

**CITY COUNCIL**

Regular Meeting

November 3, 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, Swarm, Brosman, Bennett, Feldpouch and Hobler. McNutt was absent from the meeting.

**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 20, 2008 meeting as presented. Motion carried.

**REGULAR BILLS:**

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

**SPECIAL BILLS:**

A motion was made by Cable and seconded by Hobler approving all Special Bills as presented: Burnside, Johnston, Kelly & Sheaffor in the amount of \$10,188.75 for attorney fees; Vandalia Lions Club in the amount of \$2,000.00 for the Halloween Parade; Ameren IP in the amount of for \$23,991.95; Ameren IP in the amount of \$3,914.10 for street lights; Illinois Municipal League Risk Management in the amount of \$78,592.55 for ½ of the annual 2009 minimum maximum payment for property insurance; Smith Backhoe Service in

the amount of \$6,250.00 for demolition on Johnson Street; Engraphix, Inc. in the amount of \$43,937.60 for graphix panel design; Wal-Mart Stores in the amount of \$27,108.88 for roadway reimbursement; McCarty's Auto Body in the amount of \$1,602.66 for repairs on squad car; Kidd's Plumbing & Heating in the amount of \$12,375.00 for work on shorewall; Univar USA Inc. in the amount of \$1,980.00 for mozofloc; VanDevanter Engineering in the amount of \$2,000 for service call; Motion carried.

**REQUEST FROM PARK DISTRICT  
TO CONSTRUCT A MAINTENANCE  
BUILDING ON TENNIS COURT:**

A motion was made by Cable and seconded by Bennett agreeing to enter into a lease/easement agreement with the City of Vandalia for the Vandalia Park District to construct a maintenance building on the tennis court that is located on North Locust Street. The tennis court lies approximately 15 feet into the east portion of the city right-of-way.

The Park Distrist will meet with the Zoning Board of Appeals to get approval for the required setbacks.

**APPROVAL OF PLANNING  
COMMISSION MINUTES FROM  
10/21/08 MEETING:**

A motion was made by Brosman and seconded by Hobler approving the Planning Commission Minutes from the October 21, 2008 meeting. Motion carried.

**APPROVAL OF T.I.F. MINUTES  
FROM 10/29/08 MEETING:**

A motion was made by Swarm and seconded by Cable approving the minutes from the T.I.F. meeting as presented. Motion carried.

**ORDINANCE #2008-11-3-A:  
IMLRMA MINIMUM/MAXIMUM  
CONTRIBUTION AGREEMENT:**

A motion was made by Hobler and seconded by Brosman adopting Ordinance #2008-11-3-A, Authorizing The Execution Of The IMLRMA Minimum/Maximum Contribution Agreement.

The agreement is for one year beginning 12/31/08 and ending 12/1/2009 in the amount of \$157,185.10. Motion carried.

**RESOLUTION #2008-11-3-B:**  
**EXECUTION OF A LEASE BETWEEN**  
**THE CITY OF VANDALIA AND**  
**BOBBY SUE MCCALL**

A motion was made by Brosman and seconded by Swarm adopting Resolution #2008-11-3-B, Authorizing Execution of a Lease Between The City and Bobby Sue McCall.

The City will lease said property to erect a billboard or sign pertaining to the City of Vandalia to be visible from Interstate 70.

The lease agreement covers a period of ten years, and the lease payment is \$250.00 per year.

**ORDINANCE #2008-11-3-C:**  
**AMENDING THE CITY OF**  
**VANDALIA ZONING DISTRICT MAP**

A motion was made by Hobler and seconded by Swarm adopting Ordinance #2008-11-3-C, Amending The City of Vandalia Zoning District Map.

This ordinance approves the rezoning of the former Tree House Day Care center from "RT" Two-Family Residential to "CG" General Commercial.

FAYCO Enterprises is in the process of purchasing the property to move their facility to this location.

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

**RESOLUTION 2008-11-3-D:**  
**APPROVING AN AGREEMENT WITH**  
**HURST-ROSCHE ENGINEERS FOR A**  
**NEW ROOF FOR CITY HALL**

A motion was made by Feldpouch and seconded by Bennett approving an engineering agreement with Hurst-Rosche for the replacement of a roof on the City Hall.

Hurst-Rosche Engineers, proposes to perform this work for a lump sum of \$12,900.00 and they recommend that a construction budget of \$133,620.00 for the roof. Motion carried.

**APPOINTMENT OF JIM PRYOR TO PLANNING COMMISSION:**

Mayor Gottman asked for endorsement of Jim Pryor to the Planning Commission.

A motion was made by Cable and seconded by Hobler authorizing the appointment of Jim Pryor to the Planning Commission. Motion carried.

**ORDINANCE #2008-11-3-E:  
APPROVING A CERTAIN T.I.F.  
AGREEMENT WITH DENNIS YOUNG**

A motion was made by Feldpouch and seconded by Brosman approving a T.I.F. agreement with Dennis Young.

A T.I.F. grant of \$5,700 was approved to be used toward the replacement of the service department floor at Arthur Young, Inc.

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

**NO ACTION ON REQUEST FOR LIBERTY THEATER:**

Dennis Grubaugh requested a grant in the amount of \$15,000 for improvements to the Liberty Theater.

The request died for lack of a motion.

**ORDINANCE #2008-11-3-F:  
APPROVING A CERTAIN T.I.F.  
AGREEMENT WITH DENNIS  
GRUBAUGH**

A motion was made by Brosman and seconded by Swarm approving an T.I.F. agreement with Dennis Grubaugh on improvements on a building in the 500 block of Gallatin Street.

A T.I.F. grant in the amount of \$5,250 to be used toward a roof and exterior brick improvements on said building.

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

McNutt, absent; Motion carried.

