

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

Others present included: City Clerk, Stacey Briney; City Attorney, Erin Wilson-Laegeler; Superintendent of Operations, Eric Thurman; Chief of Police, Rick Wright; Sarah Pearce of *The Rushville Times*; Mason Vincent & Vic Menely, representing the Smiles Day Committee; Ana Eveland, Career Connect Student; Schuyler Isley, Economic Development Director (*arrived at 7:01 p.m.*); Debbie Driscoll, Dale & Mary Beatty, Ronald Vaughn, and Larry & Debbie Bennett.

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. SMILES DAY UPDATE – MASON VINCENT & VIC MENELY

Mason Vincent, representing the Smiles Day Committee, reported everyone should have the requests for this year's Smiles Day and asked if anyone has any questions. Vic Menely, also representing the Smiles Day Committee stated they are asking to have some parking spaces closed earlier in the morning on Thursday. Menely said they will go around to the businesses on the square and handout fliers with that information so they all know. Vincent noted they will probably put up the smiley face flags on Monday before Smiles Day.

5. DISCUSS & CONSIDER CLOSING INSIDE DRIVING & INSIDE & MIDDLE PARKING ON THURSDAY, SEPTEMBER 26TH, STARTING AT 6:00 A.M.

Farniok MOVED TO APPROVE CLOSING THE INSIDE DRIVING AND INSIDE AND MIDDLE PARKING ON THURSDAY, SEPTEMBER 26TH, STARTING AT 6:00 A.M. Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Acker, Davis, Dodds, Farniok, Ryan, & Trimble; 0 NAYS; 2 ABSENT – Fishel & Matteson.

6. PUBLIC COMMENTS

Schuyler Isley spoke on behalf of the Schuyler County Architectural Foundation and Skylight. Iseley said they were going to have a beer festival on September 21st, but are going to postpone it. Iseley noted they will look into this for next year.

City Clerk, Stacey Briney introduced Ana Eveland. Clerk Briney stated Eveland is a Career Connect student from the high school. Clerk Briney stated Eveland is interested in getting into government after high school so she is in attendance to see how this side works and how everything carries over into the office.

7. 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 August 19, 2024
- b) Approve the Minutes of the Industrial Park Committee Meeting held August 22, 2024; Historic Preservation Committee Meeting held August 22, 2024; Public Buildings Committee Meeting held August 28, 2024: & Ordinance Review Committee Meeting held August 28, 2024
- c) Approve "Claims for Council Approval Dated 09/03/24" & Accept Monthly Reports
- d) Approve Reserving Central Park on Saturday, September 28th for Homecoming Walk-Through
- e) Approve Allowing The HUB to Hold Scarecrow Contest around Central Park during the Month of October
- f) Approve Closing the South Inside Parking on Friday, November 29th, for Trolley Rides
- g) Approve the Appointment of Andree Ambrosius to the Scripps Park Board

h) Approve Loan Reimbursement

Davis REQUESTED TO HAVE ITEM “7B” REMOVED FROM THE CONSENT AGENDA.

Dodds MOVED TO APPROVE THE CONSENT AGENDA, WITH THE EXCEPTION OF ITEM “7B”. Ryan SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Davis, Dodds, Farniok, Ryan, Trimble, & Acker; 0 NAYS; 2 ABSENT – Fishel & Matteson.

8. ITEMS TO BE REMOVED FROM CONSENT AGENDA – IF APPLICABLE

Item “7B”: Historic Preservation Committee Chairman, Richards Davis requested the following corrections to the committee minutes dated August 22, 2024: 1st bullet – “*Lot side would...*” should be “*Home size would...*”, and the 3rd bullet – “*Roof should not exceed...*” should be “*Roof should not be less than...*”. Clerk Briney made note of the corrections.

Davis MOVED TO APPROVE ITEM “7B”, APPROVE THE MINUTES OF THE INDUSTRIAL PARK COMMITTEE MEETING HELD AUGUST 22, 2024; HISTORIC PRESERVATION COMMITTEE MEETING HELD AUGUST 22, 2024; PUBLIC BUILDINGS COMMITTEE MEETING HELD AUGUST 28, 2024; & ORDINANCE REVIEW COMMITTEE MEETING HELD AUGUST 28, 2024. Ryan SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Dodds, Farniok, Ryan, Trimble, Acker, & Davis; 0 NAYS; 2 ABSENT – Fishel & Matteson.

9. DISCUSS & CONSIDER ADDITIONAL COST TO REMOVING TREES ON WEST LAFAYETTE STREET

Clerk Briney reported Todd Zeisler of Zeisler Tree Service went to look at the trees on West LaFayette Street again and realized the one is pretty big and would need a crane, which was an additional cost of Six Hundred Dollars (\$600).

