

CITY COUNCIL
Regular Meeting

September 2, 2008
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, Brosman, Bennett and Feldpouch. Hobler was absent.

PLEDGE OF ALLEGIANCE:

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

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MINUTES:

A motion was made by Swarm and seconded by Feldpouch approving the minutes from the August 18th , 2008 meeting as presented. Motion carried.

REGULAR BILLS:

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

SPECIAL BILLS:

A motion was made by Swarm and seconded by Cable approving all Special Bills as submitted: Timmermann & Co., Ltd in the amount of \$22,500.00 for annual audit; Ameren IP in the amount of \$28,864.31 for electric; Matthew Bender & Co. in the amount of \$2,548.12 for supplemental service for the Municipal Code Book; McKellar, Robertson, McCarty & Click in the

amount of \$2,080.00 for boiler and machine insurance; Hurst Rosche Engineers, Inc. in the amount of \$3,883.50 for TIF District & Enterprise Zone Maps; Wal-Mart Stores in the amount of \$31,209.43 for roadway reimbursement through July 2008; Truck Centers, Inc. in the amount of \$2,274.16 for repairs to ladder truck; Henry, Meisenheimer & Gende, Inc. in the amount of \$8,226.24 for Payment #4 for 8th Stret Watermain Replacement Project; Double D Plumbing in the amount of \$2,377.89 for lift pump & control panel at Cemetery; Univar USA, Inc. in the amount of \$2,640.00 for Mozofloc; Hach Company, Inc. in the amount of \$2,347.00 for the annual service contract at the Water Plant. Motion carried

ANNUAL AUDT REPORT:

Dale Timmermann of Timmermann & Co., reviewed the City's Annual Audit for the fiscal year of May 1, 2007 through April 30, 2008.

He pointed out that the three main revenue sources for the City have increased. Also, for the first time the Cemetery Fund hasn't had a deficit, due to the receipt of "Hazel Kelly Funds".

The Water System expenses for the past year totaled \$1,545,046.00, which is \$88,586.00 (6.08%) higher than the prior year's total of \$1,456,460.00.

The Sewerage System expenses for the past year totaled \$937,491.00, which is \$5,523.00 (0.59%) higher than the prior year's total of \$931,968.00.

He recommended a 6.08% increase in water rates and 0.59% increase in sewerage rates for the coming fiscal year.

A motion was made by Cable and seconded by Brosman approving the Annual Audit as presented. Motion carried.

"TRICK OR TREAT" NIGHT SET:

After discussion, it was moved by Cable to set the annual "Trick or Treat" Night to Friday, October 31st from 6:00 P.M. to 8:00 P.M. for youth through the sixth grade. It was seconded by McNutt. Motion carried.

TRANSFER OF LAKE LOT #67 FROM THOMAS BURCHAM TO DOUG GARRETT:

A motion was made by Feldpouch and seconded by Swarm approving the transfer of Lake Lot #67 from Thomas Burcham, Fairview Heights, to Doug Garrett, Granite City. Motion carried.

ORDINANCE # 2008-9-2-A: ORDINANCE PROHIBITING USE OF GROUNDWATER AS POTABLE WATER SUPPLY:

A motion was made by Feldpouch and seconded by Brosman approving Ordinance #2008-9-2-A, an Ordinance Prohibiting The Use Of Groundwater As A Potable Water Supply By The Installation Or Use Of Any Other Method. The Property is the "Circle K" gas station located at 127 W. Gallatin Street.

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

ORDINANCE #2008-9-2-B: AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS POTABLE WATER SUPPLY:

Cable moved and Feldpouch seconded that the council approve Ordinance #2008-9-2-B, an Ordinance Prohibiting The Use Of Groundwater As A Potable Water Supply By The Installation Or Use Of Potable Water Supply Wells Or By Any Other Method. This location is the former "Star Gas Station" at 300 W. Orchard Street.

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

RESOLUTION #2008-9-2-C:
RESOLUTION APPROVING FIRST
AMENDMENT TO OPTION AND
LEASE AGREEMENT WITH AT&T
WIRELESS:

It was moved by Cable and seconded by McNutt to approve Resolution #2008-9-2-C, A Resolution Approving First Amendment To Option And Lease Agreement With AT & T Wireless PCS,L.L.C. This resolution corrects an error in the legal description in the original Option and Lease Agreement with AT&T Wireless for their tower.

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

RESOLUTION #2008-9-2-D:
RESOLUTION APPROVING AN
AGREEMENT FOR ENGINEERING
SERVICES BY HIRST-ROSCHÉ
ENGINEERS, INC.:

It was moved by Swarm and seconded by Feldpouch to adopt Resolution #2008-9-2-D, A Resolution Approving An Agreement For Engineering Services Between The City of Vandalia and Hurst-Rosche Engineers, Inc. They proposed to provide engineering services for the Fire Station Renovations, not to exceed \$8,900.00.

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

ORDINANCE #2008-9-2-E:
ORDINANCE APPROVING TIF
AGREEMENT BETWEEN THE CITY
AND JODY OSBORNE FOR THE
TIGER LILY FLOWER SHOP:

It was moved by Swarm and seconded by Feldpouch to accept Ordinance 2008-9-2-E, An Ordinance Approving A Certain Tax Increment Development Agreement Between The City of Vandalia and Jody Osborne for the Tiger Lily Flower Shop. The agreement has been through the TIF committee and was recommended for approval in the amount of \$24,000.00.

