

CITY COUNCIL
Regular Meeting

June 1, 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, Bennett, Black, McNutt and Feldpouch. Hobler was absent.

PLEDGE OF ALLEGIANCE:

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

MINUTES:

A motion was made by Black and seconded by Swarm approving the minutes from the May 18, 2009 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 Black approving all Special Bills as submitted: Stombaugh Heating & Air-Conditioning in the amount of \$4,812.00 for air-conditioning unit for City Hall; Galls Inc. in the amount of \$ \$2,929.99 for night vision binoculars for the Police Department; HMG in the amount of \$27,553.89 for the water & sewer

portion of Gallatin St.; Ameren IP in the amount of \$4,253.31 for street lights; Vandalia Asphalt in the amount of \$4,921.84 for patch mix; Peckham, Guyton, Albers, Viets, Inc. in the amount of \$4,956.18 for technical assistance for the City; HMG in the amount of \$18,119.01 for surveying and engineering fees on the Gallatin St. project; Vandalia City Garage in the amount of \$3,299.93 for maintenance tickets for Water Plant; G.S. Robins & Co. in the amount of \$6,286.00 for supplies; Ameren IP in the amount of \$13,220.25 for electric; Motion carried.

ORDINANCE 2009-6-1-A:
AMENDING TITLE TO
ADMINISTRATION AND PERSONNEL
OF THE VANDALIA MUNICIPAL
CODE:

A motion was made by Swarm and seconded by Cable adopting Ordinance #2009-6-1-A, Amending Title To Administration And Personnel Of The Vandalia Municipal Code.

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

ORDINANCE #2009-6-1-B:
AMENDING THE VANDALIA
MUNICIPAL CODE AT TITLE 2
ADMINISTRATION AND PERSONNEL

A motion was made by Bennett and seconded by Feldpouch adopting Ordinance #2009-6-1-B, Amending The Vandalia Municipal Code At Title 2 Administration And Personnel.

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

TATTOO ESTABLISHMENTS DRAFT
ORDINANCE FORWARDED TO
PLANNING COMMISSION:

A motion was made by Black and seconded by Swarm to forward a draft ordinance for the regulation of tattoo establishments to the Planning Commission for consideration.

This ordinance would add tattoo establishments as a Special Use Permit to the zoning classifications of Downtown Commercial, General Commercial and Light Industrial.

The license fee would be \$75.00. At this time there would be three (3) licenses issued. Motion carried.

The Special Use Permit provision of this Ordinance must be referred to the Planning Commission to conduct a public hearing.

ORDINANCE #2009-6-1-C:
AMENDING THE VANDALIA
MUNICIPAL CODE AT SECTION
2.08.020 APPOINTMENT OF
OFFICERS

It was moved by Brosman and seconded by Cable adopting Ordinance #2009-6-1-C, Amending The Vandalia Municipal Code At Section 2.08.020 Appointment of Officers.

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

RESOLUTION #2009-6-1-D:
ACCEPTING BANKER BOULEVARD

A motion was made by Feldpouch adopting Resolution #2009-6-1-D, to take over the maintenance of Banker Boulevard.

The First National Bank has provided an Irrevocable Standby Letter of Credit in the amount of \$21,369.00 to cover any work on the roadway.

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

APPROVAL OF LAKE LOT #119A:

A motion was made by Feldpouch and seconded by Bennett approving the Camping Lot #119A permit to Roger K. Smith. Motion carried.

**APPROVAL OF THE PLANNING
COMMISSION MINUTES FROM MAY
19, 2009:**

A motion was made by Swarm and seconded by Black approving the Planning Commission Minutes from the May 19, 2009 meeting as submitted. Motion carried.

APPOINTMENT OF LAKE MANAGER:

A motion was made by Bennett and seconded by Feldpouch approving the hiring of Robin Schukar as the Vandalia Lake Manager.

Schukar will have a one year contract with the City.

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

Cable stated that he would like to talk with the other two candidates.

