

City Council
Regular Meeting

May 2, 2022
6:30 p.m.

PLEDGE OF ALLEGIANCE:

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

CALL TO ORDER:

Mayor Gottman called the regularly scheduled meeting of the Vandalia City Council to order at 6:30 pm.

ROLL CALL:

Aldermen Barker, Stunkel, Rebbe, Brosman, Lewey, Hubler, and Lester were present. Hobler was absent.

MOMENT OF SILENCE:

A moment of silence was observed for Randy Schukar, brother of Lake Manager and former City of Vandalia Police Officer Rob Schukar. His parents were business owners in Vandalia.

**APPROVAL OF CITY COUNCIL
MEETING MINUTES DATED
APRIL 18, 2022:**

A motion was made by Stunkel and seconded by Brosman to approve the minutes from the April 18, 2022 City Council meeting as presented. Motion carried.

TREASURER'S REPORT:

Treasurer's Report was reviewed as presented. No action needed at this time.

REGULAR BILLS:

Motion was made by Stunkel and seconded by Barker to approve the regular bills as submitted. Motion carried.

SPECIAL BILLS:

Motion was made by Stunkel and seconded by Lewey to approve the special bills as presented: Online Solutions in the amount of \$1,800.00 for annual subscription; Luby Equipment Services in the amount of \$2,221.99 for replacing water pump; Land of Lincoln Credit Union in the

amount of \$7,000 for sewer vac; Ameren Illinois in the amount of \$2,262.40 for electric bill; Mac's Fire and Safety, Inc., in the amount of \$6,192.00 for portable tanks; C and C Pumps & Supply in the amount of \$49,147.98 for materials; Hawkins, Inc., in the amount of \$1,936.00 for activated carbon; Genesis Property Improvements in the amount of \$6,767.00 for roofing. Motion carried.

**AUTHORIZATION TO SEEK
BIDS FOR WATER SERVICE
TRUCK:**

Motion was made by Barker and seconded by Stunkel to give authorization to seek sealed bids for a water service truck. Motion carried.

**ORDINANCE 2022-5-2-A: AN
ORDINANCE AMENDING THE
VANDALIA MUNICIPAL CODE
AT TITLE V BUSINESS
LICENSES AND REGULATIONS
AT SECTION 5.08.060 -
CLASSIFICATION - FEES:**

Gottman reminded Council this was not approving the liquor license; this was approving a change in verbiage. Currently there is one (1) Class F license under the bowling alley. Brosman stated we are adding recreational entertainment services not limited to but examples of include escape rooms, arcades, laser tag courses, axe throwing, etc. Paslay stated this is Highland, Illinois's definition of recreational venues as this Ordinance was modeled after theirs. Motion was made by Brosman and seconded by Barker to approve Ordinance 2022-5-2-A: An Ordinance Amending the Vandalia Municipal Code at Title V Business License and Regulations at Section 5.08.06 - Classification - Fees. Hubler asked what the liability is if somebody got hurt. Connor replied that he didn't see it being any greater than any other DRAM shop liability. As long as the DRAM shop liability is in place, Connor felt it wasn't any riskier than any other activity. He stated it strikes him as very

similar to a bowling alley. Gottman states DRAM shop licenses are scrutinized closely. Connor reminded the Council that they recently passed an Ordinance that separates gaming permits from liquor licenses, so gaming permits are actually separate entities at this point.

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

**ORDINANCE 2022-5-2-B: AN
ORDINANCE AMENDING THE
VANDALIA MUNICIPAL CODE
AT TITLE V BUSINESS
LICENSE AND REGULATIONS
AT SECTION 5.08.070 -
NUMBER OF LICENSES
(INCREASE CLASS F TO 2):**

A motion was made by Lewey and seconded by Barker to approve Ordinance 2022-5-2-B: An Ordinance Amending the Vandalia Municipal Code at Title V Business License and Regulations at Section 5.08.070 - Number of Licenses (Increase Class F to 2).

