

**Regular Meeting Minutes of the City Council  
Of the City of Bunker Hill, Council Chambers,  
Municipal Building, 801 S Franklin St., Bunker Hill, IL 62014**

**Wednesday, January 13, 2021**

Mayor Phelps called the meeting to order at 7:07 P.M.

**1. ROLL CALL**

Present Physically: Mayor Betty Phelps, Alderpersons Kerri Brown, Glenn Bruckert, John Chapman, Bill Manar, and Alan Mize, Treasurer Catherine Behrens, Attorney Rick Verticchio, and Clerk Rhonda Whitworth.

Absent: Alderperson Girth (recovering from surgery).

Physical Gallery: (At Tier 3 Status, no more than 10 attendees total allowed) Chief Chris Barnes; distanced in the hall off and on were Officer Kristopher Schulte, and Deputy Drew Sloan; and Water Clerk Ginger Noel was at her desk in the clerk's office.

**2.** The Pledge of Allegiance was recited.

**3.** Mayor Phelps read the City Council Prayer.

**4. REVIEW AND APPROVAL OF MINUTES**

A. Minutes Presented in the Monthly Packets for Approval:

Executive Session of the Rescheduled Regular Council Meeting of November 18, 2020

Police & Public Safety Committee Meeting of December 22, 2020

Regular Council Meeting of December 9, 2020

Executive Session of the Regular Council Meeting of December 9, 2020

Mayor Phelps read the list of minutes presented to be approved (as listed above). Treasurer Behrens pointed out the date on the December 9, 2020 minutes was December 8, 2020 and should be corrected. Alderperson Bruckert moved to accept the minutes of Executive Session of the Rescheduled Regular Council Meeting of November 18, 2020, Police & Public Safety Committee Meeting of December 22, 2020, Regular Council Meeting of December 9, 2020, and Executive Session of the Regular Council Meeting of December 9, 2020 and place on file. Alderperson Manar made the second.

Roll Call

Ayes: Chapman, Bruckert, Manar, Brown, Mize

Nays: None

Absent: Girth

Motion carried.

B. Minutes not yet Presented to the Council:

Government & Ordinance Committee Meeting of September 3, 2020 and others after all committee meetings in reference to the ordinances are complete, Parks & Property Committee Meetings September 14, 2020, October 5, 2020, October 19, 2020, October 29, 2020, and November 18, 2020, Police & Public Safety Committee Meetings of October 20, 2020 and November 25, 2020, and Public Works Committee Meeting of January 12, 2021.

Alderperson Bruckert said the Police & Safety Committee Meeting of November 25, 2020 was canceled, and he will check on the other one. Mayor Phelps said the Public Works Committee Meeting was just yesterday. Alderperson Manar said he has Parks & Property Committee Meetings minutes of September 5, 2020, October 5, 2020, October 19 or 20, 2020 but wants to rewrite them. He said the November 12, 2020 meeting was postponed until yesterday.

**5. COUNCIL APPROVAL REPORT (BOARD REPORT to include all Payroll Bills/Reports & all Payments made since December 10, 2020) – January 2021**

Alderperson Brown asked about page 1 of the General Fund report, and backhoe tires. Alderperson mentioned MTS bill pay and the front end of the tractor; front axle damaged and pretty much had to rebuild the whole front end. Treasurer Behrens said it came out of different accounts. Alderperson Bruckert said that is not a true accounting of the expense. Mayor Phelps said Mark Vaughn will be here tomorrow and she will check with him. Alderperson Brown said the other portion is personnel.

Mayor Phelps said it is ok to pay the regular monthly recurring bills before late charges are applied. And that Ashley had been given that approval previously. There was question about the VISA charges and one charge being for vacuum cleaner bags; went over the other VISA receipts also. Alderperson Brown asked about an Amazon charge on page 2. Alderperson Brown also asked about the MetLife bill. The clerk said she had emailed it to her. Alderperson Bruckert asked about paying the Sheriffs' Department annually. Chief Barnes and the Mayor both replied that there are less fees is paid all at once. It was mentioned the United Health Care bills was paid late. Deputy Clerk Leigh Sauerwein came into the edge of the council chambers and explained the bills in question. She also explained how some departments' payables are paid of the general fund because there isn't yet a separate checking account for those departments. Alderperson Manar made the motion to approve the Council Approval Report (Board Report) for January 2021 payables and place on file. Alderperson Brown asked about executive session. Alderperson Mize made the second.

Roll Call

Ayes: Manar, Mize, Chapman, Bruckert, Brown

Nays: None

Absent: Girth

Motion carried.

