

**Murphysboro City Council Meeting
June 26, 2018**

The Murphysboro, Illinois, City Council met in regular session, pursuant to its ordinances, on the 26th day of June, 2018. Mayor Stephens called the meeting to order at 6:00 p.m. and invited Alderman Hughes to lead the council in prayer. Following the invocation, Mayor Stephens led the council in the Pledge of Allegiance to the flag. Mayor Stephens then directed City Clerk Hunziker to call the roll. The roll was called with the following:

Present: Barb Hughes, Jance Curry-Witzman, Russell Brown, Herb Voss, Gary McComb, John Erbes, Dan Bratton, Mike Bastien, W.J. Pittman

Absent: Gloria Campos

Presentation of Proclamation for Murphysboro Kiwanis Club 65th Anniversary: Mayor Stephens presented the Proclamation to the Murphysboro Kiwanis Club, stating that this is a memorable milestone for a worldwide service organization that was started in Detroit, Michigan, in 1915. It was started as being dedicated to serving children worldwide. The Kiwanis members present then presented a framed collage of photos from past activities to the Mayor.

Motion: To approve the minutes of the June 12, 2018, council meeting. All aldermen received a copy of the minutes, for their review, prior to the meeting.

Motion by Alderman McComb

Second by Alderman Bratton

Mayor Stephens called for a voice vote. All were in favor.

Motion Carried

Motion: To approve the minutes of the June 6, 2018, special council meeting. All aldermen received a copy of the minutes, for their review, prior to the meeting.

Motion by Alderman McComb

Second by Alderman Bratton

Mayor Stephens called for a voice vote. All were in favor.

Motion Carried

Motion: To accept the contract and advertise the position September 30th.

Motion by Alderman Bratton

Second by Alderman Hughes

Alderman Pittman called for a voice vote. All were in favor.

Motion Carried

Continuation of discussion regarding the agreement with the Village of Vergennes: Attorney Blake stated no letter was sent. Attorney Heller spoke to Scott Wilmoth and the Board and the way the Village of Vergennes is served is not a direct line from Kincaid. City gets water from 3 different points. The extra ten cents is for water going through the city's system to them. Since it is going through the city's system, it is typical to charge a fee. Mayor Stephens then asked if they would have to build their own direct line- yes. Attorney Blake recommends the city continue with the current contract. The city needs to figure the city rate to charge for maintenance and repairs being performed. Alderman Hughes asked if we can only charge the cost? Attorney Blake replied that is not quite correct. The contract states all expenditures for work performed by the city, which includes wear and tear. Alderman Hughes then asked how often work is performed. Chris replied it fluctuates but is a minimum charge of \$500 each time. Alderman Voss stated that needs to be formalized. Alderman Bratton stated he will get with Sandra and Chris to come up with the figures. Scott Evans stated he will also help with that.

Consideration of writing off Village of Vergennes overbilling: Mayor Stephens asked Scott Evans where it is at. Per Scott the overbilled amount was \$23,670.72 and the current bill has caught up with it. Alderman Hughes wanted to make sure the Village of Vergennes knows it was a legitimate human error. Mayor Stephens agreed.

Motion: To formally agree to write off the Village of Vergennes overbilling.

Motion by Alderman Bratton

Second by Alderman Hughes

Alderman Pittman called for a voice vote. All were in favor.

Motion Carried

New Business:

Review of Budget Related Reports submitted by Scott Evans, Budget Officer: Operating Expenses are over budget due to final payment for console, 6 health care premium payments in 5 months and some are just over budget. The Administration Department biggest cost is legal fees which are higher than budgeted. Building and Grounds has the initial payment to Clover Roofing and a partial payment to Jason Spears for the air conditioner. Police Department had retroactive back pay and clothing allowances. Salaries are pretty well under control. Health Care ends in October and can be re-negotiated. Sales tax continues to be the bright spot, this is the highest June in the last 7 years. This is the largest source of revenue. Income tax receipts are down a little but have no control over their disbursement to municipalities.

No public comment.

Alderman Bratton opened discussion for Public Works related items.

Old business:

Consideration of request to vacate an alley right-of-way off of Kennedy Street: Per Alderman McComb need to measure from the garage over, not too far from where the old railroad is. Think we have an 8" main just to the east of the garage. Need to investigate where. Attorney Blake stated that the way the alley is, Tom Ridings would not get half. In reviewing the plat, railroad right-of-way is already there. This is an alley from a subdivision. It would all stay with Justin Spitler. Per Chris there is an alley to the south of the house for access. Attorney Blake added that they always include language to reserve an easement for access to utilities. Per Alderman McComb can look at vacating on the other side of Kennedy. Justin Spitler stated that there are still stakes in his yard, wondered if they are from the CN land survey? Alderman McComb added that he will probably get the garage to the ravine. Alderman Pittman asked Eric Kennedy if there was anything to sign – no.

Motion: To vacate the alley right-of-way off of Kennedy Street as requested by Justin Spitler with protective language.

Motion by Alderman Hughes

Second by Alderman McComb

Alderman Bratton called for a voice vote. All were in favor.

Motion Carried

New Business:

Consideration of Ordinance adopting Prevailing Wage Rates: Attorney Blake stated they will take care of the newspaper publication and sending a copy to the Labor Board.

Motion: For an Ordinance adopting Prevailing Wage Rates.

Motion by Alderman McComb

Second by Alderman Curry-Witzman

Alderman Bratton called for a voice vote. All were in favor.

Motion Carried

Consideration of Motor Fuel Resolution for Pavement Marking: Alderman Bratton asked why listed as \$5000? It is estimated at a cost of \$3750 but may need symbol markings. Alderman Erbes asked where we are at with street repairs? Mr. Sheffer stated they are being submitted. Alderman Bastien asked if 20th Street is included? Alderman Bratton asked if the camera is being done first. Mr. Sheffer stated it is not included. Alderman McComb asked where we are at with the waste water treatment road – still working on.

Motion: For the Resolution for Pavement Marking.

Motion by Alderman McComb

Second by Alderman Bastien

Alderman Bratton called for a voice vote. All were in favor.

Motion Carried

No public comment.

Alderman Brown opened discussion for Public Safety related items.

Old business:

Discussion regarding Mosquito Abatement and water accumulation near 14th Street: Mayor Stephens spoke to One Hot Cookie previously but has not spoken to them since. Spoke to Larry Reinhardt but his property really is not in this. Alderman Bratton stated it will be great if they come in the city limits but suggested waiting until the waterway is straightened/corrected/cleaned out by them. Alderman Voss referenced the previous discussion on this and asked if they are within a certain distance, could we compel them? Attorney Blake stated the city has no authority beyond the city limits unless it is a specific grant by the state. There are 2 exceptions to this: 1. Health & Quarantine, which does not apply. 2. Obstruction of waterway which would push water onto land in city limits, then the city would take care of it. The City does have an easement which would allow them to go in and clear it to keep it open. If they have obstructed the easement drainage, then the city may have recourse. Alderman Pittman asked if part of the problem is the property across the street? Yes. Mayor Stephens stated that Business Route 13 heading west seemed to be a problem. Is it on us or someone else? The easement makes it sound like the city. Alderman McComb inquired if the county has been contacted and if so, what was their response? Mayor Stephens asked if there is some agreement concerning this. Alderman McComb stated that One Hot cookie caused it in the course of building, after the trees were pushed up there. Alderman Bratton added that continuing west it seems to also be a problem, towards the high school water is standing. Do we have eminent domain? Mayor Stephens stated we have the right to cross Mr. Ruble's property to take care of the problem. Attorney Blake stated eminent domain can be done, there is a process. Alderman Hughes asked about the curve around towards 14th Street, is it the same or separate problem? Both. Alderman Bratton stated it ties in at the south entrance to the high school on 16th Street. Alderman McComb stated that One Hot Cookie water goes west towards the high school. Mayor Stephens stated it is supposed to drain west to the high school and across the Ruble property. May want to consider eminent domain. Alderman Pittman stated we can remove the obstruction at the easement. Alderman Bratton replied it will not resolve the problem. Will table this until the next meeting.

New business: Nothing at this time.

Public comment: Mayor Stephens stated that residents have posted on Facebook regarding car and home break-ins. Lt. Laughland stated they have made arrests but have had several new cases in the last 5-6 days. This has resulted in additional patrols. Mayor Stephens asked if it was juveniles, Lt. Laughland stated it has been no certain age. Alderman McComb asked if it would help if citizens locked their cars? Yes.

Alderman Hughes opened discussion for Personnel related items.

Old business:

Fire Chief Position Interviews: Have received the applications and will be setting up interviews. Mayor Stephens stated criminal and backgrounds checks are being done and will start by the end of the next month.

New business: Nothing at this time.

No public comment.

MAYOR'S REPORT

Discussion regarding dilapidated property on South 14th Street: There was a fire at the apartment complex several years ago and demolition is being pursued. Mr. and Mrs. Brian Thompson met with the Mayor regarding their June 18th court date. They asked if it is approved by then, would we ease up on the demolition. Area neighbors were dismayed by that proposition. Mayor Stephens asked Eric if there was anything else? No. Alderman Hughes asked if it was a court date or judicial review? Judicial review. Alderman McComb stated they have felted in the new roof at the property. Has done this at other properties. If we can keep properties from being torn down, that would be better. Alderman Bratton asked Mr. Thompson what needs to be done. Mr. Thompson stated they need to finish the roof and repair where the firemen came in. Asked amount of time to complete the work? Mr. Thompson stated by fall, outside should be done in a couple of months. Steve Chancey, next door neighbor, spoke. It has been 4 years and 8 months, ample time to get this done. He has a petition signed by most of the neighbors. Has pictures of the property. No permits are posted. Lot more to do than they have stated. They have been notified by letter and have not responded. Is beyond repair. Alderman McComb asked if the judge stated the roof has to be on by July 23rd? Attorney Blake stated the judge has set it for a status hearing – going forward with the demolition or judge needs to set it for a further hearing. Alderman Hughes asked if the fire was in November 2013 why is it taking 5 years to repair? Mr. Thompson stated there was a mass re-assessment and raised the taxes. They started fighting that and finally have it straightened out and taxes lowered, in August 2017. Alderman Voss asked how the city council impacts these proceedings? Mayor Stephens responded that the city requested the order. Attorney Blake stated that the city will need to move forward with the demolition or work with the Thompsons and give them an opportunity to make repairs. Alderman Voss asked Mr. Thompson to address his neighbor's comments. Mr. Thompson stated the bricks in the basement are from taking down the chimney, he will let anyone come in and inspect the property. They also have letters from their neighbors, supporting them. Alderman Bratton stated that they have heard from both sides. There is a status hearing July 23rd. Will need to have roof repairs done by then. By July 23rd will the outside be done so that it is not an eyesore and the rodent issue dealt with? Mr. and Mrs. Thompson both stated yes. Steve Chancey then asked

that if it comes to a vote, Alderman McComb is a brother-in-law to the Thompsons – yes. Alderman McComb will abstain. Steve Chancey stated if they get it up to code and keep it there, he doesn't have a problem. Just wants something done. Alderman Pittman asked if actively working and there is unforeseen weather, if not done by the agreed upon date, will the city proceed with the demolition? Alderman Bratton stated that unforeseen weather is not something that can be helped. Alderman Voss suggested that an update be given at the July 24th meeting and then the council can proceed.

Motion: To give the Thompsons until July 23rd to take care of the outside of the building and be rodent free.

Motion by Alderman Bratton

Second by Alderman Hughes

Mayor Stephens called for a voice vote. All were in favor except Alderman McComb who abstained and Alderman Pittman who voted no.

Motion Carried

Consideration of Settlement of pending complaint to make safe and secure Brown Shoe Factory property: According to Attorney Blake, at this point the property is owned by Carl and Carol Homan. Guardianship was applied for but Carl passed away before it was completed. Carol is going to come up with an estimate to collapse some walls and construct a chain link fence to prevent entry and remove any immediate danger of collapse. Any contract would be between Mrs. Homan and the contractor. To finance the work, the city would make a loan, payable over 10 years with 2% interest, with mortgages on 2 rental properties. She is getting an estimate from their contractor. Mayor Stephens asked if there is a deadline, Attorney Blake replied no. Alderman Bratton asked if there is protection against them filing bankruptcy? Per Attorney Blake, yes. Also if she passes away before the loan is repaid, the city has a mortgage on her rental property. Mayor Stephens asked if the property is worth enough to cover the loan? Per Attorney Blake yes. Alderman Hughes would like to see a date to get estimates. Attorney Blake states they have rough drafts to submit to their attorneys for review. Mayor Stephens asked if it would be ready at the next meeting but Attorney Blake did not think so.

Mayor spoke to Joe Koppeis and IDOT has approved the entry ways.

Mayor received a call from Solar Alliance. They are hiring a property/project manager within the next 2 weeks. Alderman Erbes asked if they are still interested in the old sewer plant? Yes, it is still on their radar screen.

The Mayor had asked for a listing of the last 2 months of activity from the code enforcement office. It is in each packet for everyone's perusal.

ALDERMEN ANNOUNCEMENTS/REQUESTS
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Barb Hughes	Nothing
Jance Curry-Witzman	Nothing
Russell Brown	Thanked Public Works for cleaning up the property next door.
Herb Voss	Nothing
Gary McComb	Nothing
John Erbes	Dates set for Sunset concerts? Yes, will send an email.
Dan Bratton	Nothing
Mike Bastien	Nothing
Gloria Campos	Absent
W. J. Pittman	Thanked the city council for the stop sign at 9 th and Illinois.

DEPARTMENT HEAD ANNOUNCEMENTS/REQUESTS

Richard Blake	Nothing
Sandra Ripley	Nothing
Harold Sheffer	Had a conference call re: the cleanup at the Ameren site. Will need to relocate a water line at Ameren expense. Will take measures to protect the sewer line.
Steve Swafford	Nothing
Lt. Laughland	Nothing
Scott Evans	Nothing
Eric Kennedy	Nothing
Chris	Nothing
Brian Manwaring	Nothing
Jim Stewart	Thanked Harold for the mercury limit and sludge, not having to test will result in savings of approximately \$10,000.

Motion: To adjourn

Motion by Alderman Bratton

Second by Alderman McComb

Mayor Stephens called for a voice vote. All were in favor.

Motion Carried

Meeting adjourned at 7:55 p.m.