



**REGULAR MEETING MINUTES
OF THE CITY COUNCIL OF THE CITY OF NEOGA HELD IN
CITY COUNCIL CHAMBERS MUNICIPAL BUILDING 533 CHESTNUT
MAY 12, 2003, 7:00 P.M.**

CALL TO ORDER

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

MINUTES

Commissioner Modglin made the motion, seconded by Commissioner Warner, to approve the regular and executive meeting minutes of April 21, 2003. Yeas, Commissioners Varner, Altman, Modglin, Warner, and Mayor Mercer. Nays, none. Motion carried. 5-0

BILLS & CHANGE ORDER

Commissioner Modglin made the motion, seconded by Commissioner Altman, to approve payment of Invoice No. 058111-9 to Daily & Associates Engineers, Inc. in the amount of \$1,052. Yeas, Commissioners Varner, Warner, Modglin, Altman, and Mayor Mercer. Nays, none. Motion carried. 5-0

Commissioner Warner made the motion, seconded by Commissioner Altman, to approve Change Order No. 7 presented by David Happ with Daily & Associates Engineers on behalf of G.R.R. Construction. The Change Order had a net increase of \$1,118.30 for the Industrial Park Project. Yeas, Commissioners Varner, Warner, Altman, Modglin, and Mayor Mercer. Nays, none. Motion carried. 5-0

Commissioner Warner made the motion, seconded by Commissioner Varner, to approve payment of Pay Request No. 9 from G.R.R. for the Industrial Park Project. Yeas, Commissioners Warner, Varner, Altman, Modglin, and Mayor Mercer. Nays, none. Motion carried. 5-0

Commissioner Modglin made the motion, seconded by Commissioner Altman, to approve payment of \$7,956.25 to G.R.R. Construction for repairs to the 5th street sewer main. Yeas, Commissioners Varner, Warner, Altman, Modglin, and Mayor Mercer. Nays, none. Motion carried. 5-0

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SWEARING IN AND SEATING OF CITY COUNCIL

At this time City Clerk Patricia Ehrhart swore in the newly elected City Council members. Taking the oath of office was the following council members. Gary A. Mercer, Mayor, Commissioners, George Warner, David Varner, Cheryl Stewart, and Jay Russell.

RECESS INTO EXECUTIVE SESSION

Commissioner Russell made the motion, seconded by Commissioner Varner, 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 Stewart, Varner, Warner, Russell, and Mayor Mercer. Nays, none. Motion carried. 5-0

RECONVENED AND ROLL CALL

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

APPOINTMENT OF COMMISSIONER DEPARTMENT

Mayor Mercer told the council that he would like to appoint Council Members to the following departments. As Mayor, Mercer will serve as Commissioner of Public Affairs, Liquor and Police.

George Warner	Commissioner of Accounts and Finance
David Varner	Commissioner of Public Property
Jay Russell	Commissioner of Street's and Alley's
Cheryl Stewart	Commissioner of Public Health & Safety

Commissioner Warner made the motion, seconded by Commissioner Varner, to approve appointments. Yeas, Commissioners Stewart, Varner, Warner, Russell, and Mayor Mercer. Nays, none. Motion carried. 5-0

PUBLIC AFFAIRS

LIQUOR LICENSE APPLICATION

Todd and Ki Yoko Reardon were present to discuss a Liquor License Application. They told the Council that it was their intent to allow smoking and beverages in the part of the restaurant that is located at 577 Chestnut, and to have no smoking and liquor with meal on the 579 Chestnut side. Mayor Mercer explained that the council members had not had time to review the application. Additionally, no Bar or Lounge license is allowed in Neoga only restaurant license.

With a restaurant license the primary business must be the serving of meals, liquor can only be a secondary part of the business. Also, the license application is under review by the City Attorney.

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Reardon thanked the Council and asked that the application be changed from a "Class A" application to a "Class D" application. Mayor Mercer explained that they will be notified after all information is obtained and a review of the application is completed.

CITY EMPLOYEES RESPONDING TO FIRE CALL

City Clerk Ehrhart told the Council that she had contacted the city's insurance carrier about employees responding to fire call and who would be responsible and/or liable if an employee was injured while fighting a fire. The insurance carrier said that once the employee reported to the fire hall for duty they would come under the Fire Department's workmen compensation plan and insurance coverage. However, they did explain that while responding to fire call in a city automobile they must obey all traffic laws because they are in city vehicle's and the city would be responsible for any accidents. Superintendent Hagerstrom said he saw no problem with city employees responding to fire call. It was noted that by law anyone responding to emergency calls must obey all traffic laws. Commissioner Stewart said she felt a directive should be given to employees that they must obey traffic laws when they respond. Superintendent Hagerstrom will see that a directive is given.

