

CITY COUNCIL
Regular Meeting

June 1, 2020
6:30 P.M.

CALL TO ORDER:

Mayor Gottman called the regularly scheduled meeting of the Vandalia City Council to order via teleconference at 6:30 P.M.

ROLL CALL:

Aldermen present for the remote participation were: Barker, Rebbe, Hobler, Stunkel, Hubler, Brosman and Crawford. Lester was absent.

Others that were on the teleconference call were: Mayor Gottman, City Clerk, Peggy Bowen; City Administrator, LaTisha Paslay; City Attorney, Ryan Connor; Chief of Police, Jeff Ray; Erica Foltz, WPMB/WKRV Radio; Rich Bauer, Leader Union; Lee Beckman, Milano & Grunloh Engineers; Merrell Collins, Chairman of the County Board's Animal Control Sub-committee; LaNette Heselton & Angie Rhodes.

PLEDGE OF ALLEGIANCE:

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

MEETING BEING CONDUCTED
REMOTELY PURSUANT TO
EXECUTIVE ORDER 2020-07
SIGNED BY GOV. PRITZKER:

"This meeting is being conducted remotely pursuant to Executive Order 2020-07, the requirements of 5 ILCS 120.10 directing that a quorum of members of a public body must be physically present for meetings as well as those of 5 ILCS 120/7 limiting the scope of electronic participation in meetings covered by that Act have been suspended. The City of Vandalia

is providing the following remote participation mechanism for the June 1, 2020 City Council Meeting"

MOMENT OF SILENCE FOR BILLY MICHEL:

A moment of silence was observed for Billy Michel who passed away May 20, 2020.

Bill was the co-owner/Operator Michel's Feed Store for 40 years. Our condolences to his family.

MINUTES:

A motion was made by Stunkel and seconded by Barker approving the minutes from the May 18, 2020 meeting as presented. Motion carried.

REGULAR BILLS:

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

SPECIAL BILLS:

A motion was made by Stunkel and seconded by Brosman approving the Special Bills as presented: VISA in the amount of \$1,517.31 for 3' x 5' Patriarch American Flags; U.S. Bancorp in the amount of \$14,781.19 for water meters; SCIRP&DC in the amount of \$3,000.00 for public infrastructure project. Motion carried.

APPROVE OR REJECT CHANGE ORDER 2A FOR WATERMAIN PROJECT:

A motion was made by Barker and seconded by Stunkel approving the Change Order 2A.

Lee Beckman, Engineer for Milano & Grunloh Engineering explained that this is for the entire project from the cemetery to the north end.

The amount is \$10,898.25 for adjustments to reduce the number of boil orders. Motion carried.

APPROVE OR REJECT CHANGE
ORDER 2B FOR WATERMAIN
PROJECT:

A motion was made by Brosman and seconded by Stunkel approving the Change Order No. 2B, which is by the businesses in the amount of \$14,553.80. Motion carried.

APPROVAL OR REJECT PAYMENT
#1 FOR WATERMAIN PROJECT:

A motion was made by Barker and seconded by Stunkel approving to make payment on Payment No. 1 in the amount of \$176,013.61 for the Watermain Project. Motion carried.

Mayor Gottman said that this is all grant money that will be sent to South Central Regional Planning then sent to Lee Beckman with Milano & Grunloh Engineering.

LAKE HORSEPOWER LIMITATIONS:
(TABLED)

Stunkel said that for a long time the City of Vandalia had a lake horsepower limit of 225. He said that he had several people tell him there are 250-280 horsepower boats on the lake with boats changing, technology changing, I think we are losing a lot of potential boat stickers.

He also said most of the lakes that he is aware of are not going so much horsepower as they are going speed limit.

He said he spoke with some of the members of the Lake Committee and they were in favor of it but thought there should be an increase in fees.

Mayor Gottman said that they will table this until the June 15th meeting.