**ORDINANCE #2009-6-1-E:
AMENDING THE SALARIES FOR
FISCAL YEAR MAY 1, 2009-
APRIL 30, 2010**

A motion was made by Swarm and seconded by Cable adopting Ordinance #2009-6-1-E, Amending The Salaries For Fiscal Year May 1, 2009/April 30, 2010.

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

**RESOLUTION #2009-6-1-F:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT AGREEMENT BETWEEN
THE CITY & JAMES MORANI**

A motion was made by Cable and seconded by Brosman approving the contract of City Administration James Morani from June 1, 2009 through May 6, 2013.

Morani will receive a 10% pay increase.

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

RESOLUTION #2009-6-1-G:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY & KEITH MEADOWS

A motion was made by Swarm and seconded by Black approving the contract of Code Official Keith Meadows from June 1, 2009 through June 7, 2010.

Meadows will receive a 3.50% pay increase. Meadows will also serve as the city's building official.

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

RESOLUTION #2009-6-1-H:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY & LARRY EASON

A motion was made by Black and seconded by Swarm approving the contract of Chief of Police Larry Eason from June 1, 2009 through May 6, 2013.

Eason will receive a 9.3% pay increase.

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

RESOLUTION #2009-6-1-I:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY & JOHN MOYER

A motion was made by Black and seconded by Feldpouch approving the contract of Public Works Director John Moyer from June 1, 2009 through May 6, 2013.

Moyer will receive a 3.50% pay increase.

RESOLUTION #2009-6-1-J:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY & TOM HENRICHSMEYER

A motion was made by Brosman and seconded by Feldpouch approving the contract of Assistant Director of Public Works Tom Henrichsmeyer from June 1, 2009 through May 6, 2013.

Henrichsmeyer will receive a 5% pay increase.

RESOLUTION #2009-6-1-K:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY & MARTIN HUSKEY

A motion was made by Brosman and seconded by Cable approving the contract of Water Plant Superintendent Martin Huskey from June 1, 2009 through May 6, 2013.

Huskey will receive a 3.50% pay increase.

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

RESOLUTION #2009-6-1-L:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY & MARK AUGENSTEIN

A motion was made by Cable and seconded by Feldpouch approving the contract of Wastewater Plant Superintendent Mark Augenstein from June 1, 2009 through May 6, 2013.

Augenstein will receive a 3.50% pay increase.

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

RESOLUTION #2009-6-1-M:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY & DAVID WODTKA

A motion was made by Black and seconded by Feldpouch approving the contract of Cemetery Sexton David Wodtka from June 1, 2009 through May 6, 2013.

Wodtka will receive a 3.50% pay increase.

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

RESOLUTION #2009-6-1-N:
EXTENDING THE EMPLOYMENT
CONTRACT OF JOANN GIVENS
THROUGH JUNE 15, 2009

A motion was made by Feldpouch and seconded by Black approving Resolution #2009-6-1-N, Extending The Employment Contract of JoAnn Givens Through June 15, 2009.

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

CEMETERY MAINTENANCE
BUILDING TO BE RE-BID:

Scott Hunt with Hurst-Rosche Engineers said the city learned that after the bid was awarded, the contract did not include a liquidated damages clause that stipulated a reduction in the final costs, if the building is not completed in a certain amount of time.

Hunt estimated the set amount for liquidated damages is around \$5,000.00.

Hunt mentioned that he contacted the project superintendent about adding the clause, and that the superintendent approved the clause in an email. About a week later Hunt was contacted by the owner stating that there was a mix up between him and the superintendent and that he was not willing to do that.

He presented two options that he thought would be fair, (1) to either add to that \$500.00 a day penalty add a \$500.00 per day credit for any day they are ahead of time which Scott said that do not recommend (2) Issue a change order in the amount of \$5,000 to add that clause in his contract.

Alderman Feldpouch recommended that we throw out the bid and rebid it. Cable added that he thought it would be worth bidding it over.