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

**ORDINANCE 2022-5-2-C: AN
ORDINANCE AMENDING THE
VANDALIA MUNICIPAL CODE
AT TITLE XI LAKE
ORDINANCE AND
REGULATIONS AT SECTION
11.18.010, PERMIT
CAMPING AREAS AND
11.18.020 CAMPING FEES:**

Stunkel stated the Lake Committee had a meeting on April 4, 2022. Annual lease fee double charging was addressed and recommendation of the committee was to eliminate that. Discussion was held regarding having applications filled out by potential Lessees for the north side. Stunkel said the City needs to come up with an application form. Summary of the rules was reviewed. Dual residency was discussed. In those cases, two forms of ID will be required to prove residency. A gentleman is interested in constructing a second story cabin at the Lake. 13 x 9 maximum is the legal DOT size for moving a structure. Barker asked what the portable width would be to be hauling it, and Stunkel said 16 x

80 which is 1280 square feet, maximum. There were no objections. Connor will modify Section 4 of the Ordinance to reflect these changes. Lengthy discussion was held regarding allowing one per household to be on the list for a lake lot. Brosman said he doesn't see where living in a household should impact it. He feels that one adult 18 years or older who is able to sign a legal contract should have the opportunity to apply. He felt household should have nothing to do with it and if a legal adult wants to get on the list, they should be able to get on the list. There were no objections. Connor noted Subsection F added a secondary leaseholder to solve the problem the City was having when people pass away or otherwise be unable to make the transfer they needed to make. He stated the right of renewal is able to be transferred. Stunkel noted the transfer fee will be increased from \$75.00 to \$150.00. A motion was made by Stunkel and seconded by Barker to approve Ordinance 2022-5-2-C: An Ordinance Amending the Vandalia Municipal Code at Title XI Lake Ordinance and Regulations at Section 11.18.010, Permit Camping Areas and 11.18.020 Camping Fees with the amendment to Section IV (c) B which states "maximum square footage of nonpermanent structures shall not exceed 1280 square feet".

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

**ORDINANCE 2022-5-2-D: AN
ORDINANCE APPROVING A
LEASE BETWEEN THE CITY
OF VANDALIA, ILLINOIS,
AND CLINT SIMPSON STATE
FARM INSURANCE:**

Brosman asked if Simpson had submitted a drawing or description because of the slope of the topography. He stated he is 100% behind this as long as it is done in an appropriate manner and as long as Marlin Filer, Public Works Director, was in favor of it. The property sits just west of State Farm Insurance that the City owns. A motion was made by Brosman and seconded by Stunkel to approve Ordinance 2022-5-2-D: An Ordinance Approving a Lease Between the City of Vandalia, Illinois, and Clint Simpson State Farm Insurance.

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

**ORDINANCE 2022-5-2-E: AN
ORDINANCE AMENDING
SALARIES FOR FISCAL YEAR
MAY 1, 2022 - APRIL 30,
2023:**

Gottman stated the salary ordinance includes the 4% increases that were approved. This will be amended once the contract for the Economic Development Director position and the contract for the Telecommunicators are finalized. A motion was made by Stunkel and seconded by Barker to approve Ordinance 2022-5-2-E: An Ordinance Amending Salaries for Fiscal Year May 1, 2022 - April 30, 2023.

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

**APPROVE OR REJECT THE
RESIGNATION OF LARRY
HOFFEK FROM THE POLICE
PENSION BOARD AND
PLANNING COMMISSION:**

Gottman stated he has received 3 resignations from City boards/commissions mainly due to the Illinois Statute requiring detailed Statement of Economic Interest form requirements. A motion was made by Barker and seconded by Stunkel to

accept the resignation of Larry Hoffek from the Police Pension Board and Planning Commission. Motion carried.

APPROVE OR REJECT THE RESIGNATION OF MICHAEL KOONCE FROM THE POLICE PENSION BOARD:

A motion was made by Stunkel and seconded by Rebbe to accept the resignation of Michael Koonce from the Police Pension Board. Motion carried.

APPROVE OR REJECT THE RESIGNATION OF MICHAEL FULTON FROM THE PLANNING COMMISSION:

A motion was made by Stunkel and seconded by Brosman to accept the resignation of Michael Fulton from the Planning Commission. Motion carried.

Brosman asked Gottman if he could provide him with a current number of board/commission vacancies. Gottman said he would provide that information at the next meeting.

ORDINANCE 2022-5-2-F: AN ORDINANCE APPROVING A CERTAIN AGREEMENT BETWEEN THE CITY OF VANDALIA, ILLINOIS, AND FRATERNAL ORDER OF POLICE VANDALIA LODGE NO. 111 ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL 5/1/2022 - 4/30/2026:

Gottman stated that this had been approved at the last meeting but the first page, which was the stipend page, was omitted. There were no changes made. A motion was made by Stunkel and seconded by Lewey to approve Ordinance 2022-5-2-F: An Ordinance Approving a Certain Agreement Between the City of Vandalia, Illinois, and Fraternal Order of Police Vandalia Lodge No. 111 Illinois Fraternal Order of Police Labor Council 5/1/2022 - 4/30/2026.

