

CITY COUNCIL
Regular Meeting

March 1, 2021
6:30 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 6:30 P.M.

ROLL CALL:

Aldermen present were: Barker, yea; Hubler, yea; Brosman, yea; Rebbe, yea; Crawford, yea; Hobler, yea; Stunkel, yea. Lester was absent.

MOMENT OF SILENCE NEDRA HAYNES:

A moment of silence was observed for former business owner Nedra Haynes, Nedra's Printing.

MINUTES:

A motion to approve the corrected minutes from the February 22, 2021 meeting was made by Stunkel and seconded by Brosman. Motion carried.

REGULAR BILLS:

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

SPECIAL BILLS:

A motion was made by Stunkel and seconded by Barker approving the Special Bills as submitted: Municipal Code Corporation in the amount of \$4,244.54 for supplement pages to the Municipal Code Book; Land of Lincoln Credit Union in the amount of \$7,000.00 for loan payment on sewer vac truck; Cargill Inc. in the amount of \$4,693.34 for salt; Horst Enterprises in the amount of \$22,017.00 for sidewalk improvements; Milano & Grunloh Engineering in the

amount of \$4,592.00 for Octochem Street Design; Higg's Welding in the amount of \$4,230.00 to install 8' steel dumper dog; Bluff Equipment, Inc. in the amount of \$12,800.00 for a Kubota tractor mower for the Water Plant; Brenntag Mid South in the amount of \$10,915.84 for robinfloc; Hawkins in the amount of \$7,986.69 for activated carbon. Motion carried.

ZONING BOARD OF ADJUSTMENTS
MEETING MINUTES FROM
FEBRUARY 17, 2021:

A motion was made by Brosman and seconded by Stunkel approving the Zoning Board of Adjustments Meeting Minutes from February 17, 2021 as submitted. Motion carried.

TRANSFER OF LAKE LOT #508
FROM JEREMY MARX TO BLAISE
WALKER:

A motion was made by Stunkel and seconded by Barker approving the transfer of Lake Lot #508 from Jeremy Marx, Ramsey to Blaise Walker, Granite City, Il. All necessary fees have been paid. Motion carried.

FIRST READING FOR CLASS J
LIQUOR LICENSE REQUEST FROM
MEYER OIL COMPANY-GAMING
PARLOR:

Mayor Gottman held a first reading for a Class J Liquor License request from Randy Meyer Oil Co. for a gaming parlor. His application is in your packet.

Brosman questioned, if this is just a small part of the existing building would a Class J be the appropriate license for this?

Mayor Gottman said, that the problem is they cannot be connected to a gas station.

Randy Meyer, owner of Meyer Oil was present to explain his plan. He said that they plan to restrict the alcohol consumption only to the room that you see on the diagram.

Mayor Gottman asked Meyer if this will be an addition onto the building and Meyer said yes.

Mayor Gottman said that it has always been the city's assumption that it would be a stand alone building with a separate entrance.

Meyer said that we could develop this with an entrance to the north and make that the only entrance to this room to where the cashier's in the store would service the gaming room customers but there would be no movement of customers outside of the gaming room.

Mayor Gottman asked Meyer, where would the alcohol be served from? Meyer replied by saying it would be served in the cashier's area which would service both the gaming room and the c store.

Mayor Gottman said, I think that's going to be the problem because there will be alcohol in the station. Mayor Gottman asked Meyer if he would rethink that.

Barker said, if you can get it all confined to that one space where it is not in the station at all it would be self-contained.

Mayor Gottman said that this was the first reading and you could amend based on that.

The final ordinance will be drafted and voted on at the March 15th meeting.

VANDALIA MUNICIPAL CODE AT
TITLE V BUSINESS LICENSES &
REGULATIONS AT SECTION
5.08.070 NUMBER OF LICENSES
(PMK, INC.)

Barker asked what we are discussing and voting on now is to raise it from four to five? Mayor Gottman said yea.

Barker said, before we get started on that, I would like to know what the requirement for the J license is? Because, we have two that are retail stores, where a parlor is where you can directly walk into it. It's a stand-alone business, such as Daphne's and Spin to Win. These two tobacco stores acquired the gambling to assist just like your restaurants, your gas stations and so forth. So, I think we need to look at possibly reclassifying those two that would give us at least two if we don't approve the five.

