

## 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, City Clerk, Stacey Briney called the meeting to order and called the roll. Upon ROLL CALL, the following answered present: Council Members: Susan Acker, Richard Davis, Terry Dodds, Mike Farniok, Bob Fishel, Bryan Matteson, and Mike Ryan. The meeting was called to order at 7:00 P.M. Council Member, Paul Trimble was absent.

Others present included: City Clerk, Stacey Briney; City Attorney, Erin Wilson-Laegeler; Superintendent of Operations, Eric Thurman; Chief of Police, Rick Wright; Moe Billingsley of *The Rushville Times*; Jamie Headen of Benton & Associates; Linda Utter, Donald Lancaster, and Tabitha Nunez.

**IN THE ABSENCE OF MAYOR JEFF ERVIN, Matteson MOVED TO APPOINT SUSAN ACKER AS MAYOR PRO-TEM. Fishel SECONDED, AND THE MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Davis, Dodds, Farniok, Fishel, Matteson, & Ryan; 0 NAYS; 1 ABSENT – Trimble; 1 PRESENT – Acker.**

### 2. OPENING PRAYER

The Opening Prayer was led by Council Member, Terry Dodds.

### 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro-Tem Susan Acker.

### 4. PUBLIC COMMENTS

Daniel Lancaster reported the traffic on Avenue B is way too fast and the street is too narrow. Lancaster said he was wondering if the city would think about making Avenue B a one-way street. Street Committee Chairman, Bob Fishel stated the committee had met earlier in July and they are working on getting this taken care of.

Linda Utter noted she has two (2) young great-granddaughters that are dropped off at her house and one day a lady passed the car that was dropping them off. Utter said the side-by-sides go down Avenue B too fast down there at all different times a day.

Tabitha Nunez stated she lives on the corner and she does not let her daughter play in the yard because the traffic is too fast. Lancaster said they have put up signs of their own but they just get stolen. Fishel suggested talking to the police department to see if they could sit there.

*Linda Utter, Donald Lancaster, and Tabitha Nunez left the meeting at 7:07 p.m.*

### 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 July 15, 2024
- b) Approve the Minutes of the Sidewalk & Lighting Committee Meetings held July 16, 2024, & July 31, 2024; & Street Committee Meeting held July 18, 2024
- c) Approve "Claims for Council Approval Dated 08/05/24" & Accept Monthly Reports
- d) Approve Reserving Central Park on Saturday, August 10<sup>th</sup> for Odd Fellows School Supply Drive
- e) Approve Loan Reimbursement
- f) Approve Change Order #1 to Leander Construction in the Amount of \$4,118

**Acker REQUESTED TO REMOVE ITEM "5C" FROM THE CONSENT AGENDA.**

**Ryan MOVED TO APPROVE THE CONSENT AGENDA, EXCEPT FOR ITEM "5C". Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Davis, Dodds, Farniok, Fishel, Matteson, Ryan, & Acker; 0 NAYS; 1 ABSENT – Trimble.**

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

Mayor Pro-Tem Acker reported there is a bill in the claims for Hood Construction but the old stump has not been taken out. Mayor Pro-Tem Acker noted the contract reads that all junk trees must be removed. Mayor Pro-Tem Acker stated she called Lee Hood and Hood said he thought he had done everything. City Attorney, Erin Wilson-Laegeler read the excerpt from the contract regarding the junk trees and leveling the yard. Attorney Wilson-Laegeler stated she will send Hood a letter.

**Fishel MOVED TO APPROVE ITEM “5C”, APPROVE CLAIMS FOR COUNCIL APPROVAL DATED 08/05/24, & APPROVE MONTHLY REPORTS. Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Dodds, Farniok, Fishel, Matteson, Ryan, Acker, & Dodds; 0 NAYS; 1 ABSENT – Trimble.**

**7. DISCUSS & CONSIDER RAMP ON WEST WASHINGTON STREET**

Sidewalk & Lighting Committee Chairman, Terry Dodds reported he has worked on this matter for a long time and he is ready to put it to bed. Dodds said Mark Schoonover, owner of the Schuyler Penney Event Venue met with Mayor Jeff Ervin and Committee Member, Paul Trimble regarding the ramp. Dodds noted Schoonover said at the last committee meeting that he would be willing to pay Two Thousand Dollars (\$2,000) for a concrete ramp with black railing, and he would remove the wooden one. Fishel questioned if the city was going to pay for anything over the Two Thousand Dollars (\$2,000), and Dodds said yes. Dodds noted Schoonover would get bids and bring them to the city. Attorney Wilson-Laegeler stressed that she has an issue with Schoonover getting bids because that is giving him the right to spend city funds and she is just not comfortable with that. Fishel stated if the bids come in at Eight Thousand Dollars (\$8,000), then the city would be on the hook for the remainder. Council Member, Richard Davis said with Schoonover seeking the bids, it would take the engineering cost out for the city.

Sidewalk & Lighting Committee Member, Mike Ryan stated Schoonover agreed that the ramp has to be up to the city’s standards. Dodds stressed that he wishes the city would have never agreed to the ramp in 2021. Attorney Wilson-Laegeler questioned if there was a RED Grant for Schoonover’s, and Economic Development Committee Chair, Acker said Schoonover’s had gotten a Five Thousand Dollar (\$5,000) RED Grant and the city also approved a Twenty-Five Thousand Dollar (\$25,000) TIF application.

