

Regular City Council Meeting
Official Proceedings
City of Virden, IL
Virden City Council Chambers
Monday July 1, 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, Mottershaw, Mitchell, Bertolino, Neighbors and Boster. (Appointed after Approval of Agenda) Donley and Schnetzler
- **Absent:** None
- **Also, present were:** Mayor George Murphy, City Office Manager/Deputy City Clerk Karen Burgess, Police Chief Steven Snodgrass, Public Works Director Gary Etter, Attorney Don Craven and Attorney Joe Craven
- **Guest:** John Fechtman, Steve and Debbie Kershaw, Deb and Mike Marsaglia, Amanda Schnetzler, Janis Hawkins, Maggie Hawkins, Suzanne Gray, Ron Graham, Kathy Starks, Theresa Lane, Helga Seelbach, Jamie Hampton, Tate Hopkins, Jon Mynt, Sharon Elders, Debbie Leggett and Dave Leggett

Approval of Agenda (7-1-2024):

Murphy would like to make one change to it which would be to move the Alderman Appointments under mayor to after we approve the agenda.

Motion made by Boster seconded by Neighbors to approve the Agenda (7-1-2024) with the change of the Alderman appointment.

Discussion: None

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

Appointment of New Council Member for vacant Ward 3 seat.

Appointment of Ben Donley was made by Mayor Murphy to fill the vacant seat for Ward 4 for the remainder of the term.

Motion made by Mottershaw seconded by Boster to approve the appointment of Ben Donley to Ward 4 vacancy.

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

Appointment of Rick Schnetzler was made by Mayor Murphy to fill the vacant seat for Ward 3 for the remainder of the term.

Motion made by Mottershaw seconded by Boster to approve the appointment of Rick Schnetzler to Ward 3 vacancy.

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

Swearing in of Appointed Council Member by Deputy City Clerk Karen Burgess

- Alderperson Ward 4 Ben Donley, Term: remainder until 2025
- Alderperson Ward 3 Rick Schnetzler, Term: remainder until 2025

Approve Consent Agenda:

- **Approval of Meeting Minutes (Regular Meeting 6/3/24 & Special 6/6/24)**
- **Approval of Bills Payable:**
- **Treasurer's Report:**
- **Water Report (2024 Gallons report and 2024 Collections report):**
- **Requests for use of Public Property:**
 - Virden Church of the Brethren to have tent service by Doug Rawe on the square Saturday September 14. They will set up in the morning, take down that night, the tent will be in the southeast corner, they will have a porta-potty, they will need electricity and insurance will be under Virden Church of the Brethren

Motion made by Mitchell seconded by Bertolino to approve the Consent Agenda.

Discussion: For the new members not familiar with the consent agenda, these are kind of the routine things we do every month. If there is any questions on one, you can pull it out and vote for it separately.

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

Benton & Associates bill pushed to this month from last month

This Benton bill that was pushed from last month. Mottershaw said we have already paid them for their research on the meters \$1,505.00 prior to this bill of fourteen something. We voted up to \$1,500.00. Murphy said when the second month came along, they wanted to know if they still needed to keep working on it and he said for them to go ahead to keep working on it. It would have been under his spending authority to allow that.

Comments from Audience:

1. Virden Parks Initiative

John Fechtman – He is representing the Virden Parks Initiative. He is the Vice Chairman. Jim Wright is the Chairman. They are here to update on VPI activities. As a reminder VPI started from scratch on June 16, 2022. On Feb. 16, 2023, they met with city council to outline their plan. The city council was in favor of what they wanted to do, but wanted to see some actual plans before they can engage further. Massie & Massie and Associates

