



## REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SULLIVAN, ILLINOIS, MONDAY, NOVEMBER 27, 2023

1. The City Council of the City of Sullivan, Illinois, met in regular session on Monday, November 27, 2023, at 6:00 p.m. at the Elizabeth Titus Memorial Library, 2 West Water Street, Sullivan. The meeting was called to order by Mayor Mike Mossman. A roll call was taken.

Commissioner Abbey Sherwood	- present
Commissioner Mike Kirk	- present
Commissioner Chuck Woodworth	- present
Commissioner Doug Shook	- present
Mayor Mike Mossman	- present

2. Mayor Mossman asked if there were any comments from the public. Nancy Barker asked if the square was going to be decorated for Christmas. Commissioner Sherwood responded that the Electric Department is in charge of decorating on the square. The Park Department will assist with this. Ms. Barker stated that there is a lot of nice new equipment at the Civic Center and thinks it would be helpful if there was someone on staff to show the members how to use it. Commissioner Sherwood stated that the Assistant Director is at training for exercise science and will be serving as the facility's trainer.

3. Mayor Mossman read the items in the consent agenda:

- Approval of minutes of the regular meeting held November 13, 2023
- Approval of claims
- Approval of the Treasurer's report for October 2023
- Approval of the Authorization of Contract Changes from Beniach Construction Co, Inc. for the Industrial Way Project for a deduction of \$9,846.59
- Approval of Pay Estimate #1 for \$8,629.20 to Building Systems of IL, Inc. for the Wyman Park Splash Pad & Sports Courts Project

Commissioner Kirk asked if it was normal for the cost of bonding to be included in the pay estimate. Commissioner Sherwood stated that the engineering firm recommended that the bill be sent to the City.

Commissioner Shook explained that he would be abstaining from the consent agenda due to a claim he had through the Zoning Board of Appeals.

A motion was made by Commissioner Woodworth and seconded by Commissioner Kirk to approve the consent agenda. Upon a roll call being taken, the results were as follows:

Commissioner Chuck Woodworth	- yea
Commissioner Mike Kirk	- yea
Commissioner Abbey Sherwood	- yea
Commissioner Doug Shook	- abstain
Mayor Mike Mossman	- yea

and the motion was declared carried by omnibus vote.

4. Commissioner Sherwood reported that a preconstruction meeting was held for the splash pad and sports courts project. The demolition is anticipated for March and it is estimated that the construction will be completed by July 4<sup>th</sup>. The Street, Electric and Water and Sewer Departments will be assisting with the project. Any work completed by the City departments can be applied to the City's matching portion of the grant. The award for the next OSLAD grant should be announced on December 15<sup>th</sup>.

The Christmas lights are on at the Park, a few new items were added this year. The lights at the middle ball diamond have been installed. The contractor will finalize the install after a few additional items are completed by the Electric Department. Unfortunately, the lights for the small diamond were removed by the Electric Department, this was not planned but the poles were rotten and needed to be replaced. The Council will need to discuss replacing these by next spring.

The pool liner at the Civic Center has several spots that have caused a concern for leakage. Replacement of the liner would exceed \$100,000.00. This was discovered when a lane anchor deteriorated due to the chemicals that are used in the pool. Spear has been working with Jason Drury on repair options.

There is a planned power outage for the Civic Center on Wednesday from 12:30 p.m. to 2:30 p.m.; the facility will be temporarily closed during that time.

5. Commissioner Kirk reported that the Electric Department is working on changing out old three phase transformers. They replaced a single phase padmount transformer, pulled 200 feet of single phase wire, pulled 900 feet of three phase primary wire to the Civic Center, replaced the glass insulators at the substation, terminated the wires at the Civic Center, are prepping a transclosure for the IGA and completed a solar inspection. A lineman from the department was let go last week, he was still within the six-month probationary period.

The U.S. Department of Energy released the average retail price of residential electricity in Illinois for the month of September. The average cost is 14.79 cents; the City's rate is currently a little over half a penny more than that.

In 2001, the City received a Build America Better Bond from the federal government. The interest on the bonds was to be paid by the government until 2021. The City paid its' bonds off when the program was discontinued in 2018. The IMEA also received a BAB bond and has incurred an interest expense of eight million dollars. In 2035, the IMEA will be required to shut down their Illinois coal mine due to the removal of "dirty fuels". The cost of both the acquired interest and the closure of the coal mine are likely to be passed on to the IMEA members. These fees will then be passed on to the customers through their bills, either through a rate increase or through the Energy Cost Adjustment.

6. Commissioner Woodworth reported that once the elevation changes for the 1200N sewer project are received from the engineer the project will resume. The crew was able to set a manhole after removing the excess sand and water from the pit. They scraped another seventy-five feet and continued to find sand and clay, so they decided to raise the pipe up twelve to fourteen feet. The pipe will now run above the top of the sand.

The control panel for the Eastview Lift Station should be delivered in February; the project will begin once all of the parts are on hand.

An open house was held at the Water Plant last Thursday. If anyone is interested in taking a tour of the plant, Commissioner Woodworth would be happy to oblige. Commissioner Kirk congratulated Commissioner Woodworth on the new plant and added that it is amazingly different from the old one. Commissioner Woodworth stated that the old plant had five electric motors that ran nonstop. The motors at the new plant only run when water is being produced, which should result in a reduced electric bill. When the plant was being designed, he sought input from other municipalities in what they liked or disliked about their new plants and incorporated that information into the project.

There were some issues at the Sewer Plant last week, they are working to correct them and Commissioner Woodworth will provide an update at the next meeting.

7. Commissioner Shook reported that the trees in the City parking lot were removed and will be replaced with maple trees. A contractor replaced a 125 foot section of sidewalk on Harrison; the demo was completed by the Street Department. The department has swept streets to remove leaves, took flags down and prepped equipment for snow removal. Once the materials are received, a contractor will be installing a 150 foot guard rail on Patterson Road across from Illinois Printing.

Commissioner Shook would like to apply for a DCEO grant for storm sewer improvements on the west side of the new school. Water doesn't properly drain into the storm sewer near Parkway Drive and is collecting on the school's property. A new drain would be added to run the water into a main on Strain Street.

8. Mayor Mossman reported that a meeting will be held on Thursday to establish the electric and gas easements for the Cedar Dale Subdivision. The gas department is ready to start installing the gas service at the back of the properties. Once the permit from the EPA is received, the water lines will be installed from the north and shouldn't interfere with the gas or electric services.

In 2022, the City paid Doty Sanitation \$46,000 to complete the town-wide clean-up. This year GFL completed the pickup and charged \$28,800. Mayor Mossman stated that GFL did a good job and charged approximately half of what the City paid for the previous year.

9. Commissioner Shook would like to revise the City's Emergency Snow Route Map to include Courtyard Estates, the dump lot, Eastview Terrace, North Worth Street, the jail, Green Gardens and Aspen Creek. Commissioner Kirk asked if the Power Plant could also be added to the map area outlined in Ordinance 23-40. The ordinance will be tabled to the next meeting so the power plant can be added prior to its' passage.

10. Mayor Mossman asked for discussion on Ordinance 23-41 – An Ordinance Amending and Adding to Chapter 3 – Animals. Commissioner Shook likes the ordinance from Bethany, which only allows six hens and a specific sized area, but does not agree with inspections. The proposed ordinance includes a five foot setback. Commissioner Kirk asked for clarification on the police power to issue an order. Treasurer Bushue stated that article j states that any violation will result in the

removal of privileges. Aaron Wilhelm believes that article j is too vague and only allows one violation. Lance Coil would rather see a rolling strike policy implemented. Josh Davis stated that Bethany keeps fining you until you decide it costs too much to continue. Chief Pistorius added that other ordinances are complaint based, a verbal warning is given first and if the issue continues a violation is issued. Commissioner Kirk believes the health hazard language is too restrictive and should be changed. Mr. Coil questioned the six foot fence height in article d and asked that it be lowered. He stated that free range poultry farmers use a standard height chicken netting of 42-48 inches.

Mayor Mossman summarized the changes that should be made to the ordinance: article j only allows one offense and should be rewritten. The powers of the Police Chief should also be rewritten to state who determines if there is a nuisance or a health hazard. He asked that the ordinance be tabled until the next meeting so the changes could be made.

11. Two bids were received for the sale of a 1998 Ford F-150 truck from the Park Department. The bids were as follows:

Andrew Thompson	\$805.00
Kyle Drury	\$500.00

A motion was made by Commissioner Sherwood and seconded by Commissioner Shook to accept and award the bid for the 1998 Ford F-150 from the Park Department for \$805.00 to Andrew Thompson. Upon a roll call being taken, the results were as follows:

Commissioner Abbey Sherwood	- yea
Commissioner Doug Shook	- yea
Commissioner Mike Kirk	- yea
Commissioner Chuck Woodworth	- yea
Mayor Mike Mossman	- yea

and the motion was declared carried.

12. Mayor Mossman stated that bids for the 2024 GMC Sierra 2500 Truck for the Gas Department were opened at the last meeting. KC Summers submitted a bid of \$50,411.00. Jackson's submitted a late bid, which the Council decided to open, of \$49,680.09. Mayor Mossman was informed by the Gas Foreman that KC Summers ordered the truck when they submitted their bid. If the City chooses not to purchase the vehicle, the dealership will place it on the lot for sale. Since the truck has already been ordered, it should be here in December or the first part of January. It will be four to six months before Jackson's could get a truck in. He added that the customer service from the salesman at KC Summers was impressive. While the Council would like to keep their business local, the difference between the two bids is only \$700.00. The Gas Department is in need of a vehicle; they have already sold their truck and are currently driving the old Impala.

A motion was made by Mayor Mossman and seconded by Commissioner Shook to accept the bid from KC Summers. Upon a roll call being taken, the results were as follows:

Mayor Mike Mossman	- yea
Commissioner Doug Shook	- yea
Commissioner Abbey Sherwood	- yea
Commissioner Mike Kirk	- yea
Commissioner Chuck Woodworth	- yea

and the motion was declared carried.

13. Mayor Mossman has received some concerns about the noise made by semis while using their decompression brakes when driving through town. If the proposed ordinance restricting the use of engine braking is passed, IDOT will need to approve the signs and determine their placement.

A motion was made by Commissioner Shook and seconded by Commissioner Kirk to approve Ordinance 23-42 – Amending Chapter 24 – Motor Vehicle Code of the Revised Code of Ordinances of the City of Sullivan, Illinois by adding Section 24-4-13 Prohibiting Excessive Engine Braking. Upon a roll call being taken, the results were as follows:

Commissioner Doug Shook	- yea
Commissioner Mike Kirk	- yea
Commissioner Abbey Sherwood	- yea
Commissioner Chuck Woodworth	- yea
Mayor Mike Mossman	- yea

and the motion was declared carried.

14. Commissioner Shook explained that the Safe Routes to School Grant will provide \$300,000 for sidewalk improvements from the Elementary School to Hunter Street, from Hunter Street to Main Street and from Main Street to Jackson. The City will need to cover some of the project costs, as the grant does not cover engineering expenses.

A motion was made by Commissioner Shook and seconded by Commissioner Sherwood to award the bid for the Safe Routes to School project to A& R Mechanical Services for \$288,740.85. Upon a roll call being taken, the results were as follows:

Commissioner Doug Shook	- yea
Commissioner Abbey Sherwood	- yea
Commissioner Mike Kirk	- yea
Commissioner Chuck Woodworth	- yea
Mayor Mike Mossman	- yea

and the motion was declared carried.

