

The City Council of the City of Mattoon held a Regular City Council meeting in the Council Chambers of City Hall on April 2, 2024. 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, Arts & Tourism Director Angelia Burgett, Public Works Director David Clark, Fire Chief Jeff Hilligoss, Fire Shift Captain Mike Romine, Police Chief Sam Gaines, Code Enforcement Alex Benishek 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 March 19, 2024; bills and payrolls for the last half of March 2024.

<u>Bills and payrolls for the last half of March, 2024</u>			
<u>General Fund</u>			
Payroll		\$	280,447.82
Bills		\$	<u>486,354.99</u>
	Total	\$	766,802.81
<u>Hotel Tax Administration</u>			
Payroll		\$	3,973.12
Bills		\$	<u>4,047.62</u>
	Total	\$	8,020.74
<u>Festival Mgmt Fund</u>			
Bills		\$	<u>35,823.35</u>
	Total	\$	35,823.35
<u>Insurance and Tort Jdgmnt</u>			
Bills		\$	<u>250,652.00</u>
	Total	\$	250,652.00
<u>Capital Project Fund</u>			
Bills		\$	<u>500.00</u>
	Total	\$	500.00
<u>I-57 East TIF Dist.</u>			
Bills		\$	<u>1,280.00</u>
	Total	\$	1,280.00
<u>Water Fund</u>			
Payroll		\$	41,140.93
Bills		\$	<u>16,019.66</u>
	Total	\$	57,160.59

<u>Sewer Fund</u>			
Payroll		\$	42,387.68
Bills		\$	<u>8,634.64</u>
	Total	\$	51,022.32

<u>Health Insurance Fund</u>			
Bills		\$	<u>249,384.92</u>
	Total	\$	249,384.92

<u>Motor Fuel Tax Fund</u>			
Bills		\$	<u>152.67</u>
	Total	\$	152.67

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 comments from the Public attending in person and online with no response.

PUBLIC HEARING: BUDGET FY25

Mayor Hall opened the Public Hearing for the FY25 Budget at 6:32 p.m. in the City Hall Council Chambers located at 208 N. 19th Street, Mattoon, Illinois. Administrator Gill with input from Treasurer & Director Wright reviewed the Revenues and Expenditures including the largest expenditures of the General Fund before the State’s possible elimination of the grocery tax (\$475,000), Property Tax levied for the City, Motor Fuel Tax, Hotel/Motel Tax, Festival Management, Mobile Equipment Fund (MEF), Revolving Loan Fund, Capital Project Fund, Mid-town TIF (2027), I-57 East TIF District (2030), I-57 East Business District, Broadway East TIF District, Broadway East Business District, South Route 45 TIF District (2031), South Route 45 Business District, Remington Road & I-57 Business District, Water Fund, Sewer Fund, Health Insurance Fund and overview of last five years, and Insurance and Tort Judgment Fund. The floor was open for questions. Commissioner Closson inquired as to the ARPA funds with Administrator Gill noting the allotment for December 2024, disbursement by 2026 and discussed the use of the ARPA funds. Commissioner Cox voiced concerns over the trends with Administrator Gill noted the State’s removal of grocery taxes, health insurance increases and unfunded mandates as concerns. Commissioner Closson inquired with Phase 1 of the Sports Complex generating ancillary income with Administrator Gill answered affirmatively the sporting events this fall. Mayor Hall noted revenues run a couple of months behind with Administrator Gill noting December revenues wouldn’t be received until March and would have a positive impact on next year. Administrator Gill thanked the Department Heads for their work on the budgets as spending wisely. Mayor Hall noted the review of long-term budgets and generating revenues for the City such as Housing and Sports Complex with Administrator Gill adding the grants as well. With no additional comments Mayor Hall closed the Public Hearing at 7:02 p.m.

Acknowledging the retirement of Senior Construction Inspector Dan McClain with more than 21 years of service with Public Works Department on March 31, 2024. Administrator Gill provided accolades of Dan McClain including his infrastructure knowledge, projects overseen, and asset to the City. Commissioner Cox added knowing Mr. McClain a long time, his vast knowledge, and he would be missed.