quoted them \$12,000 to put together the plans to present to the council. At the time they didn't have the resources to hire the architect, but since then through t-shirt sales, donations and fundraising events, they have generated the funds to sign up with MMA. The over \$12,000 raised was from a lot of interested residents. They have had an overwhelming community response. They have signed a contract with the architect and expects draft documents in approximately 3 months. These drawings will show specific drawings of the park and what refinements suggested by the community to be made to the parks. Things such as parking, restrooms, benches, walking paths and more shade will be looked at. They want to enhance the lives of every resident and visitors to Virden by seeking ways to improve and maintain our local parks. They pledge to work hand in hand with the city officials and volunteers to ensure local parks are a space to share with all to enjoy. Step 1: will be for Massie & Massie and Assoc. to develop a very basic master plan for parks and recreational facilities in Virden. Meanwhile they will assemble a steering committee apprised of VPI members, baseball assoc., someone from the city council and other interested parties. This committee will review the plans and refine them as necessary. Step 2: will be for MMA and the steering committee input to help draft plans for the east and west park. Then hold a public open house with displays for comments. After the comprehensive master plan and east and west park plans are finalized, the architect can coordinate with the city for a separate fee to prepare an application for an OSLAD grant. These grants are 50/50 matching, so other funding will be pursued. Once the grant is approved, MMA can continue to work with the city to come up with construction documents and assist during construction operations. They are requesting for the park plans to show how work can be done in stages as funding is available. Murphy commended the committee, and anyone involved to raise the money to get this done. We will probably talk more about this at the Public Works committee meeting generally where we do park stuff. Murphy talked about applying for a grant a few months ago through the Morton Arboretum basically for trees. He got an email stating we didn't get it, but got another email a few days later stating an oversight regarding the application for the Morten Arboretum grant. The application was received, but inadvertently not reviewed with the other applications. They apologized. They reached out again that there will be another round. He has a webinar to explain the best way to fill out the application next time. It was for \$78,000; 65 new trees, taking out 5 trees from center park, to include finding a certified arborist to train our public works department on tree care and for the contractor to care for these trees for 3 years to make sure they survive. How would we go about getting a city council member to be on this steering committee/ We will talk about that at the public works meeting. Have you looked at Virden being a distressed community/ At this time, we do not qualify. The ceiling is 20% disadvantage, we are much under that. We are 10.7%

2. Ron Graham, Tess Lane & others

We have a small contingent of the neighborhood about the house that burnt. We are curious on the timeline of what can happen to that house. It was boarded up but have taken the boards down. He took them off and put them on the 3rd floor roof. The first floor is all open. It has not been taken off the nuisance property list. We have a list of dwellings. We got a grant to do some demolishing, but the city has to own the property before we can do the demolition. That house is on the list, but we have to acquire it

somehow. Tess talked about the houses condition. With the boards down, people can look in there to see what there is to take. He's gotten a nuisance letter. What is the next step after the letter? There has to be a timeline we can put on his renovating. He came to the meeting saying he was going to fix it up and board it up. He still owns that house. We can't just walk up and take it from him. Tess said by time taxes are due he's not going to have that money. The city can purchase a property for back taxes once it's been 2 years. If its in the tax deed section. Is there anything to get it condemned? What will it take to get the house boarded back up? Don, we can't legally declare it condemned, can we? No, we have to have a report from an engineer that it is a dangerous building then file an action with the circuit court to declare it a dangerous building and ask permission to tear it down. We couldn't then use those grant funds to demolish it because we don't own it. Can you force him to board it back up? Don, can we do that? Yes, we can send him a letter that he needs to secure his property and board up his windows. Discussion was had about fines. He has rights and we can't just go and take something from him.

REPORTS OF SUPERVISORS

City Engineer:

1. None

Director of Operations:

1. None

Chief of Police:

1. None

City Office Manager:

1. Murphy has a new committee appointments. He passed out the paper. He let the new Aldermen know that they had the seat until next election next year. If they want to run they have to go through the process. Both would be a 2-year term.

City Attorney:

1. Ordinance on Petition for Annexation
We got a petition for annexation from the Carlinville Area Hospital Assoc. This would be ordinance 2024-06.

Motion made by Mottershaw seconded by Bertolino to approve ordinance 2024-06 an ordinance annexing certain land to the City of Virden Illinois.

Discussion: None

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

REPORTS OF CITY OFFICIALS

City Clerk:

1. None

City Treasurer:

1. None

Mayor:

1. **LOCIS 2024 User Group Workshop**

There is a user group workshop. It's free. It will be in Springfield at the Northfield Inn/Suites Conference Center. Murphy would like to send Jessica and Karen to that.

Motion made by Mottershaw seconded by Mitchell to send Karen and Jessica to the LOCIS User Group Workshop in Springfield, IL on Aug. 8, 2024, and to pay their travel. Discussion: Becky will be scheduled to work that day around the office. Are they riding together or separate? Together. You both get paid travel time. Mileage rather. Motion passed with all in favor. **Ayes:** *Mitchell, Bertolino, Donley, Schnetzler, Mottershaw, Boster, Neighbors and Calloway*; **Nayes:** *None*; **Absent:** *None*

2. **Approve appointment of Ward 4**

Moved to after Agenda

3. **Approve appointment of Ward 3**

Moved to after Agenda

REPORTS OF STANDING COMMITTEES

Finance:

1. **Directional Boring Account**

This is the one we tabled last month. Everything has been straightened out.

Motion made by Mottershaw seconded by Boster to approve boring permit from Frontier Communications project # 2519973 to take place 6/4/24-8/4/24.

Discussion: They already have their bond and insurance in place.

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

2. **VSD Bill to City**

Moved to discuss later.

Police:

1. **Purchase of Flock LPR**

We talked about 2 Flock LPR. One at the north end and one at the south end of town. For the first year it's \$8,500.00. And after that? \$3,000.00 per camera, so \$6,000.00. It's a 2-year contract. \$2,500 is for install? Install and permit. It costs more for it to be put on a state highway. If we do one in the future for a county road, it would be cheaper.

Motion made by Mitchell seconded by Bertolino to purchase the 2 Flock LPR for \$8,500.00 for the first year and \$6,000.00 for the second year.

Discussion: It's a license plate reader. Every time a car goes by it snaps a picture. It's able to take note of the make of the vehicle, the type of vehicle, color of vehicle, any

window stickers, roof or back racks. We've used Chatham's to solve about 4 of our crimes; thefts to hit and runs. It stores the data for about 30 days. Who has access to that data? Us, other law enforcement agencies and areas we give access to our cameras. Any agencies outside the police agencies? No.

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

2. Purchase of New Police Vehicle

We talked about a Dodge Durango. After the meeting a couple of you went to Greenfield to the Ford dealership and talked to the owner and got the same paperwork that he got. Still waiting on a quote. Chief added it up and they both came up within about \$1,000.00 of each other. Chief said after dealing with Ford and the future maintenance, he would go with the Durango. We can do warranty work right here in town. It was like pulling teeth to get anything from Ford. Discussion went back and forth about both vehicles. Durango is with accessories \$57,418.88. Ford is with accessories \$56,500.00. This was tabled to the police committee meeting.

3. Increase part-time police pay

The recommendation from the police committee was to make it \$19.00 an hour for training, \$22.50 an hour once certified and working, and then \$23.00 an hour after 200 hours.

Motion made by Boster seconded by Bertolino to increase the part-time police pay to \$19.00 an hour for a trainee, once certified goes up to \$22.50 and once they have their 200 hours in it goes up to \$23.00 an hour effective immediately.

Discussion: None

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

4. Chief's Clothing Allowance

It was recommended at the police committee meeting and should have been put on last months council meeting. Karen said no one told her to put it on there and she also forgot. It was discussed to raise chiefs clothing allowance to match his underlings. He is at \$600.00, and his underlings are at \$700.00.

Motion made by Boster seconded by Calloway to increase chiefs clothing allowance from \$600.00 to \$700.00 per year.

Discussion: They get the allowance May 1st. Karen didn't know if you wanted to give him the \$100.00 since the police already got theirs or what you wanted her to do. Murphy says to go ahead and give him the \$100.00. Boster agrees. Mottershaw says he feels what we do for one nonunion employee, we should do for the others. He says picking out one and not the others isn't fair to the others. Who else has clothing allowance? Nonunion would be Pokey, Ryan, Karen, Jessica, Dave and Steven. Why didn't we address that then.

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

5. Approve appointments of part-time police officers

Murphy would like to appoint Rynie McKinney as a part-time police officer effective Aug. 24, 2024. Was he in the first round or second round of interviews? He was in the first round.

Motion made by Neighbors seconded by Calloway to approve the appointment of Rynie McKinney as a part-time police officer effective Aug. 24, 2024.

Discussion: None

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

Murphy would like to appoint Bryce Hiler as a part-time police officer effective Aug. 24, 2024. Which one was he? He was in the last interviews.

Motion made by Boster seconded by Neighbors to approve the appointment of Bryce Hiler as a part-time police officer effective Aug. 24, 2024.

Discussion: Is he the one who has everything, or do we have to send him? We have to send him. The one that applied who was already trained didn't come to the interview. He got a job somewhere else.

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

Public Works:

1. Streets & Alleys:

a. Purchase of Mosquito Spray

It was discussed to purchase 2 more 55gal barrels of spray that will get us through this season and start of next season. \$1,900.00 per barrel, so \$3,800.00.

Motion made by Mottershaw seconded by Bertolino to approve the purchase of 2 barrels of mosquito spray at a total of \$3,800.

Discussion: None

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

2. Building & Grounds:

a. Sidewalk on 406 W Loud

There is an elderly veteran that likes to head down town and we are asking in front of his house to put a sidewalk in because he has to ride in the road. Loud St. is a pretty busy road. Boster is asking to add him to the list. Mitchell says this has been kicked around a lot. Instead of putting him on the list, he should be get a sidewalk before he dies.

Motion made by Boster seconded by Mitchell to install a sidewalk at 406 W Loud and 20 feet on the other side.

