

## Regular City Council Meeting

Official Proceedings

City of Virden, IL

Virden City Council Chambers

Monday, August 7, 2023

### Call to Order

Regular City Council Meeting was called to order by Mayor George Murphy on August 7, 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, and Attorney Don Craven
- **Guest:** Lindsey Butler, Mike Marsaglia, Bill Pickford, Kenny and Kathie Williams, Ron and Angie Stevens. Lindsey Butler, Bill Pickford, Kenny and Kathie Williams, and Ron and Angie Stevens exited meeting at 7:22 pm

### Approval of Agenda

Agenda amendments: 1. Approval of North Mac High School to Hold homecoming parade on Sunday, September 24, 2023, from 3:00-4:00 was removed from the consent agenda and move under Mayor #7  
2. Reading of Letter by Mayor added directly after comments from audience 3. Tax deed sale added as #3 under Administrative

Motion made by Bertolino seconded by Mitchell to approve the agenda as amended (8-7-2023).

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 Meeting Minutes (Regular Council Meeting 7-3-2023 and Special Council Meeting 7-20-2023)**
- **Approval of Bills Payable**
- **Approval of Treasurer's report for July 2023**
- **Approval of Water and Gallons report (June 2023 Gallons and July 2023 Collections)**

Motion made by Mitchell seconded by Boster to approve consent agenda

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. Terry Davis: Informed Mayor that he would not be present
2. Lindsey Butler (North Mac cheerleading coach/approval of fund raiser): We are looking for approval to

collect money at the four-way stop on August 26th and do a car wash at firehouse.

Motion made by Mitchell seconded by Mottershaw to approve North Mac cheerleaders to have fund raiser at four-way stop at Jackson and Springfield on August 26, 2023, with proof of insurance and required to wear reflective vest.

Discussion: The hours will be 10-3 with the girls taking shifts.

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

3. Kenny Williams- K&K: After Covid our liquor sales are down 50%. The gaming machines are making up the difference. Discussion to add more class A liquor license was discussed but did not have a consensus to move forward. Discussion to add additional package license was discussed but did not have consensus to move forward. Discussions now are to create a new liquor license for beer and wine only. To open a gaming parlor, they just have to have a liquor license. This was discussed in the Admin committee meeting and will be discussed further at the admin committee meeting. They are open to the public and fall every 1<sup>st</sup> Thursday of the month.
4. Mike Marsaglia: I want to clarify that it was said previously that beer and wine would lessen the hit to a tavern because that is the biggest part of their sales. They get more money out of a bottle of alcohol vs a bottle of beer.

#### **Mayor Reading of letter to the City**

A thank you letter from Chatham was sent to City of Virden thanking Public Works for aiding after derecho from 6/29/2023

### **REPORTS OF SUPERVISORS**

**City Engineer:** Not present

**Director of Operations:** None

**Chief of Police:** None

**City Office Manager:** Not present

#### **City Attorney:**

1. Approve Ordinance 2023-08 an ordinance pertaining to speed limits on certain streets. (Post Road and Illini Trail)

Motion made by Mitchell seconded by Calloway to approve Ordinance 2023-08, an ordinance pertaining to speed limits on certain streets.

Discussion: Two 20mph signs are to be purchased and placed.

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

2. Approve Resolution 2023-01 a resolution declaring Masterson St. house to be a feral cat colony and requesting county assistance.

Motion made by Murphy seconded by Calloway to approve resolution 2023-01, a resolution declaring East Hill a feral cat colony.

Discussion: Noted that misspelt declaring. The attorney will correct and send a new copy to be signed.

