



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

**CALL TO ORDER**

Mayor Mercer called the meeting to order at 7:00 p.m., and the Pledge of Allegiance was recited. Those present were: Commissioners Altman, Warner, Modglin, and Mayor Mercer.

**MINUTES**

Commissioner Altman made the motion, seconded by Commissioner Modglin, to approve the regular meeting minutes of October 7, 2002. Yeas, Commissioners Modglin, Warner, Altman, and Mayor Mercer. Nays, none. Motion carried. 4-0

**PUBLIC AFFAIRS**

Mayor Mercer read a letter received from Jim and Cheryl Stewart stating that due to the death of Mr. Stewart's father, they appreciate the understanding and delay in a decision on the part of the City Council on where to place a sewer and water access to the South lot in the Hartke Subdivision. However, upon review, they feel the best solution to this problem would be if the City located the planned sewer/water main extension to the east side of their property thereby eliminating any damage to any of their trees. Consensus of the Council to construct the sewer/water mains on an alternate route.

**REVIEW OF INDUSTRIAL PARK; DAILY & ASSOCIATES**

Tom Overmyer with Daily & Associates Engineers, Inc., reviewed with the Council the Industrial Park Project. First, Overmyer apologized to the Council Members for missing the last meeting. Overmyer said that they had contacted city staff that day and been told that the only voting item on the agenda was the setting of the Halloween Trick or Treat date and that it was possible there would be no meeting because some council members could not be present. Additionally, they contacted Commissioner Warner and reviewed a change order and pay request with him and Commissioner Warner had told them it would be un-necessary for them to attend because he felt there should be no problem with approval and he would not be there to explain the change order. Commissioner Warner said that he had told Daily & Associates it would not be necessary for them to attend. Warner said that unfortunately there was just a lack of communication. He noted that he did not think to let Commissioner Modglin know what he had discussed with Daily & Associates. Mayor Mercer stated that this was a lack of communication and that no apology was necessary on the part of Daily & Associates. It was agreed that this type of discussion will be held at the Committee level from now on.

**REGULAR COUNCIL MEETING MINUTES**

Overmyer reviewed the Budget & Funding Summary and the Industrial Park Infrastructure Improvements Milestone Summary with the Council.

Motion: Commissioner Modglin made the motion, seconded by Commissioner Warner, to approve Change Order NO. 3, in the amount of \$23,083.65 increase. Yeas, Commissioners Modglin, Warner, Altman, and Mayor Mercer. Nays, none. Motion carried. 4-0

Motion: Commissioner Altman made the motion, seconded by Commissioner Warner, to approve pay estimate NO. 3, in the amount of \$132,109.87. Yeas, Commissioner Altman, Warner, Modglin, and Mayor Mercer. Nays, none. Motion carried. 4-0

Overmyer told the Council that Daily & associates felt that any discussion should come to Daily and they will bring it to committee to be resolved. It will be their goal to come to council meeting with a unified agenda. Mayor Mercer said that a committee meeting will be set up for later in the week. Commissioner Warner, GRR Construction, Daily & Associates, and City Clerk Ehrhart will review items for consideration. Overmyer told the Council that a Change Order on 9/3/02 gave the contractor a 30 day time extension due to easement delays. However, he said that Daily & Associates was not recommending any further time extension to be granted at this time. He noted that a progress schedule will come forward from committee if issues come up in the meeting. Overmyer told the Council that the site for the pump station has been moved further north to property that belongs to Joe Cresham. City Attorney Glenn Braden noted that the signed deed was to be sent to the City today. He said that this is not an easement, the City will own the property the pump station sits on. Overmyer and Braden stated that there should be no problem from IDOT on ingress and egress for access to the pump station.

Motion: Commissioner Modglin made the motion, seconded by Commissioner Altman, to approve purchase of the Triangular portion of Cresham land for the pump site location in the amount of \$750. Yeas, Commissioners Warner, Modglin, Altman, and Mayor Mercer. Nays, none. Motion carried. 4-0

#### RESIGNATION LETTER FROM BUILDING INSPECTOR

After brief discussion about the resignation letter received from Building Inspector Gary Kastl, it was the consensus of the Council to invite him to the next council meeting to discuss the possibility of him withdrawing his letter of resignation.

