Murphysboro City Council Meeting

October 8, 2019

The Murphysboro, Illinois, City Council met in regular session, pursuant to its ordinances, on the 8th day of October, 2019. Mayor Stephens called the meeting to order at 6:00 p.m. and invited Father Gary Gummersheimer 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, William Pierson, Gary McComb, John Erbes, Dan Bratton, Mike Bastien, Gloria Campos, W.J. Pittman

**Absent:** None

Mayor Stephens then presented a Proclamation declaring October 6-12, 2019, National 4-H Week. He read the proclamation into the record and presented it to the members of the local 4-H club who were present.

The council then reviewed the minutes from the previous meeting.

Motion: To approve the minutes of the September 24, 2019, council meeting. All aldermen received a copy of the minutes, for their review, prior to the meeting.

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| Motion by Alderman McComb | Second by Alderman Brown |

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

**Motion Carried**

Alderman Bratton inquired as to:

#811 page 4 Helmet – McBride? Chief McBride explained it is a second helmet,

he has two sets of gear, little more elaborate, he will be paying half

the cost ($334.00).

page 4 2019 Charger – 3 line items? Used the balance of the first two lines

and the remainder of the cost came out of the third line.

page 8 Office Connection – samples? Yes, one time deal required by

EPA. Alderman Bratton also congratulated Mr. Lee on winning

Operator of the Year.

Alderman Hughes inquired as to:

#811 page 5 grease/oil? Annual oil changes at the plant

page 5 IDS Application? Annual support fee for the Police Department

**Motion: To approve the accounts payable, register #811 through October 8, 2019, accounts receivable through September 30, 2019, and payroll through September, 2019. All aldermen received a copy of the accounts payable, accounts receivable and payroll for their review, prior to the meeting.**

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| Motion by Alderman Bratton | Second by Alderman Campos |

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

**Motion Carried**

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## COMMITTEE/COMMISSION REPORTS

**Alderman Pittman opened discussion for Budget & Finance related items**.

Old Business: Nothing at this time.

New Business:

Discussion regarding Recirculation Pump for Splash Park: Park Director Joe Fry passed around a handout with inaugural season operational statistics. Alderman Bratton asked what the total cost for the water was? Ms. Volle stated it is approximately $7000. Alderman Pittman asked if a recirculation pump was priced? Mr. Fry stated that a recirculation pump had been looked into, it would have tripled the cost at the time it was discussed. Carbondale’s cost $49,000, ours would have cost about $25,000. That would not have included the installation cost. Also adding the pump would have classified it as a public pool. The restroom would have to be moved, additional training for the employees, water tested every two hours, it would take a full-time employee for just that, not feasible. Alderman McComb asked if the Park would split the cost of the water with the city? Mr. Fry stated they should be able to. Alderman Pittman stated the city agreed to pay for the water the first year. Going forward will see about splitting it. Alderman Pierson asked Mr. Evans what he looked into regarding this? Mr. Evans stated he has looked at two possibilities: the city charges the Park District what Kincaid charges the city, or the city bills 50% back to the Park. Alderman McComb stated he had made a motion to pay for the water the first year, next year split it with the Park. Mayor Stephens stated he agrees, should help support it. The Splash Pad is a positive community recreation. Alderman Erbes asked what time it shuts off in the evening? It is operational from 10:00 am to 7:00 pm. Mr. Fry stated it is a bright spot for the Park District, has boosted community involvement, Kiwanis is looking for a grant for a shed. Alderman Pittman stated we can decide at budget time for next year.

No public comment.

**Alderman McComb opened discussion for Building & Grounds related items.**

Old Business: Nothing at this time.

New Business:

Consideration of Bid for the Purchase of 108 Lee Lane: Alderman McComb stated he received a bid of $630.00 from Mr. Robert Green for the purchase of 108 Lee Lane.

#### Motion: To approve the sale of 108 Lee Lane to Mr. Robert Green for his bid of $630.00.

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| Motion by Alderman Bratton | Second by Alderman Pierson |

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

##### Motion Carried

No public comment.

**Alderman Erbes opened discussion for Community Relations Committee related items.**

Old Business: Nothing at this time.

New Business:

Feed the Team – Friday, October 25th: Alderman Hughes suggested holding off until school is back in session. Alderman Pittman asked if we can still feed them? It would have to be at a public place, not the school. Mr. Manwaring stated different groups volunteering to feed the football team is to make sure they are well-fed before the game. Suggested playing it by ear.

No public comment.

**Alderman Bastien opened discussion for Public Improvement related items.**

Old business:

Discussion regarding the condition of various properties:

1. Old Depot: Mr. Kennedy passed out copies of information on The BOCA National Property Maintenance Code. Alderman Bastien asked if a 15-day notice has been sent? Yes. Mr. Kennedy stated Mr. Schaldemose called, they had a conversation. Alderman Bastien asked if he commented about the roof? Mr. Kennedy stated Mr. Schaldemose stated has a hand shake agreement with Clover Roofing, he is going to work on his house and Clover will work on the roof. Mayor Stephens stated he spoke to Steve Carter, frustrated with the situation like the city is. Mr. Kennedy stated he pulled the deed and it is in Mr. Schaldemose’s name. Attorney Heller stated there was a memo of contract for deed, Mr. Carter took it back and did another contract for deed. Mr. Kennedy stated the contract for deed is being held by someone else. Mayor Stephens asked if the 15 days have gone by? Mr. Kennedy stated will have to look. Ordinance goes more towards residential. Alderman Bastien asked Mr. Kennedy to see if the 15 days are up and see where we stand.
2. North 17th Street: still working on.
3. South 14th Street: looking better.
4. North 19th Street: still working on.
5. 902/908 Locust Street: tree has been cut down, nothing else has changed.

Alderman Bastien thanked the city for cleaning up the property at 22nd and Logan Streets.

New business:

Mr. Kennedy passed out a list of addresses that are included in the tax sale. He would like the council to consider purchasing them. Mayor Stephens asked what the timeline is? Second week of November.

No public comment.

**Alderman Bratton opened discussion for Public Works related items.**

Old business: Nothing at this time.

New business:

Consideration of Bids for the Construction of the Wastewater Treatment Plant Road: Alderman Bratton stated received two bids, the low bid is from Sierra Bravo Contractors, LLC, in Sesser, Illinois, for $272,395.52.

#### Motion: To accept the low bid of $272,395.52 from Sierra Bravo Contractors, LLC for the Construction of the Wastewater Treatment Plant Road.

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| Motion by Alderman McComb | Second by Alderman Erbes |

Alderman Bratton called for a roll call vote.

Yeas: Alderman Hughes, Alderman Curry-Witzman, Alderman Brown, Alderman Pierson, Alderman McComb, Alderman Erbes, Alderman Bratton, Alderman Bastien, Alderman Campos, Alderman Pittman

Nays: None

Absent: None

##### Motion Carried

Alderman Bratton stated he understands we are getting the culverts in that we purchased, knows we can’t build the road but if we don’t have the ok from the EPA, can we go ahead and put the culverts in? Mr. Sheffer answered no, they do not want us to touch anything until they have the water quality certification. Alderman Bratton stated if we do not hear something within a week we need to talk to our politicians to get this going.

Alderman Curry-Witzman stated that on South 17th Street near Shomaker, there is a concave area in the middle of the street and it is sinking further. Mr. Lee stated they are aware of it, it is on his radar.

No public comment.

**Alderman Brown opened discussion for Public Safety related items.**

Old business:

Discussion regarding the Gillenberg Property: Chief McBride stated no changes. Fager-McGee took their fencing down, it was needed elsewhere.

New business:

Consideration of report declaring dogs as vicious: Mayor Stephens stated everyone has a copy of the incident report. Animal Control Officer David Sullivan was present and stated the facts of the case for the record regarding the dog attack. The three dogs attacked Kyler Garrison. They got out due to a two-year-old partially opening the door. Lacey Qualls, the owner of the dogs, confirmed she ran out and stood between the dogs and the boy trying to stop the attack but was unable to. An unidentified female stopped her car and told Kyler to get in and she would take him to the hospital. The dogs were taken to Dr. Miller’s for quarantine, tickets were issued. Animal Control Officer Sullivan would like to have the dogs declared vicious. There have been other complaints, the dogs have a history of violence. If declared vicious and are brought back onto city property, there is $500 fee, fencing has to be approved, along with graduated fines, in order for them to reside on city property. Alderman Bratton asked if he wants all three declared vicious. Yes. Chief Ellermeyer stated there was a small child at the door, could have pushed the door open. Lacey Qualls was present at the council meeting and stated it was a freak accident, she was outside, the door latch was undone by a two-year-old. The boy was freaking out and that didn’t help. The vet said they are good dogs just not socialized. Tracy Qualls stated that the owner of the park was bitten by a different dog. Lacey Qualls stated they have only had issues with Joe, the owner of the property, since they turned in the dogs that were locked in a trailer. Stated her dogs are the sweetest ever, the trailer park is a bad area. Tracy Qualls stated can’t get anything fixed since the dogs in the trailer issue. Mayor Stephens stated he understood then asked if anyone representing the bitten child was present? No. Then asked if the child is a resident of Mobile Ranch Trailer Park? Yes. Attorney Heller read the first paragraph of the ordinance defining a vicious dog, which included the words unprovoked attack. Alderman Campos stated she has been bitten several times and it was unprovoked. They are animals. Alderman Bratton stated we have ordinances, any dog that bites a child doesn’t need to be in the city limits. Alderman Bastien asked, they are not at the property, what is your intent? Lacey Qualls stated she does not intend to bring them back in the limits. Alderman Pittman stated with the permit fee and a proper enclosure can bring them back in the city.

#### Motion: To declare the three dogs involved in the dog attack vicious.

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| Motion by Alderman Bratton | Second by Alderman Pierson |

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

##### Motion Carried

Alderman Hughes stated she has had a couple of phone calls concerning the Appletime Bakery Building from the Apple Festival. One stated when she came out of the ATM driveway, she could not see around it. It is also on the sidewalk. Why is it still there? Will talk to Sean concerning this. Mayor Stephens stated he thinks it is their intention to leave it there as it will not fit in the storage building. Sean was wondering if they could keep it there due to the storage issue. Alderman Hughes stated if we leave it on the sidewalk it sets a precedent. Alderman Pierson asked if there is an ordinance against it being that close to the street? Attorney Heller stated he would have to look. Alderman Pittman stated could offer to let them move it to the city parking lot south of the old Eagles building. Mayor Stephens stated he will talk to Sean.

No public comment.

**Alderman Hughes opened discussion for Personnel related items.**

Old business:

Alderman Bratton asked how the negotiations are going. Alderman Hughes responded they are working on two - clerical and WWTP. They are moving along.

New business: Nothing at this time.

No public comment.

## MAYOR’S REPORT

Nothing at this time.

## ALDERMEN ANNOUNCEMENTS/REQUESTS

Barb Hughes Nothing

Jance Curry-Witzman Thanked Mr. Mills for filling in the road on Williams Street.

Russell Brown Nothing

William Pierson Nothing

Gary McComb Need to get ahold of the State regarding the hole on North 11th street, north bound lane. Mr. Mills stated he turns into the Code Office and they then call the State.

John Erbes Hotel – road out for bids in August? Mayor Stephens stated the road was out for bid and has been awarded, expects to hold a ground breaking this month. He also wants to make sure there is wi-fi there for the employees on site that will need it.

Dan Bratton Nothing

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Mike Bastien Nothing

Gloria Campos At Sandra Court and Roberta Drive off 14th Street, neighbors have requested to make one side no parking. A fire truck would not fit down there when people are parking on both sides. Chief Ellermeyer stated he, Mr. Mills and Mr. Kennedy will have a look.

W. J. Pittman Nothing

## DEPARTMENT HEAD ANNOUNCEMENTS/REQUESTS

Ed Heller Commended Dave Sullivan and Officer Rednour on doing a good job on the vicious dog bite incident report.

Sandra Ripley Nothing

Scott Evans Nothing

Harold Sheffer Nothing

Steve McBride Hosted the Cobelt with approximately 68 people in attendance. Forest Service presented Fire Department with a plaque for a fire call at their Walnut Street facility, they did not lose any equipment.

Jamie Ellermeyer Thanked Alicia Garver of Modern Woodmen for donating $1500 to their children’s program.

Eric Kennedy Nothing

Tim Lee Won the Operator of the Year award, went to Springfield for the conference, received a plaque. Mayor Stephens stated it was well deserved.

Brian Manwaring Nothing

Darrin Mills Nothing

Jim Stewart Nothing

Katharine Volle: Nothing

**Motion: To go into executive session at 7:18 pm for Act 5 ILCS 120/2(c)(5) meetings where the purchase or lease of real property for the use of the public body is being considered, including meetings held for the purpose of discussing whether a particular parcel should be acquired.**

Motion by Alderman Bratton Second by Alderman Pittman

Yeas: Alderman Hughes, Alderman Curry-Witzman, Alderman Brown, Alderman

Pierson, Alderman McComb, Alderman Erbes, Alderman Bratton, Alderman

Bastien, Alderman Campos, Alderman Pittman

Nays: None

Absent: None

**Motion Carried**

**Motion: To come out of executive session at 7:20 p.m***.*

Motion by Alderman Hughes Second by Alderman Bastien

Yeas: Alderman Hughes, Alderman Curry-Witzman, Alderman Brown, Alderman Pierson, Alderman McComb, Alderman Erbes, Alderman Bratton, Alderman Bastien, Alderman Campos, Alderman Pittman

Nays: None

Absent: None

**Motion Carried**

#### Motion: To resume city council meeting.

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| Motion by Alderman Bastien | Second by Alderman Campos |

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

##### Motion Carried

#### Motion: To approve the appraisal reports for acquisition of right of way for the 7th Street Project.

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| Motion by Alderman McComb | Second by Alderman Bratton |

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

##### Motion Carried

Alderman Erbes asked if we need to authorize Mr. Tippy each time? No, we don’t have to. Previous motion was a blanket for all future negotiations he is involved in concerning this project.

#### Motion: To give Mr. Tippy authority to negotiate the price for the appraised amount plus 10% for the entire negotiation.

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| Motion by Alderman McComb | Second by Alderman Pierson |

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

##### Motion Carried

#### Motion: To adjourn

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| Motion by Alderman Bratton | Second by Alderman McComb |

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

##### Motion Carried

Meeting adjourned at 7:22 p.m.