

Regular City Council Meeting
Official Proceedings
City of Virden, IL
Virden City Council Chambers
Monday, November 6, 2023

Call to Order

Regular City Council Meeting was called to order by Mayor George Murphy on November 6, 2023, at 7:00.

Pledge of Allegiance

Roll Call:

- **The following Council Members were present:** Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors

- **Absent:** None

- **Also present were** Mayor George Murphy, City Clerk Shelly Boster, Deputy Treasurer/Bookkeeper Barry Liss, Chief Snodgrass, Director of Public Works Gary Etter, City Office Manager Madonna Lackey, and Attorney Joe Craven

- **Guest:** Kathie Huson (left at 7:33 pm), Angie Stevens (left at 7:33 pm), Deb Marsaglia (left at 7:44 pm), Billy B (left at 7:33), William Woodruff (left at 7:30 pm), Jill Jenkins (left at 7:40 pm), Mike Marsaglia (left at 7:44 pm), and Gary Marsaglia (left at 7:39pm)

Mayor Murphy expressed condolences to the Bill Sharp family. Bill passed away. Bill served a long time on the Virden Council. He always did what he felt was best for the city.

Approval of Agenda

Agenda amendments: **1.** Under request for use of public property add #3 The National Honor Society ringing bells for Salvation Army on Saturdays November 11th, November 18th, December 9th, and December 16th from 9m-12pm weather permitting with proof of insurance. **2.** Add under City Attorney discuss paid leave for all workers. **3.** Under mayor remove #1- It is repeated under Use of public property #1. **4.** Remove #6 from under mayor. That is not going to happen at the moment. **5.** Add #8 under Mayor- Resignation **7.** Add under Finance #4 date for auditor presentation.

Motion made by Mitchell seconded by Boster to approve the agenda as amended (11-6-2023).

Discussion: None

Motion passed with all in favor. **Ayes:** *Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors*; **Nays:** *None*; **Absent:** *None*; **Abstain:** *None*

Approval of Consent Agenda

All matters listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion.

- **Approve Minutes of previous meeting (10-2-2023)**
- **Approval of Bills payable**
- **Approval of Treasurer's Report (October 2023)**

- **Approval of Water and Gallons report (September 2023 Gallons and October 2023 Collections)**

Motion made by Mitchell seconded by Calloway to approve consent agenda.

Motion passed with all in favor. **Ayes:** *Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors*; **Nays:** *None*; **Absent:** *None*; **Abstain:** *None*

Use of public property:

1. American Legion request to use City Center Park for July 4th Celebration on July 4, 5, and 6, 2024.

Motion made by Mitchell seconded by Mottershaw to approve use of the City Center Park by the American Legion for July 4th Celebration on July 4, 5, and 6, 2024.

Discussion: None

Motion passed with all in favor. **Ayes:** *Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors*; **Nays:** *None*; **Absent:** *None*; **Abstain:** *None*

2. Request from Nita Hamilton to use City Center Park for open market event every 1st Saturday of the month (2nd Saturday in July) from April to October 2024.

Motion made by Bertolino seconded by Ibberson to approve use of the City Center Park by Nita Hamilton for open market event every 1st Saturday of the month (2nd Saturday in July) from April to October 2024.

Discussion: None

Motion passed with all in favor. **Ayes:** *Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors*; **Nays:** *None*; **Absent:** *None*; **Abstain:** *None*

3. The National Honor Society ringing bells for Salvation Army at the 4-way stop on Saturdays November 11th, November 18th, December 9th, and December 16th from 9am-12pm weather permitting with proof of insurance

Motion made by Mitchell seconded by Mottershaw to approve National Honor Society ringing bells for Salvation Army at the 4-way stop on Saturdays November 11th, November 18th, December 9th, and December 16th from 9am-12pm

Discussion: None

Motion passed with all in favor. **Ayes:** *Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors*; **Nays:** *None*; **Absent:** *None*; **Abstain:** *None*

Comments from Audience:

1. Mike Marsaglia: Questioned if the Mayor would rescind the veto regarding Ordinance 2023-10. Mike also questions what he meant by unable to solve problems to add more alcohol license.
2. Deb Marsaglia: I do not understand why the city council would turn down revenue.
3. Jill Jenkins: Wondered by Alderman Mitchell did not contact her back when she had questions. That is what the Alderman is there for the public to voice concerns.
4. Gary Marsaglia: Someone told the mayor to veto it and change his mind.
5. William Woodruff: Asked chief and Pokey if they have equipment needs that have been declined. The city has needs and the police have needs but we allow the money to leave town. Auburn uses some of the money from the gambling to help with gambling addiction. We could use the revenue for new equipment and to help with addiction. Waiting to see what revenue the city will make to decide what can make it into the budget is a reactive response. The city should try to be proactive and open revenue streams.

