



**REGULAR COUNCIL MEETING MINUTES OF THE  
CITY OF NEOGA  
HELD IN THE CITY COUNCIL CHAMBERS, MUNICIPAL BUILDING  
533 CHESTNUT AVENUE, NEOGA, IL  
MAY 23, 2022**

## **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Mayor Hartke. The Pledge of Allegiance was recited. Those present were Commissioners Hakman, Edwards, and Mayor Hartke. Commissioner Helm and Groves were absent. Others present were City Clerk Brenda Evans, City Treasurer Diana Foor, Police Chief Andy Schabbing, Superintendent Shawn Durbin, Building Inspector Jeff Morrison, Engineer Lee Beckman, Neoga News Editor Billie Chambers, Engineer Andrew Ewing, Mike Wilson, Officer Trevor Moore, Kellie Moore, Larry Moore, Tina Moore, and Trista Moore

## **MINUTES**

After reviewing the regular session minutes from May 9, 2022, Commissioner Hakman made a motion to approve the minutes as presented. The motion was seconded by Commissioner Edwards. Ayes, Commissioner Hakman, Edwards, and Mayor Hartke. Nays, none. Motion carried. 3-0.

## **PUBLIC AFFAIRS, MAYOR HARTKE**

### OFFICIAL COMMENDATION

Chief Schabbing presented to Officer Moore an Official Commendation Certificate that read:

In April of 2022, Officer Moore was dispatched to a retail theft. Officer Moore was able to identify and arrest the suspects. The male subject was transported to Cumberland County Jail by a county deputy, and the female was placed in the rear of Officer Moore's squad car. While completing paperwork, Officer Moore heard an ambulance being dispatched to Cumberland County Jail for his arrestee. Moore inquired about the nature of the ambulance call and discovered upon arrival to the jail his male arrestee was unresponsive.

While completing paperwork in his squad car, Officer Moore checked on the female in the rear of his vehicle and noticed she was also not responding. Officer Moore quickly got out of his patrol car and assessed the female. Office Moore immediately notified EMS and administered Naloxone. Office Moore removed the female from his car and positioned her in a recovery position. The female became more responsive but was still incoherent. The female was transported to the hospital for further treatment. It was later discovered that both subjects had consumed fentanyl prior to Officer Moore's arrival and had overdosed.

Office Moore's quick action and calm demeanor proved crucial in saving the female from a deadly drug overdose.

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### **NEOGA COMMUNITY CENTER**

Engineer Andrew Ewing, from Upchurch and Associates, informed the Council that he met with City Administrator Evans regarding the remodeling of the Neoga Community Center. Mr. Ewing said that he has sent a letter to the State of Illinois to notify them that the building is no longer a school district, which will make the paperwork easier. Ewing gave some preliminary plans regarding the demolition of the asbestos in the office area, lobby, and both bathrooms. Ewing explained that the cost to remove the asbestos would depend on how long it would take to remove the tiles. Ewing spoke to a contractor who would like to remove, at no cost, one office area to determine how long it might take. After a brief discussion, Commissioner Edwards made a motion to have the tile removed in one of the offices to get a better estimate. The motion was seconded by Commissioner Hakman. Ayes, Commissioner Edwards, Hakman, and Mayor Hartke. Nays, none. Motion carried. 3-0.

Commissioner Hakman asked Ewing about the gym floor. Ewing explained that there are a few options for the new floor, but they would be approximately \$150,000 to \$170,000. Ewing recommended tackling the lobby and restrooms first because of the transition from the lobby to the gym.

### **498 WALNUT AVENUE BID**

Mayor Hartke opened the only sealed bid for the vacant lot at 498 Walnut Avenue. After reading the bid, Commissioner Edwards made a motion to award the bid to Mike Drennan in the amount of \$1,000. The motion was seconded by Commissioner Hakman. Ayes, Commissioner Edwards, Hakman, and Mayor Hartke. Nays, none. Motion carried. 3-0.

### **VARIANCE FOR 1283 HICKORY**

Building Inspector Morrison told the Council that the Zoning Board held a public hearing for a variance request from Preston and Hannah Robinson, owners of 1283 Hickory Avenue. The variance request was to remove the pool house on the property and build a 30X40X12 building. Morrison said that no one from the general public attended the meeting, so the zoning board recommends granting the variance. After no discussion, Commissioner Edwards made a motion to approve the variance. The motion was seconded by Commissioner Hakman. Ayes, Commissioner Edwards, Hakman, and Mayor Hartke. Nays, none. Motion carried. 3-0.

## **FINANCE, COMMISSIONER GROVES**

### **MONTHLY BILLS**

After reviewing the bill list, Commissioner Hakman made a motion to pay the monthly bills as presented in the amount of \$82,120.10. The motion was seconded by Commissioner Edwards. Ayes, Commissioner Hakman, Edwards, and Mayor Hartke. Nays, none. Motion carried. 3-0.

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### **PUBLIC PROPERTY, COMMISSIONER HAKMAN**

#### PROJECT UPDATES

Engineer Lee Beckman updated the Council on the following projects:

Sewer Plant – as of last Wednesday, substantial completion was reached. The liquidated damages were calculated from December 31, 2021 until May 18, 2022. Beckman said that there is still approximately 8 to 10 days of cleanup.

