REGULAR COUNCIL MEETING MINUTES OF THE CITY COUNCIL OF NEOGA HELD IN CITY COUNCIL CHAMBERS, MUNICIPAL BUILDING, 533 CHESTNUT APRIL 18, 2011, AT 7:00 P.M.

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor Modglin, and the Pledge of Allegiance was recited. Those present were: Commissioners Lindley, Kepp, Varner, Groves, Mayor Modglin, and City Clerk Evans. Others present were City Treasurer Diana Foor,

MINUTES

After reviewing the regular session minutes from April 4, 2011, Commissioner Groves made a motion to approve the minutes as presented. The motion was seconded by Commissioner Varner. Ayes, Commissioners Groves, Kepp, Varner, and Mayor Modglin. Commissioner Lindley abstained. Nays, none. Motion carried. 5-0.

PUBLIC AFFAIRS

MAYOR PRESENTATION TO COMMISSIONER VARNER

Mayor Modglin announced to those in attendance that this would be Commissioner Varner's last meeting because his term was expiring at the end of April. Mayor Modglin explained that Commissioner Varner has served as a Commissioner for the past 12 years and has shared his expertise on many projects. Commissioner Varner was a driving force behind the ambulance department transfer, 6th Street reconstruction, and the upgrades to the water and sewer plants. Mayor Modglin then presented a plaque to Commissioner Varner and again expressed sincere appreciation for all the years he served on the Council. Commissioner Varner thanked Mayor Modglin, and said he was honored to serve the City in this capacity.

COUNCIL MEETING DAYS AND HOURS

Mayor Modglin informed the Council that he would like to change the regular council meetings schedule so that those interested in attending the Neoga Township meetings are able to. Mayor Modglin explained that the Neoga Township meets on the first Monday of each month at 7 p.m., and since the citizens of Neoga are also taxpayers of the Neoga Township, he is recommending that the City change the meeting dates so that they do not interfere with the Neoga Township meetings. After a brief discussion, Commissioner Kepp made a motion to change the regular city council meetings from the first and third Mondays to the second and fourth Mondays. The motion was seconded by Commissioner Lindley. Ayes, Commissioner Kepp, Varner, Groves, Lindley, and Mayor Modglin. Nays, none. Motion carried. 5-0.

CROP PRODUCTION, ROSS GENTRY

Ross Gentry, Facility Manager for Crop Production Services in Neoga, asked the Council if Neoga Zoning would allow Crop Production Services to move a 30,000 gallon ammonia storage tank onto their property. According to Gentry, there currently is an 18,000 gallon storage tank on the property. The Council asked Mr. Gentry to check on the regulation from the state and notify us by the next meeting.

HOLSAPPLE'S VENDING MACHINES

City Clerk Evans informed the Council that the Department of Revenue explained to her that when a business files their sales tax information, it is their responsibility to notify the state what community they sell their product in. Evans said that she asked if Hollsopple listed the two other communities that they operate in and they didn't. It was the consensus of the Council to not allow either the Hollsopple or Smokey Bandits BBQ to operate at this time due to the possibility of hurting other businesses and not receiving any sales tax money.

RESCIND RESOLUTION 07-03-11.

Since Resolution #07-03-11 was not completed at the time of passage, Commissioner Groves made a motion to rescind it. The motion was seconded by Commissioner Kepp. Ayes, Commissioner Groves, Lindley, Kepp, Varner, and Mayor Modglin. 5-0. Motion carried. (Resolution #08-03-11 was the replacement).

NEOGA DAYS LIQUOR LICENSE – MARTY HARTKE

Marty Hartke, representative from Neoga Days Committee, asked that the Council approve a special event liquor license for Neoga Days. Hartke explained that the Committee will be using the same security company as last year, and the designated area will be the same. The hours of operation will be Friday, June 17 from 5 p.m. to midnight, and Saturday, June 18 from 3 p.m. to midnight. Mr. Hartke also explained that the park district has already approved their request. After little discussion, Commissioner Kepp made a motion to approve the special event license. The motion was seconded by Commissioner Varner. Ayes, Commissioner Kepp, Varner, Lindley, and Mayor Modglin. Nays, Commissioner Groves. Motion carried. 4-1.

L.E.A.D.S. PAY REQUEST

Mayor Modglin explained to the Council that the L.E.A.D.S. annual payment is due in the amount of $1,791, or $149.25 per month. Mayor Modglin said that he spoke with county representatives, and they believe that they will have to close the county emergency dispatch and have Mattoon Police Department begin handling all the calls. After a brief discussion, Commissioner Kepp made a motion to pay the request month by month in the event they close the dispatching services. The motion was seconded by Commissioner Varner. Ayes, Commissioner Kepp, Varner, Groves, Lindley, and Mayor Modglin. Nays, none. Motion carried. 5-0

FINANCE

BILLS
After reviewing the proposed bills, Commissioner Kepp made a motion to pay the bills totaling $31,573.54. The motion was seconded by Commissioner Lindley. Ayes, Commissioner Kepp, Varner, Groves, Lindley, and Mayor Modglin. Nays, none. Motion carried. 5-0

TREASURER REPORT
After reviewing the treasurer report, Mayor Modglin ordered the financial report to be placed into the files of the City Clerk.

