

CITY COUNCIL

Regular Meeting

November 5, 2007

7:30 P.M.

CALL TO ORDER:

Mayor Gottman called the regularly scheduled meeting of the Vandalia City Council to order at 7:30 P.M.

ROLL CALL:

Aldermen present were: Cable, Bennett, Brosman, Elliott, Feldpouch, Swarm and Hobler.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the American Flag was given by all present.

MOMENT OF SILENCE FOR DONNA MILLER & JERRY WOLF:

A moment of silence was observed for Donna Miller former owner of Miller Funeral Home and Dr. Jerry Wolf long standing business owner in Vandalia.

MINUTES:

A motion was made by Swarm and seconded by Elliott approving the minutes from the October 15th, 2007 meeting as presented. Motion carried.

ELEVATED TANK MAINTENANCE PAY REQUEST:

The final payment request for the elevated tank maintenance has been submitted by Diversified Coatings in the amount of \$26,164.00.

Due to containment problems from the contractor which resulted in property damage to area residents, the city has the right to assess liquidated damages up to \$14,500 for costs incurred related to this project.

The City has met its contractual obligations to HMG, which has been paid the total contract amount for this project to date. HMG incurred \$8,703.09 in costs over the contract amount for this project, but only \$3,325.61 of this was incurred after the date of substantial completion.

A motion was made by Cable and seconded by Brosman to access liquidated damages in the amount of \$3,325.61 to Diversified Coatings to cover part of the expenses incurred by HMG. The final payment to Diversified Coatings will be \$22,838.39 and final payment to HMG in the amount of \$3,325.61. It was the consensus of the council to pay this amount. Motion carried.

REGULAR BILLS:

A motion was made by Hobler and seconded by Feldpouch approving the regular bills as presented. Motion carried.

SPECIAL BILLS:

A motion was made by Cable and seconded by Feldpouch approving all Special Bills as presented: Central Equipment, Inc. in the amount of \$1,712.00 for hoist for pickup; Craig Antenna Service in the amount of \$2,035.63 to move equipment; HMG in the amount of \$30,269.50 for various projects; Ameren IP in the amount of \$3,251.24 for the new City Hall; Illinois Municipal League for the first annual payment of the minimum/maximum contribution in the amount of \$77,912.32; Walmart Stores in the amount of \$27,606.78 for roadway reimbursement; Vandalia Asphalt Service in the amount of \$1,688.44 for patch mix; Peckham, Guyton, Albers in the amount of \$3,057.46 for IPC Area TIF #2; Roger Clark Welding in the amount of

\$2,300.00 for washing Thrill Hill water tower; HMG in the amount of \$5,590.42 for the west interchange water & sewer extension; Ameren IP in the amount of \$14,125.97 for electric; Vandevanter Engineering in the amount of \$4,640.47 to modify control panel and install rotor shaft; Univar USA, Inc. in the amount of \$2,280.00 for mozofloc; Motion carried.

**APPOINTMENT OF LISA MCNUTT
TO ALDERWOMAN IN WARD III:**

A motion was made by Cable and seconded by Elliott endorsing the appointment of Lisa McNutt to fulfill the unexpired term of Von Duggins position in Ward III as Alderwoman. Motion carried.

**APPROVAL OF PLANNING
COMMISSION MINUTES FOR
10/17/07:**

A motion was made by Hobler and seconded by Brosman approving the minutes from the October 17, 2007 Planning Commission Meeting as submitted. Motion carried.

**APPROVAL OF ZONING BOARD OF
ADJUSTMENTS MINUTES FOR
10/17/07:**

A motion was made by Brosman and seconded by Hobler approving the minutes from the October 17, 2007 Zoning Board of Adjustments Meeting as presented. Motion carried.

ORDINANCE #2007-11-5-A:

A motion was made by Brosman and seconded by Feldpouch adopting Ordinance #2007-11-5-A, An Ordinance of Annexation to L & G Real Estate, Inc., an Illinois Corporation into the corporate limits.

