

MINUTES OF THE REGULARLY SCHEDULED BENTON CITY COUNCIL MEETING HELD TUESDAY NOVEMBER 12, 2019 AT 6:00 P.M. IN THE BENTON MUNICIPAL BUILDING LOCATED AT 1403 SOUTH MAIN STREET BENTON, ILLINOIS.

MAYOR KONDRITZ CALLED THE MEETING TO ORDER. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ WERE PRESENT FOR ROLL CALL. COMMISSIONER PERKINS WAS ABSENT.

COMMISSIONER GARAVALIA MADE A MOTION TO APPROVE THE MINUTES OF THE REGULARLY SCHEDULED CITY COUNCIL MEETING OF OCTOBER 28, 2019. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

MAYOR KONDRITZ INVITED ATTORNEY JOHN BIGLER TO PRESENT INFORMATION TO THE COUNCIL CONCERNING LITIGATION AGAINST PHARMACEUTICAL COMPANIES FOR OPIOID ADDICTION. ATTORNEY BIGLER STATED THAT THE FIRST STEP IN THIS PROCESS WOULD BE TO OPT OUT OF FEDERAL MULTIDISTRICT LITIGATION FOR THIS LAWSUIT AND TO AGREE TO EMPLOY FIRMS OF KRALOVEC, JAMBOIS & SCHWARTZ AND KHOWAJA LAW FIRM FROM CHICAGO, ILLINOIS AND THE BIGLER LAW FIRM TO REPRESENT THE CITY OF BENTON IN STATE MULTIDISTRICT LITIGATION. COMMISSIONER MESSERSMITH MADE A MOTION TO OPT OUT OF FEDERAL MULTIDISTRICT LITIGATION AND EMPLOY FIRMS EMPLOY FIRMS OF KRALOVEC, JAMBOIS & SCHWARTZ AND KHOWAJA LAW FIRM FROM CHICAGO, ILLINOIS AND THE BIGLER LAW FIRM TO REPRESENT THE CITY OF BENTON IN STATE MULTIDISTRICT LITIGATION SECOND BY COMMISSIONER GARAVALIA. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

IN THE ABSENCE OF COMMISSIONER PERKINS, ATTORNEY MALKOVICH PRESENTED THE PUBLIC PROPERTY REPORT. ATTORNEY MALKOVICH STATED HE NEEDED A MOTION TO APPROVE ORDINANCE #19-14 FOR THE ACCEPTANCE OF LEACHATE AT THE WASTEWATER TREATMENT PLANT. COMMISSIONER GARAVALIA MADE THIS MOTION. SECOND BY COMMISSIONER MESSERSMITH. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

ATTORNEY MALKOVICH PRESENTED A CONTRACT WITH PERRY RIDGE LANDFILL FOR ACCEPTANCE OF LEACHATE BY THE CITY. COMMISSIONER MESSERSMITH MADE A MOTION TO APPROVE THIS CONTRACT. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

COMMISSIONER MESSERSMITH MADE A MOTION TO APPROVE PURCHASE ORDER 001112 TO BEST ONE TIRE OF MARION FOR 2 REAR BACKHOE TIRES IN THE AMOUNT OF \$1,190.74. SECOND BY COMMISSIONER GARAVALIA. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

COMMISSIONER STOREY MADE A MOTION TO APPROVE PURCHASE ORDER #00006 TO FIRE APPARATUS AND SUPPLY FOR THE REPLACEMENT OF A COMPUTER SCREEN IN ENGINE #801 IN THE AMOUNT OF

\$3,214.79. SECOND BY COMMISSIONER MESSERSMITH. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

COMMISSIONER GARAVALLIA MADE A MOTION TO APPROVE BILLS IN THE AMOUNT OF \$550,199.63. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

COMMISSIONER GARAVALLIA MADE A MOTION TO PAYROLL FOR NOVEMBER 1, 2019 FOR GENERAL FUND IN THE AMOUNT OF \$63,111.28, FOR THE WATER AND SEWER FUND IN THE AMOUNT OF \$27,480.81 FOR A TOTAL OF \$90,592.09. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

COMMISSIONER GARAVALLIA MADE A MOTION TO APPROVE RESOLUTION #19-17 ALLOWING THE MAYOR AND COUNCIL MEMBERS TO PARTICIPATE IN ILLINOIS MUNICIPAL RETIREMENT. SECOND BY COMMISSIONER MESSERSMITH. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

COMMISSIONER GARAVALLIA MADE A MOTION TO APPROVE ORDINANCE #19-15 AMENDING THE SEWER SURCHARGE MAKING IT EXCLUSIVELY FOR SEWER INFRASTRUCTURE IMPROVEMENTS. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

COMMISSIONER GARAVALLIA MADE A MOTION TO APPROVE RESOLUTION #19-18 AMENDING RESOLUTION #16-12 TO RESTRICT FUNDS OF \$40,000.00 A MONTH FOR DEBT REPAYMENT/REDUCTION OF THE WASTEWATER TREATMENT PLANT AND \$15,000.00 A MONTH FOR SEWER INFRASTRUCTURE IMPROVEMENTS/REPAIR. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

MAYOR KONDRITZ ASKED RACHEL GARTNER TO SPEAK ABOUT FALL FEST. MS. GARTNER STATED THAT FALL FEST TOOK PLACE ON NOVEMBER 2, 2019 AT THE BENTON PARK WITH 1,200 TO 1,300 PEOPLE IN ATTENDANCE. SHE STATED ALL WENT AS PLANNED AND EVERYONE HAD A GOOD TIME. MS. GARTNER ALSO STATED THAT FESTIVAL OF LIGHTS WILL TAKE PLACE ON DECEMBER 7, 2019 ON THE BENTON PUBLIC SQUARE.

MAYOR KONDRITZ STATED THAT HE WOULD LIKE TO DISCUSS ITEM (B) DISCUSSION AND/OR APPROVAL OF PURCHASE OF REAL PROPERTY AT 202 EAST MAIN STREET IN EXECUTIVE SESSION.

MAYOR KONDRITZ STATED THAT HE WOULD LIKE TO CHANGE CITY HALL HOURS FROM 8 A.M. TO 5 P.M. MONDAY THROUGH FRIDAY TO 7:30 A.M. TO 4 P.M. MONDAY THROUGH FRIDAY WITH A 30 MINUTE LUNCH EFFECTIVE DECEMBER 1, 2019. HE STATED THAT THIS TIME WILL ALLOW PEOPLE THAT HAVE TO BE AT WORK BY 8 A.M. A CHANCE TO VISIT CITY HALL BEFORE THEY GO TO WORK. COMMISSIONER GARAVALLIA MADE A MOTION TO APPROVE THIS HOURS OF OPERATION CHANGE FOR CITY HALL. SECOND BY COMMISSIONER MESSERSMITH. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

MAYOR KONDRITZ PRESENTED A PROCLAMATION FROM THE REGIONAL MANAGER OF THE LABORERS' INTERNATIONAL UNION OF NORTH AMERICA PROCLAIMING NOVEMBER 18, 2019 THROUGH NOVEMBER 22, 2019 TO BE NATIONAL APPRENTICESHIP AWARENESS AND APPRECIATION WEEK. COMMISSIONER MESSERSMITH MADE A MOTION TO APPROVE THIS PROCLAMATION. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

NO MISCELLANEOUS BUSINESS.

NO OLD BUSINESS

NO NEW BUSINESS.

NO MATTERS FROM THE PUBLIC AUDIENCE.

COMMISSIONER STOREY MADE A MOTION TO GO INTO EXECUTIVE SESSION FOR ITEM (A) DISCUSSION OF POSSIBLE ACQUISITION AND/OR SALE OF REAL ESTATE. SECOND BY COMMISSIONER MESSERSMITH. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

7:05 P.M.

COMMISSIONER MESSERSMITH MADE A MOTION TO RETURN TO REGULAR SESSION. SECOND BY COMMISSIONER GARAVALIA. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

7:15 P.M.

COMMISSIONER STOREY MADE A MOTION TO ALLOW ZONING ADMINISTRATOR DAVID GARAVALIA TO PROCEED WITH NEGOTIATIONS ON ACQUIRING THE REAL PROPERTY LOCATED AT 202 EAST MAIN STREET IN BENTON, ILLINOIS. SECOND BY COMMISSIONER MESSERSMITH. VOTE WAS TAKEN. YEAS: 4. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

COMMISSIONER MESSERSMITH MADE A MOTION TO ADJOURN. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER MESSERSMITH, AND MAYOR KONDRITZ. NAYS: 0.

7:20 P.M.

**Payroll – November 1, 2019**

General Fund           \$63,111.28  
Water & Sewer         27,480.81

**Total Payroll:                   \$90,592.09**

**Payroll Breakdown:**

**General Fund:**

Hourly	\$48,290.64	} \$57,007.76
Salary	3,137.31	
Chiefs Pay	5,579.81	
Elected Salary	-	
Travel Allowance – Accts & Finance	48.00	} \$ 6,103.52
Meal Reimb – Street Dept	0.00	
Street Dept employees work outside of classification	48.00	
Police Dept Public Employee Disability Act Benefits	2,167.20	
Police Dept Shift Differential	43.45	
Acting Chief Pay – Police Dept	106.48	
Overtime:		
Street Department	00.00	
Police Department	3,320.99	
Fire Department	<u>369.40</u>	
<b>Total General Fund P/R</b>	<b>\$63,111.28</b>	

**Water & Sewer Payroll:**

Hourly	23,294.08	} \$25,989.27
Superintendent	2,695.19	
Elected Salary	000.00	
Sewer employees work outside of classification	12.00	} \$ 1,491.54
Water employees work outside of classification	00.00	
Meal Reimbursement – Water Dept	00.00	
Overtime:		
Water Department	1,055.62	
Sewer Department	423.92	
<b>Total Water &amp; Sewer P/R</b>	<b>\$27,480.81</b>	

**Total combined payroll for November 1, 2019: \$90,592.09**