

CITY COUNCIL
Regular Meeting

June 17, 2013
7:30 P.M.

PLEDGE OF ALLEGIANCE:

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

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: Neil Clark, B. John Clark, Swarm, Hobler, Lester, Crawford and Stunkel. Beesley was absent from the meeting.

MINUTES:

A motion was made by Swarm and seconded by Stunkel approving the minutes from the June 3, 2013 meeting as presented. Motion carried.

REGULAR BILLS:

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

SPECIAL BILLS:

A motion was made by N. Clark and seconded by B. John Clark approving the Special Bills as presented: Fayette Co. Sheriff's Department in the amount of \$2,232.00 a monthly service charge for mobile data terminal; Kinney Contractors, Inc. in the amount of \$142,796.39 for Pay Estimate #1 for the Fourth Street Side Street; Kinney Contractors, Inc. in the amount of \$136,024.19 for Pay Estimate #2 for the Fourth Street Side Street; HMG in the amount of \$7,330.66 for DCEO CDAP Grant;

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Beelman Logistics LLC in the amount of \$15,477.92 for CA6; Vandalia Asphalt in the amount of \$3,256.06 for patch mix; Culbertson Heating & Air in the amount of \$11,649.00 for replacing existing air handler & condensing unit using existing boiler with new refrigerant piping at City Hall; South Central FS, Inc. in the amount of \$13,746.21 for fuel; CNH Capital/Vandalia Tractor in the amount of \$17,500.00 for Kubota tractor/mower at the Cemetery; Brenntag Mid South Inc. in the amount of \$11,891.12 for chemical supplies; Direct Energy in the amount of \$16,847.92; USA Blue Book, Inc. in the amount of \$2,036.56 for mixing chamber polyblend for small frame units. Motion carried.

TREASURER'S REPORT:

A motion was made by Stunkel and seconded by N. Clark approving the Treasurer's Report as submitted. Motion carried.

**ORDINANCE #2013-6-13-A:
THE PREVAILING RATE OF WAGES
FOR LABORERS, WORKMEN AND
MECHANICS EMPLOYED ON PUBLIC
WORKS OF SAID CITY**

A motion was made by Swarm and seconded by Stunkel adopting Ordinance #2013-6-17-A, Ordinance Of The City Of Vandalia, Fayette County, IL, Ascertaining The Prevailing Rate Of Wages For Laborers, Workmen And Mechanics Employed On Public Works Of Said City.

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

**APPROVAL OF CEMETERY & LANDFILL
COMMITTEE MEETING MINUTES FROM
MAY 13, 2013:**

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A motion was made by N. Clark and seconded by Stunkel approving the Cemetery & Landfill Committee Meeting Minutes from May 13, 2013 as presented. Motion carried.

APPROVAL OF VANDALIA TOURISM

**COMMISSION MEETING MINUTES FROM
MAY 14, 2013:**

A motion was made by Swarm and seconded by N. Clark approving the Vandalia Tourism Commission Meeting Minutes from May 14, 2013 as presented. Motion carried.

**ORDINANCE #2013-6-17-B:
ANNUAL APPROPRIATIONS FOR THE
FISCAL YEAR BEGINNING MAY 1,
2013 & ENDING APRIL 30, 2014**

A motion was made by Stunkel and seconded by B. John Clark approving Ordinance #2013-6-17-B, Making The Annual Appropriations For The Fiscal Year Beginning On The First Day Of May 2013, And Ending On The Thirtieth Day Of April 2014.

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

NEW POLICE VEHICLES:

A motion was made by Swarm and seconded by Hobler authorizing the Police Department to seek bids for a new squad car and a new SUV for their department. The cost of the one vehicle will be paid out of the DUI fund and the other from General Fund monies. Motion carried.

**REVIEW & APPROVAL OF PAY
ESTIMATE #2 TO KINNEY
CONTRACTORS:**

A motion was made by B. John Clark and seconded by Stunkel approving the payment of \$136,024.19 to Kinney Contractors for Pay Estimate #2 for the Fourth Street Project. Motion carried.

**AUTHORIZATION FOR MAYOR TO
EXPEND REMAINING DCO GRANT
MONIES FROM FOURTH STREET
PROJECT FOR FIFTH STREET
MATERIALS (FOR FUTURE WORK):**

A motion was made by Hobler and seconded by B. John Clark authorizing Mayor Gottman to expend remaining DCO grant monies from the Fourth Street Project to purchase lights to be used on the Fifth Street. Motion carried.

RESOLUTION #2013-6-17-C:
RESOLUTION AMENDING AN
AGREEMENT FOR ENGINEERING
SERVICES BETWEEN THE CITY
OF VANDALIA, IL AND HENRY,
MEISENHEIMER & GENDE, INC.

A motion was made by Hobler and seconded by Swarm Amending An Agreement For Engineering Services Between The City of Vandalia, IL and Henry, Meisenheimer & Gende, Inc. (HMG).

