**Regular City Council Meeting**

Official Proceedings

City of Virden, IL

Virden City Council Chambers

Monday, June 5, 2023

Regular City Council Meeting was called to order by Mayor George Murphy on June 5, 2023, at 7:00.

**Pledge of Allegiance**

**Roll Call:**

* **The following Council Members were present**: Bertolino, Boster, Calloway, Cunningham, Ibberson, Mottershaw, and Neighbors
* **Absent:** Mitchell
* **Also present were** Mayor George Murphy, City Clerk Shelly Boster, Deputy Treasurer/Bookkeeper Barry Liss, Chief Snodgrass, and Director of Public Works Gary Etter. Arrived late: Attorney Don Craven and Attorney Joe Craven
* **Guest:** Terry Davis, Joe Royer, Mike Marsgalia, and Thomas, Melissa, and Tommy Chizmar

**Approval of Agenda (6-5-2023):**

Motion made by Bertolino seconded by Ibberson to approve the agenda as amended (6-5-2023).

Discussion: Murphy: Number 1 under Mayor can be moved to visitor section.

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

**Approval of Meeting Minutes (Old Council Meeting 5-1-23, New Council Meeting 5-1.23, Public Appropriations Hearing 5-1-2023 and Special City Council Meeting 5-18-23)**

Motion made by Bertolino seconded by Boster to approve Old Council Meeting 5-1-23, New Council Meeting 5-1.23, Public Appropriations Hearing 5-1-2023 and Special City Council meeting 5-18-23

Discussion: None

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

**Approval of Bills Payable:**

Motion made by Bertolino seconded by Calloway to approve bills payable.

Discussion: None

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

**Treasurer’s Report:**

Motion made by Mottershaw seconded by Boster to approve treasurer’s report for April 2023

Discussion: None

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

**Water and Gallons Report (April 2023 Gallons report and May 2023 Collections report):**

Motion made by Mottershaw second by Calloway to approve April 2023 Gallons and May 2023 Collections report.

Discussion: Bertolino: Is the gallons getting better? Etter: Gallons have not gotten better. They are working with Badgers Engineers. Everything we have has checked out, so it has to be within the computer system.

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

**Comments from Audience**:

1. Joshua Ronan/FOIA- Not available
2. Terry Davis
   1. Terry Davis: I am not here for the water commission; however, it hasn’t been improved much. We have UV light on, chemicals, and check every half hour to get it to improve.
   2. Terry Davis: I am here to request a speed limit reduction on Post rd. Drivers cut through the subdivision from Route 4 on the west end by the carousel center to County Line Rd. There are no sidewalks for people walking or walking dogs up the street, so they have to use the street. There is a busy intersection on Illini Trail and Post Rd. I would really like consideration to reduce speed. Murphy: I recommend that we defer this to the Police Committee.
3. Joe Royer/Royell fiber to bandstand
   1. Murphy: The idea is to get fiber to the bandstand. Joe Royer: We had a request from the weightlifting event to have high speed internet to hook into. He asked for an ethernet connection. We wouldn’t be making money we would lose money but trying to just recoup some cost. We don’t have anything set in stone we were just trying to satisfy the request. We wouldn’t want it on all the time just when requested. Bertolino: I think it would be used more if it was available. Cunningham: Would you be open to no fee? Joe Royer: Yes. We aren’t trying to make money from it, just trying to recover a little cost. As far as making money on city property we are already on water towers. We would need to know ASAP about the event that is requested for in July. Murphy: I would rather split installation cost for possible cameras. Ibberson: Would you be ok if city paid half and Royell payed half and not charging. Joe Royer: Yeah Boster: I think we should table until Police meeting and have further discussion then.
4. Chizmar lease/ordinance
   1. Ordinance 2023-7 approving the lease for 385 feet of the alley between Linder and Henrietta and rental payment of $10 per year for twenty years. They will pay the $200.00 attorney fee for drafting the ordinance.

Motion made by Boster seconded by Bertolino to approve ordinance 2023-7 approving the lease of 385 feet of said property from the city of Virden to Thomas and Melissa Chizmar.

Discussion: Murphy: This will be effective as soon as monies are paid to the city and documents signed.

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

**REPORTS OF SUPERVISORS**

**City Engineer**: Not present

**Director of Operations**: None

**Chief of Police:** Snodgrass: I have activity report for April and May in your packets. Mottershaw: Are we still doing Ordinance violation court? Snodgrass: We have given a few tickets. Bertolino: How are the trainees doing? Snodgrass: Good. They had first quiz and passed easily.