Dodds MOVED TO APPROVE THE ADDITIONAL COST OF SIX HUNDRED DOLLARS (\$600) TO ZEISLER TREE SERVICE FOR REMOVAL OF THE TREES ON WEST LAFAYETTE STREET. Trimble SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Farniok, Ryan, Trimble, Acker, Davis, & Dodds; 0 NAYS; 2 ABSENT – Fishel & Matteson.

10. DISCUSS & CONSIDER RESCINDING PREVIOUS MOTION RE: NO PARKING ON DEWEY STREET

Street Committee Member, Terry Dodds reported the east side of Dewey Street does not have an alley or anywhere else for people to park.

Farniok MOVED TO RESCIND THE PREVIOUS MOTION RE: NO PARKING ON THE EAST SIDE OF DEWEY STREET. Davis SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Ryan, Trimble, Acker, Davis, Dodds, & Farniok; 0 NAYS; 2 ABSENT – Fishel & Matteson.

11. DISCUSS & CONSIDER NO PARKING ON THE WEST SIDE OF DEWEY STREET

Dodds MOVED TO APPROVE MAKING THE WEST SIDE OF DEWEY STREET NO PARKING. Ryan SECONDED.

Chief of Police, Rick Wright reported this issue came about over one (1) night when there was a birthday party and feels this all could have been alleviated if the officer would have asked people to move their cars. Chief Wright said he was not told anything about this issue. Chief Wright stated he does not feel, as a city, that we want to get into putting no parking on streets. Street Committee Member, Mike Farniok noted he drives by Dewey Steet a lot and there might be one hundred (100) hours in a year where there are cars parked on the both sides of the street. Debbie Driscoll reported that the lady that had the party had already parked five (5) vehicles in her yard and she feels if the officer would have knocked on her door, she would have moved them. Driscoll said she feels the city is opening up a can of worms if this is done. Davis stated he agreed with Chief Wright.

THE MOTION FAILED WITH AN ALL “NAY” ROLL CALL VOTE AS FOLLOWS: 0 YEAS; 6 NAYS – Trimble, Acker, Davis, Dodds, Farniok, & Ryan; 2 ABSENT – Fishel & Matteson.

12. DISCUSS & CONSIDER APPROVING LOCAL ASSURANCE FOR WEST LAFAYETTE STREET GRANT IN THE AMOUNT OF \$4,700

Historic Preservation Committee Chairman, Richard Davis reported in order for Hutchison Engineering to proceed with the grant application for the Brick Street Grant, the council has to approve the local assurance.

Davis MOVED TO APPROVE THE LOCAL ASSURANCE FOR WEST LAFAYETTE STREET GRANT IN THE AMOUNT OF FOUR THOUSAND SEVEN HUNDRED DOLLARS (\$4,700). Farniok SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Acker, Davis, Dodds, Farniok, Ryan, & Trimble; 0 NAYS; 2 ABSENT – Fishel & Matteson.

13. DISCUSS & CONSIDER PURCHASING NEW GENERATOR FOR CITY HALL

Public Buildings Committee Chairman, Davis reported he had a couple contractors look at City Hall to get an idea of what the cost of a new generator would be. Davis noted this still has to go out for bids. Davis stated Ryan Electric gave a cost of approximately Fourteen Thousand Dollars (\$14,000) for a natural gas generator that would be placed behind the building. Davis stated the bid did not include a thermostat battery warmer, oil warmer, or surge suppressor, which all three (3) would only cost about Three Hundred Fifty Dollars (\$350). Dodds asked if the bid included any subcontractors to trench in the line or electrical work. Davis stated they will do all that work, but Ameren might make us change the meter base which would cost about Two Hundred Dollars (\$200). Davis noted the total cost would be approximately Fifteen Thousand Dollars (\$15,000).

Davis MOVED TO APPROVE ADVERTISING FOR BIDS TO PURCHASE A NEW GENERATOR FOR CITY HALL TO INCLUDE THE THERMOSTAT BATTERY WARMER, OIL WARMER, AND SURGE SUPPRESSOR. Farniok SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Davis, Dodds, Farniok, Ryan, Trimble, & Acker; 0 NAYS; 2 ABSENT – Fishel & Matteson.

14. DISCUSS & CONSIDER APPROVING A VARIANCE FOR DALE & MARY BEATTY

Ordinance Review Committee Chairman, Davis reported Dale & Mary Beatty would like to place a mobile home on the lot at 628 N. Congress Street and they are requesting a variance on the age of the trailer. Davis stated the Beatty’s have done a good job cleaning the lot up. Davis said this would be beneficial to the city and to the Beatty’s and would be a nice addition to that area.

Larry Bennett reported the movers are about five (5) weeks out and they have everything and everyone ready to go. Bennett said things should be complete within sixty (60) days. Bennett stressed that the place will be very nice. Ronald Vaughn stated he was a previous home inspector and he did do the inspection on this mobile home. Vaughn noted this mobile home is very solid. Vaughn said Beatty helps him out with different things and he will be there to make sure things are done right.