LOT REVOCATION OF LAKE LOT
#139 DUE TO FAILURE TO
COMPLY:

Stunkel said that the city took a different stand on the northside lease lots. Instead of automatic renewal, the city would have the lake committee chairman, city building inspector and city code inspector inspect the lots.

Stunkel said that determined that there were 16 lots on which the leaseholders needed to fix certain things.

Stunkel said that he spoke with the leaseholder of Lake Lot 139 and that person had even been given a 60-day extension, but that nothing had been done toward compliance.

Stunkel said we should move forward with revocation of the permit with the City Attorney's guidance.

APPROVE OR REJECT FARMER'S
MARKET GUIDELINES:

A motion was made by Brosman and seconded by Crawford amending the approval on the Vendor Guidelines for the 2020 Farmers' Market Season with one change being "limit attendance to two members of the household". Motion carried.

ORDINANCE #2020-6-2-A:
AMENDING THE VANDALIA
MUNICIPAL CODE AT TITLE V
BUSINESS LICENSES AND
REGULATION AT SECTION 5.37
HOME KITCHEN AND COTTAGE
FOOD OPERATIONS

A motion was made by Stunkel and seconded by Brosman Amending Ordinance #2020-6-2-A, The Vandalia Municipal Code At Title V Business Licenses And Regulation At Section 5.37 Home Kitchen And Cottage Food Operations.

The State of Illinois has what is called a "cupcake law" or a law regarding home kitchen and cottage food operations that allows for people to bake, cook and package food products in their home kitchens as long as the monthly gross sales do not exceed \$1,000.00. Each municipality or county has to pass an ordinance in order for the law to actually become legal in the town, city or county.

LaNette Heselton, a local baker in Vandalia told the council that she had to discontinue her practice of baking cupcakes and making donations to four local charities from the sales and

also provided cakes and cupcakes for children's birthdays around town before being told to shut down by the Health Department due to the county and city not having an ordinance in place.

Mayor Gottman said that the city needed to help businesses when they can and the aldermen was in agreement with that.

A roll call vote was taken: Hubler, yea; Barker, yea; Stunkel, yea; Hobler, yea; Rebbe, yea; Brosman, yea; Crawford, yea; Lester, absent. Motion carried.

ORDINANCE #2020-6-1-B:
ORDINANCE CREATING THE
VANDALIA MUNICIPAL CODE AT
TITLE V BUSINESS LICENSE AND
REGULATIONS AT SECTION
5.08.290: COVID-19 TEMPORARY
PERMITS

A motion was made by Stunkel and seconded by Barker approving Ordinance #2020-6-1-B, Creating The Vandalia Municipal Code At Title V Business License And Regulations At Section 5.08.290: Covid-19 Temporary Permit.

The City of Vandalia is aware that Executive Orders issued by the Governor and Illinois Department of Public Health have severely impacted restaurant and liquor license holder sales.

This will allow for Outdoor dining and alcohol service to any restaurant and liquor license holder within 150' of their currently operated premises.

Roll Call vote: Barker, yea; Stunkel, yea; Hobler, yea; Rebbe, yea; Brosman, yea; Crawford, yea; Hubler, yea; Lester, absent. Motion carried.

ORDINANCE AMENDING THE
VANDALIA MUNICIPAL CODE AT
TITLE V BUSINESS LICENSES
AND REGULATIONS AT SECTION
5.08.270 CLASS T LICENSES:

The City of Vandalia has received requests with regards to Temporary Licenses for current liquor license holders to cater events within the city limits of Vandalia at locations other than their place of business.

This is the first reading on the Class T Licenses. It will be on the June 15th agenda to act on.

ORDINANCE AMENDING THE
VANDALIA MUNICIPAL CODE AT
TITLE V BUSINESS LICENSES
AND REGULATION AT SECTION
5.38 MOBILE FOOD VENDORS:

A motion was made by Stunkel and seconded by Brosman to have Mayor Gottman table this item to do more investigation on the mobile food vendor trucks. Motion carried.

CANNABIS DISCUSSION:

City Administrator, LaTisha Paslay said they have been approached by someone who has applied with the state for a growing facility.

Paslay explained in order for sales to be allowed, the city would have to pass an ordinance that includes such things as definitions, use regulations, zoning districts in which cannabis sales would be allowed and any setbacks from certain types of businesses, such as home day cares and home health facilities.

The first action will take it to the Planning Commission & Zoning Board of Adjustments.

A motion was made by Crawford and seconded by Hubler to have the Planning Commission and the Zoning Board of Adjustments review the draft of the ordinance.

After reviewing the ordinance draft, the two committees would send it back to the council for action.

ORDINANCE #2020-6-2-C:
AMENDING THE MUNICIPAL CODE OF
THE CITY OF VANDALIA, IL. BY
THE ADDITION OF CHAPTER 3.20
IMPOSING A MUNICIPAL
CANNABIS RETAILERS'
OCCUPATION TAX

A motion was made by Crawford and seconded by Brosman adopting Ordinance #2020-6-2-C, Amending The Municipal Code of the City of Vandalia, IL By The Addition Of Chapter 3.20 Imposing A Municipal Cannabis Retailers' Occupation Tax.

The City of Vandalia has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens.

This ordinance is intended to impose the tax authorized by the Act providing for a municipal cannabis retailers' occupation tax which will be collected by the Illinois Department of Revenue.

A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at retail in the City of Vandalia at the rate of 3% of the gross receipts from these sales made in the course of that business.

Paslay said that the City had begun receiving tax revenue back from the state for the cannabis use tax which comes from the sale of medical cannabis and CBD oils, etc., that the city has no control over. So far the city has received \$1,484.17 in cannabis use tax revenue and \$1,152.35 of that amount received in fiscal year 2020 and the other \$331.82 being the one payment the city received so far for Fiscal year 2021.

Roll call vote: Hubler, yea; Barker, yea; Crawford, yea; Stunkel, yea; Hobler, yea; Rebbe, yea; Brosman, yea; Lester, absent. Motion carried.

MAYOR'S REPORT:

Mayor Gottman reported that the Village Shoppe Building is down. Mayor Gottman thanked Grubaugh for getting the building down in a safe manner.

Mayor Gottman announced due to the COVID-19 City Hall will not open until Phase 4

Mayor Gottman announced that the Vandalia Lake is open to the public. We are following the same rules as the state and fed allows.

The Fourth of July fireworks will take place at the Vandalia Lake on July 3rd.

Mayor Gottman announced that the school speed limit signs are going up today.

Mayor Gottman reported that the sewer vac truck should be in sometime this week.

Mayor Gottman reported that the county mayors met with the county's consultant Bruce Delashmit in regard to the animal control.

City Attorney Ryan Connor will be working with Delashmit on some contract language.

Mayor Gottman said there were two cities that had concerns about cats not being covered and picked up under the agreement but county board member Merrell Collins was on the call for the meeting and said the cat issue would be explored more in the future.

Collins said there were bigger cost issues and such for cats that have to be looked at and Mayor Gottman said that he also did some research as well and there are very different regulations for cats.

STANDING COMMITTEES:

Barker reported that the Public Works Department should be getting the vac truck sometime this week.

He also reported that they are getting caught up on the mowing.

Brosman reported that the water main replacement project has started. It is progressing very well. We look forward to a lot less main breakages because we are addressing the worst part of the sewer system.

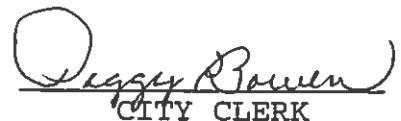
Stunkel reported that the lake has opened up to the public and on the third day there was vandalism at the shower house at the campgrounds. They took a hammer and busted up the porcelain sink, mirror and shelves.

Trying to get a plumber to repair the sink.

Mayor Gottman reported that the Beautification Center Committee met today. They are beginning to do some yard work.

ADJOURNMENT:

There being nothing further to discuss a motion was made by Hubler and seconded by Hobler to adjourn. Motion carried.


CITY CLERK