

CITY COUNCIL

Regular Meeting

May 6, 2013

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.

PLEDGE OF ALLEGIANCE:

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

SWEARING IN OF ELECTED OFFICIALS:

The newly elected officials were sworn in at this time. City Clerk Peggy Bowen; Mayor Ricky Gottman; City Aldermen, Jerry Swarm, Mike Hobler, Andy Lester and Dorothy Crawford.

ROLL CALL:

Swarm, Hobler, Lester, Crawford, N. Clark, Beesley, B. John Clark, and Stunkel.

MOMENT OF SILENCE FOR BOBBY MOORE:

A moment of silence was observed for Bobby Moore, a former crossing guard for the City of Vandalia. Our condolences to his family.

MINUTES:

A motion was made by Swarm and seconded by N. Clark approving the minutes from the April 15, 2013 as presented. Motion carried.

TREASURER'S REPORT:

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

REGULAR BILLS:

A motion was made by Beesley and seconded by Stunkel approving the regular bills as submitted. Motion carried.

SPECIAL BILLS:

A motion was made by N. Clark and seconded by Beelsey approving the Special Bills as submitted: Terracon Consultants, Inc. in the amount of \$6,057.21 for Brownfields Petroleum Assessment Grant for Emerick & Wehrle properties; Ameren Illinois in the amount of \$2,953.89 for street lights; Beelman Logistics, LLC. in the amount of \$15,784.60 for CM13 sealcoat; North American Salt in the amount of \$1,569.56 for bulk salt; Missouri Machinery in the amount of \$5,730.21 for repair to pump at the Randolph Street booster station; Brenntag Mid South in the amount of \$18,037.77 for chemicals; Direct Energy in the amount of electric; Cummins Mid South in the amount of \$1,518.98 for inspection on generator at the Water Plant; Midstate Plumbing & Septic in the amount of \$2,000.00 for hauling sludge; Direct Energy in the amount of \$20,320.33 for electric; Motion carried.

**JODI SCHOEN SPEAKS ON
WORKSITE WELLNESS:**

Jodi Schoen with the South Central Illinois Health Coalition gave a brief talk on how she is involved in the "Worksite Wellness" component of the We Choose Health initiative for our community. Focusing on assisting employers with the implementation of Smoke-free Workplace Policies.

**DISCUSSION ON RESTAURANT TO
BE BUILT NEAR VANDALIA LAKE:**

Tina Yarbrough served as the spokesperson for the neighbors in the Vandalia Lake area.

Yarbrough told the council that she understood that there is an individual who is wanting to open a restaurant/bar in their neighborhood and their understanding is that it is zoned under the city's lake ordinance as a single family residence not commercial.

Yarbrough said that they would like clarification from the council on how they read the ordinance.

Mayor Gottman referred it to the City Attorney. Jack Johnston said the way the property is currently zoned does not permit a commercial establishment.

Steven Luke Mabry was at the meeting and stated that the county's legal advisor and their legal advisor disagree with Johnston's opinion. Mabry said that they plan to break ground next week.

Mayor Gottman told the crowd that there will be no action taken if the council would happen to go into Executive Session due to it not being on the agenda.

**ORDINANCE #2013-5-6-A:
PERTAINING TO SALARIES FOR
FISCAL YEAR MAY 1, 2013-
APRIL 30, 2014**

A motion was made by Beesley and seconded by N. Clark adopting Ordinance #2013-5-6-A, Pertaining To Salaries For Fiscal Year May 1, 2013-April 30, 2014.

Roll Call Vote: Swarm, yea; Hobler, yea; Stunkel, yea; Lester, yea; N. Clark, yea; Crawford, yea; B. John Clark, yea; Beesley, yea. Motion carried.

**ORDER OF APPOINTMENT OF CITY
TREASURER:**

A motion was made by Beesley and seconded by N. Clark approving the appointment of Alyssa Matar to the position of Appointed City Treasurer. Motion carried.

**RESOLUTION #2013-5-6-B:
RATIFYING AND AFFIRMING
ORDER OF APPOINTMENT OF CITY
TREASURER**

A motion was made by Swarm and seconded by N. Clark adopting Resolution #2013-5-6-B, Ratifying And Affirming Order of Appointment Of City Treasurer Alyssa Matar.

Roll Call: Stunkel, yea; Hobler, nay; Lester, yea; N. Clark, yea; Crawford, yea; Swarm, yea; B. John Clark, yea; Beesley, yea. Motion carried.

The appointment of Alyssa Matar will be for the period of May 1, 2013 through April 30, 2014.

At this time, Alyssa Matar was sworn in by City Clerk Peggy Bowen as appointed treasurer.

RESOLUTION #2013-5-6-C:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY OF VANDALIA AND
JEFFERY D.RAY

A motion was made by N. Clark and seconded by Stunkel, adopting Resolution #2013-5-6-C, Authorizing Execution Of An Employment Contract Between The City of Vandalia and Jeffery D. Ray.

Roll Call: B. John Clark, yea; Swarm, yea; Stunkel, yea; Beesley, yea; Lester, yea; N. Clark, yea; Crawford, yea; Hobler, yea. Motion carried.

At this time Jeffery Ray was sworn in by City Clerk Peggy Bowen as Chief of Police.

ORDINANCE #2013-5-6-D:
AMENDING THE CITY OF
VANDALIA MUNICIPAL CODE AT
CHAPTER 2.28, ADMINISTRATION
AND PERSONNEL-CODE OFFICIAL
AT SECTION 2.28.050 POWERS &
DUTIES

A motion was made by Hobler and seconded by Beesley approving Ordinance #2013-5-6-D, Amending City of Vandalia Municipal Code At Chapter 2.28, Administration And Personnel-Code Official At Section 2.28.050 Powers And Duties.

Roll Call: Lester, yea; Crawford, yea; Swarm, yea; B. John Clark, yea; N.Clark, yea; Stunkel, yea; Hobler, yea; Beesley, yea. Motion carried.

ORDINANCE #2013-5-6-E:
APPROVING THE CITY OF
VANDALIA ELECTRICITY
AGGREGATION PROGRAM PLAN OF
OPERATION AND GOVERNANCE

A motion was made by N. Clark and seconded by Crawford adopting Ordinance #2013-5-6-E, Approving The City of Vandalia Electricity Aggregation Program Plan Of Operation And Governance.

Roll Call: Swarm, yea; Crawford, yea; Hobler, yea; Lester, yea; B. John Clark, yea; Beesley, yea; Stunkel, yea; N. Clark, yea. Motion carried.

RESOLUTION #2013-5-6-F:
AUTHORIZING EXECUTION OF
A SERVICE AGREEMENT WITH
THE LOWEST RESPONSIBLE
BIDDER FOR THE SUPPLY OF
ELECTRICITY FOR RESIDENTIAL
AND SMALL COMMERCIAL RETAIL
CUSTOMERS WHO DO NOT OPT OUT
OF SUCH A PROGRAM

A motion was made by Beesley and seconded by N. Clark adopting Resolution #2013-5-6-F, Authorizing Execution Of A Service Agreement With The Lowest Responsible Bidder For The Supply Of Electricity For Residential And Small Commercial Retail Customers Who Do Not Opt Out Of Such A Program.

Roll Call: N. Clark, yea; Stunkel, yea; Beesley, yea; B. John Clark, yea; Lester, yea; Hobler, yea; Crawford, yea; Swarm, yea. Motion carried.

APPROVAL TO REPLACE AWNING
AT VANDALIA PUBLIC SAFETY
BUILDING:

A motion was made by Hobler and seconded by Stunkel to accept the bid from Americana Building Products in the amount of \$3,081.60 to replace the awning at the Public Safety Building. Motion carried.

APPROVAL OF PLANNING
COMMISSION MEETING MINUTES
FROM APRIL 16, 2013:

A motion was made by N. Clark and seconded by Beesley approving the minutes from the Planning Commission Meeting from April 16, 2013 as submitted. Motion carried.

ORDINANCE 2013-5-6-G:
AMENDING THE CITY OF
VANDALIA ZONING DISTRICT MAP

A motion was made by N. Clark and seconded by Stunkel adopting Ordinance #2013-5-6-G, Amending The City of Vandalia Zoning District Map.

Kelly Devall asked that the east 85' of Lots 6 and 7 in Block 33 in the City of Vandalia be re-zoned from "RT" Two Family Residential to "CD" Downtown Commercial.

David & Ruth Stone d/b/a Culligans ask that Lots 6 & 8, except the East 85 Feet in Block 33 in the City of Vandalia be rezoned from "RT" Two Family Residential to "CD" Downtown Commercial.

Roll Call: N. Clark, yea; Swarm, yea; Stunkel, yea; Hobler, yea; Beesley, yea; B. John Clark, yea; Lester, yea; Crawford, yea. Motion carried.

APPROVAL OF STREET COMMITTEE MEETING MINUTES FROM APRIL 22, 2013:

A motion was made by Beesley and seconded by Stunkel approving the Street Committee Meeting Minutes from April 22, 2013 as submitted. Motion carried.

APPROVAL OF THE RAILROAD, INDUSTRIAL DEVELOPMENT & TOURISM MEETING MINUTES FROM MARCH 25, 2013:

A motion was made by N. Clark and seconded by Beesley approving the Railroad, Industrial Development & Tourism Meeting Minutes from March 25, 2013 as submitted. Motion carried.

WATER PLANT CHEMICAL BID RESULTS:

A motion was made by Swarm and seconded by N. Clark approving the Water Plant Chemical Bid results. Motion carried.

SEWER PLANT CHEMICAL BID RESULTS:

A motion was made by Beesley and seconded by N. Clark approving the Sewer Plant Chemical Bid results. Motion carried.

LAKE LOT #95 TRANSFERRED FROM FRED TESSMAN TO MICHAEL MCCALL & BRENT TEDRICK:

A motion was made by Hobler and seconded by Stunkel approving the transfer of Lake Lot #95 from Fred Tessman, Vandalia to Michael McCall & Brent Tedrick, Vandalia. All necessary fees have been paid. Motion carried.

RESOLUTION #2013-5-6-H:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY OF VANDALIA & JOHN
R. MOYER

A motion was made by B. John Clark and seconded by N. Clark approving Resolution #2013-5-6-H, Authorizing Execution Of An Employment Contract Between The City of Vandalia And John R. Moyer as Director of Public Works.

Roll call: Swarm, yea; N. Clark, yea; Stunkel, yea; Crawford, yea; Beesley, yea; Hobler, yea; Lester, yea; B. John Clark, yea. Motion carried.

RESOLUTION #2013-5-6-I:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY OF VANDALIA & TOM
HENRICHSMEYER

A motion was made by N. Clark and seconded by B. John Clark approving Resolution #2013-5-6-I, Authorizing Execution of An Employment Contract Between the City of Vandalia and Tom Henrichsmeyer as Assistant Director of Public Works.

Roll Call: Hobler, yea; Lester, yea; B. John Clark, yea; Beesley, yea; Stunkel, yea; N. Clark, yea; Crawford, yea; Swarm, yea. Motion carried.

RESOLUTION #2013-5-6-J:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY OF VANDALIA & DAVID
L. WODTKA

A motion was made by N. Clark and seconded by Beesley approving Resolution #2013-5-6-J, Authorizing Execution of An Employment Contract Between The City of Vandalia and David L. Wodtka as Cemetery Sexton.

Roll call: Lester, yea; Swarm, yea; Beesley, yea; Hobler, yea; Stunkel, yea; Crawford, yea; B. John Clark, yea; N. Clark, yea. Motion carried.

RESOLUTION #2013-5-6-K:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY OF VANDALIA &
MARTIN HUSKEY

A motion was made by Beesley and seconded by B. John Clark approving Resolution #2013-5-6-K, Authorizing Execution of An Employment Contract Between The City of Vandalia and Martin Huskey as Water Plant Superintendent.

Roll Call: Stunkel, yea; B. John Clark, yea; Hobler, yea; Swarm, yea; N. Clark, yea; Crawford, yea; Lester, yea; Beesley, yea; Motion carried.

RESOLUTION #2013-5-6-L:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY OF VANDALIA & MARK
AUGENSTEIN

A motion was made by Stunkel and seconded by Beesley approving Resolution #2013-5-6-L, Authorizing Execution of An Employment Contract Between The City of Vandalia and Mark Augenstein as Sewer Treatment Plant Superintendent.

Roll call: Crawford, yea; Hobler, yea; Swarm, yea; N. Clark, yea; Lester, yea; B. John Clark, yea; Stunkel, yea; Beesley, yea. Motion carried.

