

CITY COUNCIL

Regular Meeting

October 20, 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 and Hobler.

PLEDGE OF ALLEGIANCE:

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

MINUTES:

A motion was made by Hobler and seconded by Feldpouch approving the minutes from the October 6th, 2008 meeting as presented. Motion carried.

REGULAR BILLS:

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

SPECIAL BILLS:

A motion was made by Cable and seconded by McNutt approving all Special Bills as submitted: Burnside, Johnston, Kelly & Sheafor in the amount of \$12,409.41 for legal fees; Ed Roehr Safety products in the amount of \$2,970.00 FOR SAFETY PRODUCTS FOR THE Police Department; Fayette Co. Sheriff's Office in the amount of \$2,286.00 for 2008 IWIN fees; Tri

County Petroleum in the amount of \$12,975.78 for fuel; Vandalia Country Club in the amount of \$7,101.66 for the 2008 tower lease; Centraz Industries in the amount of \$1,875.00 for sewer solvent; Univar USA, Inc. in the amount of \$2,640.00 for mozofloc; G.S. Robins & Co. in the amount of \$5,116.32 for chemicals; Motion carried

MOMENT OF SILENCE FOR TODD THOMPSON:

A moment of silence was observed for firefighter and business owner Todd Thompson who died on October 9th, 2008.

Our condolences to his family.

APPROVAL OF MINUTES FROM ZONING BOARD OF ADJUSTMENTS MEETING:

A motion was made by Swarm and seconded by Feldpouch approving the minutes from the Zoning Board of Adjustments Meeting held on October 15, 2008. Motion carried.

ACCEPTANCE OF DAM INSPECTION REPORT:

The annual Vandalia Lake Dam Inspection was submitted to the council for approval.

A few things were noted during the inspection. Large concrete spalls have been noted on the upstream face of the earthen slope protection as well as a sunken portion of a slab on the north side of spillway opening; Spalls should be corrected by partial depth concrete removal and replacement with a minimum of 4,000 psi concrete. The sunken slab should be completely removed and reconstructed in a similar manner.

Two rodent burrow holes, or areas of activity, were found this year during inspection. The holes should be filled then reseeded and any acceptable method of rodent removal and control used.

The construction joints in the spillway floor have lost much of their joint sealant and at one of these joints, concrete has spalled off. HMG recommends that the spalled area be repaired and the joints be resealed on a yearly basis using a two-part polysulfide sealant.

After discussion on the inspection, a motion was made by Hobler and seconded by Brosman approving the dam inspection. Motion carried.

ORDINANCE #2008-10-20-A:
AMENDING CHAPTER 10 VEHICLES
AND TRAFFIC AT SECTION
10.04.030 STOP INTERSECTIONS
AT SCHEDULE B

A motion was made by Feldpouch and seconded by Brosman approving Ordinance #2008-10-20-A, an Ordinance Amending Chapter 10 Vehicles & Traffic At Section 10.04.030 Stop Intersections At Schedule B.

This ordinance will eliminate a stop sign ordinance at Jan Court & Jackson Street, as there is no stop sign at that location.

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

ORDINANCE #2008-10-20-B:
AMENDING CHAPTER 10 VEHICLES
AND TRAFFIC AT SECTION
10.04.070 YIELD
INTERSECTIONS AT SCHEDULE B

Brosman moved and Cable seconded that the council approve Ordinance #2008-10-20-B, an Ordinance Amending Chapter 10 Vehicles & Traffic At Section 10.04.070 Yield Intersections At Schedule B.

This ordinance will eliminate a yield sign at the north and south intersection off of Fourth Street, at Fillmore Street.

Voting by roll call: McNutt, yea; Swarm, yea; Bennett, yea; Brosman, yea; Feldpouch, yea; Cable, yea;

Hobler, yea. Motion carried.

ORDINANCE #2008-10-20-C:
AMENDING CHAPTER 10.04
VEHICLES AND TRAFFIC
GENERALLY AT PARAGRAPH
10.04.030 STOP
INTERSECTIONS:

It was moved by Cable and seconded by Hobler approving Ordinance 2008-10-20-C, Amending Chapter 10.04 Vehicles & Traffic Generally At Paragraph 10.04.030 Stop Intersections.

A four way stop for Karen Street and Rock Island Avenue and Brian Street and Rock Island Avenue.

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

ORDINANCE #2008-10-20-D:
CONTROLLING PARKING ON CITY
OF VANDALIA RIGHT OF WAY

It was moved by McNutt and seconded by Feldpouch adopting Ordinance #2008-10-20-D, Controlling Parking on City Right Of Way.

This ordinance deals with one area, Fifth Street, between Randolph and Orchard Streets. This ordinance prohibits parking on a sidewalk at all times, parking on an alley is prohibited at all times and places, unless otherwise posted and that parking in streets or avenues is permitted unless parking shall be prohibited, limited or otherwise controlled by visible signage. Parking upon right of way between the street-side curb, or if no curb, between the hard surface road, and the sidewalk, or if no sidewalk, the private property line approximately paralleling the curb or closest hard surface roadway or avenue, is prohibited unless the parking area has been improved by a hard surface which may consist of a six-inch depth of concrete or asphalt.

Alderman Brosman stated he was against the idea of just one street being

under the ordinance.

Cable questioned if individuals who have been parking for years in such areas, or on gravel, would be grandfathered in. City Administrator Morani said it would be hard to grandfather someone in, so anyone parking on an unapproved surface would need to get a parking encroachment permit from Morani's office.