**6. STATEMENT OF REVENUE AND EXPENDITURES (FINANCIAL REPORT) – December 2020**

Alderperson Bruckert asked about why the report is showing zeros in the "Current Actual" line items. The clerk explained the report reflects the previous month's activity and will check with Leigh to see if we can figure out why there are no amounts showing up in some of the line items. Alderperson Bruckert mentioned there being a one-month lag. Alderperson Bruckert made the motion to hold onto until corrected. Alderperson Chapman made the second.

Roll Call

Ayes: Mize, Chapman, Manar, Brown, Bruckert

Nays: None

Absent: Girth

Motion carried.

**7. WATER USER DEPOSITOR'S REFUNDS REPORT – January 2021**

The report wasn't available as of meeting time.

**8. TREASURER'S REPORT – December 2020**

Alderperson Bruckert moved, seconded by Alderperson Manar to accept the December 2020 Treasurer's Report as presented and place on file.

Roll Call

Ayes: Brown, Bruckert, Chapman, Mize, Manar

Nays: None

Absent: Girth

Motion carried.

**9. COMMENTS FROM VISITORS**

No visitors; the building is still closed due to Tier 3 Covid restrictions.

**10. OLD BUSINESS**

A. Banked Sick Leave Update: Mayor Phelps said first off, the sick leave books were 2017 and beyond and she will not be acknowledging them. Alderperson Brown said it is part of the ordinance. Mayor Phelps mentioned sick, comp, and vacation. Alderperson Brown said just banked sick time is all she audited. Mayor Phelps said 40 hours only; wasn't an extra 40 hours. Alderperson Brown said it wasn't extra, just all remaining so can put it in the book. Mayor Phelps said all banked sick time; you don't know what was prior; and asked where she go the numbers. Alderperson Brown said according to the ordinance, there was no banked sick time allowed before 01/01/2014. Mayor Phelps said they had banked sick time for years.

Aldersperson Brown said when the ordinance was passed in 2014. The Mayor said going back to 2014 is crazy in her eyes and employee #3 was given 80 hours when hired. Aldersperson Brown said you don't get 80 hours when hired. The Mayor said she doesn't think that is how it was done before. Aldersperson Brown said moving forward, have someone looking over. Aldersperson Mize said in the past, some were paid and some were not; there's no exact record. Aldersperson Brown said first paid banked sick leave in 2019. Aldersperson Mize said someone needs to watch. Aldersperson Brown said there needs to be a much closer eye on it and when go to Paychex, won't be a problem. Mayor Phelps stated that Leigh has done great. Aldersperson Brown made the motion to have someone from the Asyst program come in and set down with them. Mayor Phelps said she would get in contact with Asyst. Aldersperson Bruckert said he agrees with getting someone from Asyst to come down. Aldersperson Brown said have agreed to look at 2020 and move forward.

- B. Time Clock Update: Mayor Phelps said Boe came in and got the book for the time clocks. She said he took them off of the Wi-Fi and ran Ethernet cable to them. Chief Barnes said still need to get the new guys into the clock. Mayor Phelps said that Boe said he is 99% sure the time clocks are working correctly. Aldersperson Chapman asked who the admin to the time clocks is. The clerk said she had the admin password.
- C. PayChex (instead of ADP) for Payroll Processing: Mayor Phelps informed the council that Boe feels good about keeping the process running through here. Aldersperson Brown said made a motion almost a year ago to go to ADP; a lot of moving parts; lot of deductions/benefits. Aldersperson Brown asked Leigh if she had a comment about it. Deputy Clerk Sauerwein agreed with going to Paychex. Mayor Phelps asked who double checks that. Aldersperson Brown said the information from the time clocks can go to Paychex; Paychex also has an app for your phone. Aldersperson Brown recommended moving to Paychex by the January 28, 2021 payroll. The Deputy Clerk asked the cost. Aldersperson Brown said to start in February. Deputy Clerk Sauerwein asked if she would still be the benefits coordinator. Aldersperson Brown replied yes. The Deputy Clerk said it's a good idea, and asked if it were union approved. Water Clerk Noel responded she doesn't think so. Mayor Phelps said she would check on that also. Aldersperson Brown said we're not changing her time, pay, or hours. Aldersperson Chapman said need a motion to move to Paychex. Attorney Verticchio said a more precise motion, Paychex, add not completed by next meeting; authorize one of yourselves to check with Paychex; ask Leigh to ensure or write a report. Aldersperson Chapman made a motion to hire Paychex to do the payroll after January 28, 2021 based on prior approval by the board and designate Leigh to do a report to the Insurance and Finance Committee after the 28<sup>th</sup>; Rhonda will be the administrator and Leigh as a contact. Aldersperson Bruckert made the second.