Mayor Pro-Tem Acker suggested having Schoonover get an estimate and not a bid so the city knows at least what it is going to cost. Attorney Wilson-Laegeler agreed. Attorney Wilson-Laegeler said she also thinks if the city pays the remainder of the project, they would be opening the floodgates. A discussion followed.

**Dodds MOVED TO APPROVE MARK SCHOONOVER PAY TWO THOUSAND DOLLARS (\$2,000) TOWARDS A CONCRETE RAMP WITH BLACK RAILING, SEEK ESTIMATES, BE ADA COMPLIANT, AND HAVE THE RAMP APPROVED BY AN ENGINEER. Ryan SECONDED, AND THE MOTION FAILED WITH A ROLL CALL VOTE AS FOLLOWS: 2 YEAS – Dodds & Ryan; 5 NAYS – Farniok, Fishel, Matteson, Acker, & Davis; 1 ABSENT – Trimble.**

Attorney Wilson-Laegeler stressed that she still thinks the city needs to get a cost estimate on this issue.

**8. DISCUSS & CONSIDER APPROVING PROPOSAL FOR 2024 MFT PROJECT**

Jamie Headen of Benton & Associates presented documents for the 2024 MFT project. *Said documents are attached and a part of these minutes.* Headen reported the city received two (2) bids for the 2024 MFT work. Headen stated Hood Construction was the low bidder at Two Hundred Fifty-Two Thousand Eighty-Six Dollars and Ninety Cents (\$252,086.90), and Illinois Valley Paving came in at Two Hundred Fifty-Nine Thousand Dollars Nine Hundred Fifty-Six Dollars and Five Cents (\$259,956.05). Headen said the funds for the 2024 project will come from Motor Fuel Tax, Rebuild Illinois funds, which have to be spent by July 2025, and then there will be funds from the fairgrounds, cemetery, and park. Headen noted this year besides oil and chipping, the city will also be doing some milling and regarding work. Headen noted he does not have a schedule from Hood’s yet, but the work would probably start late August or September, but Hood’s will coordinate with the public works on this.

Council Member, Bryan Matteson stated Illinois Valley Paving has done all the work in the past and the city has always been happy with it. Matteson asked if anyone has seen Hood’s work, and Ryan said Hood’s have done some of the road work for us in the past. Ryan asked if someone would be checking on the work, and Headen said someone from Benton’s will be around while the milling work is done. Matteson reported Hood’s are local and they are about Seven Thousand Nine Hundred Dollars (\$7,900) cheaper. Mayor Pro-Tem Acker agreed but wonders if the work would be done right. Headen stated if the work is not done right, Benton’s will not recommend payment.

**Matteson MOVED TO APPROVE THE 2024 MFT PROJECT WITH HOOD CONSTRUCTION IN THE AMOUNT OF TWO HUNDRED FIFTY-TWO THOUSAND EIGHTY-SIX DOLLARS AND NINETY CENTS (\$252,086.90). Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Fishel, Matteson, Ryan, Acker, Davis, Dodds, & Farniok; 0 NAYS; 1 ABSENT – Trimble.**

**9. DISCUSS & CONSIDER PURCHASING A GENERATOR FOR CITY HALL**

City Clerk, Stacey Briney reported City Hall really needs a generator. Clerk Briney stated when the power was out after one of the storms last week, there was nothing that could be done in the office. Public Buildings Committee Chairman, Davis said he will call a meeting to discuss this. Clerk Briney said when he calls the meeting, they also need to discuss the roof because since the storms, they have discovered several leaks on the ceiling tiles.

**10. COUNCIL MEMBER & OFFICIALS’ REPORTS**

Industrial Park Committee Chair, Susan Acker reported she called the attorney that is handling the Zach Fletcher issue and when she talked to her first, she said she needed more information from Attorney Wilson-Laegeler. Acker stated it was originally said that the agreement with Fletcher had the 2001 covenants in it but the first set was in 2002, but not filed until 2004. Acker noted she called that attorney back again but has not heard anything back from her yet.

Water & Sewer Committee Chairman, Bryan Matteson reported Neumann is hoping to be done with the water tower and out by mid-August.

Council Member, Matteson also reported Police Officer, Ted Eifert submitted a letter of resignation for full-time and will be moved down to part-time. Matteson commended Eifert on a job well done and wished him the best in his nursing job.

Matteson stated there was a letter in the packets regarding some trees on West LaFayette Street. Matteson said the city is going to have to do something with them at some point.

Matteson noted there is another County progress meeting on Wednesday and urged those that have not been to one to attend.

Sidewalk & Lighting Committee Chairman, Terry Dodds reported Ryan Murray was at the last meeting to discuss water encroaching into his building off the sidewalk on West Washington Street. Dodds stated the committee has decided to have Benton’s send a surveyor to look at it to see if there is or isn’t a problem and then let the city know what the next course of action will be.

Council Member, Bob Fishel gave a shout out to how the city crew handled the storm damage. Fishel stated the crew did an awesome job.

City Attorney, Erin Wilson-Laegeler reported the owners of Dollar General have contracted with someone to build a bigger fence. Fishel said they have cleaned it up a little better.

**11. ADJOURN**

**Farniok MOVED TO ADJOURN. Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Matteson, Ryan, Acker, Davis, Dodds, Farniok, & Fishel; 0 NAYS; 1 ABSENT – Trimble. THE MEETING STOOD ADJOURNED ACCORDINGLY AT 7:50 P.M.**

Minutes submitted by,

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Stacey L. Briney, City Clerk/CMC

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Date Minutes Approved