

CITY COUNCIL
Regular Meeting

May 4, 2009
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, Hobler, Feldpouch, McNutt and Black. Bennett was absent from the meeting.

PLEDGE OF ALLEGIANCE:

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

SWEARING IN OF ELECTED OFFICIALS:

Mayor Ricky Gottman, City Clerk Peggy Bowen, Treasurer Marjorie Blythe and Aldermen Swarm, McNutt, Black, Hobler, and Feldpouch were all sworn in for their new terms.

MINUTES:

A motion was made by Swarm and seconded by Hobler approving the minutes from the April 20, 2009 meeting as presented. Motion carried.

REGULAR BILLS:

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

SPECIAL BILLS:

A motion was made by Brosman and seconded by Cable approving all Special Bills as presented: IL Municipal League in the amount of \$78,592.55 for 2009 min/max contribution; Ameren IP in the amount of \$4,775,13 for street lights;

Southwestern Illinois in the amount of \$10,213.65 for advertising; Tune Trucking in the amount of \$35,862.55 for hauling CA6; Vandalia Asphalt Service in the amount of \$1,851.85 for patch mix; Dennis Young DBA Arthur Young Chevrolet in the amount of \$5,700.00 for TIF reimbursement; SCIRP & DC in the amount of \$2,500.00 for 2009 reimbursement; Hurst Rosche for technical outside services in the amount of \$3,000.00 for Vandalia Cemetery; Fayette County Concrete in the amount of \$1,736.44 for concrete; G.S. Robins & Co. in the amount of \$6,369.86 for supplies; Ameren IP in the amount of \$13,839.11 for electric; Motion carried.

**APPROVAL OF TIF COMMITTEE
MINUTES FROM 4/14/09
MEETING:**

A motion was made by Swarm and seconded by Feldpouch approving the TIF Committee Minutes from the April 14, 2009 meeting. Motion carried.

**ORDINANCE #2009-5-04-A:
AMENDING REDEVELOPMENT PLAN
& PROJECT AND THE BOUNDARY
OF TIF REDEVELOPMENT PROJECT
AREA NO. 1 BY REMOVING
PROPERTY FROM SAID AREA:**

A motion was made by Brosman and seconded by Cable approving Ordinance #2009-5-4-A, Amending Redevelopment Plan and Project And The TIF Redevelopment Project Area No. 1 By Removing Property From Said Area.

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

**ORDINANCE #2009-5-04-B:
PERTAINING TO SALARIES FOR
FISCAL YEAR MAY 1, 2009/
April 30, 2010**

A motion was made by Black and seconded by McNutt approving the Ordinance Pertaining To Salaries For Fiscal Year May 1, 2009/April 30, 2010.

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

RESOLUTION #2009-5-04-C:
EXTENDING EMPLOYMENT
CONTRACT FOR JAMES A. MORANI
THROUGH JUNE 1, 2009:

A motion was made by Feldpouch and seconded by Black approving Resolution #2009-5-04-09, Extending An Employment Contract for James A. Morani through June 1, 2009.

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

RESOLUTION #2009-5-04-D:
EXTENDING EMPLOYMENT
CONTRACT FOR KEITH MEADOWS
THROUGH JUNE 1, 2009:

A motion was made by Swarm and seconded by Brosman approving Resolution #2009-5-04-D, Extending An Employment Contract for Keith Meadows through June 1, 2009.

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

RESOLUTION #2009-5-04-E:
EXTENDING EMPLOYMENT
CONTRACT FOR JOANN GIVENS
THROUGH JUNE 1, 2009:

A motion was made by Swarm and seconded by Black approving Resolution #2009-5-04-E, Extending An Employment Contract for JoAnn Givens through June 1, 2009.

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

RESOLUTION #2009-5-04-F:
EXTENDING EMPLOYMENT
CONTRACT FOR LARRY W. EASON
THROUGH JUNE 1, 2009:

A motion was made by Swarm and seconded by Black approving Resolution #2009-5-04-F, Extending An Employment Contract for Larry W. Eason Through June 1, 2009.

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

RESOLUTION #2009-5-04-G:
EXTENDING EMPLOYMENT
CONTRACT FOR JOHN R. MOYER
THROUGH JUNE 1, 2009:

A motion was made by Black and seconded by McNutt approving Resolution #2009-5-04-G, Extending An Employment Contract for John R. Moyer Through June 1, 2009.