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

3. Additional questions for attorney

- a. What is the process and timeline to be able to add a new liquor class license?  
There would have to be an ordinance amending the liquor code. It will list the limitations of that new class of license and an ordinance creating that new class license and that would have to be passed by a majority vote. Also, an ordinance stating how many of the new class licenses are available. Once those licenses are created people will be able to apply for that license.
- b. What are the hiring practices of some of the other communities that you represent?  
The method that the city of Virden uses is definitely the most inclusive but also the most cumbersome. Most would be if there is an opening for Public Works. "Pokey" would look at the applications, he would interview and then come to Mayor and make his recommendation on whom to hire. The council would then act on that recommendation. The person has been hired to run the Public Works department or the Police department. It is their obligation to vet who they want to hire and recommend to the mayor. There is nothing wrong with your current process, it is permissible but having everyone sit in on an interview for a part-time position is overkill.
- c. The contract for the Sanitary District is almost complete. Should we send the attorney to review?  
It can be sent, and the attorney will review
- d. Noble Street does have back taxes owed. Are we able to do the same procedure as before?  
Once it goes through the system, the county ends up with the title. Then the city can buy from the county. If there is a mortgage that is a complicating factor. Someone has to pay the mortgage.
- e. On derelict properties, if we get a court order for them to fix or tear down and they don't do anything. We will have the right to tear it down and file a lien. That lien becomes senior to all but taxes, correct? Yes. Under state statute they have to be given a 15-day notice. If nothing happens, then file suite which will allow to clean up or demo. A lien is filed for security and there is no timeframe before enforcing the lien. As soon as the lien is recorded you can file a petition to foreclose on that lien.

## REPORTS OF CITY OFFICIALS

**City Clerk:** The city clerk will hand out a laminated copy of the reason to go into a closed session. That reason should be listed on the agendas. We need to approve closed meeting minutes. These will be placed on the agendas moving forward. If not entering in closed session, then approval of minutes can wait until the next closed session for that meeting.

**City Treasurer:** None

**Mayor:**

**1. Hiring a new Public Works laborer**

Appointment made by Mayor Murphy to hire Ash Hampton as Public Works laborer according to contract immediately pending background check and drug screen.

Motion made by Mottershaw seconded by Mitchell to approve appointment of Ash Hampton as Public Works laborer according to contract immediately pending background check and drug screen.  
Discussion: City has a contract with MOHA but have not had a return call. It is ok to go to Carlinville Hospital.

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

**2. Approve Macoupin County Animal Control Ordinance 2023-09**

Motion made by Mayor Murphy seconded by Calloway to approve an ordinance 2023-09 an intergovernmental agreement for animal control services with Macoupin County.

Discussion: In the agreement it states they will dispose of the animal within 7 days. There is nothing in the ordinance that they have to contact the owner. They notify by US mail. Per the Chief, Animal Control comes into town with police approval. The Virden police make every attempt to find the owner before calling animal control.

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

**3. Approve sale at auction of property at 135 E. Stoddard Street with the ability to accept or reject all bids.**

Motion made by Bertolino seconded by Boster to approve sale at Ladage auction of the property at 135 E. Stoddard Street with the ability to accept or reject all bids.

Discussion: The neighbors will be made aware of the auction.

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

**4. Approve payment of City portion of waterway maintenance to Kendall Cole**

Motion made by Bertolino seconded by Calloway to approve payment not to exceed \$1271.15 to Kendall Cole for the city's half of the East end drainage project.

Discussion: There is now a rule that it has to come to council for approval first

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

**5. Approve payment of 2020 invoice from Benton & Associates for reviewing the North Mac building project**

Motion made by Bertolino seconded by Calloway to approve payment not to exceed \$2,401.62 to Benton and Associates for invoice #19286 from 1/31/2020 for the North Mac drainage review with this payment it was agreed that Benton & associates will review the gymnasium addition at no cost.

Discussion: The was taken off bills payable by Betty McGuire for some reason and never placed back on. It was missed and never paid for. Sleeman states they will do the review of the gymnasium at no cost is this invoice gets paid.

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

**6. Approve advertisement for full-time City Office Manager position from August 8-18, 2023, with application deadline of 5:00 pm on Monday, August 21, 2023.**

Motion made by Mitchell seconded by Boster to approve advertisement for full-time City Office Manager position from August 8-18, 2023, with application deadline of 5:00 pm on Monday, August 21, 2023.

