

Regular City Council Meeting
Official Proceedings
City of Virden, IL
Virden City Council Chambers
Monday May 6, 2024

Appropriation Hearing at 6:45pm

- Murphy asked if there was any discussion. No one said anything about the Appropriation
- Appropriation Hearing ended at 6:55pm

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, Mottershaw, Mitchell, Bertolino, Neighbors, Boster and Cunningham
- **Absent:** None
- **Also, present were:** Mayor George Murphy, City Office Manager/Deputy City Clerk Karen Burgess, Bookkeeper/Deputy Treasurer Barry Liss, Police Chief Steven Snodgrass, Public Works Director Gary Etter, Engineer Stefanie Bolinger and Attorney Joe Craven
- **Guest:** Mike Marsaglia and Lu Anne Ribley

Approval of Agenda (4-1-2024):

Murphy would like to add under Requests for use of Public Property, the use of the square for the Fred Britenstine car show on June 15th with set up on June 14th. Mottershaw wants to remove under Public Works Streets and Alleys, Frontier boring permit. They haven't given us the final paperwork. Motion made by Mitchell seconded by Bertolino to approve the Agenda (5-6-2024) as presented. Discussion: None
Motion passed with all in favor. **Ayes:** *Bertolino, Calloway, Mitchell, Neighbors, Cunningham, Boster, and Mottershaw*; **Nayes:** *None*; **Absent:** *None*

Approve Consent Agenda:

Mottershaw says Bills Payable needs to be removed.

- **Approval of Meeting Minutes (Regular Meeting 3/4/24)**
- **Approval of Bills Payable:**
- **Treasurer's Report:**
- **Water Report (February 2024 Gallons report and March 2024 Collections report):**
- **Requests for use of Public Property:**
 - Fred Britenstine car show on the square on June 15th with set up June 14th.

Motion made by Bertolino seconded by Neighbors to approve the Consent Agenda with removing the

bills payable.

Discussion: None

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

Bills Payable:

1. Mottershaw says one bill from Craven's Law Office has down the wrong hourly rate. Mottershaw says we can go ahead and approve the bills payable along with that particular one with the ordinance violation court and they will adjust it accordingly.

Motion made by Mottershaw seconded by Calloway to allow the bills payable with the modification to the Craven's Ordinance Violation bill.

Discussion: Cunningham has a question on the water fund. The Flower's Inc. for \$1,834 bill, what was that for? It was for rock.

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

Comments from Audience:

1. Mike Marsgalia sees under water to approve the contract with the VSD. Is that per the letter everyone received? That has to do with the contract between the City and the Sanitary District. It was put on there in case they came back to the table with anything. They have not. Are you approving a contract or not approving a contract? We haven't gotten one from them. So, no. Also are you going to appoint someone to E.D.'s position? Murphy hasn't made that decision yet Are you pushing the 60-day limit? It's getting close.

REPORTS OF SUPERVISORS

City Engineer:

1. MFT Rock and Oil
 - a. Stefanie did a street drive through with Pokey a couple weeks ago and came up with a proposal for the oil and chip program this year. The forms she handed out has all the forms needed submitted to IDOT with a map attached to the back. These are the streets that we are proposing that get oiled and chipped. It is a little bit of a larger program dollar wise because we are trying to catch up on the ones that have been neglected in the last 5 to 10 years. Oil prices have gone up. Louis Marsh does try to give you the best price. She needs \$95,000 MFT money to go towards the oil and chip program. Any questions? What rock are they using? The dark rock? Yes. There are a couple streets that take a heavier impact so we will be using a larger diameter of the crushed stone. Everything else is that crushed black rock. Is Dean going across to Church to Flower's Inc. where he hauls in? Is that being made heavier? End of George Street. We went down to George Street but didn't go down the other block. Is that a plan for next year? Pokey will circle it. Are you just using CA14 in one spot? We are doing it in 3 different spots.

Motion made by Mitchel seconded by Boster to approve the Resolution Under IL Highway Code MFT in the amount up to \$95,000.

Discussion: None

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

2. Update on Dean Street
 - a. We are clear on environmental on that. It is a little bit longer to get cultural clearance due to the age of the buildings and residence through there. They had to come back through there and take pictures of everything and explain we would not be impacting the appearance of the historical presence of those buildings. We did get clearance of that. So, we are going into prefinal planning. Which is a preliminary review. Once we get final approval, we will get clearance to bid this locally. We are hoping to get bids out by August and see something by September and get started. If not, we probably want to hold this till first thing next season for construction. If we can't get it done this fall, will we be able to get it done before the July 2025 deadline? Yes.
3. The Governor a couple weeks ago announced a grant opportunity called Rebuild Downtown Main Street and Rise Implementation grant. It does require 25% match and award ranges start at \$250,000 and go up to 2 million. 20 to 25 projects will be awarded. It's statewide, so it will be competitive.

