

**Regular City Council Meeting**  
Official Proceedings  
City of Virden, IL  
Virden City Council Chambers  
Monday February 5, 2024

Regular City Council Meeting was called to order by Mayor George Murphy at 7:00pm.

**Pledge of Allegiance**

**Roll Call:**

- **The following Council Members were present:** Calloway (left at 9pm), Mottershaw, Mitchell, Neighbors, Ibberson, Boster and Cunningham.
- **Absent:** Bertolino
- **Also, present were:** Mayor George Murphy, Deputy City Clerk Karen Burgess, Bookkeeper/Deputy Treasurer Barry Liss, Police Chief Steven Snodgrass, Public Works Director Gary Etter, Attorney Joe Craven and City Office Manager Madonna Lackey
- **Guest:** Alan McIntire (R&R Bindery Service), Deb Marsaglia, Mike Marsaglia, Bill Berry, Judy Berry, Gary Marsaglia, Sharon Elders, Jill Murphy, Shirley Blankenship, Stefanie Ballinger (Benton & Associates), Bill & Marcia Woodruff, Max Windsor, Steve Kahl and Sean R. Brown.

**Approval of Agenda (2-52024):**

Murphy would like to move the Feasibility Study to Comments from Audience.

Motion made by Mitchell seconded by Boster to approve the Agenda (2-5-2024) as amended.

Discussion: None

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

**Approve Consent Agenda:**

- **Approval of Meeting Minutes (Regular Meeting 1/2/24)**
- **Approval of Bills Payable:**
  - Benton & Associates bill invoice no: 18920
    - This needs to be taken off and discussed.
- **Treasurer's Report:**
  - This needs to be removed since there wasn't a Finance Meeting last month.
- **Water Report (November 2023 Gallons report and December 2023 Collections report):**
- **Requests for use of Public Property:**
  - Michelle – Maynerich Financial: Would like to hold a 2024 Shred Event on the Island on April 20, 2024, from 9:00 am – 11:00 am.
  - John “Bill” Castagna: Would like to hold Adopt-A-Pet Fundraiser on April 27, 2024, from 10:00 am – 2:00 pm.

Motion made by Mitchell seconded by Calloway to approve the Consent Agenda with removal of Treasurer's report and Benton & Associates bill.

Discussion: None

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

#### **Benton & Associates Bill**

- This bill is from June of 2019. It was tabled and never brought back up again. There was a question if this belonged with the engineering of the school, and it is not. This was from asking engineering to revise our drainage ordinance and putting in a pipeline near the school.

Motion made by Murphy seconded by Boster to approve the bill to Benton & Associates from June of 2019 for \$3,649.35.

Discussion: The reason Mottershaw doesn't want to pay this is due to not enough money in the Streets & Alleys Engineering to cover it. Murphy suggested that he has it coming out of North End Drainage line item.

Motion passed with majority in favor. **Ayes:** Mitchell, Boster, Neighbors, Calloway, and Murphy; **Present:** Cunningham and Ibberson; **Nayes:** Mottershaw; **Absent:** Bertolino

Mayor Murphy thanked the City Office Manager Madonna Lackey for her years of service with the city since she is retiring Feb. 9<sup>th</sup>, 2024.

#### **Comments from Audience:**

##### **1. Consider Feasibility Study**

- a. Murphy laid out a timeline of events of how this current feasibility study for a grocery store was started. Mike Marsaglia talked to his contact that said we need to do a feasibility study that is around \$5,000 to get a grocery store to locate in Virden. Mike said there are two other factors involved. 1. The feasibility study, 2. Alter liquor license to allow packaged liquor license for a prospective store, and 3. He wants a finder's fee for himself of a Class A Liquor License to reveal his contact person. He thinks the city should strongly consider this. Cunningham asked if he went anywhere else for help with this feasibility study. He hasn't. She brought up that Senate Bill 850 established an IL Grocery Initiative by Pritzker for food desert communities. She believes that's the first place for him to look. He said it is the first place for the city to look. Questions were asked why would the city pay for this instead of the person putting in a grocery store. Has the Chamber been asked? No. Mike said his contact is grocery wholesales. He wouldn't divulge his contact information. It was stated that the city can't agree to this without something in writing and what this feasibility study would entail. There is no grocery store lined up. Mottershaw asked who will do the feasibility study or if the city will have to find someone? Mike said once the city agrees, he would give them the contract and the info to get ahold of his contact. Boster stated there isn't much for us to discuss tonight since there is no contract to look at. If you bring us a contract to look at that gives us a chance to move forward whether or not we are willing to enter into this contract. We are not against looking at the contract and proposal, but we are against just saying we are going to spend \$5,000 out the door. Murphy asked Attorney Joe Craven if we could take a poll of the council to see who is interested. Joe asked could you do a poll of the council to see who is in favor of the offer presented? Yes. Joe said no. Sean Brown spoke up saying he doesn't get involved with small town politics because of back door deals like this one. If you truly care about a community and you want to see something better, you don't try to make money off of it. He liked Cunningham's suggestion and to step aside from back door deals. Sean agrees that we need a grocery store and if the government will pay for it, we should proceed with that. Judy Berry suggested maybe the council could get ahold of the chambers of commerce about it. Murphy said he would contact them. Alan commented that he has been contacted by many people about his building. He says it is full and would need to build a new building in Girard that would take 18 to 19 months before he could get out.