**ORDINANCE #2008-11-3-G:**  
**APPROVING A CERTAIN T.I.F.**  
**AGREEMENT WITH MIKE WEHRLE**

A motion was made by Feldpouch and seconded by Brosman approving a Certain Tax Increment Agreement Between The City and Mike Wehrle.

The City shall provide assistance in the form of a \$7,500 grant or 50% of total projects costs towards The Way Inn.

The renovations are being made to make the building a banquet facility.

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

**ORDINANCE #2008-11-3-H:**  
**APPROVING A CERTAIN T.I.F.**  
**AGREEMENT WITH DONELLE**  
**CONAWAY**

A motion was made by Brosman and seconded by Cable approving a Certain Tax Increment Agreement Between The City and Donelle Conaway and Eugene Conaway.

The City shall provide assistance in the form of a \$3,000. grant or 50% of total project costs.

The grant money will be used toward the conversion of an area that once was a restaurant at Something Special to a wine room and retail space rental area.

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

**ORDINANCE #2008-11-3-I:**  
**APPROVING A CERTAIN T.I.F.**  
**AGREEMENT WITH ED MCCARTY**

A motion was made by Hobler and seconded by Feldpouch approving a Certain Tax Increment Agreement Between the City and Ed McCarty.

The City shall provide assistance in the form of a \$15,000 grant and 70% of the property tax revenues created through a renovation and expansion project at McCarty's Auto Body.

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

**T-21 PROJECT:**

Mayor Gottman stated that Lorne Jackson of HMG will bring the final documents to be signed and then he will be taking them to I.D.O.T. in Effingham for the January bid letting on the enhancement side only.

**REPORTS:**

Morani stated the renovation project for the Fire Hall will be up for bid this Thursday.

Morani stated a petition has been filed to have the area where Bandy's Pharmacy rezoned. Currently it is zoned as a Medical District and they wish to have it rezoned to General Commercial.

Instead of rezoning the property General Commercial, Morani suggested a text amendment to the zoning ordinance allowing a few light commercial uses like professional buildings instead of trying to rezone General Commercial.

It was the consensus of the council to move forward in expanding the professional area to include other professional types in that area.

**STANDING COMMITTEE REPORTS:**

Brosman announced that the Street Committee met at 6:00 P.M. this evening.

Brosman spoke on Ordinance #2008-10-20-D, that addressed parking in city right of way. There are several issues with this ordinance.

The committee made the recommendation to rescind this ordinance.

A motion was made by Feldpouch and seconded by Cable to reconsider Ordinance #2008-10-20-D, in regards to the right of way on Fifth Street.

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

A motion was made by Cable and seconded by Brosman to revote on Ordinance

Voting by roll call: Bennett, nay; Brosman, nay; Swarm, nay; Hobler, nay; Cable, nay; Feldpouch, yea; Ordinance was voted down.

The recommendation from the Street Committee agreed to have City Attorney Johnston draw up the appropriate change to the ordinance that would prohibit parking on the eastside of Fifth Street from Edwards to Johnson and Main to Orchard Street.

The Street Committee also discussed that the city has never finalized the clean up of the oil contamination at the City Garage.

Brosman said that the city has been approached by a company that has offered a contract to cover the expense 100% just get their reimbursement directly from the LUST fund. There will be no out of pocket expense on behalf of the city.

A motion was made by Brosman and seconded by Cable to go with the recommendation from the committee to ask that a twenty one day notice be given to the current firm, Environmental Audits and Consultants that we would like out of that contract which would free us up to enter a contract with Environmental Management, Inc. to finalize the hazardous cleanup at the city garage. Motion carried.

Cable said he spoke with the individuals at the Water Treatment Plant today and it will be another month before they can start construction.

Cable mentioned that the Water Committee will meet following the meeting to review complaint forms.

Swarm stated that the two new squads are in operation at this time.

Hobler responded to why he supported the loan to the Mannino Revolving Loan Fund.

First of all he stated that this shouldn't even warrant a response, because the person didn't sign it.

Hobler said he supported the loan approval because the amount of the equipment being purchased with a loan equals the amount of the loan.

JoAnn Givens gave her monthly report to the council.

**MAIN STREET REPORT:**

Main Street Program Manager Dana Whiteman announced that "Pancake & Sausage Breakfast" was very successful.

The pie auction will take place November 17<sup>th</sup> thru November 21<sup>st</sup>.

Main Street's Olde Tyme Christmas will be held On November 21<sup>st</sup>.

**ANNOUNCEMENTS :**

Mayor Gottman announced that he along with Mary Cole and Mary Truitt attended a meeting in Springfield with the Illinois Historic Preservation Agency.

Mayor Gottman stated as of now, the Statehouse is set for closure on November 30<sup>th</sup>. He plans to get the committee together to fight the potential closure of the statehouse.

Mayor Gottman is looking into the Federal Bicentennial money, to see if there would be any funding available to try to keep the statehouse open. At this time there are only two sites that will close.

Mayor Gottman said the annual Christmas Open House at the Statehouse is also the night the city and the Looking For Lincoln committee were planning to officially unveil the new downtown Storyboards.

A moment of silence was observed for U.S. Senator Dick Durbin's daughter Christine, who died from complications relating to a congenital heart condition on November 1<sup>st</sup>.

Senator Frank Watson is still recuperating from a stroke he suffered on October 17<sup>th</sup>.

Mayor Gottman reminded everyone to go vote tomorrow.

**SWARM RESPONDS TO LETTER:**

Swarm also responded to the letter in reference to Mannino Revolving Loan Fund.

He stated that he wished that when he was in business this type of thing would have been available to him.

The loan will help an individual who has a successful business in another community working to operate another business in Vandalia. He felt that this is someone we should take a chance on.

**ADJOURNMENT:**

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