Mayor response. He vetoed the ordinance because he felt voting for it was a mistake. He still feels adding more liquor licenses is not the solution for increasing revenue. He made this decision on his own.

REPORTS OF SUPERVISORS

City Engineer: Not present

Director of Operations: None

Chief of Police: None

City Office Manager:

1. Discuss 2023 employee Christmas gifts

Motion made by Bertolino seconded by Ibberson to approve gift cards of \$25 for part-time and \$50 for full-time.

Discussion: What line of the budget does this come out of? Madonna was pretty sure it comes out of the miscellaneous lines for each department.

Motion passed with majority in favor. *Ayes: Bertolino, Boster, Calloway, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: Cunningham; Absent: None; Abstain: None*

City Attorney:

1. Discuss Paid Leave for all workers

The mayor received an email from IML regarding home rule and non-home rule for paid leave for all workers. The statute comes into effect on 1/1/2024. Anyone who is not part of CBA or anything else will get 40 hours of paid leave guaranteed. The city has an ordinance on the books regarding 32 hours. Attorney Joe will look more into that to make sure that is sufficient. IML referred to it not applying to municipalities or smaller cities due to financial burden. The city is not responsible to enforce.

REPORTS OF CITY OFFICIALS

City Clerk: Open Meeting Act: Each member should certify when elected or appointed and should recertify once a year.

City Treasurer: None

Mayor:

~~1. Grant permission for American Legion to use City Square for July 4th Celebration on July 4, 5, and 6 of 2024~~

See Use of public property #1

2. Appoint Karen Burgess as the new IMRF Authorized Agent as of January 1, 2024

Appointment of Karen Burgess as the new IMRF Authorized Agent as of January 1, 2024, made by Mayor Murphy.

Motion made by Mottershaw seconded by Mitchell to approve appointment of Karen Burgess as the new IMRF Authorized Agent as of January 1, 2024.

Discussion: None

Motion passed with all in favor. *Ayes: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: None; Absent: None; Abstain: None*

- 3. Veto Ordinance 2023-10, an ordinance amending Title 3 of the City Code of Ordinances**
Procedurally, the mayor issued a veto statement. The council has the opportunity to make a motion to override the veto. It will take a 2/3 vote to override the veto.
Motion made by Bertolino seconded by Boster to override the veto of Ordinance 2023-10, an amendment of Title 3 section 301B-6 of the City Code of Ordinances.
Discussion: None
Motion failed. *Ayes: Bertolino, Boster, Calloway, and Neighbors; Nays: Cunningham, Ibberson, Mitchell, and Mottershaw; Absent: None; Abstain: None*
Motion made by Boster to take passage of amendment of Title 3 section 301B-6 of the City Code of Ordinances to the ballot.
Point of Order by Attorney Joe Craven: This motion is unable to be made due to the fact that it was not on the agenda 48 hours prior to meeting. This can be put at the next council meeting.
- 4. Resolution to approve IHDA grant**
Motion made by Mitchell seconded by Mottershaw to approve Resolution 2023-2, a resolution accepting a grant from Illinois Housing Development authority strong community program round 2.
Discussion: None
Motion passed with all in favor. *Ayes: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: None; Absent: None; Abstain: None*
- 5. Officer's Certificate for IHDA grant**
Mayor signed and the city clerk witnessed the signing of the document
- ~~**6. Promotion of VPD to sergeant**~~
Removed from agenda
- 7. Approve hire of part-time custodian**
Appointment of Carla Royer as the part-time custodian effective immediately at \$15/hr. was made by Mayor Murphy.
Motion made by Mottershaw seconded by Mitchell to approve appointment of Carla Royer as the part-time custodian effective immediately at \$15/hr.
Discussion: None
Motion passed with all in favor. *Ayes: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: None; Absent: None; Abstain: None*
- 8. Resignation**
Mayor received an email resignation from City Clerk Shelly Boster. She agreed to type up this meeting and will turn it over to the Deputy Clerk for all meetings after this one.

