

## RUSHVILLE CITY COUNCIL MINUTES

### 1. ROLL CALL & CALL TO ORDER

The Rushville City Council met in the meeting room of the City Hall Building. Upon convening, Mayor Jeff Ervin directed City Clerk, Stacey Briney to call the roll. Upon ROLL CALL, the following answered present: Council Members: Susan Acker, Terry Dodds, Bob Fishel, Bryan Matteson, Barry Rebman, and Mike Ryan. The meeting was called to order at 7:00 P.M. Council Members, Richard Davis and Paul Trimble were absent.

Others present included: Stacey Briney, City Clerk; Erin Wilson-Laegeler, City Attorney, Eric Thurman, Superintendent of Operations; Rick Wright, Chief of Police; David Haney of *The Rushville Times*; Jamie Headen of Benton & Associates; Schuyler Isley, Economic Development Director; Chuck Laegeler, States Attorney; and Michelle Escapa, representing Friends of the Trail.

### 2. OPENING PRAYER

The Opening Prayer was led by Mayor Jeff Ervin.

### 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Ervin.

### 4. PUBLIC COMMENTS

There were no public comments at this time.

### 5. CONSENT AGENDA

*All items on the Consent Agenda are considered to be routine in nature and will be enacted in one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event, the item will be removed from the Consent Agenda and considered as the first item after approval of the Consent Agenda.*

- a) Approve the Minutes of the Regular Meeting held September 18, 2023
- b) Approve the Minutes of the Combined TIF & Joint Review Board Committee Meeting held September 13, 2023; Combined Sidewalk & Lighting, TIF, & Joint Review Board Committee Meeting held September 13, 2023; Grievance & Personnel Committee Meeting held September 14, 2023; Cemetery Committee Meeting held September 14, 2023; & Police Committee Meeting held September 27, 2023
- c) Approve Claims for Council Approval Dated 10/02/23 & Accept Monthly Reports
- d) Approve Setting Trick-or-Treat Hours from 6:00 P.M. – 8:00 P.M. on Tuesday, October 31<sup>st</sup>
- e) Approve Raffle License for American Legion Post #4
- f) Approve Reserving Central Park for a Fundraiser for the Odd Fellows on Saturday, October 14, 2023, from 10:00 a.m. – 2:00 p.m.
- g) Consider Suspending the Rules RE: Ordinance No. 1368, Sale of Surplus Property
- h) Pass & Adopt Ordinance No. 1368, Sale of Surplus Property

**Fishel MOVED TO APPROVE THE CONSENT AGENDA. Rebman SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Acker, Dodds, Fishel, Matteson, Rebman, & Ryan; 0 NAYS; 2 ABSENT – Davis & Trimble.**

### 6. ITEMS TO BE REMOVED FROM CONSENT AGENDA – IF APPLICABLE

All items were approved on the Consent Agenda.

### 7. DISCUSS & CONSIDER APPROVING INTERGOVERNMENTAL AGREEMENT FOR THE FORMATION OF A COMMITTEE FOR THE ESCAPA TRAIL

States Attorney, Chuck Laegeler reported this agreement would be for the Safe Streets for All (SS4A) grant that the county has applied for and they would like to make sure the city is on the same page where both entities can get together and plan out as who is on the committee. States Attorney, Laegeler noted the county is taking care of the funds because the grant is in their name, but a lot of the work is being done in the city limits, so the city needs a voice as well. States Attorney, Laegeler stated there will be three

(3) members of the county board, three (3) members of the city council, and three (3) outside members that will be selected by Michelle Escapa. After some discussion regarding the need for an intergovernmental agreement, Mayor Ervin said one is needed to form the committee. Escapa said she was confused about whether an agreement or just a committee was needed since they are two totally different things.

Mayor Ervin appointed Bryan Matteson, Bob Fishel, and Terry Dodds to this committee. A discussion followed regarding meetings for the grant. States Attorney, Laegeler stated he hopes the committee would meet before the grant would be awarded in December so they can hit the ground running if we are awarded it. Escapa noted that she has received three (3) e-mails from the SS4A requesting additional information or clarification, everything has been fulfilled, and she got a response saying the same. Escapa said she feels they have a good chance at getting this grant.

**Dodds MOVED TO APPROVE AN INTERGOVERNMENTAL AGREEMENT FOR THE FORMATION OF A COMMITTEE FOR THE SAFE STREETS FOR ALL (SS4A) GRANT WITH BRYAN MATTESON, BOB FISHEL, AND TERRY DODDS BEING THE CITY'S COMMITTEE MEMBERS. Ryan SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Dodds, Fishel, Matteson, Rebman, Ryan, & Acker; 0 NAYS; 2 ABSENT – Davis & Trimble.**

**8. DISCUSS & CONSIDER APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE INSTALLATION OF A HANDICAP RAMP AT THE COURT HOUSE**

States Attorney, Laegeler reported he is still waiting on the contractor to get the full proposal on a new handicap ramp at the court house. States Attorney, Laegeler noted construction will begin in November where a permanent ramp will be installed on the north side of the court house. States Attorney, Laegeler stated the new ramp will encroach on the city's sidewalk on the north side. States Attorney, Laegeler said the county will pay for the concrete work and then turn the maintenance back over to the city once the job is completed. States Attorney, Laegeler reported he will hopefully have an agreement for the next council meeting.

*States Attorney, Chuck Laegeler and Michelle Escapa left the meeting at 7:13 p.m.*

**9. DISCUSS & CONSIDER APPROVING REQUEST FOR LOAN DISBURSEMENT**

Mayor Ervin reported this item will appear on the agendas from here on until the Phase I projects are done. Mayor Ervin stated this disbursement is in the amount of One Hundred Twenty-Seven Thousand Eight Hundred Thirteen Dollars and Forty-Five Cents (\$127,813.45). Jamie Headen of Benton & Associates stated there will be loan disbursement at the first meeting of each month. Headen noted the three (3) different contracts will be paid, so the council will approve the disbursement of funds, Benton's will submit to the EPA, and then City Clerk, Stacey Briney will get notification as to who to write the checks to with the appropriate amounts. Headen said there are just a lot of shop drawings, materials being ordered, etc. right now and we probably will not see any work for another month.

**Rebman MOVED TO APPROVE A REQUEST FOR LOAN DISBURSEMENT IN THE AMOUNT OF ONE HUNDRED TWENTY-SEVEN THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS AND FORTY-FIVE CENTS (\$127,813.45). Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Fishel, Matteson, Rebman, Ryan, Acker, & Dodds; 0 NAYS; 2 ABSENT – Davis & Trimble.**

**10. DISCUSS & CONSIDER APPROVING FINAL PAY REQUEST & CHANGE ORDER #1 TO HOOD CONSTRUCTION**

**Dodds MOVED TO APPROVE FINAL PAY REQUEST AND CHANGE ORDER #1 TO HOOD CONSTRUCTION IN THE AMOUNT OF FORTY-FOUR THOUSAND SEVEN HUNDRED FIFTY-NINE DOLLARS AND FIFTY-TWO CENTS (\$44,759.52). Ryan SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Matteson, Rebman, Ryan, Acker, Dodds, & Fishel; 0 NAYS; 2 ABSENT – Davis & Trimble.**

**11. DISCUSS & CONSIDER APPROVING APPOINTMENTS TO HISTORIC PRESERVATION COMMITTEE**

Mayor Ervin reported he would like to appoint David Haney, Marian Fretueg, and Sheila Yates to the Historic Preservation Committee.

**Rebman MOVED TO APPROVE THE APPOINTMENT OF DAVID HANEY, MARIAN FRETUEG, AND SHEILA YATES TO THE HISTORIC PRESERVATION COMMITTEE. Matteson SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Rebman, Ryan, Acker, Dodds, Fishel, & Matteson; 0 NAYS; 2 ABSENT – Davis & Trimble.**

**12. DISCUSS & CONSIDER 2<sup>ND</sup> READING OF ORDINANCE NO. 1367, AN ORDINANCE RELATING TO ANIMAL CONTROL**

Animal Control Committee Chairman, Barry Rebman reported Article 14-2.7 states where a person can have six (6) chickens or roosters and there is not supposed to be any roosters allowed.

**Fishel MOVED TO PASS ORDINANCE NO. 1367, AN ORDINANCE RELATING TO ANIMAL CONTROL TO THE THIRD (3<sup>RD</sup>) READING, WITH THE NOTED CHANGE OF NOT ALLOWING ROOSTERS. Matteson SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Ryan, Acker, Dodds, Fishel, Matteson, & Rebman; 0 NAYS; 2 ABSENT – Davis & Trimble.**

**13. DISCUSS & CONSIDER ACCEPTING CONTRACT BETWEEN THE CITY OF RUSHVILLE AND THE OPERATING ENGINEERS LOCAL 965**

Mayor Ervin reported the union finally signed the contract and it has been proofread by Attorney Chris Walters’ office and Clerk Briney.

**Dodds MOVED TO APPROVE ACCEPTING THE CONTRACT BETWEEN THE CITY OF RUSHVILLE AND THE OPERATING ENGINEERS LOCAL 965. Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Acker, Dodds, Fishel, Matteson, Rebman & Ryan; 0 NAYS – Dodds; 2 ABSENT – Davis & Trimble.**

**14. DISCUSS & CONSIDER HIRING FULL-TIME POLICE OFFICER**

Police Committee Chairman, Mayor Ervin reported the committee had met earlier to discuss hiring a full-time police officer. Mayor Ervin stated the city approved hiring two (2) part-time police officers earlier but one of them has taken a full-time position at another department, and the other one’s school got pushed back to January. Mayor Ervin noted Bill Thompson, who already works for us part-time is leaving the Department of Corrections and is looking for a full-time police officer job. Mayor Ervin said Police Officer, Kevin Murray will be retiring in December but the committee did not want to wait to hire Thompson then because he might find something else. Police Committee Member, Bob Fishel noted Thompson will have to take a two (2) week transition course.

**Matteson MOVED TO APPROVE A HIRING BILL THOMPSON AS FULL-TIME POLICE OFFICER. Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Dodds, Fishel, Matteson, Rebman, Ryan, & Acker; 0 NAYS; 2 ABSENT – Davis & Trimble.**

**15. COUNCIL MEMBER & OFFICIAL’S REPORTS**

Parks & Recreation Committee Member, Susan Acker reported she is concerned because there are still several pool loungers sitting out. Mayor Ervin said he has addressed this and has been assured that they will be put up this week. Mayor Ervin stated Joe Ackman is painting the pool but he cannot paint the deep end because there is water still in it, which needs to be left so the sides do not cave in, but they will drain it so he can paint and then put water back in.

Cemetery Committee Chairman, Bryan Matteson reported the well that sits on the new addition has been abandoned correctly.

Parks & Recreation Committee Chairman, Terry Dodds reported he talked to the gentleman from Burbach Aquatics while he was at the Municipal League Conference about the issues we have had at the swimming pool. Dodds said he is willing to assist with the plumbing issues. Dodds noted he will give Pool Committee Chairman, Evan Harrison the contact information and let him take it from there. Dodds said the gentleman was concerned because there was a lot of time and energy put into that pool and it was also used at their display.

Council Member, Barry Rebman reported the kitchen at 55 has been closed for quite some time but the bar has been open a few times. Rebman stated 55 runs under a supper club license so he thinks this issue needs addressed.

Rebman also reported he has had several complaints about the vehicles in the alley at Rushville Collision. Mayor Ervin said he is working on it.

Sidewalk & Lighting Committee Member, Bob Fishel reported the *Safe Routes to School (SRTS)* grant has been submitted and we should know something in three (3) or four (4) weeks. Fishel noted according to Committee Chairman, Paul Trimble, the engineer said everything looked good. Fishel stated that Stefanie Ballinger of Benton & Associates said they will start the engineering work on the sidewalks on North Congress and West Washington Streets.

Fishel noted Trimble told him that he has been getting a lot of complaints of the jake brakes but he has not seen any of the signs that used to be there. Mayor Ervin said they will look into this.

City Clerk, Stacey Briney reported there was a reception for Judy Caputo’s retirement Friday. Clerk Briney said she knows her office will probably never get back to a three (3) person office, but she would like to see about hiring someone, if not full-time, maybe twenty-five to thirty (25-30) hours per week. Mayor Ervin said to get with Grievance & Personnel Committee Chairman, Rebman and get a meeting called to discuss it.

City Attorney, Erin Wilson-Laegeler reported she is waiting on proof of service from the St. Louis County sheriff regarding the Gordley property. Attorney Laegeler stated the notice has been published two (2) times and the timing to get moving on this is thirty (30) days from publications and then thirty (30) days from the date of service.

Attorney Laegeler also reported she attended a couple of sessions at the Municipal League Conference regarding the new law regarding the paid time off for all municipal employees and they strongly felt that a municipality should pass an ordinance stating their part-time benefits. Attorney Laegeler stressed that she thinks the city needs to get this passed and on the books before January 1<sup>st</sup>. **City Clerk, Briney was directed to place this item on the next council agenda.**

Mayor Jeff Ervin reported the city received an agreement from Leibold Irrigation today for the new irrigation at the golf course. Mayor Ervin said Attorney Laegeler reviewed it and does not really have a problem. Mayor Ervin stated he would like to get a consensus on this because they contacted Groundskeeper, Andy Ebey and said they might be able to start in November. Attorney Laegeler noted the only issue she would like clarification on was in the insurance section to make sure it is talking about their employees and not ours. **Consensus of the council was to approve the agreement.**

**16. ADJOURN**

**Acker MOVED TO ADJOURN. Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Fishel, Matteson, Rebman, Ryan, Acker, & Dodds; 0 NAYS; 2 ABSENT – Davis & Trimble. THE MEETING STOOD ADJOURNED ACCORDINGLY AT 7:33 P.M.**

Minutes submitted by,

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Stacey L. Briney, City Clerk/CMC

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Date Minutes Approved