#### **REPORTS OF SUPERVISORS**

##### **City Engineer:**

##### **1. Stephanie Ballinger – Benton & Associates: Open MFT "2024" Program**

- a. We need a resolution to spend MFT money. MFT is for maintenance purposes to take care of roads and streets. The 3 forms are a resolution for the amount of \$41,310.00, estimate of cost and

maintenance and engineering agreement. Mottershaw wants to know if these can be done all in one motion. Yes.

Motion made by Mottershaw seconded by Neighbors to approve the Resolution 2024-1 for maintenance for MFT in the amount of \$41,310.00.

Discussion: Cunningham doesn't understand the forms. How many trees do we get? How many streets does this do? This is generally used anywhere within the city limits. MFT comes from IDOT local roads for the use of maintaining your streets. Etter says this program basically protects his budget. This is IDOT money that comes to the city. You have to fill out forms and tell them what you want to do with it and pass a resolution through the council in order to approve IDOT to send it. We have to give IDOT all invoices and checks so they can audit what we spent.

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

**2. Safe Route to School sidewalks**

- a. We are in the final stages of design. This has to go to a state letting and they are on their schedule. We are shooting for mid-June for state letting.

**3. W. Dean St. Project**

- a. We are still waiting for environmental clearance for this. We are going to do a widening and resurfacing. Once we get final approval, y'all can decide when it is a good time to go out for bids for that. How far is that going down to? To Hobson. Springfield St. to Hobson

**Director of Operations:**

1. People had a lot of leaks and water issues during that cold spell. We have been reading meters and haven't found anything unusual. We still have O.R.s to do. They will take some time because we have to get into people's houses.

**Chief of Police:**

1. Chief got the new radar sign in. He is charging the batteries and will look into how it works and go from there.

**City Office Manager:**

**1. Approval of City Council and Committee Meeting Schedule for 2024**

- a. It needs to be added for the 4<sup>th</sup> of July so that it is to be rescheduled.

**2. Approval of 2024 Employee Paid Holiday Schedule**

- a. It needs to be included Jan. of next year on the paid holiday schedule since we meet after the holiday. Madonna suggests changing the holiday bank hours to 132 for Police and 88 for the 8hr shift people, so that it will come out to the approved 11 holiday pay days in the ordinance and FOP contract. Mottershaw says he has this on the administrative meeting to look at and have to look at one of the union contracts.

**3. Approval of 2024 Payday Schedule**

- a. No comments.

Motion made by Mitchell seconded by Calloway to approve these 3 schedules with the changes mentioned. Motion passed with all in favor. **Ayes:** *Mitchell, Mottershaw, Cunningham, Ibberson, Calloway, Boster and Neighbors*; **Nays:** *None*; **Absent:** *Bertolino*

**City Attorney:**

1. Joe was asked if he had anything to say about the earlier discussion. Joe has serious concerns about how the proposal was submitted. As proposed Joe wouldn't suggest making a motion on the subject. Murphy talked to Joe about the IHDA grant properties to have George call them before the attorneys got a hold of them. Murphy tried to call Roddy Bollinger and his voicemail wasn't set up. He also contacted Dean Hupp and Dean is going to try to meet up with his dad and talk to him about considering the city's offer.

## REPORTS OF CITY OFFICIALS

### City Clerk:

1. Karen wants to know if she can do double sided for the packets, so its not so much paper. Double sided was agreed upon.

### City Treasurer:

1. We are going to update the Treasurer's report for Jan. It may have been noticed the high amount of water revenue. It is not correct. There are some adjustments coming to that. We will get everyone a corrected one at the Finance Committee meeting.

### Mayor:

1. **Consider Feasibility Study**
  - a. Moved to Comments from Audience
2. **Regulations for solar, wind utilities**
  - a. With the Titan group asking these questions about regulations means some towns have regulations with putting solar on houses or on properties. Murphy thinks we should have regulations too, maybe. Can a municipality regulate that you can't be so many feet or miles from city boundaries? Within a zoning code yes. There are enough regulations from the state and Ameren that are put on solar for these houses.
3. **Collective bargaining for FOP**
  - a. Murphy got a letter about bargaining, and he called Brian today. He doesn't have the proposal quite done yet. He should have it done in the next few days and send it by email. A tentative date to meet was set up for Feb. 28<sup>th</sup> at 6:30pm pending on we get it on time and council has time to look at it.

