



**REGULAR COUNCIL MEETING MINUTES
OF THE CITY COUNCIL OF NEOGA HELD IN
CITY COUNCIL CHAMBERS, MUNICIPAL BUILDING, 533 CHESTNUT
JUNE 2, 2008, AT 7:00 P.M.**

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor Russell. The Pledge of Allegiance was recited. Those present were: Commissioners Lindley, Kepp, Varner, Modglin, Mayor Russell, and City Treasurer Diana Foor. Others present were Superintendent Stan Hagerstrom, HDC Engineering LLC Representative George Warner, and Jim Bowling from United Science Industries, Inc.

MINUTES

After reviewing the regular session minutes from May 19, 2008, Commissioner Kepp made a motion to approve the minutes as presented. The motion was seconded by Commissioner Varner. Ayes, Commissioners Lindley, Kepp, Varner, Modglin and Mayor Russell. Nays, none. Motion carried. 5-0.

PUBLIC AFFAIRS

GROUND WATER ORDINANCE

Jim Bowling from United Science Industries addressed the council regarding ground clean up work being done at Dale's Service & Repair located at 418 Oak Avenue. The following has taken place:

- June 17, 1999 – Underground fuel storage tanks were removed
- April 3, 2001 – Soil and groundwater contamination was defined
- May 20, 2002 – Excavation and disposal of contaminated soil was initiated
- September 19, 2006 - Oxygen release compound injections were initiated
- July 5, 2007 – Post-injection groundwater sampling

Samples taken at the site exceeded the IEPA standards of Benzene in well #2. Bowling explained that the City had an option of passing a ground water ordinance that would prohibit the use of ground water as a potable water supply by the installation of wells or by any other method. This would relieve Dale's Service & Repair from further clean up obligations. Bowling distributed sample ordinances for the council to review. The council agreed that it would be better to have United Science Industries continue with the clean up because Ballinger's have already paid the maximum fee of \$10,000, and the LUST (leaking underground storage tank) fund will pay any further costs. Mr. Bowling assured the council that it will not cost Ballinger any additional amount to complete the clean up. The council agreed that there could be a risk of water supply contamination if water lines running along RT 45 would ever need replaced. It was the council's consensus to talk with owners Dale & Danny Ballinger about the benefits of completing the clean up. Commissioner Varner volunteered to talk to them. After a lengthy

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discussion, Commissioner Varner made a motion to table the passing of this ordinance until the council could talk to the Ballingers and City attorney Glenn Braden. The motion was seconded by Commissioner Kepp. Ayes, Commissioners Kepp, Varner, Modglin, Lindley, and Mayor Russell. Nays, none. Motion carried. 5-0.

05-06-08 A Resolution Authorizing Execution of a Contract for Legal Services with Glenn A. Braden

Commissioner Modglin made a motion to renew the contract for legal services with Glenn A. Braden. The annual contract will pay Mr. Braden a retainer fee of \$4,000.00 for the period of May 1, 2008 through April 30, 2009. Additional work will be billed at a rate of \$100 or \$150 per hour, depending on the nature of the work. The motion was seconded Commissioner Kepp. Ayes, Commissioners Kepp, Lindley, Modglin, Varner, and Mayor Russell. Nays, none. Motion carried. 5-0.

779-06-08 An Ordinance Fixing the Salaries of the Clerk and Treasurer of the City of Neoga

After a brief discussion, Commissioner Modglin made a motion to table the appointment of the City Clerk & Treasurer until the next meeting. Commissioner Modglin requested that the salary information be filled in on the ordinance. The motion was seconded by Commissioner Lindley. Ayes, Commissioners Kepp, Lindley, Modglin, Varner, and Mayor Russell. Nays, none. Motion carried. 5-0.