A motion was made by Feldpouch and seconded by Cable to reject any and all bids for the cemetery maintenance building. Motion carried.

A motion was made by Feldpouch and seconded by McNutt to rebid the cemetery building project with liquidated damages set at \$250.00 per day. Motion carried.

T-21 PROJECT:

Mayor Gottman stated that he was very pleased with the ground breaking last Thursday. Congressman Shimkus was present along with the previous Mayor Sandra Leidner and many other people.

Lorne Jackson with HMG engineering stated that the storm sewer work on Fifth and Sixth Street is mostly completed, allowing them to move onto stage two on Gallatin Street, with work going on between Sixth and Seventh Streets. Jackson said that he thought that work will take until the middle of August to complete, depending on the weather.

Jackson asked that the new inlets along Fifth St. be added to the project, because the existing inlets are made of different types of materials, and many of them are deteriorating.

The city will ask Hank's Excavating to submit a price for the new inlets. The council will decide after receiving the price from Hank's.

MORANI REPORT:

City Administrator Morani is in the process of doing some codifications for zoning and lake ordinances.

LAKE COMMITTEE MEETING:

Clerk Bowen reported for Mike Hobler in his absence that the Lake Committee will hold a meeting Saturday, June 6th at 9:00 A.M. at the Marina.

STANDING COMMITTEE REPORTS:

Alderman Brosman stated that he has been actively monitoring the construction on the T-21 project and

pleased with the work Hanks Excavating is doing.

Alderman Cable stated on Wednesday a representative from Omaha came to take a look at the river intake and will bring back a recommendation to the council.

ECONOMIC DEVELOPMENT/TOURISM REPORT:

JoAnn Givens informed the council that she spoke with Ken Bardwell today and he stated that their meetings are going well. He is in New York, meeting with their potential lender for the project.

She mentioned that she has met with a local businessman regarding opening a restaurant.

She met with owners and new real estate reps for the Vandalia Commons.

A detailed report of her activities was included in your packet.

MAIN STREET REPORT:

Dana Whiteman Vandalia Main Street Program Manager reported that the first phase of Paint the Town is completed.

Whiteman announced that the Design Committee will meet on Wednesday to discuss issues related to the project.

Main Street will be hosting a fundraiser on June 20th. They will be serving pancakes and sausage at the St. James Lutheran Church. Everyone is urged to attend.

Dana is working on signage in the downtown area that will direct motorists to parking locations for downtown businesses.

Dana is requesting \$2,000 of the approved \$5,000 in Streetscape funds towards an informational guide and signage for the downtown enhancement project.

ANNOUNCEMENTS :

Mayor Gottman reminded everyone that Relay For Life will be held this weekend at Rogier Park.

Mayor Gottman will make committee appointments at the June 15th meeting.

Mayor Gottman received a letter from the attorney's that represent Wal-Mart, requesting a Class D package liquor license for the Vandalia store.

Mayor Gottman said the council will take action on this matter at the June 15th meeting.

Mayor Gottman announced that each council member received a letter from the Street Committee in reference to a sidewalk dispute.

Mayor Gottman will be attending a meeting on June 3rd with the IML in Springfield. Mayor Larry Tish from St. Elmo will also be attending.

Mayor Gottman will be attending an IML meeting at Rend Lake Resort on June 11th.

Mayor Gottman remarked that the City Council meetings are open to the public.

An informational meeting will be held in regard to Motown.

Scott Hurst with Hurst Rosche Engineers reported that the City Hall roof replacement has completed essentially all their work except for

two access ladders to the upper roof. They have been ordered but are not in yet. Once they are installed a final roof inspection will take place.

Scott mentioned that the necessary right of way documents on the West Main St. water & sewer were submitted to the City on May 11th.

Scott reported that all five minor tasks have been completed on the miscellaneous engineering contract the city agreed to.

ADJOURNMENT:

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