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

APPROVAL OF FUND COMMITTEE MEETING MINUTES - APRIL 28, 2022:

A motion was made by Stunkel and seconded by Hubler to approve the Fund Committee Meeting Minutes dated April 28, 2022. Barker questioned the section of the minutes where

Gottman was communicating with Mr. Frazier on the phone. Frazier was not informed that he was being recorded by the media. Motion was made by Barker and seconded by Hubler to direct Huhn to strike that conversation from the minutes. Motion carried.

UNFINISHED BUSINESS:

Ryan Connor handed out his written opinion stating his recommendations regarding not-for-profit requests for donations and loans. ARPA funds from his perspective are not available for capital improvements for not-for-profit entities. In the general fund, Connor is looking for appropriated funds for specific corporate purpose. The Council will very accurately have to identify what it is the City is investing in for that corporate purpose and what the City's liability is going to be. The Revolving Loan fund is designed as an economic development tool. Most recently, the City entered an Economic Incentive Agreement with Vandalia Bowl, and specifically an ordinance authorizing an economic incentive agreement. Very specific findings were made in that document about its economic impact and the necessity of would this organization be able to continue to produce tax revenue within the City of Vandalia if the City didn't make that expenditure out of that economic development fund. The City aimed very specifically at a business. It was designed for job creation and sales tax creation, and that was the goal of that economic driver. Connor asked the Council to read his analysis carefully what they are being asked to do and where the City is being asked to spend it from. He concludes that this was not what government was designed to do.

Connor stated the only place where there is any level of play is out of the revolving fund, which is a finite fund. Once it is depleted it will no longer be available unless the City replenishes it. Connor concluded this is not what tax dollars are for and this is not what these funds are for. He stated the Council was approached for a capital contribution for expansion which is a planned, nonemergency, but long term, goal oriented item. He does not feel that the City of Vandalia should be in the donation business. Lester asked how do you feel about a loan, and Connor said he has concerns about capital contributions. Connor said it will largely depend on what the loan is for. He stated he is not in favor of expansion of capital growth with City funding whether it is a loan or a donation. Connor said if the City begins down the capital building phase, the City will implicate prevailing wage and competitive bidding; those are City funds. If it is a corporate purpose it must then be a public works project. The Vandalia Bowl agreement was for equipment, inventory and working capital. Barker asked prevailing wage does not apply to that and Connor replied correct, the City did not implicate prevailing wage because it was for specialty equipment and those were fixed assets. Connor stated the owner made upgrades and required working capital to continue. Connor said any public works project implicates prevailing wage for the City. He reminded Council it must be for a corporate purpose and cannot be for a private purpose. Connor felt the revolving loan fund was the only place the City could make a

justifiable argument. Lester said he feels the loan is the best option. Barker said the Y has a great economic impact on the community, it is hard to put a hard number on paper what that economic impact is. He said he feels the revolving fund would be the only avenue as ARPA is out of the picture. Lester stated the Y is established and far reaching, and is likely to increase some sales tax. Stunkel said he is in favor of the expansion. He did some research and he found out that 63% of the Y's get their money from membership dues and sports leagues. 30% comes from grants and fundraising, and a lot of fundraising donations are political donations. He said he is concerned how the Council can be fair and consistent. He doesn't think the City should use taxpayer dollars for this campaign. Lester said the City should probably be charging an interest rate on revolving loans, such as 3%. Brosman said the Y came to the City with a request for support and most recently it was for usage of some of the ARPA funds. All of the ARPA money the City has been awarded is already earmarked somewhere else, and if there was an ARPA Program out there where we would be able to act as a pass through entity, if there was something clearly designated for a use like this so that the City could assist the Y in any way, he would be in favor. He is 100% behind the expansion but does not feel comfortable using public funds. Audience member David Dyer addressed the Council and stated in the long term the City is not going to have anything in the fund to continue to loan and felt it should be strictly a revolving fund for economic

development. Lester wanted to table the matter. Brosman said he wanted to give the Y an answer. A motion was made by Brosman and seconded by Hubler that the City of Vandalia economically assist the YMCA in the form of a \$100,000 loan from the revolving loan fund, which was the recommendation of the Fund Committee.

Roll call: Brosman, nay; Rebbe, nay; Stunkel, nay; Lester, nay; Hubler, nay; Lewey, nay; Barker nay. Hobler was absent. Motion failed.

Ben Frazier, CEO of the Fayette County Family YMCA, thanked the Council for their time and understands the Council's decision.