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

ORDINANCE #2008-9-2-F:
ORDINANCE APPROVING TIF
AGREEMENT BETWEEN THE CITY
AND EVANS PUBLIC LIBRARY
DISTRICT:

It was moved by Swarm and seconded by Brosman to approve Ordinance 2008-9-2-F, a Tax Increment Development Agreement with Evans Public Library District. It is in the amount of \$7,500.00

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

ORDINANCE #2008-9-2-G:
ORDINANCE APPROVING TIF
AGREEMENT BETWEEN THE CITY
AND GEORGE H. HUBER:

It was moved by Swarm and seconded by Brosman to approve Ordinance #2008-9-2-G, a Tax Increment Development Agreement with George H. Huber in the amount of \$2,000.00

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

RESOLUTION #2008-9-2-H:
A RESOLUTION APPROVING A
REVOLVING LOAN FUND LOAN TO
SOUTHERN ILLINOIS INDUSTRIAL
COMMERCIAL SUPPLY, LLC:

Swarm made a motion and Cable seconded approving Resolution #2008-9-2-H, a Revolving Loan Fund Loan To Southern Illinois Industrial Commercial Supply, LLC. It is in the amount of \$50,000.00 for a term of seven years at 3%. It is located at 1504 Sunset Drive in the form GMC Building.

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

T-21 GRANT PROJECT:

Mayor Gottman announced that the Downtown Enhancement Committee will meet Monday, September 8th at 6:00 P.M. in Council Chambers for Illinois Department of Transportation.

**MUNICIPAL CODE BOOK UPDATES
ARE COMPLETE:**

City Administrator Morani informed the Council that the updates for the Municipal Code Books are ready and the expense for the updates came in well under budget. The Code Books will soon be accessible on the city's website.

STANDING COMMITTEE REPORTS:

Brosman reminded the Council of the Street and Sewer Committee Meeting Wednesday, September 3rd at 6:30 P.M.

Cable updated the Council on the Lake Intake Proposals. Three contractors have planned to submit bids on the project but haven't done so.

The Lake Committee will be meeting on Saturday, September 13th at 9:00 A.M. at the Vandalia Lake Marina.

**ECONOMIC DEVELOPMENT
DIRECTOR/TOURISM REPORT:**

Economic Development/Tourism Director JoAnn Givens reported to the Council that she has been asked to serve on the IDC Strategic Council. She has met with other Economic Developers who are concerned about legislation and are recommending that they would form a public/private partnership organization at the State level.

Givens presented her September Report to the Council.

Givens recently met with Pat White regarding the grant writing process for a "Street Rod Festival". They will be reviewing the information to determine whether to undertake this project this year or wait until next year.

Givens voiced her concerns about the recent announcement to close the State House Building. They have over 30,000 visitors a year and the Council agreed they would like the decision to be

reversed.

MAIN STREET REPORT:

Main Street Program Manager Dana Whiteman announced the "Spooktakular Saturday" they will sponsor on October 25th.

The Annual Corn Day will be held Saturday, September 27th from 10:00 A.M. until 5:00 P.M.

Whiteman announced that Main Street submitted two award nominations for the Lieutenant Governor's Awards For Excellence In Downtown Revitalization. Nominations were for "Celebrations" and their sign design and also for Main Street's Mural Project.

ANNOUNCEMENTS:

Mayor Gottman voiced his concerns about the recent announcement of the closure of the "State House". He suggested forming a team that would try to go to the Veto Session to get it overturned. He was recently interviewed on Channel 4 News and gave his opinion on this.

It was moved by Cable and seconded by Feldpouch to prepare a Resolution to send to the Governor.

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

Mayor Gottman was pleased to announce that through the Old Capital Foundation with Hazel Kelly Funds, there will be a check issued this week for the South Hill Cemetery in the amount of \$30,000.00 and \$65,000.00 for the Fire Department. Ms. Kelly has always been very generous with our community.

The Mayor informed the Council that Johnson Welding and Larry and Anita Merriman are withdrawing their rezoning request at this time.

Mayor Gottman and Attorney Johnston have been working to receive a settlement of \$454,744.96 from the Illinois Central Railroad. Many years ago, the City purchased some property from them and it was recently determined that the railroad didn't own that property. The City received the original purchase price plus accrued interest, and Vandalia's was the largest settlement received. It was received in three checks: \$228,000.00, \$219,049.63 and \$7,695.33.

Swarm mentioned that he felt the wording on the recent list of City Code Violations regarding the times allowed for leaf burning was incorrect. It will be corrected.

Brosman would like the planting of trees limited to at least four feet from any sidewalk or curb to avoid the damage of tree roots to water lines. That will be discussed at the upcoming Street Committee Meeting.

Cable stated that he would like to see the City adopt some proposed Water and Sewer rate increase of approximately \$2.00 per minimum bill. This would keep the Water and Sewer Funds from getting too low. It will be discussed at the next Council Meeting.

AUDIENCE :

Richard Lawinger of "Wiseguys" requested the Council pass an Ordinance approving the Vandalia's Fourth Street Music Festival" proposed by "Thirsty's" and "Wiseguys". They have planned it in conjunction with

Main Street's Corn Days on September 27, 2008.

Brosman moved and McNutt seconded authorizing the City Attorney to draw up an Ordinance to be voted on at the September 15th meeting.

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

ADJOURNMENT:

There being no further business to discuss, a motion was made by Brosman and seconded by Bennett to adjourn. Motion carried.