

**CITY COUNCIL**  
Regular Meeting

August 3, 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, Feldpouch, McNutt and Black. Hobler was absent from the meeting.

**PLEDGE OF ALLEGIANCE:**

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

**MOMENT OF SILENCE:**

A moment of silence was observed for Ardin Brandt a former mayor of the Village of St. Peter and the husband of retired County Clerk & Recorder, Isabelle Brandt.

**MINUTES:**

A motion was made by Swarm and seconded by Black approving the minutes from the July 20, 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 Cable and seconded by Feldpouch approving all Special Bills as presented: Ameren IP in the amount of \$25,640.68 for electric and street lights; Wal-Mart in the amount of \$28,427.03 for roadway reimbursement; Ed Roehr Safety Products in the amount

of \$2,970.00 for LED light bars; Kinetic Leasing in the amount of \$5,122.00 for telephone recording equipment; First National Bank in the amount of \$26,850.16 for sweeper payment; HMG in the amount of \$44,953.92 for the Gallatin Street project; Ancel, Glink, Diamond and Bush in the amount of \$3,163.65 for legal fees; Double "D" Plumbing in the amount of \$1,514.52 for replacing the shower heads at the shower house; Craig Excavating in the amount of \$7,575.00 for repairs to Boyscout Camp roadway; Dennis Grubaugh in the amount of \$5,250.00 for TIF reimbursement for the Anderson Building; HMG in the amount of \$5,113.94 for engineering fees for 7 Blks/Gallatin Street; HMG in the amount of \$3,037.97 for lake pump replacement; Centraz Industries in the amount of \$2,625.00 for sewer solvent; G.S. Robins & Co. in the amount of \$7,095.50 for chemical supplies; Hach Company in the amount of \$2,480.00 for renewal fees for 2009/2010. Motion carried.

**APPROVAL OF LAKE LOT #131  
FROM REYNOLD CARROLL TO  
JIMMY & KAREN WARREN:**

A motion was made by Feldpouch and seconded by Swarm approving the transfer of Lake Lot #131 from Reynold Carroll to Jimmy & Karen Warren. Motion carried.

**APPROVAL OF PLANNING  
COMMISSION MINUTES FROM JULY  
21, 2009 MEETING:**

A motion was made by Swarm and seconded by Brosman approving the Planning Commission minutes from July 21, 2009 meeting as presented. Motion carried.

**ORDINANCE #2009-8-3-A  
AMENDING TITLE V BUSINESS  
LICENSES AND REGULATIONS OF  
VANDALIA MUNICIPAL CODE AT  
CHAPTER 5.08-ALCOHOLIC  
BEVERAGE SALES:**

A motion was made by Feldpouch and seconded by Black adopting Ordinance #2009-8-3-A, Amending Title V Business Licenses And Regulations Of Vandalia Municipal Code At Chapter 5.08-Alcoholic Beverage Sales.

This ordinance will allow the City to have seven (7) Class E liquor licenses

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

**ORDINANCE #2009-8-03-B:**  
**AUTHORIZING NOVATION OF**  
**LEASE:**

A motion was made by Brosman and seconded by Feldpouch approving Ordinance #2009-8-03-B, Authorizing Novation of Lease.

This ordinance will approve a change in the lease of some of the property near The Depot building that allows for use by the new owners.

This ordinance will allow some access on the property near The Depot building that is owned by the City.

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

**ORDINANCE #2009-8-03-C:**  
**AMENDING CHAPTER 10 VEHICLES**  
**AND TRAFFIC AT PARAGRAPH**  
**10.16.030 PARKING PROHIBITED**  
**OR CONTROLLED, AT SCHEDULE D**  
**THEREOF:**

A motion was made by Brosman and seconded by Bennett approving Ordinance #2009-8-03-09, Amending Chapter 10 Vehicles and Traffic At Paragraph 10.16.030 Parking Prohibited Or Controlled, At Schedule D Thereof.

This ordinance will approve a no parking zone on the west side of Rock Island Avenue, from Jackson Street to Fillmore Street.

Morani stated to the council the reason for the ordinance is that the YMCA has their soccer fields on the east side of the street and that Rock island is a narrow street, they wanted to eliminate the issue of possible parking on both sides of the street.

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

**SIDEWALK REPLACEMENT BIDS:**

Mayor Gottman stated that he along with Public Works Director John Moyer had come up with sidewalk repairs totaling 13,188 square feet.

Moyer said that the City received six bids for the sidewalk replacements, and the cost on the lowest of those was \$4.50 per square foot, submitted by Moore's Inc. of St. Elmo.

A motion was made by Black and seconded by Cable approving the low bid from Moore's Inc. for sidewalk replacements. The total amount will be \$25,000. Motion carried.

**METTLER DEVELOPMENT CHANGE ORDER #9:**

A motion was made by Cable and seconded by Bennett approving a Change Order #9 addition of sanitary sewer manhole and replacement of manhole and main on Gallatin Street between Fifth and Sixth Street in the amount of \$29,805.00. Motion carried.

**METTLER DEVELOPMENT CHANGE ORDER #10:**

A motion was made by Brosman and seconded by Cable approving Change Order #10 addition of a 4" water main installation in the alley between Fifth and Sixth Street north of Gallatin Street in the amount of \$10,010.00. Motion carried.

**RESOLUTION #2009-8-03-D:  
APPROVING A LEASE  
ENHANCEMENT TERM SHEET:**

A motion was made by Feldpouch and seconded by Swarm approving Resolution #2009-8-03-D, Approving A Lease Enhancement Term Sheet.

AT & T Wireless (Cingular Wireless) has requested a modification of its original Option and Lease Agreement dated March 19, 2003.

The lease modification includes a one-time additional payment of \$1,000.00, and the provision pertaining to permitted use is not detrimental to the City.

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

**ORDINANCE #2009-8-03-E:**  
**APPROVING A FINAL PLAT FOR**  
**FILLMORE SUBDIVISION:**

A motion was made by Brosman and seconded by Cable adopting Ordinance #2009-8-03-E, Approving A Final Plat For Fillmore Subdivision.

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

**T21 GRANT PROJECT:**

City Administrator Morani reported that the Council along with the Downtown Enhancement Committee met at 6:00 P.M. this evening to discuss the brick paver designs for the sidewalks. The committee decided to use the circular design, instead of a diamond design. The color of the brick is "Courtyard Red".

A motion was made by Black and seconded by Swarm to go with the recommendation of the committee. Motion carried.

Morani reported that the City had been waiting on word on a CDAP grant. That money has been delayed, and waiting longer could delay the project.

Morani says that the project is about 40% complete and is running ahead of schedule. At this time, the City is currently \$150,000 under budget for the project. He feels that it is safe to assume that we will not have

\$400,000.00 worth of items to come up with the project.

Morani recommended the City go ahead with the water line work and waive formal bidding, and accept a bid from Mettler Construction.

A motion was made by Cable and seconded by Brosman to waive the formal bidding process and accept the bid from Mettler Construction in the amount of \$103,032.00.

Mayor Gottman reminded the Council by starting the water line work the city would no longer be eligible for the CDEAP grant for water line work.

Loren Jackson stated they can revise the grant so that the money would be used for other areas in the downtown project, other than the water lines.

The Council unanimously agreed to move forward with the water line work.

**STANDING COMMITTEE REPORTS:**

Cable announced that he received two bids for a 2009 Model Tractor Mower to be purchased at the Waste Water Plant.

A bid from Bluff Equipment in the amount of \$30,000.00 and a second bid from Sloan Equipment in the amount of \$34,353.86. Action will be taken at the August 17<sup>th</sup> meeting.

Swarm announced that the Police Department did not receive the federal grant to hire an additional police officer.

JoAnn Givens reported that she met with several different people over the past week.

JoAnn also reported that she continues to receive positive feedback from Ken Bardwell. They are making some decisions, in regards to their contractor for the project. According to Givens they have not hinted at this point of wanting to change their target date of October 1<sup>st</sup>.

Mayor Gottman reported Main Street submitted a Treasurer's Report from June 30<sup>th</sup>, 2009 along with their agenda from July 27<sup>th</sup>, a list of officers for the upcoming year and their work plan for the year was enclosed in your packet.

**ANNOUNCEMENTS:**

Mayor Gottman announced that he has now sent out three letters to Governor Pat Quinns office or his staff in regards to trying to stop the layoffs at the Vandalia Correctional Center.

He along with Union President Russ Stunkel was interviewed by Channel 4 television station in regard to the layoffs.

Mayor Gottman stated the Governor would like to meet with him during the DuQuoin State Fair August 29<sup>th</sup>, but the Mayor is working on an earlier meeting than that.

Mayor Gottman encouraged everyone to sign petitions that are being circulated to help save jobs at the Vandalia Correctional Center.

Mayor Gottman announced that he attended the IML Board of Directors Meeting on July 24<sup>th</sup> and July 25<sup>th</sup>.

**"THANK YOU" FROM BOY SCOUT  
TROOP NO. 401:**

Members of Boy Scout Troop No. 401 and their scoutmaster, Mark Abendroth publicly thanked the city officials and contractor Andy Craig for repairing the

road to the Boy Scout camp on the west side of Vandalia Lake.

Mark said that Scouts will begin clearing brush and clean up the property and will have a cookout for the city officials in appreciation of their support.

**COUNCIL MOVES INTO EXECUTIVE SESSION AT 8:15 P.M. TO DISCUSS SALE OR PURCHASE OF LAND:**

A motion was made by Swarm and seconded by Black to move into Executive Session under Section Chapter 5 ILCS 120/2 to discuss the sale or purchase of land at 8:15 P.M. Motion carried.

A roll call vote was taken: Brosman, yea; Cable, yea; Bennett, yea; Feldpouch, yea; Swarm, yea; Black, yea; McNutt, yea;

**EXECUTIVE SESSION ENDS AT 8:17 P.M.:**

Executive Session ended at 8:17 P.M.

**REGULAR SESSION RECONVENES AT 8:17 P.M.:**

Mayor Gottman reconvened the regular council meeting with a roll call: Swarm, yea; Bennett, yea; Brosman, yea; Black, yea; Cable, yea; McNutt, yea; Feldpouch, yea.

**OFFER FROM ORGILL, INC.:**

City Attorney Johnston explained the City received a letter from Orgill officials offering to sell to the city 19.5 acres, including the 440,000 square ft. warehouse facility for \$3.5 million dollars.

It was the consensus of the members of the council in Executive Session that no affirmative response be given.

A motion was made by Feldpouch and seconded by Black that a response be directed to J.M. Mullis, Inc. advising that the City has no interest in purchasing this piece of property. Motion carried.

**ADJOURNMENT:**

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