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

RESOLUTION #2009-5-04-H:
EXTENDING EMPLOYMENT
CONTRACT FOR TOM
HENRICHSMEYER THROUGH JUNE
1, 2009:

A motion was made by Feldpouch and seconded by Hobler approving Resolution #2009-5-04-H, Extending An Employment Contract for Tom Henrichsmeyer Through June 1, 2009.

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

RESOLUTION #2009-5-04-I:
EXTENDING EMPLOYMENT
CONTRACT FOR MARTIN HUSKEY
THROUGH JUNE 1, 2009:

A motion was made by Swarm and seconded Hobler approving Resolution #2009-5-04-I, Extending An Employment Contract for Martin Huskey Through June 1, 2009.

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

RESOLUTION #2009-5-04-J:
EXTENDING EMPLOYMENT
CONTRACT FOR MARK AUGENSTEIN
THROUGH JUNE 1, 2009:

A motion was made by Black and seconded by Hobler approving Resolution#2009-5-04-J, Extending An Employment Contract for Mark Augenstein Through June 1, 2009.

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

RESOLUTION #2009-5-04-K:
EXTENDING EMPLOYMENT
CONTRACT FOR DAVID WODTKA
THROUGH JUNE 1, 2009

A motion was made by McNutt and seconded by Cable approving Resolution #2009-5-04-K, Extending An Employment Contract for David Wodtka Through June 1, 2009.

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

CITY CEMETERY TO PURCHASE
NEW EXMARK LAWN MOWER

A motion was made by Black and seconded by Cable approving the bid from Vandalia Tractor Sales in the amount of \$5,035.30 to purchase a new Exmark lawn mower. Motion carried.

ORDINANCE #2009-5-04-L:
APPROVING TIF AGREEMENT WITH
JOSH & KERI HENRY

A motion was made Feldpouch and seconded by Hobler approving a TIF Agreement with Josh and Keri Henry.

The City shall provide assistance in the form of \$6,000 grant or 50% of total project costs, whichever is less.

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

ORDINANCE #2009-5-04-M:
APPROVING TIF AGREEMENT WITH
FRED A. METZGER

A motion was made by Swarm and seconded by Cable approving a TIF Agreement with Fred A. Metzger.

The City shall provide assistance in the form of a \$1,554.00 grant or 50% of total project costs, whichever is less.

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

ORDINANCE #2009-5-04-N:
APPROVING TIF AGREEMENT WITH
MARK G BRUNK

A motion was made by Brosman and seconded by Feldpouch approving a TIF Agreement with Mark G. Brunk.

For a period of ten years 70% of the new property taxes created by the increase of EAV from the development hereunder shall be allocated for the payment of qualified project costs.

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

ORDINANCE #2009-5-04-O:
APPROVING TIF AGREEMENT WITH
KEITH & KATHY SCHAAL

A motion was made by Swarm and seconded by Black approving a TIF Agreement with Keith & Kathy Schaal.

The City shall provide assistance in the form of \$2,233.00 grant or 50% of total project costs, whichever is less.

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

RESOLUTION #2009-5-04-P:
AUTHORIZING SUBMISSION &
ACCEPTANCE OF A CDAP
FLEXIBLE OPPORTUNITY GRANT
FROM ILLINOIS DEPT. OF
COMMERCE AND ECONOMIC
OPPORTUNITY (DCEO)

A motion was made Brosman and seconded by Cable adopting Resolution #2009-5-04-P, Authorizing Submission & Acceptance Of A CDAP Flexible Opportunity Grant From Illinois Dept. Of Commerce & Economic Opportunity (DCEO).

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

APPROVAL OF GALLATIN STREET
PROJECT CHANGE ORDER #4:

A motion was made by Cable and seconded by Swarm approving Change Order #4 on the Gallatin Street Sewer Improvements. This would include the

water main replacement on Gallatin Street from 6th Street to 8th Street and the water main adjustments at two locations on Fifth Street. Motion carried.

RESOLUTION #2009-5-04-Q:
APPROVING AN ILLINOIS
DEPARTMENT OF TRANSPORTATION
PRELIMINARY ENGINEERING
SERVICES AGREEMENT FOR MOTOR
FUEL TAX FUNDS

A motion was made by Feldpouch and seconded by Brosman approving Resolution #2009-5-04-Q, With I.D.O.T. Preliminary Engineering Services Agreement For Motor Fuel Tax Funds.

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

RESOLUTION #2009-5-04-R:
APPROVING AN I.D.O.T.
CONSTRUCTION ENGINEERING
SERVICES AGREEMENT FOR
FEDERAL PARTICIPATION

A motion was made by Black and seconded by Hobler adopting Resolution #2009-5-04-R, Approving An I.D.O.T. Construction Engineering Services Agreement For Federal Participation.

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

RESOLUTION #2009-5-04-S:
APPROVING AN AGREEMENT FOR
ENGINEERING SERVICES BETWEEN
THE CITY & HURST-ROSCHES
ENGINEERS, INC.

A motion was made by Feldpouch and seconded by Black adopting Resolution #2009-5-04-S, Approving An Agreement For Engineering Services Between the City & Hurst-Rosches Engineers, Inc.

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

APPROVAL OF STREET COMMITTEE
MINUTES FROM APRIL 27, 2009:

A motion was made by Hobler and seconded by Brosman approving the Street Committee Minutes from the April 27, 2009 meeting as submitted. Motion carried.

**ZONING OF TATTOO
ESTABLISHMENTS:**

A motion was made by Swarm and seconded by McNutt authorizing the City Administrator to draft zoning regulations for tattoo establishments for consideration to the council. Motion carried.

T21 GRANT PROJECT:

City Administrator Morani stated that he received a request from Dennis Grubaugh regarding the replacement of the sidewalk on the west side of Grubaugh's building at the northeast corner of Sixth and Gallatin Streets.

The outer half of the sidewalk is being replaced because of the storm sewer replacement on that block that is why Grubaugh asked to have the city replace the entire sidewalk.

Morani's concern is that the city would be approached by other property owners wanting the sidewalks repaired in front of their businesses.

Cable questioned if Grubaugh would consider paying for the material? Morani remarked that he was not given that option.

Hobler and Feldpouch both felt the city should follow the city's sidewalk reimbursement policy.

Brosman remarked since the city is spending all this money to enhance the downtown and this is part of the downtown business district that this is minor dollars for an unsightly area and he believes that it will look doubly worse when it's all new concrete and curb around it.

A motion was made by Cable and seconded by Feldpouch to offer Grubaugh the standard sidewalk incentive: Swarm, yea; Cable, yea;

Feldpouch, yea; McNutt, yea; Black, yea; Brosman, nay; Hobler, yea; Bennett, absent. 6 yeas and 1 nay. Motion carried.

OFFICIAL GROUND BREAKING FOR ENHANCEMENT PROJECT:

Mayor Gottman announced that the official ground breaking of the enhancement project will take place on May 18th at 10:30 A.M.

Rep. John Shimkus will be present for the ground breaking.

Mayor Gottman also invited Sandra Leidner who was instrumental in the T-21 project.

Whiteman announced that on May 20th, Mornings On Main Street will be held at Something Special at 8:00 A.M.

STANDING COMMITTEE REPORTS:

Brosman reported that the Street Committee met on Monday, April 27th.

There were four items that the committee made recommendations to the council.

The first item of business was parking on Gallatin Street. The recommendation of the committee would like to seek the council's permission to designate Gallatin St. from Third St. to Sixth St. as a snow route.

Currently there is a two hour restricted parking seven days per week, however it would only be from 7:00 A.M. to 7:00 P.M. and no parking would be allowed on Gallatin St on Friday mornings from 6:00 A.M.-8:00 A.M. to allow the city to sweep the streets.

Gene Conaway a downtown business owner said that he didn't believe the two hour parking would need to be enforced

during the day on Saturday and Sunday, especially in the late afternoon.

Abe Clymer voiced his concern that some businesses do have customers in the evening hours.

Joy Clymer remarked that parking spots being taken up could affect their ability to get their deliveries in the morning hours, as no one could be ticketed for two hour parking until at least 9:00 A.M. Joy did not think this was the proper time to look at this issue because the downtown enhancement project will soon take away many spaces, so they will have to find alternative parking, anyway.

