

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, Bob Fishel, Bryan Matteson, & 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, Drew Ralston; Chief of Police, Rick Wright; Moe Billingsley of *The Rushville Times*; Scott Stoll, Dan & Gretchen Wise, Cathy Rebman, and Louis Maliongas.

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.

Council Member, Paul Trimble arrived at 7:01 p.m.

4. PUBLIC COMMENTS

Scott Stoll stated he had spoken to some of the council members today regarding the kids not being able to play golf for free anymore and they did not have much knowledge on the situation. Stoll noted he was in attendance on behalf of the RIHS Girls Golf Team. Stoll stressed that the Scripps Park Board is talking about free golf for our youth and he hopes the council will reconsider this if it has already been done. Stoll reported the community needs this to build the youth up in golfing because the youth playing for free is imperative to the growth of the golf course.

Stoll said he has been told that this has already been approved but he hopes the council will reconsider the decision. Stoll noted he understands that there have been damages done but that can come from twenty-one (21) year olds just like a thirteen (13) year old. Mayor Ervin stated that decision will not come to this table as the Scripps Park Board has always set their rates. Mayor Ervin said the board did set their rates and included charging kids but he is not sure if they have done anything to reverse it. Mayor Ervin stressed that he made his opinion known as he thought Rushville school kids always played for free but it never included all kids. Louis Maliongas reported that all started when some of the surrounding courses closed and their kids came to Rushville to play.

Mayor Ervin recommended that the group go to the Scripps Park Board meeting and let their feelings be known. Council Member, Susan Acker noted a petition might help too. Maliongas stated that the money that is raised from Adam Maliongas' memorial scramble funds clubs for the kids to use when they can go and play for free. Maliongas stressed that he felt the Scripps Park Board undercutted the youth in the community and his brother's memory. Maliongas said if revenue was an issue, the board should have been thinking about why they canceled the Superintendent's Revenge scramble that usually brings the park good money. Mayor Ervin told the group to go to the February 10th board meeting and then the council will go from there.

Scott Stoll, Dan & Gretchen Wise, Cathy Rebman, and Louis Maliongas left the meeting at 7:11 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 January 6, 2025
- b) Approve the Minutes of the Combined Economic Development Committee & Industrial Park Committee Meeting held January 6, 2025
- c) Approve "Claims for Council Approval Dated 01/21/25" & Accept Monthly Reports
- d) Consider 1st Reading of Ordinance No. 1386, Ordinance Relating to Animal Control
- e) Consider Suspending the Rules RE: Ordinance No. 1387, Sale of Surplus Property

- f) Pass & Adopt Ordinance No. 1387, Sale of Surplus Property

Acker REQUESTED TO HAVE ITEM “5B” REMOVED FROM THE CONSENT AGENDA.

Fishel MOVED TO APPROVE THE CONSENT AGENDA, WITH THE EXCEPTION OF ITEM “5B”. Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 8 YEAS – Acker, Davis, Dodds, Farniok, Fishel, Matteson, Ryan, & Trimble; 0 NAYS; 0 ABSENT.

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

Item “5B”: Acker requested the following corrections to the Combined Economic Development & Industrial Park Committee minutes: *2nd paragraph, line 3, from “.... interested in one-half (1/2) of Lot 10....” to “interested in one-third (1/3) of Lot 10”.... & 3rd paragraph, line 6 from “.... and he said that one-third (1/3) of Lot 10....” to “.... and he said that two-thirds (2/3) of Lot 10....”.*

Acker MOVED TO APPROVE ITEM “5B”, APPROVE THE MINUTES OF THE COMBINED ECONOMIC DEVELOPMENT & INDUSTRIAL PARK COMMITTEE MEETING HELD JANUARY 6, 2025, AS CORRECTED. Trimble SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 8 YEAS – Davis, Dodds, Farniok, Fishel, Matteson, Ryan, Trimble, & Acker; 0 NAYS; 0 ABSENT.

7. DISCUSS & CONSIDER SALE OF INDUSTRIAL PARK LOTS

Industrial Park Committee Chair, Susan Acker reported she had talked about someone being interested in buying either the north one-third (1/3) of Lot 10 or the one-half (1/2) lot between Charles Place entrance and the daycare. Acker noted the committee had recommended charging Four Thousand Five Hundred Dollars (\$4,500) for the one-third (1/3) of Lot 10 and Three Thousand Dollars (\$3,000) for the lot between Charles Place and the daycare. Acker read the letter that was submitted by Savannah Caputo who is interested in the north one-third (1/3) of Lot 10. *Said letter is attached and a part of these minutes.* A discussion followed.

Acker stated that she had talked with Mayor Ervin about putting a stipulation on the agreement that once the papers are signed, Caputo would have six (6) months to break ground.

Acker MOVED TO APPROVE THE SALE OF THE NORTH ONE-THIRD (1/3) OF LOT 10 IN THE INDUSTRIAL PARK IN THE AMOUNT OF FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500) TO SAVANNAH CAPUTO, WITH THE STIPULATION THAT GROUNDS MUST BE BROKE WITHIN SIX (6) MONTHS OF THE SIGNED PAPERS. Farniok SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 8 YEAS – Dodds, Farniok, Fishel, Matteson, Ryan, Trimble, Acker, & Davis; 0 NAYS; 0 ABSENT.

8. DISCUSS & CONSIDER ABANDONING WELL #8

Water Committee Chairman, Bryan Matteson reported well #8 is not performing like it should so the committee feels it should be retired after well #9 is acidized. Matteson stated it would cost Thirty-Eight Thousand Two Hundred Dollars (\$38,200) just to make well #8 survive.