Director of Operations:

1. None

Chief of Police:

1. None

City Office Manager:

1. Karen wanted to bring up as a possibility that Amazon has a pay by invoice like Quill does. We got our envelopes from Amazon for the Cross Connection surveys, and they were a butt load cheaper. Copies of the information will be made for the Finance meeting. Snodgrass says he can find things on Amazon cheaper than on Quill. Pokey said to do a comparison, so they can see the difference.

City Attorney:

1. Purchase of 709 E. Jackson
 - a. Purchase of 709 E. Jackson is one we are trying to get with the IHDA Grant. We have an ordinance here approving the purchase of real estate that Joe drew up and a letter of intent to go with it. The idea would be to approve the mayor to sign these documents when the time comes to do that. We have an amount on here that's \$2,000 plus an amount sufficient to redeem prior tax sales plus any closing costs. Murphy says don't know if we want to put some other limit on that. Do you think \$3,500 would be enough? The taxes as of March 20th were \$280.70. Can we put all this in one motion? It would be a motion to approve the ordinance with amended section. Do we need to approve the letter of intent? The letter of intent is more of an fyi that the mayor has to sign as part of the closing process.

Motion made by Mottershaw seconded by Boster to approve Ordinance 2024-2. Ordinance approving purchase of real estate specifically 709 E. Jackson in Virden with an expense not to exceed \$3,500 in total.

Discussion: Did you just say this is for this property? Just for this property. So, you will have to do one of these for all? Yes. He wrote this letter for intent for multifunctional use and be used for anyone. Murphy has to send a preapproval to the IHDA grant people. He will do that before actually spending any money to make sure it qualifies.

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

Mottershaw wants to know if it would be appropriate to contact Mr. Kirby now letting him know we

want to proceed with this, and he would be contacted at the closing. Yes, he will need to sign the letter of intent and title company will be after their share. He will need to sign the letter of intent prior to closing. Murphy said we just got from Prairie land title the one across from Circle K and the one on W. Jackson (604) and the one on E. Stoddard.

REPORTS OF CITY OFFICIALS

City Clerk:

1. None

City Treasurer:

1. None

Mayor:

1. City Appointments for 2024 – 2025
 - a. Murphy said it hasn't changed much from last year.

Motion made by Mitchell seconded by Boster to approve the appointments for this fiscal year.

Discussion: Is this for all of it?

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

2. Hire up to 2 part-time telecommunicators
 - a. Murphy would like to appoint Mary Huff as a part-time telecommunicator starting immediately at \$15.00 per hour to be trained as soon as possible.

Motion made by Boster seconded by Calloway to approve appointment of Mary Huff as part-time telecommunicator starting immediately at \$15.00 per hour.

Discussion: None

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

- b. Murphy would like to make an appointment of Brayden Fee as a part-time telecommunicator starting immediately at \$15.00 per hour.

Motion made by Mitchell seconded by Boster to approve the appointment of Brayden Fee as part-time telecommunicator starting immediately at \$15.00 per hour.

Discussion: None

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

3. Hire part-time custodian
 - a. Murphy would like to make an appointment of Gail Grady as a part-time custodian starting at \$15.00 per hour to start immediately.

Motion made by Mitchell seconded by Mottershaw to approve the appointment of Gail Grady as part-time custodian.

Discussion: None

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

REPORTS OF STANDING COMMITTEES

Finance:

1. Budget and Appropriation
 - a. We need to pass the continuing resolution. At the bottom we will need to change the 1 to a 4.

Motion made by Mottershaw seconded by Neighbors to approve Ordinance 2024-3. Ordinance authorizing city expenditures pending adoption of annual appropriation ordinance.

Discussion: There is a typo in the middle paragraph. "The" needs an H. Appropriation at the top is missing an R.

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

Mottershaw asked for the department heads to look and see what can be cut. Any little bit helps. Murphy talked to Stefanie about the SRTS grant and it was determined we wouldn't have to pay for any of this this coming fiscal year. Murphy suggested leaving the \$15,000 in for engineering, but we can take it down to \$5,000 and use the \$10,000 somewhere else. Karen found another correction there should be another E in therefore. Karen said she would retype this and have Murphy sign the non-typo one.

Police:

1. An ordinance approving a collective bargaining agreement between the Illinois Fraternal Order of Police Labor Council and the City of Virden, Illinois.
 - a. Murphy emailed the FOP Contract. There is a minor flaw in the index. He emailed Grenzsbach and texted. At 5:05pm he finally emailed one that was corrected. They have not ratified this yet but did agree to it.

Motion made by Mitchell seconded by Boster to approve the contract with the FOP a 3-year contract Ordinance 2024-4.