Stunkel said that he was in both of them today and Barker is right. The one with the drive-up window, nobody goes gaming through a drive-up window that's all merchandise, retail and the thirty minutes I was there, they must have had 50 people between the drive up and the merchandise. There were two guys in the back. That's like Willy's, business first and gaming second.

Stunkel said, I remember some years ago, we wanted to limit the parlors, as far as stand alones because we thought it would be a saturation at a point if we didn't. Stunkel said, I truly think that these discount tobacco at least definitely the one with the drive-up window should be re-classified.

City Attorney Ryan Connor said, that Class J license was to aim specifically at those individuals who said, we want a liquor license for the purpose of gaming. We may pour a drink here, there or somewhere but we expect

the gross sales will be extremely low and that the purpose is a gaming parlor. Not necessarily exclusively but the design was to be honest with ourselves about what people were, my recollection is that came into existence at the time Discount Tobacco came in and asked for that. We always knew that liquor was only incidental to gaming that was the design anyway. The only way we can regulate a gaming parlor is through the issuance of a liquor license.

Barker said, whether we do anything with these others, we need to correct that, which is going to allow two more, which is not going to increase it.

Mayor Gottman said, unless someone puts on the floor to decrease it to two.

Barker said, we do that all the time if a bar leaves we adjust our liquor licenses and raise them as needed.

Attorney Connor said, it would be an agenda item and would be a reclassification then they vote to reduce then a vote on something else.

Connor said, there is no way I would suggest you structure your agenda in any other way other than to do it a way that would result in a closure of the license before consideration of an opening of new licenses.

Barker asked, our other license we have a cap on them correct? Connor replied by saying we have a number of licenses that are currently issued in order to go up you must bring an item on the agenda to the council to take that number up.

It serves as a limitation that you must overcome each time.

Crawford said, that's not entirely true either, because we've had businesses step into open licenses before. Connor said, not since I've been sitting here.

Mayor Gottman said, that is only in a situation if the council approved the sale of the business sold and it was contingent upon that business getting that liquor license. That's the only time that has happened.

Connor said, that's a protective right in the sense that once that business exist you would effectively make that business unable to sell itself if you weren't going to consider that license in a protected way when it's going to go to someone else.

Mayor Gottman said, I think what's on the table tonight is to vote on this Class J license. We will have a work session to discuss the rest of the licenses at a later date.

Barker added one more thing, if we do this correction we are going to increase filling an empty building possibly do it with two businesses fill two buildings and possibly eight to ten jobs.

Crawford made a motion to table this until we can work on both of these together. Brosman seconded the motion. Motion carried.

AMENDING SALARY ORDINANCE:

A motion was made by Brosman and seconded by Barker Amending the Salary Ordinance.

Hobler asked to table this until they can further review salaries of these employees.

Hobler said, for example the Lake Manager \$17.69 an hour and how many years has he been out there.

We're talking about moving the Tourism Director up to \$18.00 and she's been there a year.

Stunkel said, can we table this like Hobler requested and take it to the Personnel, Finance & Insurance Committee to review the situation.

Brosman asked if we had to have a meeting to discuss this or can we do it here now. Mayor Gottman said, we are going to do it here now.

It was decided the pay for the Lake Manager would be set at \$20.00 an hour and for the Tourism Director \$18.00 per hour and the laborers \$11.00 per hour.

ORDINANCE #2021-3-1-A:
AN ORDINANCE AMENDING
SALARIES FOR FISCAL YEAR MAY
1, 2020-APRIL 30, 2021:

A motion was made by Brosman motion and seconded by Stunkel Adopting Ordinance #2021-3-1-A, Amending Salaries For Fiscal Year May 1, 2020-April 30, 2021 after making adjustments to the salaries as discussed.

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

APPROVE OR REJECT CLOSURE OF
FOURTH STREET FOR FARMER'S
MARKET:

A motion was made by Barker and seconded by Crawford approving the closure of 4th Steet for Farmer's Market. Motion carried.

RESOLUTION #2021-3-1-B:
MAINTENANCE TO STREETS &
HIGHWAYS BY MUNICIPALITY
UNDER THE ILLINOIS HIGHWAY
CODE IN THE AMOUNT OF
\$319,878.50

A motion was made by Barker and seconded by Stunkel approving Resolution #2021-3-1-B, Maintenance to Streets & Highways By Municipality Under The Illinois Highway Code in the amount of \$319,878.50. Motion carried.

MAYOR'S REPORT:

Mayor Gottman publicly thanked the Street Department for their hard work during the cold weather.