Discussion: Will everyone be willing to go into hiring with an open mind or do they already have a person in mind. Everyone's consensus is that all applicants have an equal chance.

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

**7. Approve North Mac High School (Supt Kyle Hacke) to hold homecoming parade on Sunday, September 24, 2023, from 3:00-4:00 pm.**

Last year there was discussion regarding if a request came in like this the requesting party would have to pay for overtime. Mayor looked back at records and did not see where an email was sent stating there would be a charge. The reason it is on Sunday is the parade is the kickoff for the week. It being on a Sunday is able to let the parents be able to see their kids. Public Works used to get overtime for Friday/ Saturday the only difference in cost is double time on Sunday.

Motion made by Boster seconded by Ibberson to approve North Mac High School to hold

homecoming parade on Sunday, September 24, 2023, from 3:00-4:00 pm with no charge to the school.

Discussion: No further discussion.

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

## REPORTS OF STANDING COMMITTEES

### Finance:

**1. Set up account for collection agency funds**

Removed from agenda.

### Police:

**1. Approval to raise part-time dispatch wage to \$14.00 per hour to start with increase to \$15.00 per hour upon release from training**

Motion made by Boster seconded by Calloway to approve raise part-time dispatch wage to \$14.00 per hour to start with increase to \$15.00 per hour upon release from training and going solo effective immediately.

Discussion: If they have to go back to training, they will drop back to training wage.

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. Approval to advertise for custodian**

Motion made by Bertolino seconded by Mitchell to approve advertising on website and Facebook for custodian.

Discussion: Pokey will inquire to the summer help guys if willing to do any custodian items.

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

**3. Parks:**

**a. Approval of East Park concession stand roof**

There are a couple proposals in your packets. We do have a check from the insurance company for \$3,467.94. Bolash bid is \$8,353.00. B&H roofing bid is \$6,500.00. It is approximately \$1,863 difference. Bolash's bid states install  $\frac{3}{4}$  in plywood to complete roof area with guarantee against leakage for 20 years on material and 5 years on labor. B&H states rotted sheeting will be replaced with manufacturer warranty and material with 10 years workmanship.

Motion made by Mitchell seconded by Boster to waive the bids requirement of the city for this project.

Discussion: None further

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 Mitchell seconded by Boster to approve the bid from Bolash Roofing and Construction in the amount of \$8,253.00.

Discussion: None

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

**b. OSLAD Grant application**

This was placed in case we made the distressed city list. We did not make the list. Suggested to invite the park initiative to the next Public Works committee meeting.

**4. Water:**

**a. Approval for two Public Works employees to attend the 2023 IPWSOA Water conference from 9/13/2023-9/15/2023**

Motion made by Bertolino seconded by Boster to allow Gary Etter and Ryan Calloway to attend the 2023 IPWSOA water conference from September 13 through the 15<sup>th</sup> at the price of \$590.00 for both.

Discussion: None

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

**5. Miscellaneous:**

**a. City wide clean-up**

Republic will charge for dumpsters this year. Dates will be October 7<sup>th</sup> and October 14<sup>th</sup>.

Republic wants to charge \$347.52 for a 30-yard dumpster plus \$50 a ton. The average tonnage of a 30-yard dumpster is 3-4 tons. The equals out to a little over \$600.00 per dumpster.

This will be discussed further at Public Works committee meeting.

**Administrative:**

**1. Discuss preventing semi-truck traffic on Prairie Station streets**

Unaware why this item was placed on agenda. If needs discussed it will be placed on committee meeting

**2. Derelict properties**

Discussed under City Attorney

**3. Tax deed sale**

This will be placed on next month's agenda regarding the cost associated with getting the catalog to authorize the mayor to purchase one.

**Other Business:**

**1. None**

**Adjournment:**

Motion made by Calloway seconded by Boster to adjourn at 8:57 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: 9/5/2023