



**REGULAR MEETING MINUTES OF THE CITY COUNCIL
OF THE CITY OF NEOGA, CITY COUNCIL CHAMBERS
MUNICIPAL BUILDING 533 CHESTNUT
JANUARY 21, 2002, 7:00 P.M.**

CALL TO ORDER

Mayor Mercer called the meeting to order at 7:00 p.m. Those present were: Commissioners Warner, Modglin, and Mayor Mercer. Commissioner Altman arrived at 8:20 p.m.

MINUTES

Commissioner Modglin made the motion, seconded by Commissioner Warner, to approve the regular meeting minutes of January 7, 2002. Yeas, Commissioners Modglin, Warner, and Mayor Mercer. Nays, none. Motion carried. 3-0

PUBLIC AFFAIRS

APPOINTMENT OF ZONING BOARD MEMBERS

Commissioner Warner made the motion, seconded by Commissioner Modglin, to appoint Rodney Williamson, Bill Ehrhart, and Bill Swank to serve a four year term on the Neoga Board of Zoning Appeals and Planning. Yeas, Commissioners Warner, Modglin, and Mayor Mercer. Nays, none. Motion carried.

REPORT ON CUMBERLAND COUNTY DEVELOPMENT CORPORATION

Kathy Perkins Director of CCDC was present to give the Council an update on various projects that the Development Corporation has been working on during the past few months. She said she had worked with City Clerk Ehrhart on the early warning environmental letters required if Brighton Cabinets would need to access Revolving Loan Funds from the City. Also, she reported that she serves on the Coordinating Council for East Central Illinois Development Corporation and is presently serving as Chairman of the Marketing Committee. She noted that ECIDC is presently developing a marketing campaign for the nine county region. Additionally, CCDC is working on a survey to ask the various Municipalities in Cumberland County about their goals and objectives so CCDC can see what areas they can be of service to the Municipalities.

Motion: Commissioner Modglin made the motion, seconded by Commissioner Warner, to pay dues in the amount of \$1000 and stipend in the amount of \$5000 to Cumberland County Development Corporation. Yeas, Commissioners Modglin, Warner, and Mayor Mercer. Nays, none. Motion carried. 3-0

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FINANCE

TREASURER'S REPORT

The previous month statement of fund balances was given each Commissioner. After review of the same, Mayor Mercer ordered that the statement of fund balances be placed in the files of the City Clerk.

MONTHLY BILLS

After reviewing the monthly bills Commissioner Modglin made the motion, seconded by Commissioner Warner, to pay the bills in the amount of \$114,163.48. Yeas, Commissioners Modglin, Warner, and Mayor Mercer. Nays, none. Motion carried. 3-0

POSSIBLE REPLACE OF COMPUTER SYSTEM

Commissioner Modglin reported that the City Clerk obtained a preliminary quote on possible replacement of the office computer system. Clerk Ehrhart explained that the city office has been experiencing several computer problems. It was noted that the current system is about 5 years old, and both the hardware company and the software company say the current system is too slow to run the more complicated software the City is now using. It was noted that the system locks up pretty often and it gets fairly costly to have the computer people come down to fix the system. The City Clerk is to get further information and quotes and bring back to Council.

NEOGA CURL

Commissioner Modglin reported he had been attending the Neoga CURL group's meetings. He noted that he wanted to clarify the City's position about the Hog Facility. He said that the City's concern was to stop a Wean to Finish Hog Facility from locating just West of the City of Neoga. That it is not the intent of the City Council to Zone more than the 1 ½ mile extraterritorial jurisdiction they presently have. He noted that the Council as no intent or interest in pursuing zoning around lake Mattoon. Mayor Mercer and Commissioner Warner agreed with Commissioner Modglin's statements and further clarified that they have no interest in expanding their involvement.

Tom Strohl was present representing Neoga CURL and he told the Council that he had toured three wean to finish hog facilities with Chris Apke that were of the type proposed to be constructed by Apke. Strohl said that he found nothing that would change his mind about the stance CURL has taken in regard to stopping the location of the said facility West of Neoga. Additionally, Strohl requested on behalf of the Neoga CURL group that the Council act on the following:

1. That the City of Neoga participate financially in the settlement agreement being negotiated between CURL, Heartland Christian Village, and the Apke's. That the City set a maximum dollar amount that they would participate in reimbursing the

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Apke's for actual expenses incurred to date for their proposed hog operation.