Mayor Gottman was in Springfield today. While in Springfield he stopped by the Illinois Municipal League Office. He reported that there is more legislation coming up in regards to municipalities.

Mayor Gottman stated that Gov. Pritzker signed the Criminal Justice Reform Bill. The new law ends cash bail in many cases, sets statewide standards on police use of force, requires police to wear body cams and many other provisions.

STANDING COMMITTEES:

Barker thanked the restaurants for taking care of our Street Department with a meal of appreciation for all they do.

Brosman announced that a work session was held last week in reference to an apartment building on Kennedy Blvd. that has numerous individually metered apartments and nothing come out of that meeting discussion is continued to this Thursday, March 4th at 3:30. Anyone on the Water & Sewer Committee wish to attend please do so.

Hobler announced that the Public Safety & Personnel, Finance & Insurance Committee will hold a meeting at 12:00 pm on Tuesday, March 2nd at City Hall to open bids for a new fire truck.

Stunkel said that Vandalia Lake Marina will be opening soon.

COUNCIL CONCERNS:

Crawford said she had one and it's been going on for a very long time. Crawford said that she is sitting here knowing she has six meetings left after this one and I will be gone. I am handing my seat over to someone I trust complaisantly to take care of these citizens of Vandalia, but for the last eight years I have sat here, and I have bit my tongue every time two issues come before the council that deals with liquor issues and TIF issues.

Crawford said, I asked you last week Mike what you thought business developers were seeing from the outside? What they are seeing is aldermen sitting at the table saying if you want to build a business here build it your own damn self. They are seeing aldermen that mutter under their breath and pick fights with the business owners sitting in the audience. A mayor that makes a joke about a business closing and ten people losing their jobs. Mayor Gottman said, I never made that. Crawford came back and said, yes you absolutely did. You joked about Little Caesar's left. Mayor Gottman, No I did not. I will have the tape pulled and I will debate you on that. Business owners are offended by the things that this council say to them and do to them. You say that you are pro-business but you are adversarial as

hell when it comes to bringing them in. I decline to run for re-election because after eight years of fighting this nonsense, I'm exhausted.

You can sit here and you can say we are not Effingham we are not Mt. Vernon, that's true! You can sit on your ass and can leave it that way or you can actually put the work into turning us into Mt. Vernon or Effingham, but you've got to start somewhere. You can't keep lookin down your nose at every business that comes and ask for help because they don't meet your specifications. It's 2021 NOT 1921 and if this city is going to survive it has to move forward. I wish I had the energy to keep fighting but I'm done and I know that Kenny will absolutely fight for the people of Ward II and fight for the people of Vandalia because Kenny is a fighter and he will not give up.

Mayor Gottman said, I can tell you that Kenny is not for anymore gaming parlors. He told me that personally. Crawford replied by saying, NO, He's NOT!!He calls me on every single one of them and excuse me sir, I'm speaking! Mayor Gottman said, go ahead. I can't sit here and be a part of burning the city I love to the ground and I'm going to leave with a prayer that you guys save it.

Mayor Gottman said, I can tell you as Mayor, I am very much economic development pro. I've worked with Mike, I've worked with other businesses in this town and you saying some of the things you've said, I disagree with you. I will pull the audio, I will pull the tape of what was done. Crawford asked Mayor Gottman why don't you ask the people that

watched you make a joke about them if they were offended. Mayor Gottman asked Crawford, who was offended? Mayor Gottman asked Mike Wehrle if he was offended and Mike replied by saying, a little bit. Mayor Gottman said that he would pull the video. Mayor Gottman said to Wehrle, if I offended you I'm sorry, I've worked with you very strongly to bring businesses into our community.

Mayor Gottman said, I'm pro-business for this community. We brought in the business down in your building, we brought in the Atlas 46 and Kanata Blanket, Medline and we've got expansion going on with Octochem. There is a lot going on in this community for you to say that Dorothy.

Attorney Connor gave his point of view Mayor Gottman and LaTisha Paslay on the executive side, I just want to say the idea that he would be in anyway pleased about a business closing in Vandalia, I find a little bit offensive just because we spend a lot of non-billable time working on that exact issue. He has personally cared about every single business that has closed or been transferred since I've been here. We've talked about every single one. These are things that you guys ordinarily see. Connor said, I've got to say that there is no way that any of your executives would have been pleased in any way that any of your businesses closed.

ADJOURNMENT:

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


PEGGY BOWEN
CITY CLERK