



**REGULAR MEETING MINUTES
OF THE CITY COUNCIL OF THE CITY OF NEOGA HELD IN
CITY COUNCIL CHAMBERS MUNICIPAL BUILDING 533 CHESTNUT
JULY 21, 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 Stewart, Russell, Warner, and Mayor Mercer. Commissioner Varner was absent.

MINUTES

Commissioner Russell made the motion, seconded by Commissioner Stewart, to approve the regular meeting minutes of July 7, 2003. Yeas, Commissioners Russell, Warner, Stewart, and Mayor Mercer. Nays, none. Motion carried. 4-0

PUBLIC AFFAIRS

**ORDINANCE NO. 731-07-03 AN ORDINANCE RELATING TO THE PREVAILING
RATE OF WAGES IN THE CITY OF NEOGA.**

Commissioner Warner made the motion, seconded by Commissioner Russell, to approve Ordinance No. 731-07-03. Yeas, Commissioners Warner, Stewart, Russell, and Mayor Mercer. Nays, none. Motion carried. 4-0

REQUEST FOR LIQUOR ORDINANCE CHANGES

Marilyn Smyser representing Uptown Food & Spirits Restaurant was present to discuss requested changes to the Liquor Ordinance. After lengthy discussion and review of restriction of the present ordinance Council agreed to have the City Attorney put the following language in the liquor ordinance. Additionally, language that refers specifically to this establishment will be added. 1. Anyone coming into the restaurant that is under the age of 21 must be in the establishment for the purpose of eating or attending a function in the banquet facility. Those under 21 can remain in the restaurant or banquet facility until 10:30 p.m. for those purposes only. 2. Special event privileges, such as wedding receptions or class reunions, will be granted to Uptown Food & Spirits allowing those under 21 to remain in the banquet facilities after 10:30 p.m., if accompanied by a parent or grandparent at all times. Additionally, a member of Uptown Food & Spirits management will remain in the banquet facility at all times during the event if anyone under the age of 21 is present. 3. A sign must be hung between the bar area and the restaurant stating that no one under the age of 21 can be in the bar area for any purpose.

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RESOLUTION NO. 04-07-03

**A RESOLUTION AUTHORIZING EXECUTION OF AN
INTERGOVERNMENTAL COOPERATION
CONTRACT WITH THE ILLINOIS MUNICIPAL
LEAGUE RISK MANAGEMENT ASSOCIATION.**

Commissioner Warner made the motion, seconded by Commissioner Stewart, to approve Resolution No. 04-07-03. Yeas, Commissioners Warner, Stewart, Russell, and Mayor Mercer. Nays, none. Motion carried. 4-0

FINANCE

BILLS

Commissioner Warner made the motion, seconded by Commissioner Russell, to approve the payment of the monthly bills in the amount of \$62,970.99. Yeas, Commissioners Russell, Warner, Stewart, 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.

PUBLIC PROPERTY

REPORT FROM SUPERINTENDENT HAGERSTROM

Superintendent Hagerstrom reported on the following.

1. Still waiting on a gear box replacement for repairs on the destratifier at the lake.
2. Fence has been installed on the pumping station at the trailer park. Still waiting for a permit to install a culvert for an entrance off of Route 45.
3. Started spraying for mosquitos.
4. The truck stop pumping station tripped out a couple of times this last month. The station need some upgrades very soon.

STREET'S AND ALLEY'S

Commissioner Russell noted that the large pot hole by the Post Office has been patched. Also, repairs were made to a water line on south Locust.

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PUBLIC HEALTH & SAFETY

PURCHASE OF RADIOS FOR AMBULANCE DEPARTMENT

Ambulance Coordinator Alan Baker told the Council that the 911 Board has agree to pay \$340 per radio to assist in purchasing five additional radios, needed for the Ambulance Department. Baker said the original cost on the radios was \$648, and they are on sale for \$369. Therefore, the City's share for purchase of the radios will be \$29 per radio. However, the City will pay the full cost up front of \$1845 and be reimbursed by the Cumberland County Treasurer for the 911 Board's portion. Commissioner Stewart made the motion, seconded by Commissioner Russell, to participate with the 911 Board in purchase of five radios for use by the Neoga Ambulance Department in the aforementioned manner. Yeas, Commissioners Warner, Stewart, Russell, and Mayor Mercer. Nays, none. Motion carried. 4-0

EXPLORER POST PROGRAM

City Clerk Ehrhart told the Council that the City's Insurance Company, the Illinois Municipal League's Risk Management Association, had told her that any participation of Explorer's Post Club with the Ambulance Department would not be covered by insurance. The only coverage would be provided by the Explorer's Post Program. The Clerk is to check into the feasibility of purchasing an umbrella policy to cover Explorers and volunteers.

DEMOLITION BID OPENING

One bid was received for demolition of the property located at 709 Grove that is in violation of building safety codes. The bid was from Marxman Excavating in the amount of \$4900 with an additional \$200 for filling in the well.

RESOLUTION NO. 02-07-03

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT FOR DEMOLITION.

Commissioner Stewart made the motion, seconded by Commissioner Russell, to approve Resolution No. 02-07-03. Yeas, Commissioners Stewart, Russell, Warner, and Mayor Mercer. Nays, none. Motion carried. 4-0

RECESS INTO EXECUTIVE SESSION

Commissioner Warner made the motion, seconded by Commissioner Russell, to move into executive session to discuss Section 2 (c)(6) Sale or lease of Real Estate; Section 2 (c)(11) Litigation; Section 2 (c)(1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body. Yeas, Commissioners Warner, Russell, Stewart, and Mayor Mercer. Nays none. Motion carried. 4-0

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RECONVENED AND ROLL CALL

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

RESOLUTION NO. 03-07-03 A RESOLUTION AUTHORIZING THE SALE OF
SURPLUS REAL ESTATE OF THE CITY OF NEOGA.

Commissioner Russell made the motion, seconded by Commissioner Warner, to approve Resolution No. 03-07-03. Yeas, Commissioners Warner, Stewart, Russell, and Mayor Mercer. Nays, none. Motion carried. 4-0

ANIMAL CONTROL TICKETS

Discussion was held on the fine structure of the present Animal Control Ordinance. Council felt there was not enough incentive in the fine structure to ensure that residents comply with the leash law. Therefore, the consensus was to have the Attorney amend the ordinance in the following manner. First offense a warning ticket to be issued. Second offense would be a fine of \$100, and a third offense would result in a fine of \$250. All court fee, Attorney fee, and process fees to be paid by the violator. Additionally, the Animal Ordinance that limits ownership of any type of animal to three will have a fine structure added to the Ordinance. Numerous complaints over dogs trying to bite citizens when they are out walking or playing have been received. The City Council is very concerned about the safety of children and adults when dealing with an uncontrolled animal.

ADJOURN

Commissioner Stewart made the motion, seconded by Commissioner Russell, to adjourn the regular meeting of July 21, 2003, at 8:45 p.m. Yeas, Commissioners Russell, Warner, Stewart, and Mayor Mercer. Nays, none. Motion carried. 4-0

Gary A. Mercer, Mayor

Patricia D. Ehrhart, MMC, City Clerk