 3. A surcharge of \$0.66 per pound of BOD in excess of 200 mg/l.
 4. A surcharge of \$1.03 per pound of SS in excess of 250 mg/l.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases may be declared unconstitutional.

Section 4. The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form.

Section 5. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 days after its publication in pamphlet form as herein provided.

Upon motion by Commissioner Closson, seconded by Commissioner Phipps, adopted this 18th day of April, 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 18th day of April, 2023.

/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/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on April 18, 2023.

Mayor Hall opened the floor for comments. Director Barber noted the two percent increase in rates.

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

Commissioner Closson seconded by Commissioner Phipps moved to adopt Ordinance No. 2023-5464, amending §50.096, Rates for Waste Water Haulers of the municipal code to establish Waste Water Hauler rates effective May 01, 2023.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2023-5464

AN ORDINANCE ESTABLISHING RATES FOR CERTAIN WASTE WATER TREATMENT SERVICES FOR WASTE HAULERS

WHEREAS, the City of Mattoon owns and maintains a Waste Water Treatment Plant located at 820 S. 5th Place; and

WHEREAS, the City of Mattoon is responsible for establishing rates of service for the Waste Water Treatment Plant sufficient to cover the cost of Operating Expenses, Debt Service, and Capital Reinvestment; and

WHEREAS, the City Mattoon wishes to formally establish rates for certain Waste Water Treatment Services provided to waste haulers who deliver directly to the City’s Waste Water Treatment Plant.

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

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Title V “Public Works”, Chapter 50 “Sewer Use” of the City of Mattoon Illinois Code of Ordinances be amended by the addition of the following:

50.096 RATES FOR WASTE WATER HAULERS

Effective May 01, 2023 the rates for Waste Haulers who deliver directly to the Waste Water Treatment Plant shall be as follows:

- (A) The fee for disposal and treatment of Landfill Lechate shall be \$0.06/gallon.
- (B) The fee for disposal and treatment of Digested Sludge shall be \$0.18/pound.
- (C) The fee for disposal and treatment of Fat, Oil, and Grease (FOG) shall be:
 - (1) Tanks of 1500 gallons, or less, for FOG waste originating from businesses located inside the City Limits = \$75.00/tank.
 - (2) Tanks of 1500 gallons, or less, for FOG waste originating from businesses located outside the City Limits = \$110.00/tank.
 - (3) Tanks of 1500 to 3500 gallons for FOG waste originating from businesses located inside the City Limits = \$0.05/gallon.
 - (4) Tanks of 1500 to 3500 gallons for FOG waste originating from businesses located outside the City Limits = \$0.075/gallon.
 - (5) Tanks exceeding 3500 gallons for FOG waste originating from businesses located inside the City Limits = \$500/tank.
 - (6) Tanks exceeding 3500 gallons for FOG waste originating from businesses located outside the City Limits = \$750/tank.

- (D) The fee for disposal and treatment of Septic Waste and Chemical Toilet Waste shall be:
- (1) Tanks of 1500 gallons, or less, for waste originating from inside the City Limits = \$35.00/tank.
 - (2) Tanks of 1500 gallons, or less, for waste originating from outside the City Limits = \$50.00/tank.
 - (3) Tanks of 1500 to 3500 gallons for waste originating from inside the City Limits = \$0.03/gallon.
 - (4) Tanks of 1500 to 3500 gallons for waste originating from outside the City Limits = \$0.045/gallon.
 - (5) Tanks exceeding 3500 gallons for waste originating from inside the City Limits = \$300/tank.
 - (6) Tanks exceeding 3500 gallons for waste originating from outside the City Limits = \$450/tank.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases may be declared unconstitutional.

Section 4. The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form.

Section 5. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 days after its publication in pamphlet form as herein provided.

Upon motion by Commissioner Closson, seconded by Commissioner Phipps, adopted this 18th day of April, 2023, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Closson, Commissioner Cox,</u> <u>Commissioner Graven, Commissioner Phipps,</u> <u>Mayor Hall</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 18th day of April, 2023.

/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/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on April 18, 2023.

Mayor Hall opened the floor for comments. Director Barber noted the rates were related to those who deliver waste to the WWTP, which had not been increased for a while in comparison to other municipalities.

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

Mayor Hall seconded by Commissioner Phipps moved to adopt Ordinance No. 2023-5465, amending Title XV Land Usage Chapter 162 of the municipal Code of Ordinances to define non-living landscaping and outdoor seating/dining areas and to provide for outdoor seating/dining area requirements.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2023-5465

AN ORDINANCE AMENDING THE LANDSCAPING REQUIREMENTS FOR DEVELOPMENT

WHEREAS, the City of Mattoon has established regulations requiring the incorporation of landscaping features into the site plans for Multi-Family Residential Developments (R-3), Commercial Developments, and Industrial Developments; and

WHEREAS, said landscaping regulations are contained in Chapter 162 of the City of Mattoon Illinois, Code of Ordinances; and

WHEREAS, the City of Mattoon desires to amend the existing landscaping regulations in Chapter 162 of the City of Mattoon Illinois, Code of Ordinances.

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

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Title XV “Land Usage”, Chapter 162 “Landscaping” be amended by the addition to Section 162.01 of the following language shown in italics:

CHAPTER 162: LANDSCAPING

162.01 Definitions

Non-Living Landscaping Features shall serve no other structural purpose, or infrastructure related purpose, in order to be considered Landscaping. For example: building walls, roofs, sidewalks, driveways, parking areas, privacy fencing, or security fencing shall not be considered landscaping regardless of the materials of construction. *Examples of Non-Living Landscaping Features include, but are not limited to, such as ornamental rock and/or pavers, landscaping walls, shade structures, and/or water features*

Outdoor Seating/Dining Areas: Areas that are specifically designed for outdoor seating and dining as part of a commercial site development that includes food or drink service.

Section 3. Amendments. Title XV “Land Usage”, Chapter 162 “Landscaping” be amended with the addition of Section 162.03 of the following language shown in italics:

162.03 General Requirements

The full size of Outdoor Seating/Dining areas will be considered as contributing to the landscaping requirement for the site provided that; living and non-living landscaping items are incorporated into the outdoor seating/dining area, the outdoor seating/dining area is part of a commercial site development that includes food or drink service, the outdoor seating/dining area is visible from the street, and the outdoor seating/dining area is located on the site for which the landscaping requirement applies.

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases may be declared unconstitutional.

Section 5. The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form.

Section 6. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 days after its publication in pamphlet form as herein provided.

Upon motion by Mayor Hall, seconded by Commissioner Phipps, adopted this 18th day of April, 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 18th day of April, 2023.

/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/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on April 18, 2023.

Mayor Hall opened the floor for comments. Director Barber explained the landscaping requirements and made the requirement official to encourage accomplishing the other requirements.

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 opened the floor for questions or comments before the Council considers the next ordinance. Mr. Blake Pierce, 33 Fairway Lane, President of MSC Inc. addressed the Council with having good experiences with athletics, would unanimously approve going forward, and appreciated the support. He added the exceeding of the \$10 million private donor commitments, which demonstrated support

throughout business and community members. Mr. Pierce described the sports complex as an economic driver where amenities in commercial development would occur.

Mr. John Hanson Financial Advisor of I.R.R. (Integra Realty Resources) addressed the Council with the Emerald Acres sports complex presentation which included the key accomplishments since last summer, Phase I – Plan of Finance (sources/uses), Business District Project Agreement (parties, term MSC key obligation, City’s key obligation), Business District Boundary Map, Pledged Business District Revenues Area Map, Phase II – Estimated Plan of Finance (sources/uses), Public Finance – multiple-layer approach (TIF, Sales Tax Rebate, Hotel Occup Tax Rebate, Private Fees, Business District Sales & Hotel Tax Revenues), Phase III – Bond Structure – review of Proposed Public Finance Structure – Sports Facility, Project Timeline – Phase I – Qtr 2 opening, Phase II – Outdoor Q1 2025 Opening, Economic Benefits of Project – Property Tax Revenues, Job Creation, Other Economic Impacts (Tax Revenue Impact over 30 years, Construction Impact & Annual Non-Local Visitors), Financial Summary, recommended next steps with ordinance tonight, and groundbreaking on May 31, 2023. Mayor Hall opened the floor for questions in person or online. Mr. Roy Blackburn, 1000 Lafayette, inquired about the raising of taxes, multiple layered approach and sales tax rebate. Mr. Hansen responded with no raising of taxes, only new growth in the business district area, and property tax increases on the farmland land and explained the rebate of new sales tax that doesn’t exist today. Mayor Hall stated no property tax increases for other areas due to the sports complex. Commissioner Closson requested reiteration on the tax input over 30 years with Mr. Hansen explaining a TIF would be for 23 years and other revenues for 30 years with the bonds experiencing paid off before the 30-year maturity. There were no further questions from the Council or Public in person or online.

Commissioner Graven seconded by Commissioner Phipps moved to adopt Ordinance No. 2023-5466, authorizing the City’s execution and delivery of a Project Agreement with Mattoon Sports Complex, Inc. relating to the acquisition, construction, financing and operation of a Business District Project pursuant to the Remington Road and I-57 Business District Plan and the transfer by the City of a portion of certain Business District Sales Tax revenues to be pledged by Mattoon Sports Complex, Inc. pursuant to a loan agreement securing certain Eastern Illinois Economic Development Authority-Business District Revenue Bonds, Series 2023, to be issued by the Eastern Illinois Economic Development Authority to fund certain costs of such project.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2023-5466

AN ORDINANCE AUTHORIZING THE CITY’S EXECUTION AND DELIVERY OF A PROJECT AGREEMENT WITH MATTOON SPORTS COMPLEX INC. RELATING TO THE ACQUISITION, CONSTRUCTION, FINANCING AND OPERATION OF A BUSINESS DISTRICT PROJECT PURSUANT TO THE REMINGTON ROAD AND I-57 BUSINESS DISTRICT PLAN (THE “PROJECT”) AND THE TRANSFER BY THE CITY OF A PORTION OF CERTAIN BUSINESS DISTRICT SALES TAX REVENUES TO BE PLEDGED BY MATTOON SPORTS COMPLEX INC. PURSUANT TO A LOAN AGREEMENT SECURING CERTAIN EASTERN ILLINOIS ECONOMIC DEVELOPMENT AUTHORITY - BUSINESS DISTRICT REVENUE BONDS (REMINGTON ROAD AND I-57 BUSINESS DISTRICT), SERIES 2023 (THE “SERIES 2023 BONDS”) TO BE ISSUED BY THE EASTERN ILLINOIS ECONOMIC DEVELOPMENT AUTHORITY TO FUND CERTAIN COSTS OF SUCH PROJECT

WHEREAS, the City is authorized pursuant to the provisions of the Business District Development and Redevelopment Laws, 65 ILCS 5/11-74.3, et seq., as amended (the “**Business District Law**”), to designate a “business district” in certain “blighted areas” in accordance with the Business District Law, adopt a plan for the development of the business district, approve projects for the business district, and authorize the imposition of Business District Sales Taxes, as hereinafter defined, to fund costs of the business district projects; and

WHEREAS, on September 20, 2022, the City Council adopted Ordinance No. 2022-5457 (1) establishing and designating the “Remington Road and I-57 Business District” (the “**Business District**”) within the “**Business District Area**” as described in the Business District Plan, as hereinafter defined, (2) approving a Business District Plan entitled “Remington Road and I-57 Business District Plan” for the City (the “**Business District Plan**,” attached hereto as Exhibit A of the Project Agreement), and (3) authorizing certain projects to be undertaken within the Business District Area (the “**Business District Projects**”), including the Project (as herein defined); and

WHEREAS, on September 20, 2022 the City Council adopted Ordinance No. 2022-5458 (the “**Business District Sales Tax Ordinance**” and together with City Council Ordinance No. 2022-5457, the “**Business District Ordinances**”), establishing and imposing the “**Business District Sales Taxes**,” as hereinafter defined, to provide a source of funds for the Business District Projects; and

WHEREAS, the “**Business District Sales Taxes**” include: (1) a 1% Business District Retailers' Occupation Tax upon persons engaged in the business of selling tangible personal property within the Business District (a “**Business District Retailers' Occupation Tax**”) and a 1% Business District Service Occupation Tax upon persons engaged in the business of making sales of service within the Business District (a “**Business District Service Occupation Tax**”), both authorized pursuant to Section 11-74.3-3 (10) of the Business District Law, and (2) a 1% occupation tax upon all persons engaged in the business of renting, leasing, or letting rooms in a hotel (as defined in the Hotel Operators' Occupation Tax Act) within the Business District, pursuant to Section 11-74.3-3 (11) of the Business District Law (a “**Business District Hotel Operators' Occupation Tax**”) and the revenues from the Business District Sales Taxes are defined as the “**Business District Sales Tax Revenues**”; and

WHEREAS, the Business District Law and the Business District Ordinances provide for the deposit of the Business District Sales Tax Revenues into a special fund of the City called the "Remington Road and I-57 Business District Tax Allocation Fund" (the “**Business District Tax Allocation Fund**”) for the purpose of paying or reimbursing costs of the Business District Projects and obligations incurred in the payment of those costs; and

WHEREAS, the Business District Law provides that: (1) obligations secured by the Business District Tax Allocation Fund (“**Business District Revenue Bonds**”) may be issued to provide for the payment or reimbursement of business district project costs; (2) the principal of and interest on such bonds will be payable from Business District Sales Tax Revenues; and (3) the City may by ordinance pledge, for any period of time up to and including the dissolution date, all or any part of the funds in and to be deposited in the Business District Tax Allocation Fund to the payment of Business District Revenue Bonds; and

WHEREAS, the Business District Law further provides that Business District Revenue Bonds may be issued in one or more series, bear such date or dates, become due at such time or times as therein provided, bear interest payable at such intervals and at such rate or rates as set forth therein, make provision for a corporate trustee with respect to such obligations, prescribe the rights, powers, and duties thereof to be exercised for the benefit of the owners of such obligations, provide for assignment of and direct payment of the moneys to pay such obligations or to be deposited into such funds or accounts directly to such trustee; and

WHEREAS, the Business District Law further provides that no referendum approval of the electors shall be required as a condition to the issuance of Business District Revenue Bonds secured solely by Business District Sales Tax Revenues; and

WHEREAS, the Business District Law further provides that the City shall adopt an ordinance immediately rescinding the Business District Sales Taxes upon payment of all Project Costs of all Business District Projects under the Business District Plan and the retirement of all obligations incurred pursuant to the Business District Plan, but in no event more than 23 years after the date of adoption of the Business District Sales Tax Ordinance; and

WHEREAS, Mattoon Sports Complex, Inc. (“**MSC Non-Profit**”), an Illinois not-for-profit corporation, organized under the Illinois General Not For Profit Corporation Act of 1986 (805 ILCS 105 and a qualified tax-exempt charitable organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, plans to: (1) develop or redevelop certain property within the Business District Area, consisting of approximately 15 acres southwest of the intersection of Interstate 57 and Charleston Avenue in the City of Mattoon, Illinois (the “**Project Area**”), and (2) acquire, finance, construct, and operate an indoor sports complex in the Project Area, including infrastructure and public improvements to serve and support the Project Area (the “**Project**”), to provide increased recreational and sports activity opportunities for residents of Illinois as well as regional sports tournaments, thereby enhancing tourism activity, increasing employment opportunities for residents of Illinois and attracting additional residents and additional economic development in Illinois; and

WHEREAS, MSC Non-Profit has requested that the Eastern Illinois Economic Development Authority (the “**Authority**”), organized as a political subdivision of the State of Illinois (the “**State**”), under the Eastern Illinois Economic Development Authority Act (70 ILCS 506/1 et seq., as supplemented and amended) (the “**Authority Act**”) issue its Eastern Illinois Economic Development Authority Business District Revenue Bonds (Remington Road and I-57 Business District), Series 2023 (the “**Series 2023 Bonds**”) pursuant to the provisions of the Business District Law, the Authority Act and an Indenture of Trust (the “**Trust Indenture**”) between the Authority and U.S. Bank Trust Company, National Association, as Trustee (the “**Trustee**”), and lend the proceeds thereof to MSC Non-Profit pursuant to the provisions of a “**Loan Agreement**” to finance or refinance a portion of the Project Costs eligible to be funded under the Business District Plan; and

WHEREAS, the City is authorized pursuant to the Business District Law to make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan, including a contract with any “developer” to (1) pay or reimburse said developer for business district project costs incurred or to be incurred by said developer, (2) share, rebate, or pay to a developer Business District Sales Tax Revenues, and (3) provide such developer the right to enforce and compel performance of such contract by civil action, mandamus, injunction, or other proceeding; and

WHEREAS, pursuant to such authority, the City is desirous of entering into the Project Agreement with MSC Non-Profit pursuant to which the City will provide the Pledged Business District Revenues (as herein defined) directly to the Trustee on behalf of MSC Non-Profit and MSC Non-Profit will pledge the Pledged Business District Revenues to the Authority pursuant to the Loan Agreement and the Authority will assign the Pledged Business District Revenues to secure and provide for payment of the principal of and interest on the Series 2023 Bonds pursuant to the provisions of the Trust Indenture; and

WHEREAS, the Business District Law provides that no business district revenue bonds issued pursuant to the Business District Law shall be regarded as indebtedness of any taxing district for the purpose of any limitation imposed by law and that business district revenue bonds issued pursuant to the Business District Law shall not be subject to the provisions of the Bond Authorization Act (30 ILCS 305/2); and

WHEREAS, the Trust Indenture, the Series 2023 Bonds and the Project Agreement shall include a recital in substantially the following form:

(1) THE SERIES 2023 BONDS ARE SPECIAL LIMITED OBLIGATIONS PAYABLE SOLELY FROM (i) THE PLEDGED BUSINESS DISTRICT REVENUES PAYABLE BY THE CITY UNDER THE PROJECT AGREEMENT, PLEDGED BY MSC NON-PROFIT TO THE AUTHORITY UNDER THE LOAN AGREEMENT AND ASSIGNED BY THE AUTHORITY TO THE TRUSTEE UNDER THE TRUST INDENTURE, AND (ii) THE TRUST ESTATE UNDER THE TRUST INDENTURE.

(2) THE SERIES 2023 BONDS AND THE CITY'S PAYMENT OF THE PLEDGED BUSINESS DISTRICT REVENUES TO THE TRUSTEE AND OTHER OBLIGATIONS OF THE CITY UNDER THE PROJECT AGREEMENT ARE NOT GENERAL OBLIGATIONS OF THE AUTHORITY, THE CITY, THE STATE, OR ANY POLITICAL SUBDIVISION THEREOF AND NEITHER THE FULL FAITH AND CREDIT NOR THE GENERAL TAXING POWER OF THE AUTHORITY, THE CITY, THE STATE, OR ANY POLITICAL SUBDIVISION THEREOF IS PLEDGED TO THE PAYMENT OF THE SERIES 2023 BONDS OR THE CITY'S OBLIGATIONS UNDER THE PROJECT AGREEMENT.

(3) THE SERIES 2023 BONDS SHALL NOT CONSTITUTE AN INDEBTEDNESS OF THE AUTHORITY, THE CITY, THE STATE, OR ANY POLITICAL SUBDIVISION THEREOF WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY DEBT LIMITATION OR RESTRICTION.

(4) THE CITY'S PLEDGE OF THE PLEDGED BUSINESS DISTRICT REVENUES OR OTHER OBLIGATIONS OF THE CITY UNDER THE PROJECT AGREEMENT SHALL NOT CONSTITUTE AN INDEBTEDNESS OF THE AUTHORITY, THE CITY, THE STATE, OR ANY POLITICAL SUBDIVISION THEREOF WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY DEBT LIMITATION OR RESTRICTION.

(5) THE PAYMENT OF THE SERIES 2023 BONDS IS NOT SECURED BY AN ENCUMBRANCE, MORTGAGE, SECURITY INTEREST OR OTHER PLEDGE OF (1) ANY PROPERTY OF THE AUTHORITY, THE CITY, THE STATE, OR ANY POLITICAL SUBDIVISION THEREOF, (2) THE PROJECT OR PROPERTY IN THE BUSINESS DISTRICT AREA, OR (3) ANY OTHER PROPERTY OF MSC NON-PROFIT OTHER THAN THE PLEDGE OF THE PLEDGED BUSINESS DISTRICT REVENUES.

(6) NEITHER THE CITY, THE OFFICERS AND EMPLOYEES OF THE CITY NOR ANY PERSON EXECUTING THE PROJECT AGREEMENT SHALL BE PERSONALLY LIABLE FOR SUCH SERIES 2023 BONDS OR ANY OBLIGATIONS OF THE CITY UNDER THE PROJECT AGREEMENT BY REASON OF THE EXECUTION OF THE PROJECT AGREEMENT OR ADOPTION OF ORDINANCE NO. 2023-5466.

(7) THE OBLIGATIONS OF MSC NON-PROFIT WITH RESPECT TO THE SERIES 2023 BONDS AND OF THE CITY WITH RESPECT TO THE PLEDGE OF THE PLEDGED BUSINESS DISTRICT REVENUES PURSUANT TO THE PROJECT AGREEMENT, TERMINATE ON MARCH 31, 2046, WHETHER OR NOT THE SERIES 2023 BONDS HAVE BEEN PAID IN FULL. THERE IS NO ASSURANCE THAT THERE WILL BE SUFFICIENT PLEDGED BUSINESS DISTRICT REVENUES TO PAY THE SERIES 2023 BONDS ON THE PAYMENT DATES OR ON THE EXPIRATION OF THE AGREEMENT TERM.

and

WHEREAS, this ordinance provides that the Series 2023 Bonds issued by the Authority pursuant to the provisions of the Authority Act, the Business District Law and the Bond Financing Documents and shall contain a recital that they are issued pursuant to the Business District Law and such recital shall be conclusive evidence of their validity and of the regularity of their issuance; and

WHEREAS, the City and MSC Non-Profit have determined that it is in the best interests and public and charitable purposes of the Parties and in accordance with the Business District Law to enter into the Project Agreement and to implement the Project to lessen the governmental burdens of the City and to help to improve the health, safety, welfare, economic development and recreational needs of the citizens of the City and the surrounding areas; and

WHEREAS, the Mayor and City Council of the City hereby find and determine that it is in the best interests of the City and its residents to authorize the execution and delivery of the Project Agreement as set forth herein; and

WHEREAS, the Project Agreement has been submitted to the City Council for consideration and review, and the City Council has taken all actions required to be taken prior to the execution of this Agreement to make this Agreement effective.

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

Section 1. Authorization of Documents. The City is hereby authorized to enter into the Project Agreement, in substantially the form attached hereto as Exhibit A and presented to the City Council at this meeting (copies of which document shall be filed in the records of the City), with such changes therein as shall be approved by the officials of the City executing such documents, such officials' signatures thereon being conclusive evidence of their approval thereof. The City is further authorized to enter into various closing certificates and customary bond documents and agreements as may be required relating to proceedings of the City related to formation and implementation of the Business District and the collection, administration, deposit and application of the Business District Sales Taxes, Business District Sales Tax Revenues, and Pledged Business District Revenues, continuing disclosure, opinions of the City Attorney, tax compliance agreements and such other documents, agreements, certificates and opinions, including the Bond Financing Documents, as customary or required in connection with the issuance of the Series 2023 Bonds by the Authority.

Section 2. Execution of Documents. The Mayor, City Administrator, Finance Director, City Clerk and other appropriate officers of the City are hereby authorized and directed to execute and deliver, on behalf of the City, the Project Agreement and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and as provided in Section 1 above.

Section 3. Further Authority. The Series 2023 Bonds to be issued by the Authority shall contain a recital that they are issued pursuant to the Business District Law and such recital shall be conclusive evidence of the validity and of the regularity of the Authority's issuance of the Series 2023 Bonds. The Series 2023 Bonds shall also include the recitals as provided and set forth in the recitals to this ordinance.

The officers, agents and employees of the City, including the Mayor, City Administrator, Finance Director and City Clerk, and other appropriate officers of the City are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the City

with respect to the Project Agreement and the Business District Sales Tax Revenues and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Severance. If any portion of this ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the remaining portions of this ordinance.

Section 5. Publication. The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form.

Section 6. Effective Date. This ordinance shall be in full force and effect immediately upon its passage, approval and publication as provided by law.

Upon motion by Commissioner Graven, seconded by Commissioner Phipps, adopted this 18th day of April, 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 18th day of April, 2023.

/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/Daniel C. Jones
Daniel C. Jones, City Attorney

Recorded in the Municipality's Records on April 18, 2023.

Mayor Hall opened the floor for comments. Commissioner Graven inquired if the bonds were double exempt bonds with Mr. Hansen stating the bonds were eligible to be exempt and were Federal tax exempt bonds.

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 Resolution No. 2023-3244, approving an agreement for technical services and assistance between the City of Mattoon and Peckham, Guyton, Albers and Viets, Planners, L.L.C. normally known as (PGAV); and authorizing the mayor and city clerk to execute the Contract for Professional Services and other relevant documents.

CITY OF MATTOON, ILLINOIS

RESOLUTION 2023-3244

A RESOLUTION APPROVING AN AGREEMENT FOR TECHNICAL SERVICES AND ASSISTANCE BETWEEN THE CITY OF MATTOON AND THE FIRM OF PECKHAM GUYTON ALBERS AND VIETS, INC.; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ATTACHED AGREEMENT AND OTHER RELEVANT DOCUMENTS

WHEREAS, the City of Mattoon is committed to economic development and redevelopment of the community, and

WHEREAS, the City has previously engaged the services of the Urban Consulting firm of Peckham, Guyton, Albers, & Viets, Inc. to qualify and adopt TIF and Business Districts, and

WHEREAS, the City is desirous of securing technical assistance and expert advice in regard to the drafting of Redevelopment Agreements and other matters relating community planning and economic development, and

WHEREAS, Peckham, Guyton, Albers, & Viets, Inc. is a firm experienced in providing the expert advice necessary for the City of Mattoon is complete its redevelopment goals, and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, the Mayor is hereby authorized to engage the services of Peckham, Guyton, Albers, & Viets, Inc. to provide technical assistance and expert advice to the City in these matters, furthermore the Mayor and City Clerk shall execute the attached agreement and other documents as necessary to move forward with this endeavor.

Upon motion by Mayor Hall, seconded by Commissioner Cox, adopted this 18th day of April, 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 18th day of April, 2023.

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

ATTEST:
/s/Susan J. O'Brien
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:
/s/Dan C. Jones
Dan C. Jones, City Attorney

Recorded in the Municipality's Records on April 18, 2023.

Mayor Hall opened the floor for questions. Administrator Gill noted this was similar to the business district. Mayor Hall opened the floor for questions from the audience or online with no response.

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

Mayor Hall seconded by Commissioner Graven moved to approve Council Decision Request 2023-2350, appointing Jacob Hixson to the Public Works Advisory Board for an unexpired term of 12/31/2024.

Mayor Hall opened the floor for comments. Mayor Hall commented on speaking with Mr. Hixson who is an industry plant manager and on other committees.

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

Commissioner Closson seconded by Commissioner Cox moved to approve Council Decision Request 2023-2351, awarding the 2023 Water Treatment Plant chemical bids from May to October to:

Alexander Chemical Corp for	Alum	@	\$.1630/pound
Water Solutions Unlimited for	Ammonium Sulfate	@	\$.65/pound
Airgas USA L.L.C. for	Carbon Dioxide	@	\$.15/pound
Polydyne, Inc. for	Cationic Polymer	@	\$1.05/pound
Alexander Chemical Corp for	Chlorine	@	\$1.37/pound
Chemstream Midwest for	Fluoride	@	\$.3990/pound
Water Solutions Unlimited for	Permanganate	@	\$1.34/pound; and
Water Solutions Unlimited for	Phosphate Blend	@	\$1.02/pound.

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 Cox seconded by Commissioner Phipps moved to approve Council Decision Request 2023-2352, approving a \$3,000 grant by the Tourism Advisory Committee from FY22/23 Festival Management funds to the Mattoon YMCA in support of the Run for the Bagel event on July 23, 2023; and authorizing the mayor to sign the agreement.

Mayor Hall opened the floor for comments. Director Burgett noted this would be the 36th Annual Run for the Bagel event which has tourism value and a strong event.

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 Phipps moved to approve Council Decision Request 2023-2353, approving a \$4,000 grant by the Tourism Advisory Committee from FY22/23

hotel/motel tax funds to the Mattoon YMCA in support of the Last Chance Tri to be held September 24, 2023 and for the Ghouls in the Pool Swim Meet to be held October 28, 2023; and authorizing the mayor to sign the agreement.

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 Cox seconded by Commissioner Closson moved to approve Council Decision Request 2023-2354, approving a \$10,000 grant by the Tourism Advisory Committee from FY22/23 hotel/motel tax funds to the Mattoon Hit-Men Baseball organization in support of the Hit-Men 14u Spring Classic, Hit-Men 11u Mother's Day Classic, Hit-Men 8u-10u School's Out Slam, Hit-Men 12u, Hit-Men 15u Classic, Hit-Men 14u Grimes Field Games, Hit-Men 12u Braggin' Rights Tourney and Hit-Men 15u Summer Showdown to be held in 2023; and authorizing the mayor to sign the agreement.

Mayor Hall opened the floor for comments. Director Burgett announced Hit Men's reorganizing with baseball being rebuilt and coming back strong. Mayor Hall noted there were hundreds of teams involved.

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

Commissioner Closson seconded by Commissioner Phipps moved to approve Council Decision Request 2023-2355, authorizing the employment of Jackson Ritter as a Parks Maintenance Worker II to the Parks/Lakes/Cemetery Department effective May 01, 2023, contingent upon successful completion of drug screen and background check.

Mayor Hall opened the floor for comments. Commissioner Closson noted there were good candidates, three interviews for three different positions. Administrator Gill noted Mr. Ritter would be a good addition.

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 thanked Mr. Hanson for the sports complex work, Director & Treasurer Wright for budgets, and Clerk O'Brien for health insurance; and noted work with TIF District Phase II planning and Manager Benishek. Mayor Hall opened the floor for questions with no response.

CITY ATTORNEY updated Council on the appearance of Tim Quakenbush before the Judge and the former Brown Shoe Factory with upcoming servings to owners. Administrator Gill noted a gentleman who was supposed to be a partner spoke with Chief Gaines and reminded Council the serving takes time.

CITY CLERK noted Human Resource and health insurance issues; otherwise, business as usual.

FINANCE distributed and reviewed the March Financial Report including prior year comparisons, cash position, PTELL calculated by County, Debt for the Public Works Building until 2028, Mall until 2028, and Quality Inn until 2029, Revenue Tracking and unrestricted cash. Mayor Hall opened the floor for questions with no response.

PUBLIC WORKS announced City-wide Cleanup Day as June 3rd and \$150,000 award of the grant to connect the bike trail to hotels by Grant Writer Whitney Carnes as her first grant. Mayor Hall opened the floor for questions with no response.

FIRE reported on calls for service, inspections & follow-ups, training; and thanked the Police Department with an assisted lift instance by Lt. Kull, Officer Wilson and Lt. Brunson when the MFD was out on calls. Mayor Hall opened the floor for questions with no response.

POLICE reported on calls for service and 46 arrests. Mayor Hall opened the floor for questions with no response.

ARTS AND TOURISM announced an EIU exhibit in the Lone Elm Room consisting of special projects which were in the works; and updated Council on the 4th of July, Bagelfest, Bagel Bites and Art Works events. Mayor Hall opened the floor for questions with no response.

COMMUNITY DEVELOPMENT updating Council on housing focus, kickoff meeting with Housing Authority in May, and Dunkin Donuts was moving dirt; and worked with Writer Carnes and Lakes Maintenance Worker Wurtsbaugh on grants. Mayor Hall opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Closson noted that Superintendent Stretch and Assistant Hesse had the ballfields ready, Cemetery cleanup was complete, Lake Mattoon had 105 campers with a waiting list, and the Dog Park Committee including Supt Stretch, Commissioner Cox had acquired exercise equipment and parking lot completed. Commissioner Cox announced condolences to Melissa Hardin on the Arts Council for the loss of her husband, Peyton Gill was awarded EIU Panther of the Year in leadership and management, sports complex transformative project and thanked Blake Pierce, John Hanson, Rural King, Mayor Hall and Administrator Gill on their efforts with this project. Commissioner Graven commented on glad the project was finally moving forward and ready for the restaurants and shopping. Commissioner Phipps commented on the excellent work group with all teams involved, timeless hours, his hesitation but now believed they knocked it out of the park; and appreciated everyone's efforts and dedication. Mayor Hall noted his and Administrator Gill's attendance at the IML Lobby Day in Springfield and their discussions with Senator Rose and Representative Miller, and housing issues.

Commissioner Cox seconded by Commissioner Phipps moved to adjourn at 7:31 p.m.

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

/s/Susan J. O'Brien
City Clerk