**City Office Manager:** None

**City Attorney:**

1. Nuisance properties:

Murphy: If we take any of those to court on the notices we sent out, can or will anything happen to that? We wouldn’t want to spend money on demolition if the city doesn’t own the property and we wouldn’t get reimbursed for it. Craven: It would still be their property. We can get an order to demolish it. The city would demolish it and take a lien out on that property then foreclose on the lien in hopes to get money reimbursed. Demolition costs are senior to all other liens. You can get an order to tell them to fix or flatten but it does not make them do it. You can place a lien on the properties for mowing and clean-up, but those liens are not senior. Mottershaw: Is there a timeframe from filing a lien to foreclosure? Craven: No Murphy: Did you guys find anything on demolition bond? Craven: Never heard of it

1. Grant for demolition

Murphy: Deadline is June 7, 2023. Community can get up to $750,000 with no matching. I will try to get it all completed by tomorrow. I was going to list 5 properties. It allows $5,000.00 to acquire the property. 331 West Holden, 911 North Noble, 207 North Finis, 218 North Hobson, and East Jackson

1. Carlinville Hospital

Murphy: I haven’t heard anything regarding annexing the property. Can they contact your office regarding that? Craven: Yes. Murphy: I will give them your number so you can lead them in the direction they need to follow.

1. Gaslight Village:

Murphy: He was interested in buying that property. It was a trailer court and if he buys it would it be grandfathered or would it be a new trailer court. Craven: It would be a new trailer court and needs to follow current ordinance.

**REPORTS OF CITY OFFICIALS**

**City Clerk:** None

**City Treasurer:**  None

**Mayor:**

1. **Request from VBS Ladies to serve hotdogs, chips, and drinks to families of VBS attendees at bandstand on July 26, 2023, from 6:30-7:30 pm (Need electricity).**

Motion made by Bertolino seconded by Calloway to approve VBS Ladies to serve hotdogs, chips, and drinks to families of VBS attendees at bandstand on July 26, 2023, from 6:30-7:30 pm to include electricity and WiFi if available with proof of insurance.

Discussion: None

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

1. **Request from Katrina Spencer at Virden Church of the Brethren to show a movie on the square on Saturday, August 26, 2023, from approximately 5:00-8:00 pm.**

Motion made by Mottershaw seconded by Bertolino to approve Request from Katrina Spencer at Virden Church of the Brethren to show a movie on the square on Saturday, August 26, 2023, from approximately 5:00-8:00 pm to include electricity if needed with proof of insurance.

Discussion: None

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

1. **Request from American Legion Ladies Auxiliary to have a community picnic and other activities on the square on October 8, 2023. Details to follow. They want to save the date.**

Murphy: I don’t think we need a motion to save the date. I think once they have more information then it can come to the council for approval. As of right now the date is saved.

1. **Approve 2-day City Clerk training in Peoria on June 15 and 16th, 2023 including $75.00 fee and travel reimbursement. This is more extensive training than Macoupin County offers.**

Motion made by Bertolino seconded by Mottershaw to approve 2-day clerk training in Peoria on June 15th and 16th, 2023 including hotel expense and/or travel expense/reimbursement

Discussion: Mottershaw: Did she plan on traveling back and forth? The hotel rate would have been $129.00 if booked then. It would be the regular rate now. Mottershaw: What about meal per diem? I think That would be appropriate. Shelly Boster: I don’t need it but thank you.

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

1. **Approve part-time custodian**

Appointment made by Mayor Murphy of Will Edwards as a part-time custodian for the City of Virden according to current pay schedule to start immediately.

Motion made by Boster seconded by Neighbors to approve appointment of Will Edwards as part-time custodian for the City of Virden at current rate of pay starting immediately.

Discussion: None

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

1. **Request from American Legion to use the square on July 1,3, &4, 2023, for the 77th Annual 4th of July Celebration.**

Motion made by Mottershaw seconded by Bertolino to approve request from American Legion to use the square on July 1,3, &4, 2023, for the 77th Annual 4th of July Celebration.

Discussion: None

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

**REPORTS OF STANDING COMMITTEES**

**Finance:**

1. **$1,000.00 deductible payment due Tokio Marine/HCC for insurance coverage of lawsuit filed against police officer.**

Motion made Mottershaw by seconded by Neighbors to approve $1,000.00 deductible payment to Tokio Marine/HCC for insurance coverage for a lawsuit.

Discussion: None

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

1. **Savings Account**

Motion made by Mottershaw seconded by Neighbors to set up a saving account for the transfer monies collected from PayCourt and to set up a checking account for deposits for directional boring with George Murphy, Barry Liss, Gary Mottershaw, and Craig Neighbors as signatures for both accounts.

Discussion: Boster: Is there a difference between a checking account and an escrow account? Liss: I would not know how to set up an escrow account. Boster: Okay. I just know it was an escrow that was agreed upon in committee. Mottershaw: I think a checking account would be fine.