NEW BUSINESS

Mayor Hall seconded by Commissioner Phipps moved to adopt Special Ordinance No. 2024-1895, approving a variance to the sign ordinance and setback requirement for property located at 1320 Fort Worth Way to allow for a sign to be erected. Petitioner – Clayton Signs/Expedite the Diehl, L.L.C.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2024-1895

AN ORDINANCE APPROVING A VARIANCE TO THE SIGN ORDINANCE OF THE MUNICIPALITY ON REAL ESTATE LOCATED AT 1320 FORT WORTH WAY

WHEREAS, there has been filed a written Petition by Clayton Signs/Expedite the Diehl, L.L.C. requesting a sign variance at the property located at 1320 Fort Worth Way (PIN#: 06-0-00562-000); and

WHEREAS, existing city ordinance stipulates that a nonresidential sign may be no larger than 150 square feet per-side; and

WHEREAS, this stipulation has created a hardship for the developer to adhere to their national branding standards; and

WHEREAS, the Planning Commission held a properly noticed public hearing on March 26, 2024 for the City of Mattoon, Coles County, Illinois, and has recommended that the requested sign variance be granted to allow for the construction of a 300 square foot sign; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve a sign variance to allow the construction of such a sign in relation to the Emerald Aces Sports Connection development.

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

Section 1. 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. A variance is hereby granted from requirements of the sign code as authorized by Section §160.13 of Chapter 160 of the Code of Ordinances of the City of Mattoon for real estate described as 1320 Fort Worth Way to allow construction of a 300 square foot sign.

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.

Section 5. The City Clerk shall make and record a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Mayor Hall , seconded by Commissioner Phipps , adopted this 2nd day of April , 2024, 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 2nd day of April , 2024.

/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 Jones
Dan Jones, City Attorney

Recorded in the Municipality’s Records on 04-02 , 2024.

Mayor Hall opened the floor for comments. Manager Benishek explained the national branding hardship, variance of square footage, Staff supported the project, and unanimous vote from the Planning Commission. Commissioner Cox noted the request was standard.

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 Special Ordinance No. 2024-1896, approving the plat of water easement for the Dollar General Store located at 1717 Lake Land Boulevard.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2024-1896

**AN ORDINANCE APPROVING THE PLAT OF EASEMENT
FOR THE DOLLAR GENERAL STORE
LOCATED AT 1717 LAKE LAND BOULEVARD**

WHEREAS, Dollar General Store, 1717 Lake Land Boulevard, Mattoon, IL 61938; MCDG LLC, 4051 Green Road, Farmington, St. Francois, MO 63640, owners of the following described property:

Part of the West Half of Section 24 all in Township 12 North, Range 7 East of the Third Principal Meridian, Coles County, Illinois, being more particularly described as:

An Easement across a Parcel of land as recorded in Doc. No. 202300809013 in the name of MCDG LLC, said Parcel is part of Lot 13 of Rudy Subdivision, Mattoon, Coles County, Illinois, said Easement is described as follows:

Commencing at the northeast corner of said Parcel, said corner is witnessed by a 1" iron pipe found 2" below grade 0.15 feet east of the right of way line; thence along the westerly right of way line of Lake Land Boulevard along a curve having a radius of 10,712.27 feet, an arc length of 177.00', whose chord bears S00°51'18"W 177.00 feet to the southeast corner of said Parcel, said corner is the Point of Beginning and is monumented by a mag nail in concrete; thence leaving said right of way line along the south line of said parcel for the following (3) three calls: thence S89°33'41"W 217.12 feet to a 1/2" iron rod; thence N00°30'48"E 10.00 feet to a 1/2" iron rod; thence S89°51'55"W 203.93 feet to the southwest corner of said Parcel, to a 1/2" iron rod in the east right of way line South 19th Street; thence along said east right of way line N00°30'54"E 15.00 feet to a point; thence parallel to the south line of said Parcel and fifteen feet distant therefrom N89°51'55"E 209.45 feet to a point; thence S45°08'05"E 14.02 feet to a point; thence parallel to the south line of said Parcel and fifteen feet distant therefrom N89°33'41"E 201.82 feet to a point in said west right of way line of Lake Land Blvd (AKA US 45); thence along said west right of way line S01°29'05"W 15.01 feet to the Point of Beginning. Said Easement to contain 0.143± Ac (6,239.6 ± sq ft).

