

**CITY OF CHILLICOTHE
COUNCIL MEETING
MINUTES OF A REGULAR MEETING
September 13, 2021**

A regular meeting of the City Council of the City of Chillicothe, Peoria County, Illinois, met in Regular Session in person September 13 , 2021 at 7:00 P.M with Mayor Michael D. Hughes presiding and with proper notice having been posted.

Mayor Michael D. Hughes called the meeting to order at 7:00 P.M.

The Pledge of Allegiance, to the Flag of the United States of America, was recited.

Chairman Hughes directed Clerk Hurd to take roll.

Physically Present: Mayor Michael D. Hughes
City Clerk Margaret Hurd
Treasurer B.L. Bredeman

Alderpersons: Dean Braun, Barry Bredeman,
Patricia Westerman-Connor, Courtney Gehrig,
Dennis Gould, Jeff Jenkins,
Gary Sharp, Jacob Vanbruwaene

Absent: City Engineer Ken Coulter

Also, Physically Present: Office Manager Denise Passage
Economic Development Director Amanda Beadles
Police Chief Scott Mettillie
City Attorney Kevin Day
Superintendent of Public Works Shawn Sutherland

Chairman Hughes declared a Quorum present.

The Minutes of the Regular Council Meeting held on August 23, 2021 were presented.

Motion Alderperson Braun , second Alderperson Gould that the Council dispense with the reading of the Minutes of the August 23, 2021 Regular Council Meeting, and approve the Minutes as presented.

Motion carried via voce vote.

PETITIONS AND COMMUNICAITONS BY THE CLERK:

Clerk Hurd presented the following Committee and Commission Minutes:

1. Judicial Committee – August 25,2021
2. Public Safety/Economic Development Committee – September 7, 2021

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3. Public Works Committee – September 8, 2021
4. Human Resource Committee – August 25, 2021 and September 1, 2021
5. Police Commission – August 13, 2021 and September 8, 2021
6. Building Committee – August 25, 2021
7. Finance Committee and Economic Development Committee – September 7, 2021 (was not in agenda packet, presented via a separate email)

Clerk Hurd presented the following reports:

1. City Collectors Report for month ending August 2021
2. City Engineer Report dated September 9, 2021
3. City Treasurer's Report for month ending August 2021

Clerk Hurd announced that she was notified by Loran Brinkmeier that the fishing tournament scheduled for September 18, 2021 is cancelled due to lack of interest.

Clerk Hurd read a letter addressed to the Mayor and Council from Don White in regards to the employment of Mrs. Culbertson as the city's grant writing consultant. Letter is attached to the minutes.

Motion Alderperson Braun, second Alderperson Jenkins to approve the communications as presented by Clerk Hurd be accepted and placed on file.

Motion carried via voce vote.

PETITIONS AND COMMUNICAIONS FROM THE MAYOR, ALDERPERSON:

Alderperson Braun announced the Bridge to Bridge event would be held this coming weekend and encouraged everyone to attend. Economic Development Director Beadles informed the council on the events that will be held.

Motion Alderperson Braun, second Alderperson Jenkins to approve the communications from Alderperson Braun as presented.

Motion carried via voce vote.

COUNCIL COMMITTEE COMMUNICATION:

No committee communications.

PUBLIC COMMENT:

No Public Comment.

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Motion Alderperson Bredeman, second Alderperson Gehrig that the bills as presented be paid with the exception of invoice from JB Culbertson dated August 20, August 30 August 27, and the payrolls and transfers be approved.

Roll Call Vote was:

Ayes: **Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene**

Nays: **None**

Chairman declared motion carried.

Motion Alderperson Jenkins, second Alderperson Braun approve the Notice for Special Event Held on Public Property, as submitted by Mariah Briggerman, IVC High School for the use of Second Street from Cedar Street to Elm Street, for the Homecoming Parade event to be held on October 1, 2021, from 1:00 P.M. – 4:00 P.M.

Motion carried via voce vote.

Motion Alderperson Gould, second Alderperson Sharp that the council the proposal from Energy Resource Roofing, in the amount of \$9,500.00, payable from the Road & Bridge Fund, for the repair of the roof on the Public Works Building.

The Contractor on this project must pay the "prevailing rate of wages" as determined by the City pursuant to the Illinois Prevailing Wage Act (820 ILCS 130/1 et seq.) and comply with all other provisions of such Act.

