



**REGULAR MEETING MINUTES OF THE CITY COUNCIL
OF THE CITY OF NEOGA, CITY COUNCIL CHAMBERS
MUNICIPAL BUILDING 533 CHESTNUT
AUGUST 5, 2002, 7:00 P.M.**

CALL TO ORDER

Mayor Pro-tem Modglin called the meeting to order at 7:00 p.m. Those present were: Commissioners Varner, Warner, Altman, and Mayor Pro-tem Modglin.

MINUTES

Commissioner Altman made the motion, seconded by Commissioner Warner, to approve the regular and executive meeting minutes of July 15, 2002. Yeas, Commissioners Altman, Warner, and Mayor Pro-tem Modglin. Commissioner Varner abstained. Nays, none. Motion carried. 4-0

PUBLIC AFFAIRS

RESOLUTION NO. 08-08-02

A RESOLUTION TO AUTHORIZE THE CITY
ATTORNEY TO INSTITUTE FORECLOSURE
PROCEEDING ON THE SECOND MORTGAGE OF
RUSSELL R. ORSBORN AND MELANIE E. ORSBORN

Commissioner Warner made the motion, seconded by Commissioner Varner, to approve Resolution No. 08-08-02. Yeas, Commissioners Varner, Warner, Altman, and Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

Council reviewed workmen compensation loss ratio reports and a letter from AmerenCIPS in regard to electrical outage procedures.

HIRING OF POLICE OFFICER

Commissioner Altman made the motion, seconded by Commissioner Varner, to approve hiring Travis Easton for the position of Sargent in the Police Department at a salary of \$35,500.00 per year. Yeas, Commissioners Varner, Warner, Altman, and Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

FINANCE

ORDINANCE NO. 722-08-02

AN ORDINANCE LEVYING AND ASSESSING THE
TAXES FOR THE CITY OF NEOGA FOR 2002.

Commissioner Altman made the motion, seconded by Commissioner Warner, to approve Ordinance No. 722-08-02. Yeas, Commissioners Altman, Warner, Varner, and Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

REGULAR COUNCIL MEETING MINUTES

COPIER MAINTENANCE CONTRACT

Motion: Commissioner Varner made the motion, seconded by Commissioner Altman, to approve payment of the Copier Maintenance Contract for the Cannon 6521 in the amount of \$1265. Yeas, Commissioners Varner, Warner, Altman, and Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

PUBLIC PROPERTY

REPORT FROM SUPERINTENDENT DOUGLAS

Douglas reported on the following: 1. First block completed on the ditch that drains the high school parking lot. 2. Work is progressing on the 2nd block of installation of pipe in the ditch behind the Professional Building. 3. Beldon has cut down 2 trees and several stumps have been removed. 4. Curb & Gutter on Willow Ave. has been replaced. 5. The variable frequency drive needed for the No. 3 pump at the Sewer Plant has been delivered by Larry Johnson from Daily & Associates and will be installed soon. 6. After discussion, Douglas is to get cost estimates for a culvert extension on Willow Ave.

LETTER REGARDING CEMETERY CROSSING

Council reviewed a letter received from Joe O'Dell stating his concerns over efforts to close the Cemetery Railroad crossing. Council noted that he has a misunderstanding of the position of the Council in regard to this crossing. Commissioner Varner will visit with O'Dell about this matter.

KENWORTHY PROPERTY CONCERNS

Tony Kenworthy was present to discuss with the Council his family's concerns over the condition his fathers property on South Rt. 45 was left in due to the construction of the watermain. Kenworthy said it has been eleven months since construction and the property is still not put back in original condition. Kenworthy said that the ditch on the North side was supposed to be cut straight and because it was not they are experiencing erosion problems. Also, he said there were still some stumps that have not been removed and because of this along with settling problems where the watermain was installed mowing is a big problem. Kenworthy said that the re-installation of the culvert was working well and noted that some stumps have been removed. Norm Penseneau with GRR Construction stated he has spoken with IDOT about this matter and they said he needs to put a swale in and add top soil. Penseneau stated that they will meet with Kenworthy's and Superintendent Douglas on the site to review what items need to be attended to and they will repair and seed the site one last time. Additionally, Penseneau will be putting top soil and seeding other properties along Rt. 45 that have experienced the settling problem from construction of the watermain.

REGULAR COUNCIL MEETING MINUTES

AUGUST 5, 2002

APPLICATION FOR CDAP GRANT FOR SEWER IMPROVEMENTS

Larry Johnson with Daily & Associates was present to discuss with the Council the possibility of making an application for a Grant to make improvements in the sewer delivery system and/or the sewer plant. Johnson discussed several possible grants or low interest loans the City could consider, however he felt that a CDAP Grant application would be the best option at this time. Johnson said that the City was now in the 22nd year of a 20 year design life on the sewer plant and there are several items at the plant that need to be addressed. However, it was his feeling that the surcharging on the sanitary sewer lines during the spring rain was probably our biggest need problem at this time. He noted that the EPA has notified the City about this problem and we now have a paper trail documenting health issues that will help in the grant application process. After discussion it was the consensus of the Council to authorize Johnson and the City Clerk to notify the Illinois Department of Commerce and Community Affairs of our intent to begin the income survey of the community to document the 51% benefit to low to moderate income families for this project. This survey is the first step in the application process.