PORTABLE CAR PORTS

Brief discussion was held with Building Inspector Gary Kastl about concerns on the part of the Zoning Board that the Zoning Ordinance does not specifically address portable car ports. Several surrounding communities were called about how they address this issue. Most treat them as accessory buildings. It was the consensus of the council that they would like for the Zoning Board to review this issue and bring back to the council a recommendation for implementation into the Zoning Ordinance.

FINANCE

RENEWAL OF EMPLOYEE EYE, DENTAL & LIFE INSURANCE

The City's insurance representative, Dan Ingle, is still working with American Communities Insurance on their proposed premium. Additionally, he is working with other Insurance Carriers for quotes.

PUBLIC PROPERTY

SUPERINTENDENT HAGERSTROM'S REPORT

Hagerstrom reported on the following:

1. Upon review of the city's contract with IDOT it was noted that the sink hole on the south west corner of 7th and Rt. 45 will be the city's responsibility to repair.
2. All four public works employees have completed their chemical spraying license. With the

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exception that two still need to finish their aquatic. Hagerstrom said the aquatic is not as needed as the others.

3. Sewer repair on 5th & Locust has been completed. Hagerstrom said that particular main has been patched 2 or 3 times in the past and there is an off-set close to the manhole is where the sewer jet was lodged.
4. Hagerstrom said on Sunday a sewer manhole was blocked between 12th street and 11th street. Bob Althoff was on duty but could not get back there due to the wet ground. Commissioner Varner volunteered to come out and help get the sewer main back into operation. He expressed his appreciation for the help from Commissioner Varner.
5. Reported that on Saturday there was an overflow of 4 manholes because of the huge amount of rain. EPA will be notified of the overflows.

BID FOR FENCE AROUND THE TRAILER COURT PUMPING STATION

Commissioner Varner made the motion, seconded by Commissioner Warner, to approve the bid for construction of a fence around the pumping station at the trailer park in the amount of \$3056.00. Work to proceed pending completion of final grading of the property around the pumping station. Yeas, Commissioners Stewart, Varner, Warner, Russell, and Mayor Mercer. Nays, none. Motion carried. 5-0

AGREEMENT FOR CEMETERY MANAGEMENT SERVICES

Commissioner Warner made the motion, seconded by Commissioner Stewart, to approve Mayor Mercer and City Clerk Ehrhart signing of the Agreement for Cemetery Management Services between the City of Neoga and Joe O'Dell. Yeas, Commissioners Stewart, Varner, Warner, Russell, and Mayor Mercer. Nays, none. Motion carried. 5-0

STREET'S AND ALLEY'S

MFT STREET PROGRAM

Commissioner Warner and Engineer David Happ briefly discussed the 6th street MFT project with Commissioner Russell and the Council. It was reported that 6th street from Walnut west becomes County jurisdiction. It was explained that the surveying for the project is finished. A meeting has been set up between the County Engineer Ben Bland, Daily & Associates Engineer Tom Overmyer, Commissioner Warner, Stan Hagerstrom, and Commissioner Russell if he can attend, for Friday May 16, at 2:00 p.m. to discuss this street project.

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Commissioner Warner said he wanted to compliment the city employees and Superintendent Hagerstrom on the good job rocking alleys. Council members said they have received several nice comments from citizens. Additionally, the Council complimented the employees on the excellent job they did over the weekend getting roads cleared of the many downed trees after Saturdays heavy storms.

PUBLIC HEALTH & SAFETY

AGREEMENT FOR DISPOSAL OF YARD WASTE

The agreement for disposal of yard waste was discussed by the Council. Superintendent Hagerstrom said that the property is only accessible during dry weather. Council discussed looking for alternate sites. It was the consensus of the council to continue with this agreement while also looking for other sites. Motion: Commissioner Stewart made the motion, seconded by Commissioner Russell to approve the Mayor and City Clerk signing the agreement for Disposal of Yard Waste with Norm Romack. Yeas, Commissioners Stewart, Russell, Warner, Varner, and Mayor Mercer. Nays, none. Motion carried. 5-0

ADJOURN

Commissioner Varner made the motion, seconded by Commissioner Stewart, to adjourn the regular meeting of May 12, 2003, at 8:25 p.m. Motion carried via voice vote.

Gary A. Mercer, Mayor

Patricia D. Ehrhart, MMC, City Clerk