Voting by roll call: Cable, yea; Hobler, yea; Brosman, yea; Swarm, yea; Bennett, yea; Elliott, yea; Feldpouch, yea; McNutt, yea; Motion carried.

ORDINANCE #2007-11-5-B:

A motion was made by Feldpouch and seconded by Bennett adopting Ordinance #2007-11-5-B, An Ordinance of Annexation to Wilmer D. Crawford into the corporate limits.

Voting by roll call: Hobler, yea; Brosman, yea; Swarm, yea; Bennett, yea; Elliott, yea; McNutt, yea; Feldpouch, yea; Cable, yea; Motion carried.

ORDINANCE #2007-11-5-C:

A motion was made by Brosman and seconded by Elliott adopting Ordinance #2007-11-5-C, An Ordinance of Annexation to David L. & Debra Cearlock into the corporate limits.

Voting by roll call: Brosman, yea; Swarm, yea; Bennett, yea; Cable, yea; McNutt, yea; Elliott, yea; Hobler, yea; Feldpouch, yea; Motion carried.

ORDINANCE #2007-11-5-D:

A motion was made by Hobler and seconded by Feldpouch adopting Ordinance #2007-11-5-D, An Ordinance of Annexation to Thomas G. Sloan; Thomas G. Sloan, Trustee of the Thomas G. Sloan Trust; Sally J. Wells; Thomas L. Ashley and Cinda Louise Jordan into the corporate limits.

Voting by roll call: Bennett, yea; Cable, yea; Feldpouch, yea; Hobler, yea; McNutt, yea; Brosman, yea; Swarm, yea; Elliott, yea; Motion carried.

ORDINANCE #2007-11-5-E:

A motion was made by Hobler and seconded by Brosman adopting Ordinance #2007-11-5-E, An Ordinance of Annexation to Larry and Ann Gehle and David Gehle and Nancy Gehle into the corporate limits.

Voting by roll call: Hobler, yea; Bennett, yea; Cable, yea; Elliott, yea; Feldpouch, yea; McNutt, yea; Brosman, yea; Swarm, yea; Motion carried.

ORDINANCE #2007-11-5-F:

A motion was made by Brosman and seconded by Cable adopting Ordinance #2007-11-5-F, An Ordinance of Annexation for Ley Deal Farms, Inc. into the corporate limits.

Voting by roll call: Elliott, yea; Hobler, yea; McNutt, yea; Cable, yea; Bennett, yea; Brosman, yea; Swarm, yea; Feldpouch, yea; Motion carried.

ORDINANCE #2007-11-5-G:

A motion was made by Hobler and seconded by Feldpouch adopting Ordinance #2007-11-5-G, An Ordinance of Annexation for George W. Little into the corporate limits.

Voting by roll call: Cable, yea; Feldpouch, yea; Bennett, yea; Elliott, yea; McNutt, yea; Brosman, yea; Hobler, yea. Swarm, yea. Motion carried.

ORDINANCE #2007-11-5-H:

A motion was made by Brosman and seconded by Elliott adopting Ordinance #2007-11-5-H, An Ordinance of Annexation for Kevin & Jessica Satterthwaite into the corporate limits.

Voting by roll call: Bennett, yea; Brosman, yea; Cable, yea; McNutt, yea; Elliott, yea; Feldpouch, yea; Hobler, yea; Swarm, yea; Motion carried.

ORDINANCE #2007-11-5-I:

A motion was made by Brosman and seconded by Hobler adopting Ordinance #2007-11-5-I, An Ordinance of Annexation for B & B Farms, an Illinois LLC into the corporate limits.

Voting by roll call: Brosman, yea; Feldpouch, yea; Swarm, yea; Cable, yea; Bennett, yea; Elliott, yea; Hobler, yea; McNutt, yea; Motion carried.

ORDINANCE #2007-11-5-J:

A motion was made by Swarm and seconded by Hobler adopting Ordinance #2007-11-5-J, An Ordinance of Annexation for Wehrle Bros. Equipment, Inc. into the corporate limits.

Voting by roll call: McNutt, yea; Feldpouch, yea; Hobler, yea; Cable, yea; Elliott, yea; Bennett, yea; Swarm, yea; Brosman, yea. Motion carried.

ORDINANCE #2007-11-5-K:

A motion was made by Feldpouch and seconded by Cable Amending Ordinance #2007-11-5-K, The City of Vandalia Zoning District Map.

The City of Vandalia initiates an amendment of the Zoning District Map of the Zoning Ordinance of the City of Vandalia to re-zone described areas from "A-1" Agricultural and "CG" General Commercial to "IL" Light Industrial.

Voting by roll call: Cable, yea; Feldpouch, yea; Bennett, yea; Brosman, yea; McNutt, yea; Swarm, yea; Hobler, yea; Elliott, yea. Motion carried.

ORDINANCE #2007-11-5-L:

A motion was made by Hobler and seconded by Swarm approving Ordinance #2007-11-5-L, The 2007 Amendment To The TIF Redevelopment Plan And Project And The Boundaries Of The Industrial Park Conservation Area.

Voting by roll call: Feldpouch, yea; Bennett, yea; Brosman, yea; Hobler, yea; Swarm, yea; Elliott, yea; McNutt, yea; Cable, yea. Motion carried.

PURCHASE FILTER MEDIA REPLACEMENT:

A motion was made by Hobler and seconded by Elliott to purchase a filter media replacement from Unifit in the amount of \$15,200 and award the removal and installation to HydroKlean

for \$41,700. The total project cost would be \$56,900.00. Motion carried.

ORDINANCE #2007-11-5-M:

A motion was made by Hobler and seconded by Elliott that the Vandalia Municipal Code be amended by addition of the following at Section 3.3.2- Permitted Home Occupations:

Massage Therapy if performed by a practitioner licensed or certified by a recognized licensing or certifying body or association

Voting by roll call: Cable, nay; Hobler, yea; McNutt, yea; Brosman, yea; Bennett, yea; Feldpouch, nay; Swarm, yea; Elliott, yea. Motion carried.

ORDINANCE #2007-11-5-N:

A motion was made by Hobler and seconded by Feldpouch approving Ordinance #2007-11-5-N, Authorizing The Execution Of The IMLRMA Minimum/Maximum Contribution Agreement in the amount of \$155,887.00. Motion carried.

APPROVAL TO PURCHASE COUNCIL DESK FOR NEW CITY HALL:

A motion was made by Brosman and seconded by Feldpouch authorizing Mayor Gottman to have the Department of Corrections construct a new desk for city council meetings.

All members of the council were in agreement except for Cable. He voted nay. Motion carried.

WEST INTERCHANGE WATER/SEWER EXTENSION PROJECT:

Due to complications involving failed boring work under I-70, the City has revised its plans for the west interchange water and sewer extension project.

Although the new directional boring cost is approximately \$50,000 less than the original planned boring work,

the City is contractually obligated to pay Curry Construction expenses incurred for the failed boring.

A motion was made by Cable and seconded by Hobler approving Change order #2 which brings the new contract price to \$998,930.20, which is an increase of approximately \$128,000 from the most recent contract price.

Voting by roll call: Cable, yea; Feldpouch, yea; Elliott, yea; Hobler, yea; McNutt, yea; Brosman, yea; Bennett, yea; Swarm, yea; Motion carried.

T-21 PROJECT:

Mayor Gottman called a meeting with the Street and Water & Sewer Committee along with the Downtown T21 Enhancement Committee for Monday, November 12th at 7:00 P.M. in the former City Council Chambers.

A motion was made by Brosman and seconded by Elliott authorizing Mayor Gottman to sign the necessary paperwork provided by I.D.O.T. on the Looking For Lincoln signage. Motion carried.

MORANI REPORT:

City Administrator, Jimmy Morani reported that he received some cost estimates figures from HMG on some of the bridge replacement projects.

Morani is organizing a meeting with Mike Maxey and Public Works Director, John Moyer to discuss different options on the bridge work.