Roll Call #1

Ayes: Manar, Brown, Mize, Bruckert, Chapman

Nays: None

Absent: Girth

Motion carried.

- D. COVID-19 Reimbursement Status: Mayor Phelps said she thought get it in Round 2, but they cancelled Round 2 and we've got until the end of January to enter more. She also said we should get a check within a couple of weeks.
- E. TIF Annual Report Progress: Mayor Phelps said we can't go any farther without the audit.
- F. Laborers' Local 338 & Operating Engineers Local 520 Grievances: Mayor Phelps said we're on a time limit. Attorney Rick Stewart was in the midst of it and then he left Hesse Martone, and the council needs to decide to go with Attorney Rick Stewart or not. Attorney Verticchio said because Attorney Stewart changed firms, probably need to retain him to finish the grievances he has already been working on. Mayor Phelps recommended retaining Attorney Rick Stewart. She also said that she understands that Hesse Martone will not be doing that kind of law any longer. Aldersperson Brown said the situation is weird, usually get a letter from the firm. Aldersperson Manar made a motion to retain Attorney Rick Stewart. Attorney Verticchio said thinks the motion should be to retain Attorney Rick Stewart until the grievances are settled with the union and then decide after that. Aldersperson Manar made the motion to retain Attorney Rick Stewart

until the grievances with the union are settled and then decide later on the future. Alderperson Mize seconded the motion.

Roll Call #2

Ayes: Bruckert, Brown, Chapman, Manar, Mize

Nays: None

Absent: Girth

Motion carried.

- G. Operator Union Members Uniform Allowance – Price Quotes: Alderperson Manar said the guys picked out a coat, pants, and a shirt in the catalog. Alderperson Chapman said he had issues with Aramark in that they set a contracted price, then the price went up; in his contract, the price cannot increase and is currently at \$30.00 per week. Alderperson Chapman said he currently uses Syntoss. Alderperson Brown said Kleen does rugs too; \$38.00 x 52 weeks is \$1,976.00 per year. Attorney Verticchio said have them do a contract for a year. Mayor Phelps said she thinks should get a new bid. Alderperson Mize said don't want to get polyester for welding, etc. Alderperson Manar said if the council is interested, he'll get some more bids. Alderperson Chapman said he is not interested. Alderperson Manar made a motion to purchase uniforms for the 4 Public Works Department employees. Attorney Verticchio said if can find a company that will provide acceptable uniforms with an annual contract. Alderperson Mize seconded the motion and added for under \$2,000.00 per year for 1 year.

Roll Call #3

Ayes: Manar, Mize

Nays: Chapman, Bruckert, Brown

Absent: Girth

Motion denied.

Alderperson Brown explained that she voted nay because there is no mention of clothing allowance in the Operators union contract and she hasn't seen a report in the past of how they are keeping track of purchases. She went on to say there was a motion and a vote on a union contract that we never read by everyone; would have been in the contract if they had read it before voting on it. Mayor Phelps said had plenty of time to read the contract before it was presented for a vote.

- H. Past VISA Card Missing Receipts: The Clerk said the issue was brought up at last month, but she hasn't had time to pull out the FOIA request.
- I. Fixed Assets/Property Listing: Alderperson Bruckert began to say the Chief had something. But, discussion went back to Item H.

Alderperson Brown said can print out an Amazon history. Chief Barnes said he called Amazon. Alderperson Brown asked the Chief how he got involved. The Chief said they were looking for receipts and mentioned Ashley and \$12.99 Prime charges; never charged on his Amazon account. He went on to say that Amazon wouldn't say whose account the charges were on. The clerk said she thought the charges were on the former Deputy Clerk's Amazon account. Chief Barnes mentioned an email. Alderperson Brown said to the Chief that she still doesn't understand how he got involved in so much of the clerk's office business. She also said to him that he was the Chief of Police and this issue is the clerk's office. The Chief replied because of the credit card and police items on Amazon. Alderperson Manar said the Chief of Police should be able to call and get the information. Chief Barnes mentioned fraud. Mayor Phelps said all needed shut down. Alderperson Brown mentioned there was fraud issues a couple of times, and asked where we're at with the FOIA requests in reference to the VISA bill. The clerk replied she didn't know where to begin finding the receipts. Attorney Verticchio said the VISA card out to be able to supply receipts and don't have to back up the information; can say have to get it. Alderperson Brown said there was an issue with a payment to the VISA that didn't show up on the VISA bill.

Fixed Assets/Property Listing: Alderperson Brown if came up with any listing of assets. She said that Alderperson Manar was going to ask Jake. Alderperson Manar said Jake has it. Alderperson Brown asked if she could get a copy for the next packet. Alderperson Brown also asked for a listing of city-owned properties. Attorney Verticchio said he could get that.

- J. Resolution 20-08 Letter/WC Agreement: The clerk informed the council that she had been waiting on the workmen's' comp agreement from the attorney before preparing and mailing the letters. Attorney Verticchio told her to just do the current independent contractors.
- K. Short Stop Redevelopment Agreement Completion Update: The clerk said Mr. Howald says everything is completed and he will be getting the required paperwork to us for his reimbursement.

## **11. NEW BUSINESS**

- A. Attorney Rick Stewart – Hesse-Martone/The Stewart Law Firm P.C. Decision: The issue has been taken care of.
- B. Emergency Fund Information: The balance in the ESDA fund per the bank statement is \$15,082.62. Alderperson Brown asked how money goes into that account. Mayor Phelps replied very little is received from the State; Mr. Pitchford retired and right now everything is in limbo; think all of our equipment is up to date. Alderperson Brown said she was only asking because of all of the craziness going on right now.
- C. Thank You Card: Thank you card received from the family of Vickie & Alan Mize.
- D. FY 2020 Annual Report Notice: The clerk said can't complete the Illinois State Comptroller's report yet because the audit is not done. Mayor Phelps said grant money is on hold because of the waiting on the audit. She also said she thinks they came in October last year.

## **12. COMMITTEE REPORTS**

- A. Recurring Committee Meetings
- B. Public Works Committee: Alderperson Manar said Schutte Supply came down because we're talking about replacing all water meter in town and the system. Mayor Phelps mentioned wireless. Alderperson Manar said the meters have transmitters and put on the truck and go around and read meters. Alderperson Brown asked how long it takes to read meters now. Alderperson Manar replied 2 – 3 days and the wands are shot and we can't get new wands because that system is outdated. Mayor Phelps said surrounding towns have gone to the wireless meter system. Alderperson Brown asked the cost. Mayor Phelps said Ginger is talking with Don. Alderperson Manar said can get the system changed over in 2 months. Alderperson Brown asked if got multiple bids. Alderperson Manar said he already has. Mayor Phelps said we need to see what kind of financing we can get. Alderperson Manar said it all goes down to how much water usage. Alderperson Chapman said can see on your phone how much usage every 15 minutes; it was a nice presentation. Alderperson Manar said its lots of money, but need to do something. Alderperson Chapman said this new system updates forward and backward which is a big advantage. Alderperson Bruckert said it would eliminate being obsolete. Alderperson Brown said upgrade technology. Alderperson Chapman said when it wears out the next time, won't have to change everything; there is an annual fee. Alderpersons Brown and Chapman discussed bids and Alderperson Chapman said there is several things Schutte is waiving. There was discussion about the tractor and Alderperson Manar mentioned getting the new bat wing mower. Ginger said Jake got multiple bids. It was asked if it was advertised. Attorney Verticchio said have to advertise.
- C. Police & Public Safety Committee: Alderperson Bruckert suggested giving Veterans a discount on their UTV permits; \$25.00 for Veterans and \$0.00 for disabled Veterans. Alderperson Bruckert suggested a resolution. Attorney Verticchio said can make a motion to charge Veterans \$25.00 and disabled Veterans \$0.00. Alderperson Brown asked what charge now. Alderperson Bruckert replied \$50.00. Mayor Phelps asked how we explain if someone comes in from out of city limits and do they need a permit to operate inside the city. Chief Barnes said its state statute. Attorney Verticchio said UTVs are a new phenomenon and have to pass a resolution if registered in other municipalities. Alderperson Brown asked if they're driving here. Attorney Verticchio said it is illegal on roads. Mayor Phelps said Macoupin County did not pass. Attorney Verticchio said only eligible to drive on streets where permitted. Alderperson Mize said the people in town bought stickers and the people that come in from out of town haven't. Alderperson Bruckert made the motion to sell UTV permits to Veterans for \$25.00 and disabled Veterans for \$0.00. Attorney

Verticchio said on the motion. Alderperson Bruckert added local residents only when they apply for a license. Alderperson Manar seconded the motion.

Roll Call #5

Ayes: Brown, Bruckert, Chapman, Manar, Mize

Nays: None

Absent: Girth

Motion carried.

Chief Barnes said the biggest thing is proof of insurance and driver's license. Alderperson Bruckert said get with Chief Barnes and see how doing with derelict cars. A Committee of the Whole Meeting was scheduled for next Wednesday, January 20, 2021 at 6:00 P.M. to discuss the Bunker Hill Code of Ordinances.

### **13. EXECUTIVE REPORTS**

- A. Public Works Director Jake Portugal – Monthly Report December 10, 2020 – January 13, 2021: There was mention of the bat wing mower and selling the old tractor and bids talked about earlier. Alderperson Manar mentioned setting up another meeting.
- B. Police Chief Christopher Barnes – Activity Report December 1, 2020 – January 10, 2021; Funds Collected all of 2020; Personnel Update: It was all discussed with Alderperson Bruckert's stuff.
- C. ESDA Report: Waiting on Sergeant Boris to get settled in to the position.
- D. Mayor Phelps asked the Chief if Ron had anything on ESDA. The Chief said the coordinator brought in some gloves.
- E. City Clerk Rhonda Whitworth: OMA Request for Review – 2020 PAC 66020 – FYI; November 2020 Video Gaming Revenue Report – FYI, Certification of Ballot – FYI; The Flood Record December 2020 – FYI; Illinois Municipal League RMA Risk Report Winter 2021 – FYI; Illinois Codification Services Municipal & County Newsletter December 2020 – FYI: Clerk Whitworth said all of her items are informational.
- F. Mayor Betty Phelps: The Mayor asked Alderperson Bruckert to meet with the police and go over plans & procedures in case of an emergency. A Police & Public Safety Committee meeting was set for January 18, 2021 for emergency planning and general police procedures. Alderperson Chapman said he had a topic to bring up in executive session.

### **14. ATTORNEY MATTERS**

- A. Statement for Legal Services 4<sup>th</sup> Quarter 2020 (included in bills to be approved): Attorney Verticchio said his statement for services.
- B. Bunker Hill Fire Protection District Special Municipal Deed/Survey Update: Attorney Verticchio said he didn't realize the survey was done and said he will get to it soon.
- C. 2264 Worth Avenue Annexation Completion: The Clerk mentioned included in the tax rebate.

Alderperson Brown asked when stickers are due. Chief Barnes replied January 1. Alderperson Brown asked what if they've already purchased a sticker.

Alderperson Brown brought up the house next to Short Stop and asked about the building across the street from it. Attorney Verticchio said there is no pending action now on the property across the street. Alderperson Brown asked if there was anything different in the ordinances between a residential property vs. commercial property. She said Short Stop spent lots of money on their redevelopment and think need to address those properties too. Mayor Phelps said need to include under state law. Attorney Verticchio said state law; this board decides, don't need an ordinance; if council decides the structure is in nuisance condition, give notice and have 30 days to take action. Alderperson Mize said the city didn't follow through with action on the old Black Forest Café building. Attorney Verticchio said make a motion to declare it nuisance condition; declined to spend money to knock down or fix then. Alderperson Brown made a motion to declare the old Black Forest Café building a nuisance. Alderperson Mize seconded the motion.

Roll Call #6

Ayes: Manar, Brown, Chapman, Mize, Bruckert

Nays: None

Absent: Girth

Motion carried.

Mayor Phelps asked about the residence across the street and if Attorney Verticchio had been in contact with them. Treasurer Behrens said some windows are broken. Chief Barnes said had another call that the back door had been broken or kicked in. He said they had to search the house and that the water and power are still on, but it was bad in there. Attorney Verticchio said the owners have been warned. Chief Barnes said the house is not safe anymore. Alderperson Mize made a motion to declare the house at 604 South Washington Street a nuisance. Alderperson Manar seconded the motion.

Roll Call #7

Ayes: Mize, Chapman, Manar, Brown, Bruckert

Nays: None

Absent: Girth

Motion carried.

**15. EXECUTIVE SESSION**

- A. As needed: Alderperson Chapman made a motion, seconded by Alderperson Mize to move into Executive Session to discuss personnel. Voice vote. Into Executive Session at 9:19 P.M.

Return from Executive Session at 9:42 P.M. No action taken during.

Alderperson Bruckert made the motion to for Chief Barnes to inform Office Nicholas Pratt that he is being discharged of his duties as police officer due to not meeting the expectations of the department. Alderperson Chapman seconded the motion.

Roll Call #10

Ayes: Manar, Chapman, Mize, Brown, Bruckert

Nays: None

Absent: Girth

Motion carried.

**16. ADJOURN**

Alderperson Mize moved, seconded by Alderperson Brown to adjourn the Regular Council Meeting of the City of Bunker Hill of January 13, 2021. Voice vote; meeting adjourned at 9:45 P.M.

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Betty J. Phelps, Mayor

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Rhonda K. Whitworth, City Clerk

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Date Approved by the City Council