15. Linda Huber from Loman-Ray Insurance Group, LLC presented the renewals for the Public Officials and Employment Practices Liability Policies. The premium for the combination of the two policies decreased by \$14,000. The Police Professional is a preliminary policy with Loman-Ray that pays first, the City then has

an umbrella policy with Cincinnati that is over the other policy. The Cincinnati policy shows that it is a five million dollar policy, but has a two million dollar limitation on top of the policy with Loman-Ray. When asked why the policy read that its coverage was five million dollars, Ms. Huber explained that it states further into the policy that it is five million dollars except in certain instances. She provided HR Director Swisher with other options, none of which were cheap and offered separate policies and a separate umbrella. The City's current policies expire on December 1, 2023. The City could renew the policy and then Loman-Ray could work on getting numbers together. Once the City has earned a minimum of twenty-five percent of the policy they could switch to a new policy with an umbrella. Another option is to reach out to other companies for a renewal in July of next year. She recommended that the City open the policy for bids in July for the next year's policy.

The premium for the Public Officials policy increased by \$7,000. This policy covers the City's employment practices and spending decisions made by the Council. This million dollar policy is not covered by the umbrella policy from Cincinnati insurance. Once the policy has been renewed, the City can look for a better option.

Loman-Ray will pay the City's premium that is due on December 5<sup>th</sup>. The City will reimburse the premium at the first meeting in December.

A motion was made by Commissioner Sherwood and seconded by Commissioner Shook to approve the Public Officials and Employment Practices Liability Policy through Loman-Ray Insurance Group, LLC. Upon a roll call being taken, the results were as follows:

Commissioner Abbey Sherwood	- yea
Commissioner Doug Shook	- yea
Commissioner Mike Kirk	- yea
Commissioner Chuck Woodworth	- yea
Mayor Mike Mossman	- yea

and the motion was declared carried.

16. A motion was made by Commissioner Shook and seconded by Commissioner Sherwood to approve the renewal of the Law Professional Liability Policy through Loman-Ray Insurance Group, LLC. Upon a roll call being taken, the results were as follows:

Commissioner Doug Shook	- yea
Commissioner Abbey Sherwood	- yea
Commissioner Mike Kirk	- yea
Commissioner Chuck Woodworth	- yea
Mayor Mike Mossman	- yea

and the motion was declared carried.

17. Mayor Mossman asked for discussion on the TIF IV Amendment. Commissioner Shook doesn't believe that White Heath should be in TIF IV and would like to get together with the Commissioners individually to discuss why certain parcels are included in the proposal. Commissioner Kirk asked that the Council be

provided with a TIF IV map and a map of the proposed changes. Mayor Mossman stated that a lot of the proposed changes are due to making TIF III contiguous with TIF IV. TIF III will expire and some of the properties that have potential for development could also be added to TIF IV. There is an area that someone has petitioned to bring in across from Ace Hardware for development. Commissioner Shook would like to have this issue resolved by the end of the year. Mayor Mossman added that the process will take another three months to complete after the Council has determined how they would like to move forward.

18. A motion was made by Commissioner Woodworth and seconded by Commissioner Kirk to adjourn into closed session at 7:12 p.m. to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity (5 ILCS 120/2(c)(1)). Upon a roll call being taken, the results were as follows:

Commissioner Chuck Woodworth	- yea
Commissioner Mike Kirk	- yea
Commissioner Abbey Sherwood	- yea
Commissioner Doug Shook	- yea
Mayor Mike Mossman	- yea

and the motion was declared carried.

19. A motion was made by Commissioner Kirk and seconded by Commissioner Shook to adjourn the meeting. Upon a roll call being taken, the results were as follows:

Commissioner Mike Kirk	- yea
Commissioner Doug Shook	- yea
Commissioner Abbey Sherwood	- yea
Commissioner Chuck Woodworth	- yea
Mayor Mike Mossman	- yea

and the motion was declared carried and the meeting was adjourned at 7:31 p.m.

  
\_\_\_\_\_  
Mayor Mike Mossman

Attest   
\_\_\_\_\_  
Carrie Creek, City Clerk