RESOLUTION #2013-5-6-M:
AUTHORIZING EXECUTION OF AN
EMPLOYMENT CONTRACT BETWEEN
THE CITY OF VANDALIA & KEITH
MEADOWS

A motion was made by N. Clark and seconded by Lester approving Resolution #2013-5-6-M, Authorizing Execution of An Employment Contract Between The City of Vandalia and Keith Meadows as Code Official.

Roll call: B. John Clark, yea; Stunkel, yea; Hobler, yea; N. Clark, yea; Swarm, yea; Crawford, yea; Lester, yea; Beesley, yea. Motion carried.

APPROVAL OF TIF ADVISORY
COMMITTEE MEETING MINUTES
FROM APRIL 12, 2013:

A motion was made by Beesley and seconded by N. Clark approving the TIF Advisory Committee Meeting Minutes from April 12, 2013 as presented. Motion carried.

ORDINANCE #2013-5-6-N:
APPROVING A CERTAIN TAX
INCREMENT DEVELOPMENT
AGREEMENT BY AND BETWEEN THE
CITY OF VANDALIA, IL & A ONE
A, INC.

A motion was made by Swarm and seconded by B. John Clark adopting Ordinance #2013-5-6-N, Approving A Certain Tax Increment Development Agreement By And Between The City of Vandalia, IL And A One A, Inc.

The agreement is between The City of Vandalia and Mickey A. Rogers to do a roof replacement, new flooring, seal the front of building, painting of north exterior wall and chimney, electrical work and replacement of ceiling tiles at 120 S. Sixth Street, The Full Moon.

The developer will receive no more than \$8,515.13 for the project.

Roll Call: Swarm, yea; Lester, yea; Stunkel, yea; Beesley, yea; Hobler, yea; B. John Clark, yea; N. Clark, yea; Crawford, yea. Motion carried.

ORDINANCE #2013-5-6-0:
APPROVING A CERTAIN TAX
INCREMENT DEVELOPMENT
AGREEMENT BY AND BETWEEN THE
CITY OF VANDALIA, IL. AND
OVERWORK, INC.

A motion was made by N. Clark and seconded by B. John Clark adopting Ordinance #2013-5-6-0, Approving A Certain Tax Increment Development Agreement By And Between The City of Vandalia, Il. And Overwork, Inc.

The agreement is between the City of Vandalia and Jennifer Knebel, Karla Harre and Gary Howard to do sewer repair, repair/paint existing metal roof, paint rear entrance, new steps, replace hot water heater at 125 S. Fourth St. The Copper Penny.

The developer will receive no more than \$3,764.25 for the project.

Roll Call: Swarm, yea; Lester, yea; Stunkel, yea; Beesley, yea; Hobler, yea; B. John Clark, yea; Crawford, yea; N. Clark, yea. Motion carried.

AUTHORIZING TO SEEK BIDS FOR
TRACTOR MOWER AT CEMETERY:

A motion was made by Swarm and seconded by N. Clark authorizing Cemetery Sexton David Wodtka to seek bids for a tractor mower for the cemetery. Motion carried.

**AUTHORIZING THE POLICE &
FIRE COMMISSIONERS TO HIRE
POLICE OFFICER**

A motion was made by Swarm and seconded by Stunkel authorizing the Board of Police And Fire Commissioners to hire a police officer. Motion carried.

**AUTHORIZING TO ACCEPT THE
BID FROM CULBERTSON HEATING
FOR REPLACING THE AIR/
HEAT FOR CLERK & WATER
DEPARTMENT:**

A motion was made by N. Clrk and seconded by Stunkel approving the bid from Culbertson Heating & Cooling in the amount of \$11,649.00 to replace the air conditioning & heat in the City Clerk & Water Department. Motion carried.

The City did receive one other quote from Stombaugh's in the amount of \$12,943.00.

DOWNTOWN STREETSCAPE:

Mayor Gottman announced that they are working on installing the hand rails on Gallatin Street.

Mayor Gottman announced that they have started construction on the Fourth Street. The city has already received a couple change orders.

A motion was made by Beesley and seconded by B. John Clark giving Mayor Gottman and Public Works Director Moyer approval to sign off on change orders for construction items only not exceed the amount of the stated grant.

All change orders from HMG will brought back to the council for their approval. Motion carried.

**BOWEN GIVES OFFICIAL CANVASS
FROM CONSOLIDATED ELECTION:**

Clerk Bowen gave the official canvass from the Consolidated Election from April 9, 2013.

FUNDS ALLOTTED FOR DEMOS:

Alderman Lester suggested with some of the money that was allotted for demo of buildings in the city, we should explore the possibility of the public works department do some of the demolitions.

Mayor Gottman suggested that he along with Lester, Moyer and Keith Meadows discuss the possibilities of making the monies go further for the demos.

STANDING COMMITTEES:

Alderman Beesley said that he planned on talking with Fayette Water to see if they could give the city a break on water hookup at Vandalia Lake.

Beesley said that he has been in contact with Walt Pearson to put together some figures for the water river intake that might make a difference. Beesley will bring those figures back to the council for consideration.

Alderman Swarm wished retiring Chief Eason well and that he has done a great job as chief with his knowledge, he has really improved our department.

Mayor Gottman also praised Eason for his leadership and his work to improve the department. He will be greatly missed.

Mayor Gottman announced that he attended the Old Capitol Foundation Meeting held last week.

He reported through the Hazel Kelly fund the City of Vandalia received \$25,000 restricted dollars for the Vandalia Fire Department.

The City also received \$25,000 in restricted money to maintain the Catholic side of the cemetery.

Mayor Gottman stated that the City put in a request to purchase a tractor mower in the amount of \$20,000 and the city was awarded the total amount.

Alderman Hobler announced that the campgrounds are open at Vandalia Lake.

Mayor Gottman reported that Sandy Leidner with the Looking For Lincoln Heritage Committee submitted numerous grants and was awarded several dollars.

Mayor Gottman announced that Little Caesar's has started construction in their facility.

Rick Cripe is working on plans for his theatre.

LaTisha Paslay reported that the city received a grant from the U.S. Environmental protection Agency to locate and study properties that could have possible petroleum contamination.

Next Tuesday Terracon will be in the classroom with the junior high science teacher discussing brownfields and interacting with the students.

Terracon will be holding a "Public Field Day" next Wednesday beginning at 10:00 a.m.

Paslay urged everyone to stop by to see what the program is all about.

A motion was made by Stunkel and seconded by Beesley requesting that all part time or fulltime help be brought to the Personnel Committee for their review. Motion carried.

ANNOUNCEMENTS:

Mayor Gottman said that the following will be recognized at the May 20th council meeting. Outgoing Treasurer, Marjorie Blythe; Alderwoman Angie Rhodes; Retiring Chief Larry Eason and Emergency Management Coordinator Merle Adermann.

RANDY BRESEE PRESENTS AWARD TO THE CITY CLERK'S OFFICE:

Mayor Gottman said that Randy Bresee was asking for assistance in the City Clerk's Office on a situation he had and was very impressed with the help that he was given that he showed his appreciation to Bowen and her staff with a framed picture of the Vandalia Statehouse that he had taken.

Mayor Gottman said this is the kind of staff that you want working for the City of Vandalia that brings professionalism and makes people like this do things for our staff.

HURST ROSCHE REPORT:

Scott Hunt with Hurst and Rosche gave a brief update on the current projects under construction.

COUNCIL MOVES INTO EXECUTIVE SESSION AT 9:22 P.M.:

A motion was made by Beesley and seconded by Hobler to move into Executive Session at 9:22 P.M. to discuss matters pertaining to probable litigation.

Roll call: Lester, yea; Swarm, yea; Stunkel, yea; Hobler, yea; N. Clark, yea; Crawford, yea; Beesley, yea; B. John Clark, yea.

EXECUTIVE SESSION ENDS AT 10:11 P.M.:

Executive Session ended at 10:11 P.M.

REGULAR SESSION RECONVENES AT 10:12 P.M.:

Mayor Gottman reconvened the regular council meeting at 10:12 P.M. with a roll call: Lester, yea; Swarm, yea; Crawford, yea; N. Clark, yea; Stunkel, yea; B. John Clark, yea; Beesley, yea; Hobler, yea.

SPECIAL CITY COUNCIL MEETING
FOR MONDAY, MAY 13TH:

Mayor Gottman announced that there will be a Special City Council Meeting on Monday, May 13th to discuss a possible development in our community that will need council approval before they can move forward.

ADJOURNMENT:

There being nothing to report from Executive Session a motion was made by Stunkel and seconded by Crawford to adjourn. Motion carried.

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