Voting by roll call: Cable, yea; Feldpouch, yea; Swarm, yea; Brosman, nay; Bennett, yea; McNutt, yea; Hobler, nay. Motion carried. 5 yea; 2 nay;

ORDINANCE #2008-10-20-E:
AMENDING CHAPTER 10 VEHICLES
& TRAFFIC AT PARAGRAPH
10.16.030 PARKING PROHIBITED
OR CONTROLLED

It was moved by Swarm and seconded by Brosman Amending Chapter 10 Vehicles & Traffic At Paragraph 10.16.030 Parking Prohibited Or Controlled.

No person shall park or stop a vehicle on hard surfaced streets where curbs are painted yellow or where signs are posted "no parking from here to corner" or similar phrasing prohibiting parking.

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

ORDINANCE #2008-10-20-F:
AMENDING CHAPTER 10 VEHICLES
& TRAFFIC AT SECTION
10.08.010 SPEED LIMITS

It was moved by Swarm and seconded by Brosman amending Chapter 10 Vehicles & Traffic At Section 10.08.010 Speed Limits.

No person shall drive a vehicle at a rate of speed greater than thirty (30) miles per hour in or upon any street within the corporate limits of the City except upon streets designated herein as through streets unless otherwise posted.

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

APPROVAL OF FURNACE BIDS FOR CITY GARAGE:

A motion was made by Brosman and seconded by Feldpouch approving the proposal from Culbertson Heating & Cooling in the amount of \$6,388.00 for installing two (2) 400,000 BTU hanging heaters in truck bay area at the City Garage. Motion carried.

The City received proposals from the following:

Culbertson's	\$6,388.00
Hunter Appliance	6,599.00
Stombaugh Heating	7,346.00

APPROVAL OF BID FOR CITY PARKING LOT CONCRETE WALL:

It was moved by Brosman and seconded by Feldpouch approving the low bid from Hurricane Masonry, Vandalia in the amount of \$2,210.88 to replace stone cap on the south end of the city parking lot.

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

The City received two bids from the following:

Hurricane Masonry	\$2,210.88
Fayette Co. Masonry, Inc.	4,905.00

Hobler made a motion and McNutt seconded adopting Resolution 2008-10-20-G, approving a Revolving Loan Fund Loan To Mannino Enterprises, LLC.

MMannino Enterprises, LLC, has applied for a \$45,000 loan for a term of ten years at three percent based upon a

ten year amortization for real estate acquisition and equipment for its business located in the 500 block of Gallatin Street.

Voting by roll call: Brosman, nay; McNutt, yea; Swarm, yea; Bennett, nay; Feldpouch, nay; Cable, yea; Hobler, yea. Motion carried. 4 yea and 3 nay.

T-21 GRANT PROJECT:

Lorne Jackson of HMG was on hand to talk about some possible modifications to the bidding of the Streetscape Project.

Jackson said even though the city has scaled back the water and sewer work to be done on the downtown project, it may make sense to bid the water and sewer work together while getting the project done all at one time, instead of the possibility of having the water and sewer work completed, and then the downtown enhancement work.

Mayor Gottman was against combining the projects into one bid. He mentioned the project has been bid out three times, twice not getting any bids and the other time seeing bids well above the estimated cost of the project.

A motion was made by Cable and seconded by Swarm to separate out the contracts. Motion carried.

**CIRCULATING PETITIONS FOR
APRIL 7TH CONSOLIDATED
ELECTION AVAILABLE FROM CITY
CLERK:**

City Clerk Peggy Bowen announced that petitions for the Consolidated Election to be held April 7th, 2009 can be picked up in her office.

The first day to circulate petitions is Tuesday, October 28th.

STANDING COMMITTEE REPORTS:

A motion was made by Brosman and seconded by Hobler authorizing Howell

Paving to grind and repave a portion of Cole Street just north of St. Louis Ave. in the amount of \$5400.00. Motion carried.

Feldpouch announced that the Business Office/Computers & Building Committee met at 6:30 p.m. this evening to discuss the roof and drainage system.

Since the City inherited the old First Bank building last year, we have experienced several problems with storm water leaking inside.

Hurst-Rosche engineers and architects have examined the building and recommended a complete replacement of the roof and modification of the guttering system. A proposal with the cost estimate was distributed to all council members.

Swarm gave the monthly report for September for the Police Department.

\$43,630.00 paid fines was collected. The City's portion was \$9,674.00.

A motion was made by Swarm and seconded by Hobler approving the sale of the Vandalia Volunteer Fire Department's old rescue truck to the Mulberry Grove Fire District in the amount of \$2,000.00. Motion carried.

ECONOMIC DEVELOPMENT
DIRECTOR/TOURISM REPORT:

Economic Development/Tourism Director JoAnn Givens gave an update to the Council on her monthly activities.

MAIN STREET REPORT:

Main Street Program Manager Dana Whiteman announced the "Spooktakular Saturday" will be held this Saturday, October 25th.

Whiteman announced that Main Street will receive a grant in the amount of

\$70,000 over a period of three years.

Whiteman announced that Main Street will sponsor a Pancake & Sausage Breakfast at the Way-Inn on November 1st from 7:00 A.M.-11:00 A.M.

ANNOUNCEMENTS :

Mayor Gottman announced that Senator Frank Watson suffered from a mild stroke on Friday of last week. Our thoughts and prayers are with him and we hope he has a speedy recovery.

COUNCIL CONCERNS :

Swarm brought up the city's enforcement of an ordinance prohibiting parking on city sidewalks. Swarm's concern was vehicles sticking out over the sidewalks at times at locations such as the Eagles Club, Holy Cross Lutheran Church and First United Methodist Church.

Morani and Chief of police Eason said the main issue is whether pedestrians can pass by vehicles sticking out over the sidewalks. Morani said the city will use discretion in enforcing that ordinance.

ADJOURNMENT :

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