REPORTS OF STANDING COMMITTEES

Finance:

1. Financial institutions ordinance

Motion made by Mottershaw seconded by Mitchell to pass Ordinance 2023-11, an ordinance amending section 1-8A-4 of the city code of ordinances.

Discussion: This was allowing interest bearing accounts to be deposited in outside city limits

Motion passed with all in favor. *Ayes: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw and Neighbors; Nays: None; Absent: None; Abstain: None*

2. CD renewal

Motion made by Mottershaw seconded Bertolino to close investment number 9312825 at First National Bank when it comes due on 11/26/2023 and move it to CNB for 11 months special at 5.05% with the signatures for the CD to be the same as the checking account of Barry Liss, George Murphy, Craig Neighbors, and Gary Mottershaw. If the special ends before 11/26/23 allow Treasurer to move monies from MFT account to cover for special. Discussion: MFT funds have to stay with MFT, and the interest is MFT interest.

Motion passed with majority in favor. *Ayes: Bertolino, Boster, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: Calloway; Absent: None; Abstain: None*

3. Tax Levy ordinance

Motion made by Mitchell seconded Bertolino to approve ordinance 2023-12, an ordinance to revise the levying assessment taxes for the city of Virden, Illinois for fiscal year to begin the first Monday of May 2023 and ending first Monday of May 2024 for the total amount of \$210,225

Discussion: It was discussed and agreed that general corporate and police would stay the same. I calculated IMRF and Social Security based on contract wages.

Motion passed with majority in favor. *Ayes: Bertolino, Mitchell, Neighbors and Murphy; Nays: Calloway, Mottershaw, and Cunningham; Absent: None; Present: Boster and Ibberson Abstain: None*

4. Discuss auditor date for presentation

The date for the audit presentation usually falls in Finance Committee Meeting. Is there a deadline to approve it? The mayor will give them December 28th to be presented the audit. If that date doesn't work, it will be the January finance meeting

Police:

1. Declare seized vehicle, 2008 Audi, as surplus property and prepare for auction

Motion made by Mitchell seconded by Boster to declare seized 2010 Audi A4 as surplus property and take to auction.

Discussion: None

Motion passed with all in favor. *Ayes: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: None; Absent: None; Abstain: None*

Motion made by Mottershaw seconded by Bertolino to take to 2010 Audi A4 Ladage Auction with right to accept or reject all bids.

Discussion: None

Motion passed with all in favor. *Ayes: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: None; Absent: None; Abstain: None*

Public Works:

1. Streets & Alleys:

a. None

2. Building & Grounds:

a. None

3. Parks:

a. None

4. Water:

a. Permission to advertise for part-time water clerk

Motion made by Bertolino seconded by Mottershaw to advertise for part-time water clerk from November 7, 2023, through November 22, 2023, with interviews to be held on November 30, 2023, with a start date of December 2023 with start pay of \$15/hr.

Discussion: None

Motion passed with majority in favor. *Ayes: Bertolino, Boster, Calloway, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: Cunningham; Absent: None; Abstain: None*

5. Miscellaneous:

None

Administrative:

1. City Code Book

Motion made by Murphy seconded by Bertolino that the city purchase electronic pdf (word if possible) and hard copies of the current city code.

Discussion: Everyone needs to make sure that they keep their copy current

Motion passed with all in favor. *Ayes: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: None; Absent: None; Abstain: None*

Other Business:

1. Water Meters- They have tested the meters, and everything came back fine. We still do not know where the issue is

Executive Session:

1. **Approval of Executive Session meeting minutes 5ILCS 120/2(c)(21):** Executive session was not entered into

Adjournment:

Motion made by Mitchell seconded by Calloway to adjourn at 8:27 pm.

Motion passed with all in favor. *Ayes: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mitchell, Mottershaw, and Neighbors; Nays: None; Absent: None; Abstain: None*



Shelly Boster
City Clerk

Date Minutes Approved: