

Regular City Council Meeting
Official Proceedings
City of Virden, IL
Virden City Council Chambers
Tuesday, September 5, 2023

Call to Order

Regular City Council Meeting was called to order by Mayor George Murphy on September 5, 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, Madonna Lackey and Attorney Don Craven (arrived at 7:13)

- **Guest:** Terry Davis (left at 7:12), Juanita Hamilton (left at 7:12), and Alexis Brumfield (left at 7:19)

Approval of Agenda

Agenda amendments: 1. Add Alexis Brumfield under comments from audience to discuss 5K and volleyball. 2. Remove Treasurer's report from consent agenda since Finance committee did not meet last month. 3. Remove Approval of Bills Payable from consent agenda

Motion made by Mitchell seconded by Boster to approve the agenda as amended (9-5-2023).

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 8-7-2023)**
- **Approval of Water and Gallons report (July 2023 Gallons and June 2023 Collections)**

Motion made by Boster seconded by Calloway to approve consent agenda.

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

Approval of Bills Payable

Motion made by Mitchell seconded by Boster to approve Bills Payable

Motion made by Mottershaw to Amend Bills payable to remove sales tax on Ebolt bill under streets and alleys seconded by Boster.

Discussion: None

Motions 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

Water tower project on west side of route 4 is supposed to start next week. The other project on route 4 we are still securing easements. Hopes to have that complete by late November. Also, the audit is available in the council chambers for review.

2. Juanita Hamilton/Neatos Elements

Last year was the Wellness fair in October. We had a great turn out and I am here asking for October 21st. We are only doing one day instead of two because we had quite a few vendors sell out by 2 o'clock on day 1.

Motion made by Mitchell seconded by Mottershaw to approve Neatos Elements to have second annual wellness fair on the square for October 21st with hours 10:00 am-6:00 pm. Set up will start at 8:00 am. With proof of insurance.

Discussion: None

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

I have been approached by other business to have a Farmers market once a month from April to October. Business feedback from the wellness fair. They did very well that day. I am willing to host that to bring revenue into the city. It was suggested to put forth the dates and it can be brought back to an administration meeting. She will bring it back to either the November or December meeting.

3. Alexis Brumfield

Planning a 5K as a fund raiser for the Park initiative and possible volleyball tournament. Starting at the West park and going around the cemetery. It would be Saturday, September 23, 2023.

There are volunteers that stand at every turn. 1st year barricades were used, second year they had enough volunteers. Thought to start about 10 am. If they need barricades the city can drop off on Friday and pick up on Monday. We have also talked to the American Legion, and they are willing to have tacos in a bag and ½ proceeds go to American Legion and other ½ would go to the Parks initiative. Volleyball stations would be set up in the big field. The insurance policy was dropped at the city office today.

Motion made by Bertolino seconded by Mottershaw to approve the Virden Park initiative to have a 5K race in the morning, allow the American Legion to sell tacos at the West Park, and have volleyball tournament at the West Park on September 23, 2023, with hours to be determined with proof of insurance.

Discussion: None

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

REPORTS OF SUPERVISORS

City Engineer: Not present

Director of Operations: None

Chief of Police: I placed an activity report in your packets. Also, Marcus Whitfield and Ryan Jones passed and graduated. They are doing field training. They will be training with different officers.

City Office Manager: None

City Attorney:

1. Feral Cat Property

On August 28, 2023, the case was called hearing to explain why he was in contempt of court. The court specifically found that he lied about feeding, watering, and harboring these cats. He continues to be in violation of the court's order by providing food and shelter for approximately 12 cats. The court expects compliance with the orders and based on misrepresentations to the court perjury he is in contempt. The court authorized to file a petition for attorney's fees that have been incurred. The court indicated they were going to call Macoupin County Animal Control. On August 29, 2023, the court entered a docket order reversing everything from the 28th. There is no place for him to take the cats therefore he does not have to comply. Neighbors are complaining about the smell and that it is making their children sick. Enforcing the city ordinances would just impose fines. The judge will not give a hearing to allow the neighbors to testify. If we start filing ordinance violations those go to a different judge. Only other thing that could possibly be done is filing regarding that cats are still outside. The county ordinance has something about animal colonies. Public Health wouldn't get involved regarding health concerns. Ibberson will check into the county ordinance process.

2. Living in campers

We suspect someone is living in a camper. No water or sewer service. They do have electricity. We do not have any ordinance stating you can't have a camper in your yard. We do have an ordinance about living in a camper. The mayor had citizens ask if they could live in camper while building a house. He was informed that there was an ordinance against that.

REPORTS OF CITY OFFICIALS

City Clerk: None

City Treasurer: August Treasurer's report needs to have added water cash for the month is \$68,183.43 and YTD water cash is 268,978.54.

Mayor:

1. Approval for work truck to be taken to Prairie Temple for the kids to see on Saturday, September 30, 2023

Motion made by Mottershaw seconded by Calloway to approve the work truck to be taken to Prairie Temple for the kids to see on September 30, 2023.

Discussion: It is called "Touch a truck". It will be taken out on Friday and picked up on Monday.

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

2. Approve Hiring Full- time City Office Manager beginning October 2, 2023

Appointment of Karen Burgess as full-time City Office Manager trainee to start October 2, 2023, at \$18.00/hr. made by Mayor Murphy

Motion made by Mottershaw seconded by Mitchell to approve appointment of Karen Burgess as full-time City Office Manager trainee to start October 2, 2023, at \$18.00/hr.

Discussion: She will still do her duties as part-time water and she will do trainee for city office manager as part-time, but she will be a full-time employee. She will be paid out of general corporate, and water will reimburse general corporate for her water time.

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

REPORTS OF STANDING COMMITTEES

Finance:

1. None

Police:

1. **Approval to repair Ford Explorer**

Snodgrass: The Ford Explorer is having some mechanical issues. It has 127,000 miles on it. Main Street looked at it and there is a quote for \$1136.93 which is out of my spending limit. Motion made by Mitchell seconded by Mottershaw to approve expenditure of not to exceed \$1500.00 for the Ford Explorer. The police department has been rotating the vehicles in and out.

Discussion: This is the one with the marking on the side.

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. None

3. **Parks:**

- a. None

4. **Water:**

- a. **Drainage project agreements/make into a policy**

On the second page the wording in G is different. This should just be a one-page policy. The wording in G on the second page should be the same wording as G on the first page. The second page is the agreement. The first page is the policy. We agree on adopting the policy. Mayor Murphy passed a new draft. That is the draft council agreed to.

Motion made by Mottershaw seconded by Mitchell to approve the City of Virden policy on participation waterway maintenance improvements.

Discussion: None

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

5. **Miscellaneous:**

a. Approve Frontier boring agreement

Pokey: All items are good. We have liability insurance. I am pretty sure we have the bond. I have not received the deposit yet.

Motion made by Bertolino seconded by Ibberson to approve Frontier boring agreement pending confirmation of the bond and deposit starting September 6-Novemeber 18, 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*

Administrative:

1. None

Other Business:

1. **Viriden Library**

There is an invitation for the groundbreaking for the Viriden Library for September 13 at 2:00 pm.

2. **Derelict house S. Springfield St**

Gary was looking to see who the owners were. It is an LLC. He was going to reach out to see what the intent was.

Adjournment:

Motion made by Calloway seconded by Bertolino to adjourn at 8:07 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: 10/2/2023