

**CITY COUNCIL**

Regular Meeting

December 17, 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, McNutt, Swarm, Elliott, Bennett, Hobler, Feldpouch and Brosman.

**PLEDGE OF ALLEGIANCE:**

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

**MINUTES:**

A motion was made by Swarm and seconded by Hobler approving the minutes from the December 3, 2007 meeting as presented. Motion carried.

**REGULAR BILLS:**

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

**SPECIAL BILLS:**

A motion was made by Cable and seconded by Brosman approving all Special Bills as submitted: Craig Antenna in the amount of \$6,055.90 for police radio installation; First National Bank in the amount of \$14,879.43 for the 2004 International Dump Truck; Andy Lester Construction in the amount of \$1,515.48 for work being done in the Police Department;

Vandalia Country Club in the amount of \$3,600.00 for City Christmas Party; Arthur & Stacey Langston in the amount of \$1,630.00 for TIF reimbursement; Dennis Grubaugh in the amount of \$27,780.00 for TIF #3 and TIF #4 reimbursement; Jody Osborne in the amount of \$25,000 for TIF reimbursement; Tri County Petroleum in the amount of \$1,530.97 for gasohol; Centraz Industries, Inc. in the amount of \$1,710.00 for chemicals; John J. Curry, (Curry Construction) in the amount of \$126,094.08 for west interchange water and sewer line; First National Bank HMG in the amount of \$7,988.65 for 8<sup>th</sup> ST. Watermain Phase 3; G.S.Robins & Co. in the amount of \$3,776.40 for chemicals; SPX Process Equipment in the amount of \$5,460.00 for exchange reducer; Vandevanter Engineer Inc. in the amount of \$6,887.26 for service parts for pumps. Motion carried.

**TREASURER'S REPORT:**

A motion was made by Hobler and seconded by Feldpouch approving the Treasurer's Report as submitted. Motion carried.

**2008 COUNCIL MEETING LIST APPROVAL:**

A motion was made by Brosman and seconded by Feldpouch approving the 2008 council meeting list as submitted to the council. Motion carried.

**2008 HOLIDAY LIST APPROVAL:**

A motion was made by Hobler and seconded by Cable approving the 2008 holiday list as submitted. Motion carried.

**APPROVAL OF TIF ADVISORY MEETING MINUTES:**

A motion was made by Brosman and seconded by Hobler approving the TIF Advisory Committee Meeting minutes as submitted for December 4, 2007. Motion carried.

**RESOLUTION APPROVING A WATER  
PURCHASE AGREEMENT BETWEEN  
THE CITY OF VANDALIA AND  
FAYETTE WATER COMPANY:**

A motion was made by Feldpouch and seconded by Brosman approving Resolution #2007-12-17-A, Approving a Water Purchase Agreement Between The City of Vandalia and Fayette Water Company.

Fayette Water Company plans to expand its water supply distribution system to serve residents of the Vandalia Lake area.

Fayette Water Company agrees to pay for all water purchased from the City of Vandalia at an initial rate of \$3.45 per thousand gallons.

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

**ORDINANCE #2007-12-17-B:  
AMENDING TITLE V, BUSINESS  
LICENSES AND REGULATIONS, AT  
CHAPTER 5.08 ALCOHOLIC  
BEVERAGE SALES, OF THE  
VANDALIA MUNICIPAL CODE:**

A motion was made by Swarm and seconded by Elliott amending Ordinance #2007-12-17-B, Amending Title V, Business Licenses & Regulations, At 5.08 Alcoholic Beverage Sales Of The Vandalia Municipal Code.

Donelle Conaway, DBA Something Special submitted a liquor license for carry out sales of wine only.

The current license for Conaway cost \$600.00 a year. A motion was made by Hobler and seconded by McNutt to reduce the cost of the license for bottle only sales for carry out of wine to \$300.00 a year.

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

**ORDINANCE #2007-12-17-C:**  
**MAKING TAX LEVY FOR FISCAL**  
**YEAR, MAY 2007-APRIL 2008:**

A motion was made by Brosman and seconded by Cable adopting Ordinance #2007-12-17-C, Making Tax Levy For Fiscal Year, May 2007-April 2008.

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

**ORDINANCE #2007-12-17-D:**  
**ABATING TAX LEVY**  
**REQUIREMENTS OF ORDINANCE**  
**#2007-4-16-A:**

A motion was made by Cable and seconded by Brosman adopting Ordinance #2007-12-17-D, Abating Tax Levy Requirements of Ordinance # 2007-4-16-A.

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

**ORDINANCE #2007-12-17-E:**  
**AMENDING TITLE 6 ANIMAL AT**  
**CHAPTER 6.08 DOGS & CATS:**

A motion was made by Brosman and seconded by Elliott adopting Ordinance #2007-12-17-E, Amending Title 6 Animal At Chapter 6.08 Dogs and Cats.

Any dog or cat running at large is declared to be a public nuisance and shall be impounded forthwith by a police officer.

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

**ORDINANCE #2007-12-17-F:**  
**APPROVING A CERTAIN T.I.F.**  
**AGREEMENT BY & BETWEEN THE**  
**CITY OF VANDALIA & MIKE**  
**WEHRLE:**

A motion was made by Feldpouch and seconded by Elliott approving a T.I.F. agreement between the City of Vandalia and Mike Wehrle.

The location of the property is the former Benner Nawman building at 1611 Veterans Ave.

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

**ORDINANCE #2007-12-17-G:**  
**RESCINDING RESOLUTION 2007-**  
**3-19-D WITH INTEGRITY SALES**  
**GROUP & APPROVING TIF**  
**AGREEMENT BETWEEN THE CITY &**  
**STEVEN HENNA:**

A motion was made by Hobler and seconded by Elliott adopting Ordinance #2007-12-17-G, Rescinding Resolution 2007-3-19-D & Declaring Void And Of No Effect That Certain Assignment Of Tax Increment Redevelopment Agreement Dated March 16, 2007 By Integrity Sales Group, Inc. To Steven C. Henna & Approving A TIF Agreement Between The City of Vandalia & Steven C. Henna.

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

**T.I.F. REQUEST FROM THE**  
**DEPOT WAS TABLED:**  
**MORANI REPORT:**

No action was taken on the T.I.F. assistance for The Depot.

Debra Hamel was asking assistance in the form of a \$25,000 grant or 50% of total project costs for clean up and debris removal of her business, The Depot of Vandalia.

The aldermen felt that a commitment on The Depot's part to rebuild should be worded in the agreement between the City of Vandalia and The Depot before any monies are distributed.

Cable suggested that the request be tabled till City Administrator Morani can speak with owner, Debra Hamel.

**STANDING COMMITTEE REPORTS:**

Cable reported that the water plant had to shut down at 4:00 A.M. on Monday morning because ice particles were causing a backup to the systems filter. He reported that they were able to get it back up and running by noon on Monday. The Vandalia Lake intake was ready to be used if needed.

Cable mentioned that the river level was up 1 Ft. due to the release of water in recent days from Lake Shelbyville.

Cable publicly thanked John Moyer and his crew for a fantastic job in keeping the roads clear due to the recent snow fall.

Swarm gave the monthly report for November for fines collected by the Vandalia Police Department. Total of fines collected was \$19,797.00. The city's portion was \$8,131.00.

JoAnn Givens ED/Tourism Director, gave a report on her activities over the past two weeks.

Elliott reported The National Road Association of Illinois has obtained a Scenic Byway Grant to construct a series of twenty community based interpretive kiosks and fifty historical information panels.

A motion was made by Elliott and seconded by Brosman allowing the National Road to construct a National Road Wayside Interpretive Site (Kiosk, located at the southeast corner of City Hall parking lot adjacent to the alley. Motion carried.

**MAIN STREET REPORT:**

Dana Whiteman, Main Street Program Manager encouraged everyone to shop downtown Vandalia over the holiday season.

Whiteman announced at the state level, she has applied to host an application workshop for communities that their intent is to become a Main Street Program.

Whiteman announced that the 2009 National Main Street Conference will be held in Chicago with Illinois Main Street hosting that event.

**ANNOUNCEMENTS:**

Mayor Gottman mentioned the council table should be delivered mid to late January.

**COUNCIL CONCERNS:**

Cable questioned the letter that was in the packets from NewWave Communications. He is questioning if they were raising their rates again in January?

According to the letter, beginning in January, a broadcast surcharge will be added to the monthly statement to cover costs incurred to carry your local broadcast channels. A select group of local broadcasters have taken the position that in order for NewWave customers to continue to receive their "free" over-the-air television stations NewWave must pay them a fee for that continued carriage.

Swarm questioned if NewWave have given the city any indications what improvements they are going to make and when?

Morani stated that the first quarter of 2008 was the time frame for their expanding of service.

Brosman mentioned that there is an ongoing confusion when we refer to City Hall lots of time "old city hall" and "the new city", he suggested that the old city hall be named The Public Safety Building.

A motion was made by Brosman and seconded by Hobler to name the Police and Fire Department building, The Public Safety Building. Motion carried.

**COUNCIL MOVES INTO EXECUTIVE SESSION AT 8:37 P.M.**

A motion was made by Hobler and seconded by Brosman to move into Executive Session to discuss possible litigation.

Roll call: Cable, yea; Brosman, yea; Feldpouch, yea; Elliott, yea; Swarm, yea; Bennett, yea; McNutt, yea; Hobler, yea;

**COUNCIL RECONVENES AT 9:07 P.M.:**

Executive Session ended at 9:07 P.M. Mayor Gottman reconvened the regular session meeting.

**APPROVAL OF CHANGE ORDER #3 ON THE WEST INTERCHANGE WATER/SEWER EXTENSION PROJECT:**

A motion was made by Brosman and seconded by Feldpouch accepting change order #3 on the west interchange water and sewer extension.

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

**T-21 PROJECT:**

Mayor Gottman stated that he had referred this off to the Street Committee and Brosman who chairs the committee stated that the council will defer on any action at this time regarding the T-21 project.

**INFORMATION ON LEAF BURNING:**

Mayor Gottman reported that Morani and secretary, LaTisha Pasley did some research on the leaf burning along with the Vandalia Leader and that information was included in your packets.

**ADJOURNMENT:**

There being no further business to bring before the Council, a motion was made by Hobler and seconded by Feldpouch to adjourn.