06-06-08 A Resolution Authorizing Execution of an Agreement for Cemetery Maintenance Services with Luke and Carrie Verdeyen

Commissioner Modglin made a motion to renew the cemetery maintenance contract with the Verdeyen's. The motion was seconded by Commissioner Lindley. Ayes, Commissioners Kepp, Lindley, Modglin, Varner, and Mayor Russell. Nays, none. Motion carried. 5-0.

FINANCE

780-06-08 An Ordinance Relating to the Prevailing Rate of Wages in the City of Neoga

Commissioner Modglin made a motion to pass the prevailing wage ordinance. The motion was seconded by Commissioner Varner. Ayes, Commissioner Modglin, Lindley, Kepp, Varner, and Mayor Russell. Nays, none. Motion carried. 5-0.

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PUBLIC PROPERTY

SUPERINTENDENT HAGERSTROM

Superintendent Hagerstrom updated the council on the activities of the public works department. The street department picked up branches, mapped the location of all traffic signs, replaced the back tires on the backhoe, and graded the ditch bank south of the grain elevator on Locust. The water department removed inactive service at 564 E. 7th St and 237 E. 7th St, exercised gate valves in the distribution system, and flushed areas where valves were operated. Employees also flagged and delivered 43 trees to the cemetery and 6 to the industrial park.

DOGWOOD DRAINAGE

George Warner from HDC Engineering, Inc. updated the council on the progress of the Dogwood drainage project. He submitted and explained a change order in the amount of \$317.00, and a pay request from G.R.R. Construction in the amount of \$11,214.90. After a brief discussion, Commissioner Varner made a motion to pay each of these requests. The motion was seconded by Commissioner Kepp. Ayes, Commissioners Kepp, Varner, Modglin, Lindley, and Mayor Russell. Nays, none. Motion carried. 5-0.

HDC ENGINEERING PAY REQUEST

Commissioner Varner made a motion to pay the pay request from HDC Engineering, Inc. in the amount of \$302.50 for work completed in April on the Dogwood Drainage project. The motion was seconded by Commissioner Kepp. Ayes, Commissioners Kepp, Varner, Modglin, Lindley, and Mayor Russell. Nays, none. Motion carried. 5-0.

PHASE II SEWER CONSTRUCTION CHANGE ORDER AND PAY REQUEST

Foth Infrastructure & Environment, LLC, submitted change order #1 on behalf of Curry Construction, the engineers for the sewer construction project. Curry needed to replace some concrete piping that is very brittle and is falling apart into the trenches. Curry also submitted pay request #2 in the amount of \$34,635.20. Commissioner Varner made a motion to approve change order #1 in the amount of \$7,705.40 and pay request #2 for \$34,635.20. The motion was seconded by Commissioner Modglin. Ayes, Commissioners Kepp, Varner, Modglin, Lindley, and Mayor Russell. Nays, none. Motion carried. 5-0.

PAY REQUEST FROM FOTH INFRASTRUCTURE & ENVIRONMENTAL, LLC.

Foth submitted a pay request for engineering services for the clear well tank construction in the amount of \$415.26. They also submitted a pay request for \$1,428.48 for the Phase 2 transport & treatment facility improvement project. Commissioner Varner made a motion to approve both pay requests for a total amount of \$1,843.74. Commissioner Modglin seconded the motion. Ayes, Commissioners Kepp, Varner, Modglin, Lindley, and Mayor Russell. Nays, none. Motion carried. 5-0.

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STREETS AND ALLEYS

No Report

HEALTH AND SAFETY

Commissioner Lindley reminded everyone about the Citywide Cleanup on June 7th for the West side of Neoga and June 14th for the East side.

ADJOURNMENT

A motion was made by Commissioner Kepp to adjourn the meeting at 8:25 p.m. The motion was seconded by Commissioner Lindley. Ayes, Commissioner Kepp, Varner, Modglin, Lindley, and Mayor Russell. Nays, none. Motion carried. 5-0.

Jay Russell, Mayor

Brenda Evans, City Clerk

Date