



**REGULAR MEETING MINUTES OF THE CITY COUNCIL  
OF THE CITY OF NEOGA, CITY COUNCIL CHAMBERS  
MUNICIPAL BUILDING 533 CHESTNUT  
FEBRUARY 4, 2002, 7:00 P.M.**

**CALL TO ORDER**

Mayor Mercer called the meeting to order at 7:00 p.m. Those present were: Commissioners Varner, Altman, Modglin, Warner, And Mayor Mercer.

**MINUTES**

Commissioner Modglin made the motion, seconded by Commissioner Warner to approve the regular meeting minutes of January 21, 2001. Yeas, Warner, Varner, Modglin, Mayor Mercer. Commissioner Altman abstained. Nays, none. Motion carried. 5-0

**PUBLIC AFFAIRS**

**ZONING BOARD**

Commissioner Modglin made the motion, seconded by Commissioner Altman, to appoint Joe Briggerman to fill the unexpired term of resigning Board Member Larry Hymes to the Board of Zoning, Planning, and Appeals. Yeas, Commissioners Altman, Varner, Modglin, Warner, and Mayor Mercer. Nays, none. Motion carried. 5-0

Commissioner Modglin made the motion, seconded by Commissioner Warner, to accept with regret, the resignation of John Letizia from his position as board member of the Board of Zoning, Planning, and Appeals. Yeas, Commissioners Modglin, Warner, Varner, Altman, and Mayor Mercer. Nays, none. Motion carried. 5-0

**REQUEST FROM UPTOWN FOOD & SPIRITS**

Mike Tennant owner of Uptown Food & Spirits addressed the Council to request permission to construct an entrance to his restaurant that will extend out onto the City sidewalk. He explained the general layout of proposed entrance. Their plans are to paint the fronts of all buildings to match. Building Inspector Gary Kastl asked where the property line came to. He noted that in the commercial area owners can build to their property lines, and if they are already at their property line they would be building onto city property. Kastl suggested that Mr. Tennant have the property surveyed. Commissioner Warner said the first thing to do is decide, as a city, do we want to begin this type of process. Do we want to see a structure built like this? Other Council members expressed concern over setting a new set back rules. It was noted there could be liability issues for the City. Mr. Tennant said he would have a survey done to make sure is on their property. It was also noted that IDOT said they had no problem with the structure as

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proposed.

## **PUBLIC PROPERTY**

### REPORT FROM SUPERINTENDENT DOUGLAS

Bill Douglas Superintendent of Public Works was present. He discussed with the Council whether they wanted to supply the water meter for the new middle school. Douglas said it will be a 4 inch meter. City Clerk Ehrhart noted that some Contractors had called her office during the bidding process and she told them that the Council had agreed to wave charging any tap fees. However, no agreement was made to provide any materials or meter. After discussion it was the consensus of the Council that although there will not be a tap fee charged, the cost of the meter and other materials must be paid by the school's contractor.

Douglas presented the contract from Illinois EPA for water testing, annual charge of \$7352.80. Commissioner Varner made the motion, seconded by Commissioner Altman, to approve signing of the contract with EPA for testing for the 2002 year in the amount of \$7352.80. Yeas Commissioners Altman, Varner, Warner, Modglin, and Mayor Mercer. Nays, none. Motion carried. 5-0

## **STREET'S AND ALLEY'S**

### DRAINAGE CONCERNS IN ALLEY BEHIND PROFESSIONAL BUILDING

Jeff Stepp was present to express his concern over the continuing water problem in the ditch north of his property since construction of the professional building. Commissioner Warner said he will contact Ken Walk about getting something done about this ongoing situation. Jeff stated he will be back at next meeting and all meetings until this is resolved.

Superintendent Douglas reported there is a problem on 10<sup>th</sup> street with water undermining the road at the ditch under the bridge. Council discussed replacing the old culvert with a 78 inch culvert with end caps for a projected cost of a little over \$3000. Council felt should get an Engineering firm involved to size a pipe for proper water carriage at both 10<sup>th</sup> and Elm street.

## **PUBLIC HEALTH & SAFETY**

### HIRING OF ANIMAL CONTROL WARDEN

Discussion was held on hiring an Animal Control Warden and the proposal from Ron Boeser. Commissioner Altman made the motion, seconded by Commissioner Modglin to hire Boeser as Animal Control Warden for mileage, \$10 per hour, \$10 per animal, and time and one half for Sundays and after 8:00 on Sundays and Monday through Saturday. Yeas, Commissioners Modglin, Warner, Varner, Altman, and Mayor Mercer. Nays, none. Motion carried. 5-0

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RECESS INTO EXECUTIVE SESSION

Commissioner Modglin made the motion, seconded by Commissioner Warner, to move into executive session at 7:55 p.m., for the purpose of Section 2 (c)(11) probable litigation and Section 2 (c)(1) Personnel - compensation and performance. Yeas, Commissioners Varner, Altman, Modglin, Warner, and Mayor Mercer. Nays, none. Motion carried. 5-0

RECONVENED AND ROLL CALL

This meeting reconvened on Motion by Commissioner Altman, seconded by Commissioner Varner. Those present for roll call were: Commissioners Modglin, Warner, Varner, Altman, and Mayor Mercer.

POLICE DEPARTMENT

Mayor Mercer reported that the 1998 squad car was wrecked when Officer Nichols was responding to a call from the County asking him to investigate a vehicle that was at the FS Plant on Rt. 45 and Trilla Road. Additionally, Officer Easton reported that the 1996 squad car was overheating when he went to get it to go on duty. Mayor Mercer told Chief Mattern to get the squads fixed. Additionally, Council discussed the problem of the Officers being able to get in touch with Chief Mattern when he is out of town. The City Clerk was instructed to get a pager for him, because it is important that the Officers can contact him when needed.

RESOLUTION NO. 01-02-02

A RESOLUTION WITH AMEREN/CIPS FOR AN  
ADDITIONAL STREET LIGHT ON LOCUST STREET.

Commissioner Modglin made the motion, seconded by Commissioner Warner, to approve Resolution No. 01-02-02. Yeas, Commissioners Varner, Altman, Warner, Modglin, and Mayor Mercer. Nays, none. Motion carried. 5-0

IDOT PERMIT HIGHWAY PERMIT NO. 5-28281

Commissioner Altman made the motion, seconded by Commissioner Modglin, to approve Mayor Mercer signing of Permit No. 5-28281, which will authorize cutting the backslope of the highway ditch to outlet a drainage swale at the Industrial park. Yeas, Commissioners Altman, Modglin, Varner, Warner, and Mayor Mercer. Nays, none. Motion carried. 5-0

ADJOURN

Commissioner Modglin made the motion, seconded by Commissioner Altman, to adjourn the regular meeting of February 4, 2002, at 8:30 p.m. Motion carried, via voice vote.

02/18/02  
Approved by City Council

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Gary A. Mercer, Mayor

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Patricia D. Ehrhart, MMC, City Clerk