Roll Call Vote was:

Ayes: **Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene**

Nays: **None**

Chairman declared motion carried.

Motion Alderperson Gould, second Alderperson Sharp that the council accept and award the bid, for the Second Street ADA sidewalk project to Miller and Son Construction, in the amount of \$64,588.00. Payable from the TIF Business Account.

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The Contractor on this project must pay the "prevailing rate of wages" as determined by the City pursuant to the Illinois Prevailing Wage Act (820 ILCS 130/1 et seq.) and comply with all other provisions of such Act.

Roll Call Vote was:

Ayes: Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene

Nays: None

Chairman declared motion carried.

Motion Alderperson Gould, second Alderperson Vanbruwaene that the council an expenditure of \$384.00, payable to Engbrecht Concrete for the installation of concrete in the right of way at 1721 Logan.

The Contractor on this project must pay the "prevailing rate of wages" as determined by the City pursuant to the Illinois Prevailing Wage Act (820 ILCS 130/1 et seq.) and comply with all other provisions of such Act.

Roll Call Vote was:

Ayes: Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene

Nays: None

Chairman declared motion carried.

Motion Alderperson Gould, second Alderperson Vanbruwaene that the council waive the bid process and approve an expenditure of \$23,400.00, payable to Stark Excavating for the pavement repairs on Truitt Avenue. Payable from the Road & Bridge Fund.

The Contractor on this project must pay the "prevailing rate of wages" as determined by the City pursuant to the Illinois Prevailing Wage Act (820 ILCS 130/1 et seq.) and comply with all other provisions of such Act.

Roll Call Vote was:

Ayes: Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
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Nays: **None**

Chairman declared motion carried.

Motion Alderperson Braun, second Alderperson Gould that the council approve **Ordinance No. 21-09-21**, an Ordinance Amending the number of class "A" liquor licenses.

Roll Call Vote was:

Ayes: **Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene**

Nays: **None**

Chairman declared Ordinance No. 21-09-21 passed and signed the same.

Motion Alderperson Braun, second Alderperson Jenkins that the council approve **Ordinance No. 21-09-22**, an Ordinance Establishing Rules for Electronic Participation in Meetings.

Roll Call Vote was:

Ayes: **Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene**

Nays: **None**

Chairman declared Ordinance No. 21-09-22 passed and signed the same.

Motion Alderperson Braun, second Alderperson Gould that the council approve **Ordinance No. 21-09-23**, an Ordinance adopting a Whistleblower Protection Policy.

City Attorney Day gave an explanation of the Ordinance.

Roll Call Vote was:

Ayes: **Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene**

Nays: **None**

Chairman declared Ordinance No. 21-09-23 passed and signed the same.

Motion Alderperson Braun, second alderperson Gould that the council instruct the City Attorney to draft an Ordinance amending the Nuisance Section of the City Code.

Motion carried via voce vote.

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Motion Alderperson Connor, second Alderperson Jenkins the request from Sandi Levell to decorate the downtown light poles with corn stalks from September 14, 2021 through November 6, 2021.

Motion carried via voce vote.

Motion Alderperson Connor, second Alderperson Gould that the Council approve the revision to the Decorative Lighting Poles Policy as presented.

Roll Call Vote was:

Ayes:
Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene

Nays: None

Chairman declared motion carried.

Motion Alderperson Bredeman, second Alderperson Vanbruwaene that the council approve the revision to the Consulting Contract between the City of Chillicothe and Dr. Janet Culbertson, as presented, retroactive to July 26, 2021, in accordance with the period of service provision in the agreement.

Roll Call Vote was:

Ayes:
Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene

Nays: None

Chairman declared motion carried.

Motion Alderperson Connor, second Alderperson Gehrig that the council approve the hiring of Gary Schaefer Jr. as a full time public works labor employee, subject to pre-employment testing.

Roll Call Vote was:

Ayes:
Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene

Nays: None

Chairman declared motion carried.

Motion Alderperson Connor, second Alderperson Gould that the council approve the Memorandum of Understanding

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Between the City of Chillicothe and the Police Department/Fraternal Order of Police, as presented, and authorize the Mayor and Police Chief to sign Memorandum of Understanding. (MOU attached to minutes).

Roll Call Vote was:

Ayes: **Braun, Bredeman, Connor
Gehrig, Gould, Jenkins,
Sharp, Vanbruwaene**

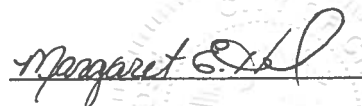
Nays: **None**

Chairman declared motion carried.

Aldersperson Connor announced that the power point presentation regarding Sexual Harassment Prevention Training was in the Council Packet. No changes were made from last year.

She asked that everyone reviewed the presentation and sign the Certification of Participation that is at your seat showing that you have reviewed the presentation. Should you need to look at a or want a hard copy of the presentation Office Manager Passage will provide you one.

Motion Aldersperson Jenkins, second Aldersperson Connor to adjourn at 7:36pm.



A handwritten signature in cursive script, reading "Margaret E. Hurd", is written over a horizontal line. The signature is positioned to the left of a faint, circular official seal of the City of Chillicothe.

Margaret E. Hurd
City Clerk

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Mayor and Council:

Regarding the employment of Mrs. Culberson as the City's grant writing consultant, I have previously expressed some concerns. And now I feel I must express grave concerns surrounding an extreme lack of oversight and misuse of city funds.

I attended the July 21, 2021, Finance Committee the purpose of which was to discuss a consulting agreement for a grant writer; the agenda stated, "Consultant – Position". During the meeting, Alderperson Vanbruaene obliged me by addressing some questions that I had asked. The first question was, "Why do we need this?". His response was, per the minutes of that meeting, "per the Mayor and Amanda that grants were not pursued because of no manpower....". This response establishes that the City is employing a consultant for grant writing purposes.

If fact, the consultant agreement that was discussed during the meeting states, "The CITY intends to retain CONTRACTOR to provide consultant services related to grants, grant writing, and associated matters". In the attached EXHIBIT A, "Examples of Consultant's Responsibilities", each and every example deals with grants and grant writing. This establishes the fact that the employment of a consultant is for grant work, and only grant work.

The meeting concluded, per the minutes of that meeting, with, "The consensus of the committee was to have the attorney make the above changes and present the agreement to the city council at the July 26 meeting for approval".

I did not attend the July 26 council meeting but, per the minutes of that meeting, the approved motion was, "that the Council approve the Agreement between the City of Chillicothe and Janet Culberson for consulting services....". And she was approved and employed per the grant-writing agreement.

Also, by way of a FOIA request of Aug 25, and responded to on the same date, I received one, and only one, timesheet as required per the agreement to be submitted on a weekly basis. The timesheet that I received was for her first week of consulting – July 27 through July 29.

I then submitted a second FOIA request on September 8, with a response back on September 9, asking for any additional timesheets. I received two timesheets – spanning from August 4 through August 12. It continues to appear that timesheets aren't being submitted on a timely basis as there are none filed for the weeks ending August 28 nor September 4.

Here are my findings from the three timesheets I have received thus far.... Mrs. Culberson logged a total of 57.5 hours. The following is the breakdown of hours.

- 1 hour for "Building Committee"
- 2.25 Of those hours for "Staff Meetings"
- 4.75 hours for "City Article"
- 2 hours for "Reviewing w/Amanda, mayor... & setting up files" (I'll assume a review of the article)
- 43 hours for "Downtown Thursday 2nd Street Market", and Downtown Thursday & Research"
- 4.5 hours for "Grant Research" (logged on the last timesheet for the date of 8/12/21)

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Chillicothe Police Department

823 N. Second Street - Chillicothe, IL 61523

Scott M. Mettille

Chief of Police

Phone: 309-274-2129

Fax: 309-274-3930

**MEMORANDUM OF UNDERSTANDING
ARTICLE 32 – RESIDENCY**

By mutual agreement between the City of Chillicothe and the Chillicothe Police F.O.P. Lodge No. 247/Unit B Patrol Officers it is agreed that Article 32 – Residency will be removed from the union contract effective September 13th, 2021.

This Memorandum of Understanding will be signed by the Chief of Police and the Mayor of Chillicothe on behalf of the City of Chillicothe and by the union president of the Chillicothe Police F.O.P Lodge 247/Unit B Patrol Officers and the Chillicothe Police and Illinois F.O.P Labor Council.

Mayor

Date

Chief of Police

Date

Union President F.O.P 247

Date

Chillicothe Police and Labor

Date

F.O.P Labor Council