2. That the City of Neoga write a letter to the Cumberland County Board requesting that the Cumberland County Board send a letter to the Shelby County Board asking them to re-zone the portion of Shelby County within 2 mile of the City of Neoga to be compatible with the City of Neoga extra-territorial zoning with is now residential estates or re-zone to agriculture excluding livestock confinement facilities.
3. That the City of Neoga request that the Cumberland County Board create a zoning commission county wide to protect the interests of all the citizens of Cumberland County.
4. That the City of Neoga write a letter to the Shelby County Board requesting the portion of Shelby County within 2 miles of Neoga and Lake Mattoon be re-zoned to be compatible with the extra-territorial zoning the City of Neoga currently has in place which is Residential Estates, or re-zone it as agricultural excluding livestock confinement facilities.
5. That the City of Neoga write a letter to the City of Mattoon Water Board requesting that they establish a 2 mile zone around Lake Mattoon as being a residential or agricultural excluding livestock confinement facilities.

Commissioner Warner stated that he would be against spending taxpayers money on a business mistake made by a private individual. Other Council members agreed with this statement. Also, it was the consensus of the Council that before any letter gets sent to Shelby County they would rather attend a Shelby County Board meeting to discuss the issue. City Clerk Ehrhart is to find out when the Shelby County Board meets. No action was taken on the other request items.

LAKE PUMPING STATION

Superintendent Douglas reported that Larry Johnson with Daily & Associates, Douglas, and Gil Smith with Reliant Energy did a walk-through at the Lake Pumping Station to review all punch list items. Douglas said that everything has now been turned over to the City.

STREET'S AND ALLEY'S

POWER POLE FOR NEW SCHOOL

Richard Peters addressed the Council and expressed his concern over a power pole that the City gave CIPS permission to set in the City Alley to take power to the new School. Peters said that he felt the pole was too close to his property line and felt that CIPS did not keep that pole in line with the poles on the south end of the alley. He was concerned that they might trim a tree that is

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is on his property. It was explained to Mr. Peters that the City does not have jurisdiction over CIPS when it comes to trimming of trees. He was told that the Illinois Commerce Commission regulates this and that they can trim back for 16 ft. from their poles. Commissioner Warner explained that when CIPS asked about setting a pole to provide power to the new School in the City's alley east of Wilson Street, he told CIPS they must perform a title search to prove that there is a platted alley in that location and that it had never been vacated. Additionally, a letter sent to Mr. Peters Attorney from AmerenCIPS Attorney states, that according to a recent search of the public records by Everhart & Everhart Abstractors, the public alley is platted and has never been vacated by the City. Additionally, the electric service line under construction is not a new service line but is merely to replace, upgrade, and extend the long existing single phase overhead service line to serve a new public school to the north. Peters stated he was not aware of the letter, the City Clerk provided him with a copy of same. Commissioner Warner told Peters that he would get a copy of the school survey and walk the property with him to explain the pin placement to him.

PUBLIC HEALTH & SAFETY

HIRING OF COLLECTION AGENCY FOR AGED AMBULANCE BILLS

After discussion and review of a proposal from New Age Collection Agency, Commissioner Altman made the motion, seconded by Commissioner Modglin, to hire New Age Collection Agency to pursue collection of aged Ambulance bills for the City. Yeas, Commissioners Altman, Warner, Modglin, and Mayor Mercer. Nays, none. Motion carried. 4-0

ADJOURN

Commissioner Modglin made the motion, seconded by Commissioner Warner, to adjourn the regular meeting of January 21, 2002, at 8:38 p.m. Yeas, Commissioners, Altman, Modglin, Warner, and Mayor Mercer. Nays, none. Motion carried. 4-0

Gary A. Mercer, Mayor

Patricia D. Ehrhart, MMC, City Clerk

02/04/02
Approved by City Council