Davis MOVED TO APPROVE A VARIANCE TO DALE & MARY BEATTY AT THE PROPERTY LOCATED AT 628 N. CONGRESS STREET. Trimble SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Dodds, Farniok, Ryan, Trimble, Acker, & Davis; 0 NAYS; 2 ABSENT – Fishel & Matteson.

Dale & Mary Beatty, Ronald Vaughn, & Larry & Debbie Bennett all left the meeting at 7:23 p.m.

15. DISCUSS & CONSIDER APPROVING A VARIANCE EXTENSION TO BRIAN TOMLINSON

Davis reported the committee met with Brian Tomlinson regarding moving a trailer from West Clinton Street to East Clinton Street. Davis stated Tomlinson said the sixty (60) days would be pushing it for him to get everything done. Davis said he talked to Tomlinson about one (1) week ago and he is having trouble getting contractors. Davis stated Tomlinson does have someone lined up to brick and mortar the foundation.

Davis MOVED TO APPROVE A VARIANCE EXTENSION UNTIL OCTOBER 31, 2024, TO BRIAN TOMLINSON. Ryan SECONDED.

Davis reported he feels this is fair especially since the two (2) other variances have come back to burn us. City Attorney, Erin Wilson-Laegeler stated she sent a letter out stating it would be the last letter and if the work is not complete, there will be a Fifty Dollar (\$50) per day fine imposed.

THE MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS: 5 YEAS – Ryan, Trimble, Acker, Davis, & Dodds; 1 NAY – Farniok; 2 ABSENT – Fishel & Matteson.

16. DISCUSS & CONSIDER REHIRING JOSH DERRY AS PART-TIME AT THE CEMETERY

Mayor Ervin reported all of the weed eaters are gone in the cemetery so things are starting to get out of hand. Mayor Ervin stated Josh Derry worked for the cemetery before and would like to come back. Mayor Ervin noted Derry said he could start tomorrow if needed. Driscoll asked if there was a reason why no more people were hired, and Mayor Ervin said once football and school starts, we lose the kids. Driscoll wondered why the city just hires kids, and Mayor Ervin noted no one else applies. Driscoll stated she has been weed eating her husband's grave all summer.

Farniok MOVED TO APPROVE REHIRING JOSH DERRY AS PART-TIME AT THE CEMETERY. Ryan SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Ryan, Trimble, Acker, Davis, Dodds, & Farniok; 0 NAYS; 2 ABSENT – Fishel & Matteson.

17. COUNCIL MEMBER & OFFICIALS' REPORTS

Industrial Park Committee Chair, Susan Acker asked Attorney Wilson-Laegeler if she had spoken to the attorney from Beardstown that is in charge of the Zach Fletcher issue, and Attorney Wilson-Laegeler said she has not but she will reach out to her.

Council Member, Acker reported the appraisal is complete for the Godley property and the hard copy will be delivered to City Hall. **Clerk Briney was directed to place *Discuss & Consider Sale of Surplus Property on the next council agenda.***

Historic Preservation Committee Chairman, Richard Davis reported there will be a public meeting from 5:30 p.m. to 6:30 p.m. before the next council meeting for anyone interested in the West LaFayette Street brick street grant. Davis noted Anthony Miller with Hutchison Engineering will be here as well to answer any questions.

City Clerk, Stacey Briney asked if it was okay to pay the Hood Construction bill for the Gordley property, and Mayor Ervin said it was okay to pay.

City Attorney, Erin Wilson-Laegeler reported she has been in contract with the property owner of the Dollar General and they have hired Bobby Beville to build a taller fence and they are just waiting on him. Dodds stated it appears that the fence is almost done and it looks a lot better.

Mayor Jeff Ervin reported G M Sipes said they floated the sidewalk in front of Ryan Murray's building and they are willing to do whatever the city wants to fix it, whether it be griding it down or tearing out the section and replacing it. Mayor Ervin stated G M Sipes had to grind down a section in front of the Princess Theater so he invited everyone to go check it out sometime. Sidewalk & Lighting Committee Member, Mike Ryan asked if grinding the spot would fix the water problem, and Mayor Ervin said it would. Mayor Ervin stated Murray finally put gutters on the building so that will help too. **Clerk Briney was directed to place *Discuss & Consider Repairing Issue on West Washington Street Sidewalk on the next council agenda.***

Mayor Ervin also reported he received a letter from Berkshire Hathaway stating their interest in buying or leasing the city's property on South Liberty Street for commercial solar installation. Attorney Wilson-Laegeler asked the council members to look into other municipalities solar ordinances before this is entertained because there might be some issues with maintenance, etc.

18. ADJOURN

Davis MOVED TO ADJOURN. Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Trimble, Acker, Davis, Dodds, Farniok, & Ryan; 0 NAYS; 2 ABSENT – Fishel & Matteson. THE MEETING STOOD ADJOURNED ACCORDINGLY AT 7:40 P.M.

Minutes submitted by,

Stacey L. Briney, City Clerk/CMC

Date Minutes Approved