Discussion: Murphy looked on the county map, even though it might not be completely accurate, his fence is barely on city property. But if the sidewalk was

extended it might line up where the fence is. He doesn't know. Bertolino said it was recommended the property be surveyed, so we could get the sidewalk on city property not private property. Mottershaw said we haven't put sidewalks where there hasn't been sidewalks and he shouldn't be able to jump the list. Mitch says we have been kicking this around. 6-1-1A of our code says, "No one should build a sidewalk unless it consists of new construction." The only one that can build a sidewalk across there is us, technically.

Motion failed. *Ayes: Mitchell, Donley, Boster, and Calloway; Nays: Bertolino, Mottershaw, Schnetzler, Neighbors and Mayor Murphy; Absent: None*

Boster asked Pokey how he gets a permit to build a sidewalk as a private citizen against this code. You basically have to build it up to our specs and put it in there. And can be done on city property? Yes. And have to get a permit from you? He doesn't think we ever had a permit that he is aware of. Only a couple people have done it in town, and it was at their expense.

b. Award bid for 709 E Jackson

Pokey said we asked for 5 bids, and we got 4 and the one didn't want to bid. Triple Crown was \$16,000.00, Rick Flowers \$14,783.00, Coe Excavating \$11,160.00 and Bennett \$9,500.00.

Motion made by Mottershaw seconded by Neighbors to approve the bid in the amount of \$9,500.00 to Bennett Crane Services LLC in Girard to demolish 709 E Jackson.

Discussion: What is the time limit on this? 60 days after bid is awarded. This is using the IHDA Grant money.

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

3. Water:

a. Air Conditioner unit

Pokey said he isn't sure if everyone is aware, but the air conditioner went out in the water office. He got 2 bids. Snell's was the lowest bid. The council approved to have it fixed. So, they were there 2 days ahead and got it put in and was taken care of. It was \$5,950.00.

Motion made by Bertolino seconded by Mottershaw to approve the installation of the air conditioner unit and inside unit to Snell's Enterprise for an air conditioner at the city office for \$5,950.00.

Discussion: None

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

b. Questions from B&A for water meters

We asked Bryan Cannon to round up vendors for water meters to present us with prices and options. Murphy gave him a list of options Pokey wanted the meters to

have. Bryan is going to try and have something by the public works meeting. Bryan asked about just replacing the sending units which would still be with Midwest Meter. Is that something we would want to do? No. Tomorrow night at 2 a.m., they will be shutting valves off while Gordon is watching the monitors. Pokey has to answer these questions and Gordon will have info for us at the public works meeting as well.

4. Parks:

- a. None

5. Miscellaneous:

- a. None

Administrative:

1. Admin Committee Meeting 7/4/24

Is there anything for the admin meeting? It's on the 4th of July. If there isn't, he's thinking about cancelling it and not rescheduling it. The only thing he was going to put on there was the nonunion clothing allowance, but it can be put on finance. Meeting is cancelled.

2. Frontier Boring Permit

Done under Finance

3. Ordinance to Repeal 7-1-7B City Code

It deals with billing for the Sanitary District and we don't do that anymore.

Motion made by Mottershaw seconded by Boster to approve Ordinance 2024-07 an ordinance amending 7-1-7 of the city code of ordinances.

Discussion: None

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

4. Water Deposit Ordinance

It's to set the water deposit for renters at \$150.00. It was what we were charging, but wasn't in the ordinance? Yes. The only thing that is changing is the amount.

Motion made by Mottershaw seconded by Schnetzler to approve ordinance 2024-08 an ordinance amending section 7-1-4(B) of the city code of ordinances mainly changed the sum to \$150.00.

Discussion: None

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

Other Business:

1. Mottershaw would like to FOIA the Sanitary Districts rule book or code book, meeting minutes and agendas. Who is going to FOIA that? Don said they'd do it on behalf of the city.

Motion made by Mottershaw seconded by Neighbors to enter executive session at 8:44pm to approve executive session minutes and to discuss pending litigation.

Discussion: None

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

Executive Session:

1. **Approval of Executive Session meeting minutes (5ILCS 120/2 (c) (21))**
2. **Pending Litigation (5 ILCS 120/2 (c)(11))**

Motion made by Boster seconded by Bertolino to exit executive session at 9:25pm.

Discussion: None

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

Motion made by Mottershaw seconded by Boster to approve executive session minutes of 4/1/24, 6/3/24 and 6/6/24.

Discussion: None

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

Adjournment:

Motion made by Bertolino seconded by Schnetzler to adjourn at 9:31pm.

Discussion: None

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

Karen Burgess
Deputy City Clerk

Date Minutes Approved: