

MINUTES OF THE REGULARLY SCHEDULED BENTON CITY COUNCIL MEETING HELD MONDAY MARCH 11, 2024 AT 5 P.M. IN THE BENTON MUNICIPAL BUILDING LOCATED AT 1403 SOUTH MAIN STREET BENTON, ILLINOIS.

MAYOR MESSERSMITH CALLED THE MEETING TO ORDER. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER COCKRUM, COMMISSIONER STOREY AND MAYOR MESSERSMITH WERE PRESENT FOR ROLL CALL.

COMMISSIONER KAYS MADE A MOTION TO APPROVE THE MINUTES OF THE REGULARLY SCHEDULED COUNCIL MEETING HELD ON FEBRUARY 26, 2024 AT 5 P.M. IN THE BENTON MUNICIPAL BUILDING LOCATED AT 1403 S MAIN STREET BENTON, ILLINOIS. SECONDED BY COMMISSIONER GARAVALLIA. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

MAYOR MESSERSMITH ASKED ATTORNEY MALKOVICH TO HANDLE PUBLIC AFFAIRS ITEM (H) DISCUSSION AND/OR APPROVAL OF PROPOSAL FROM SIMEC REGARDING ELECTRIC AGGREGATION. ATTORNEY MALKOVICH STATED THAT SIMEC NEEDS THE COUNCIL'S APPROVAL TO CONTINUE TO BROKER ON BEHALF OF THE CITY OF BENTON.

COMMISSIONER GARAVALLIA MADE A MOTION TO APPROVE PURCHASE ORDER #00678 TO EVAPAR FOR A PREVENTATIVE MAINTENANCE AGREEMENT FOR THE ELEVATOR AT CITY HALL IN THE AMOUNT OF \$650.00. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER GARAVALLIA MADE A MOTION TO APPROVE A 1-YEAR MOWING CONTRACT WITH DAVID BOOKER. SHE READ A RECOMMENDATION FROM AIRPORT MANAGER MATTHEW HARRISON ON MR. BOOKER STATING THAT HE WAS THOROUGHLY IMPRESSED WITH MR. BOOKER'S PERFORMANCE. MR. BOOKER NOTED IN HIS PROPOSAL THAT THE PRICE OF EQUIPMENT AND PARTS HAVE INCREASED 60% OVER THE LAST TWO YEARS AND HE HAS MOWED FOR THE CITY FOR THREE YEARS WITH NO PRICE INCREASE. THE NEW EFFECTIVE PRICING IS AS FOLLOWS:

<b>LOCATION</b>	<b>CURRENT</b>	<b>2024</b>
AIRPORT	\$200.00	\$225.00
TWIN OAKS	\$260.00	\$290.00
CITY HALL & POLICE STATION	\$40.00	\$45.00
NUISANCE YARDS	\$40.00	\$45.00

COMMISSIONER COCKRUM SECONDED COMMISSIONER GARAVALLIA' S MOTION TO APPROVE A 1-YEAR MOWING CONTRACT WITH DAVID BOOKER. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER GARAVALLIA STATED THAT MR. BOOKER HAS CLEANED TWIN OAKS UP FOR THE START OF THE SEASON AND THAT HE DID SO AT NO COST TO THE CITY.

COMMISSIONER COCKRUM STATED THAT HE HAD PURCHASE ORDERS, POOL ADJUSTMENTS, OR LAKE LOT LEASE TRANSFERS FOR THIS MEETING. COMMISSIONER COCKRUM STATED THAT UNDER UPDATES,

HE WANTED TO LET THE COUNCIL KNOW THAT SAMRON WILL BE RETURNING THIS WEEK TO BEGIN ON CLEAN UP OF WASTENA STREET WITH PLANTING AND FINISHING OFF ENTRANCES.

COMMISSIONER STOREY MADE A MOTION TO APPROVE PURCHASE ORDER #00406 TO ILLINOIS MEDICARE ENROLLMENT FOR REVALIDATION OF MEDICARE BILLING IN THE AMOUNT OF \$709.00. SECOND BY COMMISSIONER COCKRUM. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER STOREY MADE A MOTION TO APPROVE PURCHASE ORDER #00405 TO H&R AGRI POWER FOR A STIHL VENTILATION SAW IN THE AMOUNT OF \$1,385.99. COMMISSIONER STOREY NOTED THAT CHIEF SHANE COCKRUM STATED THAT THIS WOULD MAKE ALL 3 FRONTLINE APPARATUS HAVE VENTILATION SAW. SECOND BY COMMISSIONER COCKRUM. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER STOREY STATED THAT HE HAD NO UPDATES OR DEPARTMENT REPORTS FOR THIS MEETING.

COMMISSIONER KAYS PRESENTED PAYROLL DATED 03/01/2024 TOTALING \$108,799.48 WITH \$82,148.61 BEING GENERAL FUND AND \$26,650.87 BEING WATER AND SEWER. COMMISSIONER KAYS MADE A MOTION TO ACCEPT PAYROLL AS PRESENTED. THIS MOTION WAS SECONDED BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER COCKRUM, COMMISSIONER STOREY, COMMISSIONER GARAVALLIA, COMMISSIONER KAYS, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER KAYS PRESENTED PAYROLL DATED 03/15/2024 TOTALLY \$104,823.55 WITH \$77,668.73 BEING GENERAL FUND AND \$27,154.82 BEING WATER AND SEWER. COMMISSIONER KAYS MADE A MOTION TO ACCEPT PAYROLL AS PRESENTED. THIS MOTION WAS SECONDED BY COMMISSIONER COCKRUM. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER KAYS MADE A MOTION TO APPROVE PURCHASE ORDER #00683 TO BLACKBAUD FORMS FOR ACCOUNTS PAYABLE CHECKS AND ENVELOPES IN THE AMOUNT OF \$1,482.82. SECOND BY COMMISSIONER COCKRUM. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER KAYS MADE A MOTION TO APPROVE BILLS FOR 03/11/2024 TOTALLY \$310,035.66 INCLUDING \$13,696.45 TO BE PAID FROM MOTOR FUEL TAX FUND. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALLIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER KAYS STATED THAT HE WANTED TO DISCUSS ITEM (C) DISCUSSION AND/OR APPROVAL OF EMPLOYEE COMPENSATION AND BENEFITS, UNDER ACCOUNTS & FINANCE INTO EXECUTIVE SESSION FOR DISCUSSION.

AS AN UPDATE, COMMISSIONER KAYS STATED THAT RATES HAVE GONE UP AT REND LAKE CONSERVANCY DISTRICT AND SO WE WILL BE RAISING OUR RATES IN THE FUTURE. COMMISSIONER KAYS ALSO STATED THAT DAMIEN WILBURN, WATER CLERK, HAS BEEN RESEARCHING ONLINE BILL PAY AND CUSTOMER ACCOUNT VIEWING. COMMISSIONER KAYS STATED THAT HE WILL HAVE MORE INFORMATION REGARDING THESE ITEMS IN THE FUTURE.

CITY ATTORNEY MALKOVICH HAD NO UPDATES.

IN UPDATES, MAYOR MESSERSMITH STATED THAT WE HAVE HAD A LOT OF GOOD STUFF COMING OUT OF BENTON RECENTLY. MAYOR MESSERSMITH STATED THAT WE HAD A 2<sup>ND</sup> PLACE FINISHING HIGH SCHOOL BASKETBALL TEAM AT STATE, 4 HIGH SCHOOL RUNNERS BECAME ALL AMERICANS, AND A YOUTH GOVERNOR FOR ILLINOIS ELECTED FROM BENTON. MAYOR MESSERSMITH STATED THAT WE RECENTLY HAD A WATER LEAK AND A FIRE OVER THE WEEKEND AND HE STATED THAT THE PUBLIC WORKS DEPARTMENT AND FIRE DEPARTMENT DID GREAT WORK TO GET BOTH OF THESE UNDER CONTROL. MAYOR MESSERSMITH STATED THAT ECLIPSE FESTIVAL PLANNING IS STILL UNDERWAY AND HE IS EXCITED TO SEE WHAT ALL WE HAVE PLANNED FOR THE CITIZENS THAT WEEKEND. MAYOR MESSERSMITH ALSO STATED THAT HE AND CITY CLERK BROOK CRAIG HAVE A SCHEDULED MEETING WITH REPUBLIC SERVICES TO DISCUSS SOME ISSUES WITH TRASH AND INCLUDE THEM IN THE ECLIPSE FESTIVAL PLANNING AS WELL.

MAYOR MESSERSMITH PRESENTED PURCHASE ORDERS #00680 AND #00681, BOTH TO SWINFORD PUBLICATIONS. THIS WOULD BE FOR A BENTON RANGERS KEEPSAKE PUBLICATION. HALF A PAGE IN COLOR WOULD BE \$250.00 AND A FULL PAGE IN COLOR IS \$300.00. MAYOR MESSERSMITH ASKED THE COUNCIL IF THEY HAD A PREFERENCE IN CHOOSING EITHER OPTION. COMMISSIONER STOREY MADE A MOTION TO APPROVE PURCHASE ORDER #00681 TO SWINFORD PUBLICATIONS IN THE AMOUNT OF \$300.00 FOR A FULL PAGE IN COLOR IN THE BENTON RANGERS' KEEPSAKE PUBLICATION. SECOND BY COMMISSIONER GARAVALIA. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

MAYOR MESSERSMITH PRESENTED PURCHASE ORDER #00677 TO HEARTLAND OFFICE SUPPLY FOR A TABLE IN THE UPSTAIRS CONFERENCE ROOM IN THE AMOUNT OF \$227.01. COMMISSIONER COCKRUM MADE A MOTION TO APPROVE THIS PURCHASE ORDER TO HEARTLAND OFFICE SUPPLY IN THE AMOUNT OF \$227.01 FOR A TABLE. SECOND BY COMMISSIONER GARAVALIA. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

MAYOR MESSERSMITH STATED THAT HE HAD RECEIVED A RESIGNATION OF AIRPORT BOARD MEMBER REECE RUTLAND. HE STATED THAT THE AIRPORT BOARD HAD ALREADY ACCEPTED THIS RESIGNATION AND THAT HE WOULD NEED A MOTION ACCEPTING THIS RESIGNATION BY THE CITY COUNCIL SO THAT THE AIRPORT BOARD COULD MOVE FORWARD WITH RECOMMENDATION OF A NEW BOARD MEMBER. COMMISSIONER STOREY MADE A MOTION TO ACCEPT THE RESIGNATION OF REECE RUTLAND FROM THE AIRPORT BOARD. SECOND BY COMMISSIONER COCKRUM. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

MAYOR MESSERSMITH STATED THAT HE WOULD LIKE TO APPROVE THE COUNCIL HOLDING A STRATEGIC PLANNING MEETING AT THE BUZZ ON TUESDAY, MARCH 12, 2024 AT 5 P.M. MAYOR MESSERSMITH STATED THAT THIS MEETING HAS BEEN ADVERTISED FOR 48 HOURS BEFORE THE TIME OF THE MEETING. COMMISSIONER KAYS MADE A MOTION TO APPROVE THE STRATEGIC PLANNING MEETING TO BE HELD ON TUESDAY, MARCH 12, 2024 AT 5 P.M. AT THE BUZZ. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

MAYOR MESSERSMITH ASKE ZONING ADMINISTRATOR BRIAN CALCATERRA TO HANDLE ITEM (E) DISCUSSION AND/OR APPROVAL OF THE PETITION FOR ANNEXATION SUBMITTED BY CAROL AND MAURICE PHILLIPS TO ANNEX THE PROPERTY COMMONLY KNOWN AS 1208 SOUTH MCLEANSBORO STREET INTO THE CORPORATE CITY BOUNDARY OF THE CITY OF BENTON. MR. CALCATERRA STATED THAT IT WAS RECENTLY FOUND THAT THIS PROPERTY WAS RECEIVING CITY TRASH AND SO THEY WERE APPROACHED REGARDING ANNEXATION OR CESSATION OF TRASH PICKUP FROM THE CITY CONTRACT. HE STATED THAT THEY DECIDED TO ANNEX INTO

THE CORPORATE BOUNDARY OF THE CITY OF BENTON. COMMISSIONER KAYS MADE A MOTION TO APPROVE THIS ANNEXATION AGREEMENT BETWEEN CAROL AND MAURICE PHILLIPS OF 1208 SOUTH MCLEANSBORO STREET AND THE CITY OF BENTON. SECOND BY COMMISSIONER STOREY. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

MAYOR MESSERSMITH ASKED BRIAN CALCATERRA TO HANDLE ITEM (F) DISCUSSION AND/OR APPROVAL OF THE APPLICATION FOR SPECIAL USE PERMIT SUBMITTED BY ANDREW KELLY TO OWN AND OCCUPY AN EXISTING DOUBLE WIDE MOBILE HOME LOCATED AT 611 EAST GARDNER STREET. MR. CALCATERRA PRESENTED PICTURES OF THE MOBILE HOME TO THE COUNCIL. MR. CALCATERRA STATED THAT HE RECOMMENDS THE COUNCIL APPROVE THIS PERMIT. COMMISSIONER STOREY MADE A MOTION TO APPROVE THE APPLICATION FOR SPECIAL USE PERMIT SUBMITTED BY ANDREW KELLY TO OWN AND OCCUPY AN EXISTING DOUBLE WIDE MOBILE HOME LOCATED AT 611 EAST GARDNER STREET. SECOND BY COMMISSIONER GARAVALIA. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

MAYOR MESSERSMITH ASKED BRIAN CALCATERRA TO DISCUSS ITEM (G) DISCUSSION AND/OR APPROVAL OF CREATING AN AMENDMENT TO CHAPTER 40-ZONING PERTAINING TO ADULT-USE CANNABIS. MR. CALCATERRA DISCUSSED THAT THIS ORDINANCE WOULD RESTRICT PLACEMENT OF ADULT-USE CANNABIS FACILITIES IN THE CITY OF BENTON. COMMISSIONER KAYS MADE A MOTION TO APPROVE ORDINANCE #24-06 AMENDING CHAPTER 40-ZONING PERTAINING TO ADULT-USE CANNABIS. SECOND BY COMMISSIONER GARAVALIA. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER KAYS, COMMISSIONER GARAVALIA, COMMISSIONER STOREY, COMMISSIONER COCKRUM, AND MAYOR MESSERSMITH. NAYS: 0.

NO MISCELLANEOUS BUSINESS.

NO OLD BUSINESS.

IN NEW BUSINESS, COMMISSIONER STOREY STATED THAT HE WOULD LIKE TO SEE SOMETHING DONE ABOUT PEOPLE PARKING ON CURB AND GUTTER STREETS. HE STATED THAT HE HAS NOTICED A LOT OF PEOPLE PARKING ON THE STREETS AND CAUSING DIFFICULTY FOR OUR STREET SWEEPER TO ADEQUATELY PERFORM HIS DUTIES.

NO MATTERS FROM THE PUBLIC AUDIENCE.

COMMISSIONER KAYS MADE A MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS ITEM (C) DISCUSSION OF POSSIBLE 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. SECONDED BY COMMISSIONER COCKRUM. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER COCKRUM, COMMISSIONER STOREY, COMMISSIONER GARAVALIA, COMMISSIONER KAYS, AND MAYOR MESSERSMITH. NAYS: 0.

5:30 P.M.

COMMISSIONER STOREY MADE A MOTION TO RETURN TO REGULAR SESSION. SECONDED BY COMMISSIONER COCKRUM. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER COCKRUM, COMMISSIONER STOREY, COMMISSIONER GARAVALIA, COMMISSIONER KAYS, AND MAYOR MESSERSMITH. NAYS: 0.

6:05 P.M.

COMMISSIONER KAYS MADE A MOTION TO APPROVE THE TIER 1 NON-CONTRACTUAL, NON-BARGAINING UNIT EMPLOYEE RETIREMENT INCENTIVE WHO ARE EMPLOYED WITH THE CITY OF BENTON AS OF MARCH 11, 2024. SECOND BY COMMISSIONER COCKRUM. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER COCKRUM, COMMISSIONER STOREY, COMMISSIONER GARAVALLIA, COMMISSIONER KAYS, AND MAYOR MESSERSMITH. NAYS: 0.

COMMISSIONER STOREY MADE A MOTION TO ADJOURN. SECONDED BY COMMISSIONER GARAVALLIA. VOTE WAS TAKEN. YEAS: 5. COMMISSIONER COCKRUM, COMMISSIONER STOREY, COMMISSIONER GARAVALLIA, COMMISSIONER KAYS, AND MAYOR MESSERSMITH. NAYS: 0.

6:06 P.M.