Discussion: Bertolino wants to know if it looked good to Murphy. Yes, he has gone over it several times. Boster says to take the red line one and compare it to that one and you will see he fine tooth combed it. They still have to ratify this.

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

Public Works:

1. Streets & Alleys:
 - a. ~~Frontier Boring Permit~~
 - b. Lu Anne Ribley
 - i. Boster asked for this to be put on the agenda for us to vote on. The standing with the city is the citizens don't have a right to go in and put a tile in in accordance to policy. Mrs. Ribley put a tile in. She came to the Public Works meeting. It was done professionally. According to Pokey, it was a good job. He also said if we remove it, it could cause more damage taking it out if it hadn't been there. Boster understands based off the discussion why this is an item why we don't want to have this happen on a regular basis, but we need to have a resolution on this case. Boster wants to

approve this, so she can cover the tile.

Motion made by Boster seconded by Calloway to approve the tiling of the ditch in front of 1022 N. Noble with the inspection of P.W. Director.

Discussion: Bertolino understands where Lu Anne is coming from and Tony, but we have a policy that was created years ago that was recommended to the city by our engineers to pay good money to these recommendations for us and their recommendation was to not tile ditches unless absolutely have to. Correct Pokey? Yes. Bertolino said there were 4 other people, but they were told no. Mottershaw said the previous council adopted the written policy on ditches. Cunningham didn't get a copy of this policy and it isn't posted online where are they? Mottershaw is going to get with Karen, so we have the policy.

Motion failed. **Ayes:** Boster and Calloway; **Nayes:** Mottershaw, Bertolino, Neighbors, Mitchell, and Cunningham; **Absent:** None

As part of that resolve does the tile need to be removed. The tile needs to be removed. Murphy's suggestion would be for the P.W.'s department after the tiles removed to smooth the ditch out and make it functional again. Can it be rocked? She can't get in that ditch to mow. Can we use some sort of the rock at the park? He can look into it. He doesn't want to put a lot of rock because if we do get a lot of water, its just going to plug everything up. Can you seed it? Yes, but its just tight. It's a steep incline. Lu Anne is going to go ahead and have Tony Miller come back and remove it. She wants to know how long she has or can ask him at his earliest convenience. Is there a time limit? Lu Anne thinks he could get to it in a week or two that is reasonable.

2. Building & Grounds:

- a. Bid for Community Building Roof
 - i. We recommend B&H Roofing to do the project. The bid is at \$27,650 to do the roof. Pokey has an example of what B&H will be using. When are they going to do this? Pokey doesn't know because he didn't know if this would pass or not. He didn't ask that question.

Motion made by Mitchell seconded by Bertolino to approve roofing contract with B&H Roofing not to exceed \$30,000.

Discussion: This came out of committee with the recommendation of the 3 bids. The bids were from Kingery roofing, Bolash roofing and B&H roofing. B&H roofing was the low bid and was accepted by the council.

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

3. Water:

- a. Approve contract with the Virden Sanitary District
 - i. Murphy let Kim Ball know that we were offering a 3-month contract that would end after that for \$2,400 and he seemed excited to get that and would let him know. They've been talking to their attorney because their attorney has been talking to ours. There was a possibility that we would have something today, but we haven't seen it. Bertolino says they are dragging their feet. Boster said he went to the Sanitary District to get their request. He said Dave was there and asked that question to him. Dave said he didn't know and hadn't talked to Kim about it. That was earlier today. When does this contract expire? It has already expired. We billed out for the April usage, and we will collect for it. As of right now we have no reason

to bill for them. We have offered them ample enough time. If they come to us, Mottershaw says not to have any special meetings. Mike wants to know if we have given any thought on taking it over. Boster says he has talked to Pokey about it. There are less than a dozen in our state where water and sewer are separate. Not sure what the procedure is to have it undone. Mike says it would be a question for your lawyers on how it would need to be done. Joe says he hasn't started digging into that. It is up to what the council wants to do. Mike says it's not going to take 2 months to do it. It will be a big ordeal to do, but at the end of the day you are better off. Mike thinks you will eliminate a problem and not having to deal with another layer of government anymore.

4. Parks:

- a. None

5. Miscellaneous:

- a. None

Administrative:

1. None

Other Business:

1. None

Executive Session:

1. Approval of Executive Session meeting minutes (5ILCS 120/2 (c) (21))

Adjournment:

Motion made by Boster seconded by Calloway to adjourn at 8:18pm.

Discussion: None

Motion passed with all in favor. **Ayes:** *Mitchell, Mottershaw, Boster, Cunningham, Ibberson and Neighbors;*

Nays: *None; Absent:* *Bertolino and Calloway*

Karen Burgess

Deputy City Clerk

Date Minutes Approved: