

**CITY COUNCIL**  
Regular Meeting

September 21, 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, Hobler and Feldpouch. McNutt 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 September 8, 2009 meeting as presented. Motion carried.

**REGULAR BILLS:**

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

**SPECIAL BILLS:**

A motion was made by Black and seconded by Cable approving all Special Bills as submitted: Leader-Union in the amount of \$1,550.07 for advertising; Mastercard in the amount of \$2,060.30 for misc. charges; Old Dominion Brush in the amount of \$1,622.19 for supplies; HMG in the amount of \$77,807.18 for the Gallatin St. project; Vandalia Asphalt in the

amount of \$4,045.58 for patch mix; Ancel, Glink, Diamond & Bush in the amount of \$3,851.61 for legal services; Menards in the amount of \$2,302.21 for dock parts for the Vandalia Lake; Fayette Co. Treasurer's Office in the amount of \$28,395.87 for 2008 real estate taxes; Crawford, Bunte, Brammeier in the amount of \$5,250.00 for traffic evaluation for sports facility; Tri-County Petroleum in the amount of \$7,041.28 for fuel; Kohnen Concrete Products in the amount of \$2,625.00 for concrete; St. Jacob Winwater Works in the amount of \$14,380.17 water & sewer project; Charlie Pryor Construction in the amount of \$4,700.00 for reimbursement on the water plant project; Old Capitol Tree Service in the amount of \$5,540.00 for removal of trees at the cemetery; Motion carried.

**TREASURER'S REPORT:**

A motion was made by Hobler and seconded by Feldpouch approving the Treasurer's Report as submitted. Motion carried.

**SENATOR KYLE MCCARTER  
ADDRESSES THE COUNCIL:**

Senator McCarter thanked the Council for helping in the fight to stop the layoffs at the Vandalia Correctional Center. He stated that he is continuing the effort as well.

Senator McCarter said that Governor Quinn is moving ahead with his plans, not listening to the concerns of the public, including those to public safety with the proposed release of inmates. He also stated that the prison guards are also in danger, because of their reduced numbers.

**ORDINANCE 2009-9-21-A:**  
**APPROVING THE PURCHASE OF**  
**1.24 ACRES TOGETHER WITH A**  
**SUPPLEMENTAL RIGHT OF WAY**  
**EASEMENT OF .59 ACRES FROM**  
**LEY DEAL FARMS, INC.**

A motion was made by Feldpouch and seconded by Hobler adopting Ordinance #2009-9-21-A, Approving The Purchase of 1.24 Acres Together With A Supplemental Right of Way Easement of .59 Acres From Ley Deal Farms, Inc.

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

**TRICK OR TREAT NIGHT**  
**SET FOR SATURDAY, OCTOBER**  
**31<sup>st</sup>:**

A motion was made by Swarm and seconded by Brosman setting Saturday, October 31st, as trick-or-treat night. It will be allowed from 6:00 P.M. to 8:00 P.M. for children through 6<sup>th</sup> grade. Motion carried.

**PAVEMENT IMPROVEMENTS TO**  
**COLES STREET:**

The council unanimously agreed to the Illinois Department of Transportation Resolution for Improvement of pavement removal and portland cement concrete pavement construction on Coles Street from St. Louis Ave. to Conrail Railroad Overpass.

**RESOLUTION #2009-9-21-B**  
**OPPOSING THE LAYOFFS OF**  
**STATE OF ILLINOIS EMPLOYEES**  
**AND CUTS IN PUBLIC SERVICES:**

A motion was made by Black and seconded by Feldpouch adopting Resolution #2009-9-21-B, Opposing The Layoffs Of State Of Illinois Employees And Cuts In Public Services.

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

**VANDALIA LAKE SPILLWAY**  
**REPAIR BIDS:**

A motion was made by Feldpouch and seconded by Hobler to accept the low bid from Precise Construction in the amount of \$38,900.00 for repairs on the Vandalia Lake Spillway. Motion carried.

There were seven bids submitted for this project.

**RESOLUTION #2009-9-21-C:  
APPROVING AN AGREEMENT FOR  
ENGINEERING SERVICES BETWEEN  
THE CITY & FARNSWORTH GROUP**

A motion was made by Hobler and seconded by Feldpouch adopting Resolution #2009-9-21-C, Approving An Agreement For Engineering Services Between the City of Vandalia and Farnsworth Group.

The Farnsworth Group is out of Effingham, Illinois and will provide engineering services related to the city's attempt to get the raw water intake to work properly.

They will perform a hydrographic survey of six cross sections. The estimated cost for this project is \$5,000.00.

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

**T21 GRANT PROJECT:**

A weekly report from I.D.O.T. was enclosed in your packets on the downtown enhancement project.

**STANDING COMMITTEE REPORTS:**

Alderman Feldpouch said that he spoke with a number of residents, particularly senior citizens in regard to the increase in water and sewer rates.

He felt due to the economic climate and situations in the community, this would not be a good time to raise the rates.

Feldpouch made a motion to freeze the rates at this time and Alderman Hobler seconded that motion.

A roll call vote was taken: Bennett, nay; Brosman, nay; Hobler, yea; Swarm, nay; Black, nay; Feldpouch, yea; Cable, nay; McNutt, absent. The request was denied.

Alderman Swarm gave the monthly Police Report for the month of August.

The total amount of fines that were collected in August was \$23,428.60. The City's portion was \$5,239.00.

**MAIN STREET REPORT:**

Dana Whiteman Vandalia Main Street Program Manager announced that the Corn Day Celebration will be held this Friday and Saturday.

Friday the community-wide yard sales will kick off the event.

Live music at Lincoln Park. At dusk, there will be a free outdoor movie, E.T. on the Vandalia Statehouse lawn.

Saturday many more events are planned for the day.

Saturday from 4:00 P.M. till midnight the Fourth Street Music Festival will take place between Thirsty's and Wiseguys.

Dana encouraged everyone to plan to attend.

**ANNOUNCEMENTS:**

Mayor Gottman announced that the City received a check from NewWave Communications in the amount of \$11,730.50 for the second quarter franchise fees for 2009.

Scott Hurst with Hurst Rosche Engineers reported that a pre-bid on the West Main water and sewer extension will be held on Tuesday, September 22<sup>nd</sup> at 10:00 A.M.

**COUNCIL MOVES INTO EXECUTIVE  
SESSION AT 8:10 P.M. TO  
DISCUSS RELEASE OF EXECUTIVE  
SESSION MINUTES, UPDATE ON  
POSSIBLE LITIGATION & SALE  
OR INQUIRY OF LAND:**

A motion was made by Swarm and seconded by Cable to move into Executive Session under Section Chapter 5 ILCS 120/2(c)(21)(11)(5) to review executive session minutes for release, an update on possible litigation and the sale or inquiry of land.

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

**EXECUTIVE SESSION ENDS AT  
8:29 P.M.:**

Executive Session ended at 8:29 P.M.

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

**RELEASE OF EXECUTIVE SESSION  
MINUTES:**

A motion was made by Cable and seconded by Feldpouch to release the following Executive Session Minutes. Motion carried.

Those include:

6/15/98, 1/04/09-(Portion), 4/3/00, 9/05/00 (Portion), 6/04/01 (Portion), 6/18/01; 8/18/03 (Portion); 11/03/03 (Portion); 3/07/05 (Portion); 4/4/05; 8/01/05; 4/03/06; 9/05/06; 10/02/06; 4/02/07; 2/04/08 (Portion); 2/19/08; 3/03/08 (Portion); 5/05/08 (Portion); 1/19/09 (Portion); 3/02/09.

**ADJOURNMENT:**

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