MAYOR'S REPORT:

Gottman stated he has always verbally supported the YMCA and will continue to do so. He asked the Council to promote the Y. Gottman noted that he has asked Chief Ray to see what the lead time on squad cars is. Ray has not heard anything yet. Budgets for the upcoming year are getting ready to be worked on. Medline Corporation on Jefferson Street had a celebration today. They have been in Vandalia in the current building for 7 years. They are having difficulty hiring employees. The Gaming Commissioner stopped by City Hall a few weeks ago. Pilot Truck Stop will be adding 10 gaming machines. They will be paying the license fees before the City issues a gaming license. Gottman thanked Paslay, Kaskaskia College and the Chamber for a great Career Fair this past week. There are a lot of job openings in the City of Vandalia. The axe throwing presentation which was made at the last Council meeting

will be acted on at the next Council meeting.

CITY CLERK REPORT:

Huhn reported that she is working on offering citizens of Vandalia the ability to complete, sign, and pay various license fees through the City website (such as raffle licenses, liquor licenses, etc.).

CITY ADMINISTRATOR'S REPORT:

Career Fair was held on Friday, April 29, 2022 with 300+ jobs available. 20 individuals and 20 businesses participated. The first Farmer's Market is May 14 and will be sponsored by WPMB/WKRV Radio.

SAFETY CODE OFFICIAL:

Included in packet from April 18, 2022 meeting.

STANDING COMMITTEES:

Barker stated there have been a few water breaks and a sewer collapse. The canopy is off of the salt bin. It will be replaced at no charge (excluding labor). Brosman stated he had a conversation with the City's sewer treatment plant operator. The newest lift station at the corner of Maine and Mattes, which services Walmart and is downstream from the truck stop, has, on an average of once a month, to utilize 2 street department employees and the vac truck because of an ongoing continuing problem of people throwing baby wipes, napkins, etc., down the toilet which are clogging the pumps up. A pump is being sent out for repair. There are grinder pumps and there are chopper pumps. The Superintendent has seen chopper pumps which would address that problem, so the Council might want to replace it with something that will dramatically lessen the labor costs. He also received 3 requests on adjustments for water bills; two are being addressed and 1 needs

additional information. Gottman said he had a meeting with Ameren IP. There is some information that he will give to Lee Beckman, City engineer. There are some major incentives in regard to that type of equipment. The engineer has to fill out the documents. The City is looking at between a \$25,000,000 and \$50,000,000 project for the water plant. Brosman said he would like to see the water plant solar powered. Gottman thanked the police for negotiations of a good contract for the City and the police officers. He also thanked the Laborers for their negotiations. Brosman asked if there was going to be a quorum for the police pension board, and Gottman stated as long as the current members attend, there will be a quorum. Gottman said he might have a potential committee member for the Police Pension Board. He stated the Police Pension Board is required by the State. Gottman said if anybody hears any complaints about the cemetery, there has been a lot of rain and it is hard to keep up with the mowing. There is a new cemetery employee that started today. Lester said he visited the Senior Citizens Center and he talked with a plumber who said all 4 toilets should be replaced. Lester is waiting on an estimate. Stunkel reported the newest lake boat is 27 years old. The oldest lake boat is 44 years old. Motion was made by Stunkel and seconded by Barker to authorize Paslay to have specs drawn up and put out for bid for a new boat. There were no objections. He also stated the entrance sign to the Lake on Route 185 needs to be replaced which will cost \$1,700.00. There were no objections to having the sign replaced. Discussion was held

regarding garbage dumpsters on the north side on the lake: residents either like them, want more or do not want them at all. Stunkel asked the Council to think about what they would like to do concerning the dumpsters on the north side. Hubler said the sign at the Tourism Center isn't working. Paslay stated she is waiting for the ground to dry up so the bucket truck can get in to fix the sign. Hubler reported the Sixth Street railroad crossing is in bad condition. Paslay will contact CSX regarding this.

ANNOUNCEMENTS AND CONCERNS:

Barker asked about updates on bid letting on City projects. Paslay reported the Octochem Payne/Wagner Road project bid opening is Wednesday. Safe Routes to Schools - Paslay is down to 3. Lester said the Street Department's truck fleet is pretty stressed. Gottman said these will be addressed. Barker will get the overall footage for sidewalk replacement to Lester. Fire department training hours and calls for February and March 2022 were reviewed. Gottman noted that IDOT will be starting to do work on 185 from the Montgomery County line east to US 40 in Vandalia. Barker asked if IDOT is looking at Kennedy. Gottman said he had not heard of anything on that yet. Zach Kopp, representing PMK, inquired about the application for revolving loan fund that PMK had requested at the last Council meeting. Paslay is developing an application as directed by the attorney.

ADJOURNMENT :

Motion was made by Hubler and seconded by Lewey to adjourn the meeting. The meeting adjourned at 8:26 p.m.

City Clerk