PAYMENT OF EXTRA CHARGES FOR REINSTALLATION OF CULVERT

Commissioner Warner asked Daily & Associates and GRR Construction for an explanation of why when the City hired a design professional and contractor to do the job in the proper manner was the City being charged extra for reinstallation of a culvert and erosion control on the Kenworthy property. GRR Construction explained that it was extra time and material over and above the scope of work in the contract. After discussion Commissioner Warner agreed on the time & material. Motion: Commissioner Warner made the motion, seconded by Commissioner Varner to approve payment of the bill in the amount of \$1127.81 to GRR Construction for rip rap protection to prevent further erosion. Yeas, Commissioners Varner, Altman, Warner, and Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

CHANGE ORDER NO. 1, INDUSTRIAL PARK

Commissioner Warner made the motion, seconded by Commissioner Varner, to approve Change Order No. 1 in the Industrial Park Project in the amount of \$582. Yeas, Commissioners Altman, Varner, Warner, and Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

PAY REQUEST NO. 1, INDUSTRIAL PARK

Commissioner Varner made the motion, seconded by Commissioner Altman, to approve pay request No. 1, for the Industrial Park Project in the amount of \$141,320.34. Yeas, Commissioners Varner, Altman, Warner, and Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

3 PHASE ELECTRICAL COST FROM AMEREN/CIPS FOR PUMPING STATION

Council discussed with Engineers Larry Johnson and David Happ whether there is a need to install 3 phase electrical at the trailer park pumping station or if single phase would work as well in this situation. It was noted that AmerenCIPS quoted cost to the city for 3 phase is \$14,671.

REGULAR COUNCIL MEETING MINUTES

PAGE -4-

AUGUST 5, 2002

Johnson told the Council that in his opinion single phase with the size of pumps proposed would certainly be sufficient. It was discussed that Tom Overmyer felt that 3 phase was needed for future expansion. It was noted that any large company was going to have the cost of bringing 3 phase factored into their project. Additionally, there is a need to keep additional costs to the City on this project at a minimum. It was the consensus of the Council to get estimates from AmerenCIPS for bringing single phase electric and to proceed with installation of single phase electric based on Johnson's recommendation.

BRIGHTON CABINET COMPANY

Council discussed some issues in regard to Brighton Cabinet regarding driveway entrances. It was noted that Brighton has an 85 foot entrance planned and IDOT will not permit driveway entry ways over 35 ft. Additionally, Brighton is upset over not having sufficient water flow and pressure to operate a sprinkler system for their building. Commissioner Warner noted that it is their design professional's responsibility to make sure that sufficient water pressure will be present and if not, to factor in the added cost to build holding tanks and pumps to provide the needed pressure.

STREET'S AND ALLEY'S

INDUSTRIAL PARK ROAD

Commissioner Warner discussed with David Happ and Larry Johnson concerns over the roadway at the Industrial park. He said that because the roadway was cut down so far the proper compaction could not be achieved. Therefore, it was the consensus of all involved to apply lime to the soil to achieve the needed compaction rate because adding rock would act as a french drain and cause problems with the sub-base holding water.

EASEMENT ACROSS STEWART PROPERTY

Council discussed alternate routes to supply water and sewer service to the Hartke property south of the James Stewart property located at 1002 N. Walnut if easement could not be obtained from the Stewart's to come across their property. The City Attorney is to write a letter to Stewarts explaining that if the Council cannot obtain an easement from them to construct the water and sewer line that an alternate route will be taken. Additionally, if an alternate route is taken they will be responsible for repair of their private sewer line and to re-align the sewer line to be within the existing easements of the City.

STREET CONSTRUCTION AT NEW MIDDLE SCHOOL

Council discussed cost for the City's portion of the street construction at the new school. The City will be able to work with the School's contractor for construction so cost will be lower because they will already be here working. The city employees will prepare the street for construction and coordinate the work with Effingham Asphalt Co. Motion: Commissioner

REGULAR COUNCIL MEETING MINUTES

PATE -5-

AUGUST 5, 2002

Warner made the motion, seconded by Commissioner Varner, to accept Option # 1 from Effingham Asphalt Co. for Prime Rock with MC-30 Prime, Install 1 ½ inch Hot Mix Binder Asphalt, install 1 inch Hot mix surface asphalt, for a total of \$6740. With a deduct of \$2400 for the cost of patching the existing city street of 324 feet of sanitary sewer trench. Yeas, Commissioners Warner, Varner, Altman, Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

REQUEST FOR GUEST PARKING SIGN FROM GRACE UNITED METHODIST CHURCH

After brief discussion it was the consensus of the Council to approve the request from Grace United Methodist Church for Guest Parking signs to be placed on the West side of the Church on Walnut to restrict parking to guest's of the Church during Sunday Morning church services hours. Superintendent Douglas will order signs.

PUBLIC HEALTH & SAFETY

EARLY WARNING SIGNS

Commissioner Altman reviewed with the Council a letter received from County ESDA Coordinator Webb Timm. Because Cumberland County has been declared a disaster area grant funds are available to help purchase early warning sirens for the County. The cost would range from \$3596.38 if four communities participate to \$3902.88 for participation by one community.

Motion: Commissioner Altman made the motion, seconded by Commissioner Varner, to approve purchase of an early warning siren to be placed on the east side of Neoga. Yeas, Commissioners Varner, Altman, Warner, and Mayor Pro-tem Modglin. Nays, none. Motion carried. 4-0

ADJOURN

Commissioner Warner, made the motion, seconded by Commissioner Altman, to adjourn the regular meeting of August 5, 2002, at 10:15 p.m. Motion carried via voice vote.

Gary A. Mercer, Mayor

Patricia D. Ehrhart, MMC, City Clerk