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

**Police:**

1. **Purchase of new computers**

Snodgrass: Council at that time approved replacing three of our computers. Mottershaw: This came up with replacing Windows 8.

Motion made by Bertolino seconded by Mottershaw to approve the purchase of three computers from Royell Communications not to exceed $3,500.00

Discussion: None

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

1. **Approve hiring of part-time dispatcher**

Appointment made by Mayor Murphy of Morgan Theel as a part-time dispatcher for the City of Virden according to current pay schedule to start immediately.

Motion made by Boster seconded by Bertolino to approve appointment made by Mayor Murphy of Morgan Theel as a part-time dispatcher for the City of Virden according to current pay schedule to start immediately.

Discussion: None

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

**Public Works:**

1. **Streets & Alleys:**
   1. **None**
2. **Building & Grounds:**
   1. **None**
3. **Parks:**
   1. **Waive bidding on scrap metal**

Motion made by Bertolino seconded by Mottershaw to declare scrap metal from the East and West Park’s pavilions as surplus property (scrap metal) and waive bidding.

Discussion: None

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

* 1. **Accept Boy Scouts bid for scrap metal**

Motion made by Boster seconded by Bertolino to accept $100.00 bid from Boy Scouts for the scrap metal surplus property.

Discussion: None

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

1. **Water:**
   1. **None**
2. **Miscellaneous:** 
   1. **Jet machine to Ladage**

Motion made by Mottershaw seconded by Neighbors to declare jet machine that came from sanitary district as surplus property and take to Ladage auction to auction off.

Discussion: Murphy: No minimum bid needed.

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

* 1. **Bids for trees**

Etter: Bids received. Whalen and Sons Tree Service bid for $6,525.00 and Arbor Tech was $8,300.00. This was for seven trees and seven stumps.

Motion made by Bertolino seconded by Neighbors to award a contract to Whalen and Sons Tree Service for the removal of seven trees and seven stumps for price of $6,525.00 to be done during city business hours.

Discussion: None

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

* 1. **Update from Etter**

Pavilions are completed

Red international is complete and done

2001 Chevy truck is back, and transmission has been good.

**Administrative:**

1. **Vote on Electric Rates**

Motion made by Mottershaw seconded by Boster to approve signing contract with Constellation Energy for the city electric supply for 44 months at current rate at time of signage approximately $0.09/kwh

Discussion: None

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

1. **Approve Craven Law Office compensation rates**

Motion made by Mottershaw seconded by Neighbors to increase compensation rates to a $600.00 retainer and increase Don to $225.00/hr. and Joe to $200.00/hr. as listed in letter beginning June 1, 2023.

Discussion: None

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

1. **Approve directional boring application for Terrazon Group**

Motion made by Mottershaw seconded by Bertolino to accept the application from Terrazon group and authorized Mayor to execute the permit.

Discussion: The permit should expire 30 days after start.

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

1. **Update Code Book**

Motion made by Mottershaw seconded by Bertolino to approve American Legal Publishing to update the code book.

Discussion: We will not know the price until they look at all that needs updated.

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

1. **Authorize $500.00 for “Help Wanted” ads**

Motion made by Mottershaw seconded by Neighbors to approve up to $500.00 for help wanted ads and to authorize the chairman of the respective committees have the authority to place those ads.

Discussion: None

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

1. **Advertise for City Office Manager position**

Mottershaw: We need to start training for City office manager position no later than October. Here is a mockup of the job description. We have had discussions and it would be a full time/part-time position up to 32 hours per week over that three-to-four-month period. During the training period it would be $15.00/hr. then it would move up to $18.00/hr. We have kicked around a different number with the new council. Boster: I think there should be a range. $18.00 - Cunningham: I think based on the average salary data $18.00 is a decent starting salary. Motion was started by Mottershaw and backed away when mentioned $15.00/hr with training. Ibberson: We will not have anyone with any skills applying at $15.00/hr. I thought we had decided this last time that it would be full-time/part-time training at $18.00/hr and then it would be raised. Mottershaw: I think it was confusing. Boster: It was never resolved. Bertolino: If not resolved it shouldn’t have come to council. Boster: I agreed but we never resolved this in committee. Calloway: I agree with a range for pay. Depending on the interview and qualifications they could have a higher range. Mottershaw: We will refer this back to the Administration committee meeting.

**Other Business:**

1. **None**

**Executive Session:**

1. **None**

**Adjournment:**

Motion made by Calloway seconded by Bertolino to adjourn at 8:40 pm.

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

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Shelly Boster

City Clerk

Date Minutes Approved: 7/3/2023