

CITY COUNCIL
Regular Meeting

September 14, 2015
7:30 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the American Flag was given by all 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: Swarm, B. John Clark, Hubler, Rebbe and Hobler. Stunkel, Crawford and Lester were absent.

MOMENT OF SILENCE FOR ED CRAIG, JOHN TRUITT & CARA KELLY:

A moment of silence was observed for Ed Craig, former employee for the street department for the City of Vandalia; John Truitt, former owner of The Depot; Cara Kelly, former administrator for the Fayette County Health Department.

MINUTES:

A motion was made by Swarm and seconded by Hobler approving the minutes from the August 17, 2015 meeting as presented. Motion carried.

REGULAR BILLS:

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

TREASURER'S REPORT:

A motion was made by B. John Clark and seconded by Hobler approving the Treasurer's Report to be filed for audit. Motion carried.

SPECIAL BILLS:

A motion was made by B. John Clark and seconded Hobler approving the Special Bills as presented: McKellar,

Robertson & McCarty in the amount of \$2,208.00 for boiler insurance; Timmermann & Company in the amount of \$29,000.00 for audit fees; Municipal Code Corp. in the amount of \$1,792.37 for updating code books; Buxton Co. in the amount of \$20,000.00 for scout solution; Global Site Location in the amount of \$5,700.00 for renewal of prospecting & project development services for 1 year; Stombaugh Heating & Air in the amount of \$3,038.00 for condenser replacement at Police Department; Ameren Illinois in the amount of \$3,958.69 for street lights; Land of Lincoln Credit Union in the amount of \$12,488.50 payment on fire truck; Illinois South Tourism in the amount of \$10,700.00 for the first quarter advertising; Mid Illinois Concrete, Inc. in the amount of \$1,562.13 for concrete; Vandalia Asphalt in the amount of \$1,985.12 for patch mix; Burnside, Johnston & Connor in the amount of \$4,542.78 for legal fees; Rusani, Inc. dba The Chuckwagon in the amount of \$23,500.00 for TIF reimbursement; Crawford & Associates in the amount of \$2036.50 for building collapse project; Razmus Demolition Services in the amount of \$54,217.80 for demolition of building at Fifth St. Gallatin St.; Crawford & Associates in the amount of \$2,393.00 for Fletcher Street Survey; St. Jacob Winwater Works in the amount of \$2,115.00 for valve box and parts; Key Equipment in the amount of \$10,850.00 for push camera package; Crawford & Associates in the amount of \$10,287.00 for WTP building repairs and Intake Water Break/EPA Violations; Brenntag Mid South, Inc. in the amount of \$17,761.53 for chemicals; Hawkins in the amount of \$4,299.33 for chemicals; Hach Company in the amount of \$4,407.00 to provide annual

maintenance work on the laboratory equipment at the WTP. Motion carried.

**PRESENTATION & ACCEPTANCE OF
THE ANNUAL AUDIT:**

Timmerman & Company presented the audit to the council.

Timmerman stated the General Fund saw a loss of \$237,069 for the past year. The main reason for that loss was due to a large equipment purchase of \$710,000 on a new fire truck; Timmerman pointed out revenues were up.

Timmerman made a recommendation on water and sewer bills. He recommended water rates go up by 0.69% and sewer rates go up by 6.27%. If the Council does not take action at their next meeting then the rate increases will automatically go into effect on October 1st.

A motion was made by Hobler and seconded by B. John Clark approving the audit as presented. Motion carried.

**U.S. BANK CORP.-GOVERNMENT
LEASE & FINANCE, INC. FOR
WATER METER PURCHASE:**

A motion was made by B. John Clark and seconded by Swarm approving the financing from financing from U.S. Bancorp with a loan for \$841,347.24 at 2.09%.

A roll call vote was taken: Swarm, yea; Hobler, nay; B. John Clark, yea; Rebbe, yea; Hubler, yea; Crawford, Lester & Stunkel were all absent. Motion carried 4 yea and 1 nay.

**APPROVAL OF PURCHASE OF
WATER METERS:**

A motion was made by Swarm and seconded by B. John Clark to purchase the new water meter system from HD Supply/Sensus Metering System. As study shows the system will be far more accurate and will save the city money by losing less water and the new system should pay for itself in six years. Motion carried.

LAKE LOT #313 TRANSFER FROM CITY OF VANDALIA TO ANGIE THOMPSON:

A motion was made by Hobler and seconded by Rebbe approving the transfer of Lake Lot #313 from the City of Vandalia to Angie Thompson. All necessary fees have been paid. Motion carried.

LAKE LOT #314 TRANSFER FROM CITY OF VANDALIA TO DALTON WEHRLE:

A motion was made by Hobler and seconded by Hubler approving the transfer of Lake Lot #314 from the City of Vandalia To Dalton Wehrle. All necessary fees have been paid. Motion carried.

RESOLUTION #2015-9-14-A: APPROVING AN AGREEMENT BETWEEN THE CITY OF VANDALIA, IL AND CLEAN UNIFORM COMPANY

A motion was made by Hobler and seconded by B. John Clark adopting Resolution #2015-9-14-A, Approving an Agreement Between The City of Vandalia And Clean Uniform Company.

Roll call vote: Rebbe, yea; Lester, absent; Crawford, absent; Hubler, yea; Hobler, yea; B. John Clark, yea; Stunkel, absent; Swarm, yea. Motion carried.

RESOLUTION #2015-9-14-B: APPROVING AN AGREEMENT FOR TECHNICAL SERVICES AND ASSISTANCE BETWEEN THE CITY OF VANDALIA AND MORAN ECONOMIC DEVELOPMENT, LLC.

A motion was made by Swarm and seconded by Hobler adopting Resolution #2015-9-14-B, Approving An Agreement For Technical Services And Assistance Between The City of Vandalia And Moran Economic Development, LLC.

Moran Economic Development will provide assistance pertaining to the preparation of the State required TIF Annual Audit Reports in the amount of \$2,280.00.

Roll call vote: B. John Clark, yea; Lester, absent; Stunkel, absent; Crawford, absent; Swarm, yea; Hubler, yea; Hobler, yea; Rebbe, yea. Motion carried.

TRICK OR TREAT NIGHT SET FOR OCTOBER 31ST:

A motion was made by Swarm and seconded by Hobler setting Saturday, October 31st as "Trick or Treat" night in Vandalia. Motion carried.

RESOLUTION #2015-9-14-C:
VANDALIA TOURISM COMMISSION
TO SPONSOR "HARVEST
FESTIVAL"

A motion was made by Swarm and seconded by B. John Clark, adopting Resolution #2015-9-14-C, Asking IDOT for temporary closure of Old Rt. 140 from Third St. to Fifth St. on Saturday, September 26th between 7:00 A.M. and 6:00 P.M. Motion carried.

RESOLUTION #2015-9-14-D:
VANDALIA COMMUNITY HIGH
SCHOOL TO SPONSOR
"HOMECOMING" PARADE

A motion was made by Hobler and seconded by B. John Clark, adopting Resolution #2015-9-14-D, Asking IDOT for temporary closure of Old Rt. 140 from Third St. to Eighth St. on Friday, October 9, 2015 between 2:30 P.M. and 3:30 P.M. Motion carried.

RESOLUTION #2015-9-14-E:
VANDALIA DOWNTOWN MERCHANTS
TO SPONSOR "OLDE TYME
CHRISTMAS"

A motion was made by Hobler and seconded by Hubler, adopting Resolution #2015-9-14-E, Asking IDOT for temporary closure of Old Rt. 140 from Third St. to Alley between Sixth St. and Seventh St. on Friday, November 13, 2015 between 2:00 P.M. and 11:00 P.M. Motion carried.

RESOLUTION #2015-9-14-F:
VANDALIA LION'S CLUB TO
SPONSOR "HALLOWEEN PARADE"

A motion was made by Hobler and seconded by B. John Clark, adopting Resolution #2015-9-14-F, Asking IDOT for temporary closure of Old Rt. 140 from Third St. to Seventh St. and from Gallatin St. to Johnson St. on Thursday, October 29, 2015 between 6:30 P.M. and 9:00 P.M. Motion carried.

ORDINANCE #2015-9-14-G:
AMENDING THE VANDALIA
MUNICIPAL CODE AT TITLE V
BUSINESS LICENSES AND
REGULATIONS AT SECTION
5.08.070 NUMBER OF LICENSES

A motion was made by B. John Clark and seconded by Hubler amending Ordinance #2015-9-14-G, The Vandalia Municipal Code At Title V Business Licenses And Regulations At Section 5.08.070 Number of Licenses.

Doug Knebel owner of A one A, Ltd. Dba 6TH Street Pub requested that his liquor license be changed from its current Class G to a Class E classification.

Roll call vote: Hubler, yea; Swarm, yea; Stunkel, absent; Rebbe, yea; B. John Clark, yea; Crawford, absent; Hobler, yea; Lester, absent. Motion carried.

APPROVAL OF APPOINTMENT OF LARRY HOFFEK TO THE VANDALIA POLICE PENSION BOARD:

A motion was made by Hobler and seconded by Hubler accepting the appointment of Larry Hoffek to the Police Pension Board. He will be replacing Brock Brannon. Motion carried.

RESOLUTION #2015-9-14-H: APPROVING A DISCLAIMER OF INTEREST IN REAL ESTATE

A motion was made by Hobler and seconded by B. John Clark adopting Resolution #2015-9-14-H, Approving A Disclaimer Of Interest In Real Estate.

Roll Call Vote: Hobler, yea; Swarm, yea; Lester, absent; Crawford, absent; Rebbe, yea; Stunkel, absent; Hubler, yea; B. John Clark, yea; Motion carried.

DISCLAIMER OF INTEREST IN REAL ESTATE:

A motion was made by Hobler and seconded by Swarm authorizing Resolution #2015-9-14-H, waives any right, title, interest or claim to Lots 1 through 10, inclusive, of Burtschi Court Subdivision to the City of Vandalia, IL. Motion carried.

RESOLUTION #2015-9-14-I: RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF VANDALIA, IL AND HACH

A motion was made by Swarm and seconded by Hobler adopting Resolution #2015-9-14-I, Approving An Agreement Between The City of Vandalia, IL And HACH.

The City of Vandalia has entered into an agreement with HACH to provide annual maintenance work on the laboratory equipment at the Water Treatment Plant in the amount of \$4,407.00.

Roll call vote: Swarm, yea; Hubler, yea; Hobler, yea; Rebbe, yea; Crawford, absent; Stunkel, absent; Lester, absent; B. John Clark, yea. Motion carried.

ORDINANCE #2015-9-14-J:
ORDINANCE RESCINDING
ORDINANCE #2015-6-1-A
PERTAINING TO AMENDMENT OF
VANDALIA MUNICIPAL CODE AT
CHAPTER 9, PUBLIC PEACE,
MORALS AND WELFARE AT
SECTION 9.08 OFFENSES
AGAINST PUBLIC PEACE AND
DECENCY

A motion was made by B. John Clark and seconded by Hobler approving Ordinance #2015-9-14-J to rescind Ordinance #2015-6-1-A Pertaining To Amendment Of Vandalia Municipal Code At Chapter 9, Public Peace, Morals And Welfare At Section 9.08 Offenses Against Public Peace And Decency. Begging.

Mayor Gottman attached information about a federal court ruling that deemed the ordinance unconstitutional.

Mayor Gottman also received a letter from the American Civil Liberties Union requesting that the City of Vandalia repeal its new solicitation ordinance.

Mayor Gottman said that he did not want to wait for the ACLU to bring a lawsuit against the city in this matter.

Roll call vote: Hubler, yea; Rebbe, yea; Hobler, yea; Crawford, absent; B. John Clark, yea; Lester, absent; Stunkel, absent; Swarm, yea. Motion carried.

MAYOR'S REPORT:

Mayor Gottman announced that Rasmus Demolition Services hope to finish up by this Friday.

Mayor Gottman reported that a slow order had been issued to CSX railroad for each one of the upcoming events to be held in downtown Vandalia.

Mayor Gottman is also asking CSX how we can slow the trains down permanently coming through the City of Vandalia. There are towns that have done that.

Mayor Gottman said that the trains are going through Vandalia between 55 and 60, sometimes 70 miles an hour.

Mayor Gottman requested Chief Jeff Ray contact the railroad about slowing trains down following the partial collapse of the building and slowed down for a short period of time and then they were back up to speed again.

Mayor Gottman said that he has not heard anything about the repairs on the railroad crossing. The City of Vandalia has approved the necessary paperwork on the city's side at this time it is in the hands of the State, IDOT and CSX Railroad.

Mayor Gottman reported that he is still working on Project House.

Mayor Gottman said that he will be attending the IML Conference in Chicago Wednesday and Thursday of this week.

STANDING COMMITTEES:

B. John Clark asked the night of the Halloween Parade will there be personnel at the two crossings to regulate traffic.

Chief Ray said they are looking at what can be done this year.

Mayor Gottman announced that Code official Keith Meadows and Chief of Police Jeff Ray will be meeting with an individual about some grants that Mayor Gottman learned about through the South Central Regional Planning Commission.

Ken Hubler had questions from individuals in regard to burials at the cemetery. They are asking if it is permissible to be buried "green".

Hubler is asking if this is possible. Mayor Gottman asked Clerk Bowen if she would check with the state what is allowed according to statute.

CONCERNS FROM THE ALDERMEN:

Hubler questioned if it was allowed to have campers on commercial businesses speaking about Enbridge workers on the north-end of town due to the restrictions by the Health Department on sewer clean outs.

Mayor Gottman asked Walt Barenfanger who was in the audience if he knew the ruling on that. Barenfanger said it was his understanding that state law limits the number of campers or recreational vehicles to two and that he has applied for a permit to allow that for his property.

Swarm thanked Ken Hubler for his information on a study of video gaming revenues.

PUBLIC THANK YOU TO CODE OFFICIAL KEITH MEADOWS:

Mayor Gottman publicly thanked Code Official Keith meadows for all his work that he has put in the downtown area and the project.

ADJOURNMENT:

A motion was made by B. John Clark and seconded by Hubler to adjourn. Motion carried.

CITY CLERK