Matteson MOVED TO APPROVE ABANDONING WELL #8 WHEN WELL #9 HAS BEEN ACIDIZED AND BROUGHT BACK. Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 8 YEAS – Farniok, Fishel, Matteson, Ryan, Trimble, Acker, Davis, & Dodds; 0 NAYS; 0 ABSENT.

9. DISCUSS & CONSIDER ACIDIZING WELL #9

Matteson also reported well #9 is only performing about fifty percent (50%) and once we acidize it, it should come back pretty good. Matteson noted the city needs well #9 when things switch from wells #10 and #11.

Matteson MOVED TO APPROVE ACIDIZING WELL #9 AT A COST OF FORTY-THREE THOUSAND NINETY-ONE DOLLARS (\$43,091). Fishel SECONDED.

Council Member, Terry Dodds asked when the last time well #9 was acidized and Mayor Ervin said he thinks it was about three to four (3-4) years ago. Water Committee Member, Richard Davis wondered if there were any parts from well #8 that could be salvaged to use somewhere else, and Dodds said no.

THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 8 YEAS – Fishel, Matteson, Ryan, Trimble, Acker, Davis, Dodds, & Farniok; 0 NAYS; 0 ABSENT.

Chief of Police, Rick Wright left the meeting at 7:24 p.m.

10. DISCUSS & CONSIDER REPAIRING/REPLACING PUMP AT CEMETERY LIFT STATION

Matteson stated the grinder motor is not turning and it is something that we really need. Matteson said the committee discussed rebuilding but they did not feel that was in the best interest.

Matteson MOVED TO APPROVE PURCHASING A NEW GRINDER MOTOR FOR THE CEMETERY LIFT STATION AT A COST OF FIFTY-FOUR THOUSAND NINE HUNDRED TWENTY-EIGHT DOLLARS (\$54,928). Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOS: 8 YEAS – Matteson, Ryan, Trimble, Acker, Davis, Dodds, Farniok, & Fishel; 0 NAYS; 0 ABSENT.

11. COUNCIL MEMBER & OFFICIALS’ REPORTS

Sewer Committee Chairman, Bryan Matteson reported the motor at the south master lift station needs repaired. Matteson stated Vandevanter will rebuild it and he does not think it will cost more than Twenty-Two Thousand Dollars (\$22,000). **Consensus of the council was to go ahead and have the motor rebuilt and this item will appear on the next council agenda.**

Matteson also reported that he had the city crew go down to Logan Street to shut off the tanks and the valve is broken so it can still be used. Matteson noted he will talk with Bryan Cannon of Benton & Associates at the next pay progress meeting about this.

Parks & Recreation Committee Chairman, Terry Dodds reported there is a water leak at the Virginia that has been leaking for quite some time but he thinks the city crew has finally found it.

Ordinance Review Committee Chairman, Mike Farniok reported the committee had met and discussed the storage and cargo containers and felt they were ready to present the ordinance to the council. City Attorney, Erin Wilson-Laegeler said the ordinance read that those who have containers will be grandfathered in as long as they own the property, but once the property is sold, the container has to go. Attorney Wilson-Laegeler noted a person will have a ninety (90) day grace period to apply for a permit. **City Clerk, Stacey Briney was directed to place *Discuss & Consider 1st Reading of Storage & Cargo Container Ordinance* on the next council agenda.**

Council Member, Bob Fishel reported he is going to meet with Ervin Cable, the company that is doing the Frontier project, on Friday at 10:00 a.m. Mayor Ervin stated the committee talked about wanting the fiber lines at least ten feet (10’) in the ground. Attorney Wilson-Laegeler noted the city will have to rely on JULIE as to where they can and cannot bore. Clerk, Stacey Briney asked if the city can tell them that they will have to pay for any damages they do, and Attorney Wilson-Laegeler said we can.

Fishel said he wanted to give the 7th & 8th grade basketball cheerleaders a shout out for singing the National Anthem at the ballgames. Fishel noted the sound system would not work so they took it upon themselves to sing it.

Economic Development Committee Chair, Susan Acker reported Schuyler County Economic Development Commission (SCEDC) is in the process of looking for someone to do minimal work.

City Attorney, Erin Wilson-Laegeler reported that Zach Fletcher had reached out to her because he wanted to have his double lot surveyed and sell off the portion that has the building on it and she wanted some guidance from the council. Davis asked if the city has any control on what goes in there or who he would sell it to. Mayor Ervin said he does not have a problem selling it but he would like the city to have some say. Attorney Wilson-Laegeler stated the only way the city would have a say is if that language is in the covenants. Attorney Wilson-Laegeler did say that a new owner would still have to abide by the covenants.

Attorney Wilson-Laegeler noted that she will have the boring ordinance for the next meeting.

Mayor Jeff Ervin reminded the council members about the meeting tomorrow at 2:00 p.m. at the Fitness Center with the county, hospital, and school. Mayor Ervin also reminded everyone of the meeting with SCEDC, Schuy-Life, Chamber of Commerce, and county on January 30th at 4:30 p.m. in the Rushville State Bank Annex.

12. ADJOURN

Acker MOVED TO ADJOURN. Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 8 YEAS – Ryan, Trimble, Acker, Davis, Dodds, Farniok, Fishel, & Matteson; 0 NAYS; 0 ABSENT. THE MEETING STOOD ADJOURNED ACCORDINGLY AT 7:38 P.M.

Minutes submitted by,

Stacey L. Briney, City Clerk/CMC

Date Minutes Approved