ORDINANCE #814-04-11 AN ORDINANCE APPROVING THE APPLICATION OF DOUGLAS K. MILLER AND LADOSKA D. MILLER FOR A REVOLVING LOAN FUND LOAN OF $45,000

After reviewing the ordinance, Commissioner Kepp made a motion to accept the ordinance as presented. The motion was seconded by Commissioner Groves. Ayes, Commissioner Kepp, Varner, Groves, Lindley, and Mayor Modglin. Nays, none. Motion carried. 5-0.

PUBLIC PROPERTY

NEOGA MEMORIAL CEMETERY
Mayor Modglin explained to those in attendance the history of the council's attempts to work towards an intergovernmental agreement with the Neoga Township. Richard Peters explained that he was on the Township Board when the funding stopped in 1997. The money collected for the Neoga Memorial Cemetery was used to purchase additional ground for other cemeteries. After a lengthy discussion, Commissioner Groves made a motion to attend the next Township meeting to work on an intergovernmental agreement and to move the meeting time for the Council meeting on May 2nd to 8:00 p.m. The motion was seconded by Commissioner Kepp. Ayes, Commissioner Groves, Lindley, Kepp, Varner, and Mayor Modglin. Nays, none. Motion carried. 5-0.

COMMERCIAL WATER RATES
Mayor Modglin explained to the Council that there are only three big water users on city water, they are Walk's Hog Farm, Neoga Coin Wash, and Crop Production. Mayor Modglin recommended that the City of Neoga offer a commercial rate to commercial water users that use more than 30,000 gallons per month at the same rate as Walk's Hog Farm. Commissioner Groves said that it would not only help our current businesses, but it would also be an advantage for potential businesses moving to the area.

PAY REQUEST FOR COX LAND SURVEYING
After reviewing the pay request, Commissioner Varner made a motion to pay the request in the amount of $935 to Cox Land Surveying for work completed on the farm ground by the industrial park. The motion was seconded by Commissioner Kepp. Ayes, Commissioner Varner, Groves, Lindley, Kepp, and Mayor Modglin. Nays, none. Motion carried. 5-0.

TIF DISTRICT AND BUSINESS DISTRICT
After a very brief discussion, it was the consensus of the Council to have City Attorney Braden attend the next meeting to discuss both the TIF District and the Business District.

PAY REQUEST FROM FOTH
After reviewing the pay request, Commissioner Varner made a motion to pay the request in the amount of $587.23 for services rendered on the 2011 Year Round Disinfection Exemption Request. The motion was seconded by Commissioner Kepp. Ayes, Commissioner Varner, Groves, Lindley, Kepp, and Mayor Modglin. Nays, none. Motion carried. 5-0.

PUBLIC WORKS DEPARTMENT
Superintendent Helm explained to the Council that when the power goes out at the waste water treatment plant, the air circulators also go out and have to been powered back up manually. Helm received a quote from D & M Electric to purchase two air pumps at a cost of $350 each. It was the consensus of the Council to have Superintendent Helm purchase the air pumps at $350 each.

STREETS AND ALLEYS

CLOSING OF 4TH, 5TH AND LOCUST AVENUE
The Council discussed the need to oil and chip many of the streets in the corporate limits; however, with the lack of MFT dollars the street program will be limited. One street of major concern was Locust Avenue, and due to the truck traffic it has not been holding up very well. The Council discussed closing truck traffic to 4th, 5th, and Locust Avenue. Randy Handel from Total Grain Management explained that if the City did close these streets to truck traffic, it would devastate their business. Handel explained that trucks were not allowed to use the entrance to the elevator property by RT #45 because it was not an approved entrance and there are concerns with the rail road tracks. It was the consensus of the Council to meet with Total Grain Management to discuss other options.

HEALTH AND SAFETY

CITY CLEANUP
Commissioner Lindley told the Council that he has been making notes on the need for property owners to start cleaning their property up after the winter months. Lindley said that he feels a massive campaign needs to be started and asked everyone to evaluate their property. The Council agreed, and if the problems don't get corrected then legal action will be taken. Commissioner Lindley explained that it will be a large expense to the taxpayers to do this, but something has to be done.

ADJOURNMENT

A motion was made by Commissioner Varner to adjourn the meeting at 9:15 p.m. The motion was seconded by Commissioner Lindley. Ayes, Commissioner Varner, Groves, Lindley, Kepp, and Mayor Modglin. Nays, none. Motion carried. 5-0.

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Howard W. Modglin, Mayor Brenda Evans, City Clerk

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Date