#### REQUEST FROM PARK BOARD TO DEMOLISH THE OLD BOY SCOUT CABIN

Council discussed a request from Tom Denning representing the Park Board to tear down the Boy Scout Cabin. It was the consensus of the Council that the Park Board should contact the

**OCTOBER 21, 2002**

Boy Scout leaders to see if they would like to save the building. If not, no objections would be raised on the part of the City Council.

## **FINANCE**

### MONTHLY BILLS

Commissioner Modglin made the motion, seconded by Commissioner Altman, to approve payment of the bills in the amount of \$57,823.87. Yeas, Commissioners Altman, Modglin, Warner, and Mayor Mercer. Nays, none. Motion carried. 4-0

### TREASURER'S REPORT

The previous months statement of fund balances was given to all council members. After review of the statement, Mayor Mercer ordered that the statement of fund balances be placed in the files of the City Clerk.

### STREET'S AND ALLEY'S

Brief discussion was held on the MFT street program for next year. Commissioner Warner noted that some years no street program is initiated so that funds can build up to enable the city to fund a larger than usual project, such as, the slurry seal coat that was used on 10<sup>th</sup> street and 7<sup>th</sup> street. This coming years proposed project will be 6<sup>th</sup> street.

### SUPERINTENDENT DOUGLAS REPORT

Douglas discussed with the Council the problem of longer trailers extending over water meters. When the trailer park was designed trailers were not as long as they are now. With the trailers obstructing the meter it is very difficult for city employees to shut off meters or to work on them if need be. After discussion, City Attorney Braden was instructed to write the trailer park owners detailing the requirement that meters be moved from under trailers. Douglas will give Braden a list of lot numbers that will obstruct meters.

Douglas told the Council that he received a call from the owner of the Coin Wash, Ken Righter, in regard to rust getting into his machines and onto customers laundry from the city water lines. Douglas said that the Fire Department conducted their water shuttle for their ISO rating with several other departments being in town using the system to refill their fire trucks the water was drawn down very quickly. He said when this happened rust got into the water main. Righter asked if there might be some restitution or discount on water used to clean his machines. Council said that they would appreciate notice when this much water will be used by the Fire Department so residents can be notified. However, if a main breaks etc. the same problem happens and no restitution or discount is given to residents and none should be given in this instance. John Clinton said that type of incident should not be repeated because the Fire Department now knows not to draw from two hydrants at the same time anymore.

## **REGULAR COUNCIL MEETING MINUTES**

**PAGE -4-**

**OCTOBER 21, 2002**

Council discussed extending the coin sales hours to 24 hours a day due to the dry spell. It was the consensus of the Council to do so. However, the public is asked to report any vandalism immediately.

#### HOUSES IN NEED OF DEMOLITION

Council discussed the ongoing problem with Greg White not following through with his promise to the Council that he will be tearing down the properties at 7<sup>th</sup> & Grove and 5<sup>th</sup> and Walnut. It was noted that the house at 7<sup>th</sup> and Grove's porch roof is caving in and many boards are missing from the porch. Additionally, window are broken out and the roof on the house is caving in. City Attorney Braden will begin legal proceedings. White will be given 30 days to begin demolition after legal proceeding are initiated.

#### **HEALTH & SAFETY**

##### ROOSTING BIRDS

Council discussed the problem of birds roosting in trees and the resulting health hazard of bird feces, feathers and general mess from so many birds roosting in the trees. Possible ways to discourage the birds was discussed. City Attorney Braden said that he had contacted an Agronomist from the University of Illinois last year because of the birds roosting in the trees at his office. The Agronomist told him that the birds will come back and roost in the same place year after year. He said that it is virtually impossible to stop them from roosting year after year in the same place unless you just cut the tree down. It was felt that noise machines and shooting into the tree were not effective means of discouraging the birds from roosting. No action taken at this time.

##### RECESS INTO EXECUTIVE SESSION

Commissioner Modglin made the motion, seconded by Commissioner Altman, to move into executive session to discuss Section 2 (c)(1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body. Yeas, Commissioners Altman, Warner, Modglin, and Mayor Mercer. Nays, none. Motion carried. 4-0

##### RECONVENED AND ROLL CALL

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

#### **REGULAR COUNCIL MEETING MINUTES**

**PAGE -5-**

**OCTOBER 21, 2002**

ADJOURN

Commissioner Warner made the motion, seconded by Commissioner Modglin, to adjourn the regular meeting of October 21, 2002, at 9:35 p.m. Motion carried. Via voice vote.

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Gary A. Mercer, Mayor

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Patricia D. Ehrhart, MMC, City Clerk