BUILDING OFFICIAL:

Building Official, John Lester brought to the attention the building permits for the month of October.

Lester also mentioned that he spoke with the supervisor for Arby's and he stated that they hope to open Friday, November 9th.

STANDING COMMITTEE REPORTS:

Elliott reported on a Safe Routes to School grant that she came across in the Illinois Municipal League magazine.

Elliott requested council approval to submit the grant application to obtain funding for improving the street or sidewalks near Kaskaskia College.

Mayor Gottman suggested that Morani retrieve all the information necessary to submit an application then bring it back to the council for approval.

Cable announced that a Water Committee Meeting will follow after the council meeting to review complaint forms.

Swarm gave the monthly report for September for fines collected by the Police Department. Total amount of fines that were collected was \$22,212.00. The City's portion was \$7,557.00.

Swarm also reported that EMA Coordinator Steve Koehler will instruct a class for IS700 certification on Wednesday, November 14th at 6:00 P.M. The class will take about 2 1/2 hours and will be taught at the EMA office at the Fayette County Courthouse.

Hobler reported that the Illinois Clean Lakes Program pre-application for 2007 funding was denied due to state budget constraints. Our application will be kept on file for one year if funding would come

available.

ANNOUNCEMENTS :

Mayor Gottman announced that he will be doing committee appointments along with many other appointments to other committees that have vacancies at this time. He is hopeful to make those announcements at the next council meeting.

Mayor Gottman announced that a retirement party for Geno Cearlock will be held on November 7th at the Vandalia Country Club.

Mayor Gottman announced that eleven squad cars are getting a make over.

The squads will have black reflective vinyl along both sides. Vandalia Police on both doors, along with VPD and 911 on the back.

Mayor Gottman announced that Joann Givens, Director of Economic Development and Tourism will begin her duties on Wednesday, November 7th.

Fast Stop Travel Center plan to open on November 15th, based on what goes on with engineering and construction.

Mayor Gottman announced that JoAnn Givens will be the guest speaker at the Chamber of Commerce Meeting on Wednesday of this week.

Elliott stated that she did not receive a report from the steering committee for the Lincoln 200 Celebration.

MAIN STREET REPORT :

Dana announced that Olde Tyme Christmas will be held on Friday, November 16th from 5:00 to 8:00 P.M. in downtown Vandalia.

The City is looking for a Christmas tree for the top of the hill on Gallatin.

ANNOUNCEMENTS :

Mayor Gottman announced that the agenda for the council meeting will be posted at three different locations to be accessible to the public.

Mayor Gottman reported on the IML Conference which was held in Chicago the later part of October.

Mayor Gottman announced that this was his first year to serve on the Board of Directors for the IML out of 21 or 22 mayors in the State of Illinois.

Mayor Gottman attended a meeting in Peoria on November 2nd with the legislative committee which is made up of several attorneys and mayors through the municipalities in Illinois.

Brosman asked that the city have at least one official map of the city boundaries of the City of Vandalia.

Morani stated that he is working on this project. He stated that he has given HMG at least fifteen years of annexations. Morani asked for authorization from the council to proceed with the city boundary map.

Mayor Gottman stated that he would like to have two proposals' on this work brought back to the council for the next meeting.

Bennett questioned what the time table on the restaurant the Holiday Inn Express is putting in?

Mayor Gottman stated that it is past the time table.

Mayor Gottman stated that Mr. Keller is working with two local individuals on opening a restaurant.

Mayor Gottman announced that he along with Jimmy and Dana Whiteman will meet with Debbie Hamel owner of The Depot, on Friday to discuss the future of that property.

AUDIENCE :

Beverly Beck who resides at 424 South Sixth Street requested a speed limit sign and a children playing sign be placed at the corner of Edwards and St. Louis Ave.

Brosman stated that he will address this request at the next Street Committee meeting.

ADJOURNMENT

There being no further business to bring before the council, a motion was made by Elliott and seconded by Hobler to adjourn. Motion carried.