WHEREAS, said plat of the easement to be known as Dollar General Store Easement, in the City of Mattoon, Coles County, Illinois has been submitted to the City Council of the City of Mattoon for approval in the manner as by law required, which plat is attached hereto as Exhibit "A" and made a part hereof by reference thereto; and

WHEREAS, it appears from an examination of said plat that the same is in due form as required by law and complies with all rules, regulations, and requirements relative to subdivisions and zoning in the City of Mattoon, Illinois, and that by said plat should be approved; and

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, that the plat, of the **Dollar General Store**, in the City of Mattoon, Coles County, Illinois, legally described as:

An Easement across a Parcel of land as recorded in Doc. No. 202300809013 in the name of MCDG LLC, said Parcel is part of Lot 13 of Rudy Subdivision, Mattoon, Coles County, Illinois, said Easement is described as follows:

Commencing at the northeast corner of said Parcel, said corner is witnessed by a 1" iron pipe found 2" below grade 0.15 feet east of the right of way line; thence along the westerly right of way line of Lake Land Boulevard along a curve having a radius of 10,712.27 feet, an arc length of 177.00', whose chord bears S00°51'18"W 177.00 feet to the southeast corner of said Parcel, said corner is the Point of Beginning and is monumented by a mag nail in concrete; thence leaving said right of way line along the south line of said parcel for the following (3) three calls: thence S89°33'41"W 217.12 feet to a 1/2" iron rod; thence N00°30'48"E 10.00 feet to a 1/2" iron rod; thence S89°51'55"W 203.93 feet to the southwest corner of said Parcel, to a 1/2" iron rod in the east right of way line South 19th Street; thence along said east right of way line N00°30'54"E 15.00 feet to a point; thence parallel to the south line of said Parcel and fifteen feet distant therefrom N89°51'55"E 209.45 feet to a point; thence S45°08'05"E 14.02 feet to a point; thence parallel to the south line of said Parcel and fifteen feet distant therefrom N89°33'41"E 201.82 feet to a point in said west right of way line of Lake Land Blvd (AKA US 45); thence along said west right of way line S01°29'05"W 15.01 feet to the Point of Beginning. Said Easement to contain 0.143± Ac (6,239.6 ± sq ft).

be hereby approved and certificate of such approval be endorsed upon said plat signed by the Mayor and the City Clerk in the manner as provided by law.

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.

Section 4. The City Clerk shall make and record 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 Cox, adopted this 2nd day of April, 2024, 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 2nd day of April, 2024.

/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 Jones
Dan Jones, City Attorney

Recorded in the Municipality's Records on 04-02, 2024.

Mayor Hall opened the floor for comments. Administrator Gill noted the old water line was inadequate, future looping needed an easement; and explained the water supply.

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

Mayor Hall seconded by Commissioner Closson moved to approve Council Decision Request 2024-2463, ratifying the appointment of Derek Bartlett to the Electrical Commission with a term ending 04/30/2028.

Mayor Hall opened the floor for comments. Mayor Hall contacted Mr. Bartlett and noted other recommendations. Administrator Gill noted his union electrician background and IBEW schooling resulting in a very knowledgeable asset to the Commission.

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 2024-2464, ratifying the re-appointment of Beth Wright to the Fire Pension Board with a term ending 04/30/2027.

Mayor Hall opened the floor for comments. Administrator Gill thanked Beth for her service on the Board. Mayor Hall noted Beth wanted to be re-appointed.

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

Mayor Hall seconded by Commissioner Closson moved to approve Council Decision Request 2024-2465, ratifying the re-appointment of John Hedges II as trustee to the Police Pension Board for a term ending 04/30/2026.

Mayor Hall opened the floor for comments. Mayor Hall noted contacting Mr. Hedges and his willingness to serve again.

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

Mayor Hall seconded by Commissioner Phipps moved to approve Council Decision Request 2024-2466, ratifying the re-appointments of Bernie DeBuhr, Amanda Perdomo, and Robert Shamdin to the Revolving Loan Fund Board with a term ending 04/30/2026.

Mayor Hall opened the floor for comments. Mayor Hall noted the good group. Administrator Gill noted more reviews in the last couple of years than the last ten years; and had good people with ideas and thoughts.

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 2024-2467, awarding the bids for the 2024 Oil & Chip Program to:

Earl Walker Co. Inc. for Furnish & Spread Oil (Bituminous) Material @ \$4.00/gallon;
Earl Walker Co. Inc. for Spread Aggregate (CA-16) @ \$18.25/ton for a total of \$184,550; and 3
Sisters Logistics for Furnish Aggregate (CA-16 Crushed Stone) @ \$25.00/ton for a total of \$25,000.
24-00000-01-GM

Mayor Hall opened the floor for comments. Director Clark noted the bids were a little higher due to inflation and a different oil this year.

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 2024-2468, awarding the bid in the amount of \$93.00 per ton for a total of \$93,000 from Ne-Co Asphalt Company Inc. for the MFT General Street Maintenance ready-mix concrete (HMA Surface CSE).
24-00000-02-GM

Mayor Hall opened the floor for comments. Director Clark noted the amount was per ton, not cubic yard and was a good price.

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

CITY ATTORNEY noted an upcoming telephone conversation with Judge Bovard on the Quakenbush suit on Friday. Mayor Hall opened the floor for questions with no response.

CITY CLERK noted the open enrollment for 457s and 125 cafeteria plans, working through IMRF new system issues, and preparing the insurance rates for the next meeting. Mayor Hall opened the floor for questions with no response.

FINANCE distributed and reviewed the Revenue Tracking Sheet, unrestricted cash, and finalized budget once the health insurance numbers were added. Mayor Hall opened the floor for questions with no response.

PUBLIC WORKS updated Council on the maintenance catchup, upcoming WTP chemical bids, sink holes repaired, Broadway Streetscaping water line connection, bid opening of the school project to be awarded in a few days with a start date in June. Commissioner Graven inquired as to the start date for oil and chip program and 6th and Piatt with Director Clark stating July and August for the program and Administrator Gill stating not at 6th Street and Piatt.

FIRE reported on calls for service, inspections and training, upcoming retirements are requiring additional training, attended meetings for the upcoming eclipse viewing and traffic. Mayor Hall opened the floor for questions with no response.

POLICE noted the Department was good; and reported on calls for service and 48 arrests. Mayor Hall opened the floor for questions with no response.

ARTS AND TOURISM updated Council on the Lightworks Display nine new purchases, prepping for the 4th of July and volunteerism, Bagel Bites music series with local entertainers, vendors and artisans, and Bagelfest entertainment tickets on sale on April 15th. Mayor Hall opened the floor for questions with no response.

COMMUNITY DEVELOPMENT commented on his first successful demolition with six upcoming demolition warning letters, Rotary talk about housing, Wal-mart meeting for expansion, sending draft of alcohol ordinance changes to Council, and billboard ordinance comments. Mayor Hall opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Closson commented on the three-four-inch rain at Lake Paradise which was now over 5' 3" and no water damage at the Water Treatment Plant. Commissioner Cox requested Manager Benishek to send Council a list of those properties. Commissioner Graven had no further comments.

Commissioner Phipps thanked the Department Heads for their teamwork including Manager Benishek and Deputy Chief Hurst. Mayor Hall noted Coles Together would have a CEO announcement soon, Emerald Acres progressing, State Lobby Day on the 17th, and Tyler Yoder was the new General Manager of Emerald Acres and was hiring people.

Mayor Hall seconded by Commissioner Cox moved to recess to closed session at 7:32 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the discussion of collective negotiating matters between the City of Mattoon and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees under (5ILCS 120 (2)(C)(2)).

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 8:25 p.m.

Commissioner Cox seconded by Commissioner Phipps moved to adjourn at 8:25 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