The council agreed to pay HMG \$65,000 for engineering design services for the work on the Fourth Street Project. The initial cost was \$50,000.00. Motion carried.

HMG asked for additional money due to the number of changes that were made on the project and that initially HMG asked for \$30,000.00.

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

RESOLUTION #2013-6-17-D:
RESOLUTION AUTHORIZING STREET
CLOSURE FOR THE LINCOLN
HERITAGE FESTIVAL:

A motion was made by N. Clark and seconded by B. John Clark asking I.D.O.T. for temporary closure of Old Rt. 140 from Third Street to Sixth Street from 10:00 A.M. to 2:30 P.M. on Saturday, July 20, 2013 and Sunday, July 21, 2013 for the Lincoln Heritage Festival. Motion carried.

RESOLUTION #2013-6-17-E:
APPROVING A LEASE AGREEMENT
BETWEEN THE CITY OF VANDALIA,
IL AND THE FAYETTE COUNTY FAIR
ASSOCIATION

A motion was made by N. Clark and seconded by Stunkel approving Resolution #2013-6-17-E, Approving A Lease Agreement Between The City of Vandalia, IL & The Fayette County Fair Association for signage on the grandstands at the Fayette County Fairgrounds.

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

DOWNTOWN STREETScape PROJECT:

Mayor Gottman reported that the downtown streetscape project is almost complete. Date of completion is set for June 30th.

STANDING COMMITTEES:

B. John Clark announced that the Street Committee will meet on Thursday, June 20th at 4:30 p.m. at City Hall to discuss the existing parking lot lease with the Catholic Church.

Swarm announced that the Public Safety Committee Meeting will meet on Thursday, June 20th at 4:00 P.M. to discuss possible equipment purchases for the Fire Department.

Mayor Gottman announced that the city did receive the four automated external defibrillators.

Lester announced that air conditioning at City Hall has been completed.

Lester reported that there is a problem with the air conditioning at the Public Safety Building due to a situation during the course of the roof replacement on the building.

Hobler announced that the fireworks will be on July 5th at Vandalia Lake.

Mayor Gottman reported that he spoke with Rick Cripe in regard to the movie theatre.

Cripe is planning on construction yet this year. The goal is to have it open in November.

Crawford reported that she attended the National Road Festival this past weekend and said it was awesome!

Paslay reported that plans are underway for Lincoln Heritage Festival that will be held on July 20th & 21st.

Mayor Gottman thanked LaTisha Paslay and Jerry Swarm for helping out at the National Road Festival along with all the volunteers who helped out.

ANNOUNCEMENTS:

Mayor Gottman announced that he attended the Kaskaskia College Community Report.

Mayor Gottman reported that they are moving forward with the next phase of the college campus.

There is \$5.6 million appropriated for the next phase along with \$2 million local funds that will go into this project.

HURST ROSCHE REPORT:

Scott Hunt with Hurst and Rosche gave a brief report on the roof replacement at the Water Treatment Plant.

Pre-bid is set for July 2nd. The bid letting is set for July 11th and Scott would like to bring it back to the council for their approval on Monday, July 15th.

COUNCIL MOVES INTO EXECUTIVE SESSION AT 7:56 P.M.:

A motion was made by N. Clark and seconded by Hobler to move into Executive Session at 7:56 p.m. to discuss matters pertaining to probable litigation a personnel issue negotiations and land sale or acquiring land.

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

EXECUTIVE SESSION ENDS AT 8:32 P.M.:

Executive Session ended at 8:32 P.M.

REGULAR SESSION RECONVENES AT 8:34 P.M.:

Mayor Gottman reconvened the regular meeting at 8:34 P.M. with a roll call: Swarm, yea; Stunkel, yea; N. Clark, yea; Lester, yea; Hobler, yea; Crawford, yea; B. John Clark, yea;

COUNCIL AUTHORIZES MAYOR TO HIRE LAW FIRM TO REPRESENT THE CITY IN A POSSIBLE CIVIL SUIT:

A motion was made by Stunkel and seconded by N. Clark to allow Mayor Gottman to hire another law firm to represent the City of Vandalia in a probable litigation due to a conflict with our law firm who also has been mentioned in the same civil suit. Motion carried.

CITY FILES A DECLARATORY JUDGMENT:

City Attorney Don Sheafor reported that the city has requested that the city's law firm take legal action on the Mabry lot. To file a declaratory judgment, asking the court to determine whether or not it is a single family residence.

ATTORNEY SHEAFOR NOTIFIES MABRY'S TO CEASE & DESIST:

Attorney Sheafor reported that he was directed by the City Council to send a certified letter to the Mabry's notifying them to cease and desist in their actions and if they do not the City may authorize legal action to be taken.

ADJOURNMENT:

There being nothing further to bring before the council a motion was made by N. Clark and seconded by Stunkel to adjourn. Motion carried.