Brighton Cabinets – the project is complete and sent to IDOT.

CDAP Water Grant – Application was submitted August 3<sup>rd</sup> and hopefully grant awards any day.

ITEP – nothing new to report

RLF & State Grant – Pay estimate 7A and 8B with a total of liquid damages in the amount of \$125,500, will be presented for payment.

#### PAY REQUEST 7A FOR FOLLOWELL CONSTRUCTION

Engineer Beckman explained the pay request can now be approved in the amount of \$78,695.15, minus the liquidated damages in the amount of \$125,000, which leaves a balance of \$0.00. The motion was made by Commissioner Hakman to approve the pay request. The motion was seconded by Commissioner Edwards. Ayes, Commissioner Hakman, Edwards, and Mayor Hartke. Nays, none. Motion carried. 3-0.

#### PAY REQUEST 8 FOR FOLLOWELL CONSTRUCTION

Engineer Beckman told the Council it is the same with pay request 8 as it was with pay request 7A. The total due was \$216,935.55 minus the liquidated damages of \$140,000 as of May 20, 2022, which equals \$76,935.35. Commissioner Hakman made a motion to pay request 8 in the amount of \$76,935.35 WITH THE DIRECTION FROM TAYLOR LAW OFFICE AND MILANO & GRUNLOH. The motion was seconded by Commissioner Edwards. Ayes, Commissioner Hakman, Edwards, and Mayor Hartke. Nays, none. Motion carried. 3-0.

#### PAY REQUEST 8B FOR FOLLOWELL CONSTRUCTION

After reviewing the pay request, Engineer Beckman explained the pay request was in the amount of \$37,243.75, minus the liquidated damages of \$125,000, and leaving a balance of \$0.00. Commissioner Hakman made a motion to pay the request. The motion was seconded by Commissioner Edwards. Ayes, Commissioner Hakman, Edwards, and Mayor Hakman. Nays, none. Motion carried. 3-0.

#### SEAMLESS FIBER INNOVATIONS

City Administrator Evans informed the council that she received an email from Seamless Fiber Innovations regarding the lots they would like to purchase. Evans explained that the representative asked if the Council would be willing to pay half price for 5 connections for the city, and they would pay for the ground to put the building on. After a brief discussion, it was the consensus of the council to talk to the city attorney to see if there was language that could “guarantee” the half off price in the event the company sold. Evans said she would get additional information.

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### **SEWER REFUND FOR CUSTOMER**

Mayor Hartke explained this topic was tabled from a prior meeting due to needing additional council members at the meeting. Hartke said that the owner of the property at 652 W. 6<sup>th</sup> Street, recently discovered that his sewer line was never connected to the city sewer. He has asked for a full refund of the sewer fees that he has paid in the past few years. City Attorney Willenborg explained in an email that the city could reimburse him up to 5 years for the funds that he paid. After a lengthy discussion, Commissioner Hakman made a motion to refund the property owner for the sewer charges. The motion was seconded by Commissioner Edwards. Ayes, Commissioner Hakman, Edwards, and Mayor Hartke. Nays, none. Motion carried. 3-0.

## **STREETS AND ALLEYS, COMMISSIONER EDWARDS**

### **PURCHASE OF FINISH CUT TRAIL MOWER**

Superintendent Durbin presented to the Council an estimate for a finish cut trail mower from Rural King. Durbin said that this mower could be pulled by the new tractor and was off set to reach down into the ditches and had its own motor. Mayor Hartke said he would like to see a PTO driven mower instead. It was the consensus of the council that Commissioner Edwards and Superintendent Durbin would work together to find something that might work.

## **HEALTH AND SAFETY, COMMISSIONER HELM**

Nothing to report.

## **EXECUTIVE SESSION**

Commissioner Edwards made a motion to go into executive session at 8:27 p.m. for Personnel – Section 2(c)(1) – Employee hiring, firing, compensation discipline, and performance. The motion was seconded by Commissioner Hakman. Ayes, Commissioner Edwards, Hakman, and Mayor Hartke. Nays, none. Motion carried. 3-0.

## **RECONVENED AND ROLL CALL**

The meeting was reconvened at 8:57 p.m. by a motion from Commissioner Edwards and seconded by Commissioner Hakman. Those present for roll call were Commissioner Edwards, Hakman, and Mayor Hartke.

## **PUBLIC COMMENTS**

Resident Mike Wilson from 424 Locust Avenue spoke with the council regarding a claim that he had when the contractor for the RLF project hit the gas and electric lines. This caused a power surge, which resulted in damage to some electronic items and his heating system. His house was also without power. According to Wilson, he has turned in estimates in the amount of \$3100 to replace the damaged equipment, but he has never heard back from the contractor. Engineer Beckman said that he was aware of the claim, and he has forwarded it to the contractor. Beckman said that the City could pay the estimated cost, and in return take it back out of the retainage for damages. It was the consensus of the Council to have it on the next agenda.

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**ADJOURNMENT**

Commissioner Hakman made a motion to adjourn the meeting at 8:59 p.m. The motion was seconded by Commissioner Edwards. Ayes, Commissioner Hakman, Edwards, and Mayor Hartke. Nays, none. Motion carried. 3-0.

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Brenda Evans, City Clerk