Brosman agreed, but he said that he had been asked to hold the meeting to try and find a solution that would work for as many people as possible.

Mayor Gottman said he would like to have more input from the downtown business owners on the decision.

No action was taken on the parking issue on Gallatin Street at this time.

The second matter was to discuss an alley vacation along Orchard St. between Seventh and Eighth streets. An individual is looking to construct an office building on the property.

The individual also owns the abandoned house just north of the alley, in which he plans to demolish in conjunction with the project.

Public Works Director John Moyer informed the council that there is a sewer line that runs along the alley.

Brosman stated that either the sewer line would have to be relocated or the City would have to retain an easement and the owner could not build over the alley.

A motion was made by Brosman and seconded by Cable to authorize City Attorney Johnston to draft an ordinance to vacate the alley contingent on the City retaining an easement or the developer paying for the relocation costs of the sewer line.

Brosman also brought up the acceptance of Banker Street which is the north-south connector road between Jefferson and Randolph Streets adjacent to the new First National Bank Financial Center.

Brosman stated that the city's policy is to wait one year to accept improvements, but the bank has requested that the City perform street cleaning and snow removal for the road immediately.

The consulting engineers recommended that the City hold a maintenance bond in the amount of 10% of the road construction costs to be held for 1 year after the acceptance of the road. This would allow the city to repair/maintain any deficiencies that may occur in the first year.

A motion was made by Brosman and seconded by Hobler to accept the road with the posting of the maintenance bond or letter of credit from the bank. Motion carried.

Cable reported that the Water & Sewer Committee met at 6:15 P.M. this evening to open chemical bids for the Water Plant. The chemical bids will be on the agenda for the May 18th meeting.

Hobler announced that a Lake Committee Meeting will be held on May 16th at 9:00 A.M. at the Marina.

JoAnn Givens submitted her May report to the council for review.

MAIN STREET REPORT:

Dana Whiteman Program Manager for Main Street announced that the Paint the Town project will begin shortly.

Whiteman reported on the golf tournament that was held at Vandalia Country Club on May 2nd.

ANNOUNCEMENTS:

Mayor Gottman personally thanked Abe Clymer in his efforts to bring the Lincoln impersonators back to Vandalia. Clymer lost by two votes. The City will be working with Abe to get a slide presentation together to try to get them back to Vandalia.

Mayor Gottman announced that he received notification from our State Senator Kyle McCarter, that the Department of Human Services Office in Vandalia will stay open.

Cable mentioned when he called in, they asked if he was calling about the Vandalia office. He says that indicated to him they had been receiving a lot of calls from this area.

Mayor Gottman announced that The Vandalia State House will be open seven days a week.

Mayor Gottman also asked the aldermen to get with him on which committees they would like to serve on.

Mayor Gottman announced that The First National Bank has invited all the elected officials on Wednesday May 13th from 5:00 P.M. to 7:00 P.M. to their new facility for a tour and to meet their employees that will be at their new location. May 19th will be the official opening.

MOMENT OF SILENCE FOR DAN DOTY:

A moment of silence was observed for Dan Doty owner of Doty Sanitation who passed away on April 30th.

AUDIENCE:

Shelly Dothager presented documentation to the council in regard to a sidewalk matter at 818 W. Lincoln Street. If any council members have questions in regard to this matter please speak with Shelly.

Marantha Cripe owner of Marantha's would like for the council to know that the tattoo request was for cosmetic procedure only.

Mayor Gottman responded to Cripe that a document will be drawn up to bring back to the council then forwarding it to the Planning Commission for approval.

FIRE CHIEF ADERMANN HAS CONCERN ABOUT FIRE SAFETY IN DOWNTOWN BUILDINGS:

Fire Chief Merle Adermann remarked to the council that they need to look at any improvements to apartment buildings and make sure they are being built to a proper code, to avoid dangerous fires that could take out several buildings at a time. Adermann referred to the recent fire that happened in the downtown area of Centralia.

Morani said that the city has never been involved in such improvements in the past, in overseeing such renovation work being done. Mayor Gottman and the council agreed that it should be looked at closer, and Mayor Gottman asked Morani to look into what other cities are doing to make sure things are built to protect against fires.

ADJOURNMENT:

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