## REPORTS OF STANDING COMMITTEES

### Finance:

1. None

### Police:

1. None

### Public Works:

#### 1. Streets & Alleys:

- a. None

#### 2. Building & Grounds:

- a. Republic Dumpster at City Hall
  - i. Murphy called about a tote which would be \$28.50 per month. It was brought up if that tote was going to hold enough for when there are events for over here. If there are no events, it'll be fine but all the office trash goes in there as well. Ibberson says to just go with the \$50 dumpster and move on. Boster says not to pay a fee or sign a contract.

Motion made by Ibberson seconded by Murphy to sign the contract for \$50 a month with Republic for 3 years.

Discussion: Ibberson said a 3-year contract is a long time and that's with any contract anymore. Mottershaw says we should find another company and replace all our dumpsters. *Motion did not pass. **Ayes:** Cunningham, Ibberson and Calloway; **Nays:** Mottershaw, Neighbors, Boster and Mitchell; **Absent:** Bertolino*

The options are we call her and say we will pay the \$50 but sign no contract or go with one of the other two and see if they have contracts. Mottershaw says to ask about what it would be to replace all of them.

3. **Water:**
  - a. None
4. **Parks:**
  - a. None
5. **Miscellaneous:**
  - a. None

**Administrative:**

1. Talk about the holiday hours in employee bank.
  - a. Mottershaw wants to talk about this at the admin meeting. There is an issue with one of the contracts.
2. Special Council Meeting Notification Changes
  - a. This was changing the notifications to the alderman and how we do it. Currently, it is taking resources from the police and having them hand delivered to the alderman. Now we are saying to have them electronically communicated by the City Clerk or designated representative. And we removed mail.

Motion made by Ibberson seconded by Calloway to have this language drafted into an ordinance by the attorneys and then approved at the next meeting.

Discussion: None

Motion passed with majority in favor. **Ayes:** *Cunningham, Ibberson, Calloway, Boster and Neighbors;* **Nayes:** *Mottershaw and Mitchell;* **Absent:** *Bertolino*

3. City of Virden Employment Application
  - a. This new application was primarily done to remove the social security numbers. This is all PDF fillable except for signature part.

Motion made by Mitchell seconded by Boster to approve new format of the City Employment Application.

Discussion: None

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

**Other Business:**

1. None

Motion made by Calloway seconded by Mitchell to enter executive session for approval of executive session minutes, personnel, and buying and selling of property at 9:00pm. Motion passed with all in favor. **Ayes:** *Mitchell, Mottershaw, Cunningham, Ibberson, Calloway, Boster and Neighbors;* **Nayes:** *None;* **Absent:** *Bertolino*

**Executive Session:**

1. Approval of Executive Session meeting minutes (5ILCS 120/2 (c) (21))
2. Personnel – Merit Raise (5 ILCS 120/2 (c)(2))
3. Buying & Selling of Property update (5 ILCS 120/2 (c) (5))

Motion made by Boster seconded by Cunningham to exit executive session at 9:25pm. Motion passed with all in favor. **Ayes:** *Mitchell, Mottershaw, Cunningham, Ibberson, Boster and Neighbors;* **Nayes:** *None;* **Absent:** *Bertolino and Calloway*

Motion made by Boster seconded by Ibberson to approve executive session minutes of 12/5/22, 12/21/22, 1/2/23, 2/6/23, 3/6/23, 4/3/23, 5/1/23, 5/18/23 and 7/3/23. Motion passed with all in favor. **Ayes:** *Mitchell, Mottershaw, Cunningham, Ibberson, Boster and Neighbors;* **Nayes:** *None;* **Absent:** *Bertolino and Calloway*

Motion made by Boster seconded by Ibberson to give Ryan Calloway a \$1.25 per hour raise to be at \$25 per hour

effective next pay period.

Discussion: Mottershaw doesn't think we should single out anyone during the period. We can always do it when we do pay raises the start of the physical year. Ibberson says if their supervisor doesn't give them a merit raise then they don't get one.

Motion did not pass. **Ayes:** *Cunningham, Ibberson, Boster*; **Nayes:** *Mottershaw, Neighbors, Mitchell, and Murphy*; **Absent:** *Bertolino and Calloway*

**Adjournment:**

Motion made by Mitchell seconded by Boster to adjourn at 9:30 pm.

Discussion: None

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

Karen Burgess  
Deputy City Clerk

Date Minutes Approved: