

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 Carson Klitz directed City Clerk, Stacey Briney to call the roll. Upon ROLL CALL, the following answered present: Council Members: Susan Acker, Terry Dodds, Jeff Ervin, Bob Lambert, Barry Rebman, Mike Ryan, and Paul Trimble. The meeting was called to order at 7:00 P.M. Council Member, Richard Davis was absent.

Others present included: Stacey Briney, City Clerk; Charlie Burton, City Attorney; Nathan Campbell, Superintendent of Operations; David Haney of *The Rushville Times*; Attorney, Chris Walters (via speaker phone at 7:20 p.m.); and Brooklyn Barrett.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Carson Klitz.

3. ADJOURN TO CLOSED SESSION TO DISCUSS PERSONNEL – 5 ILCS 120/2 (C)(1); DISCUSS LITIGATION – 5 ILCS 120/2 (C)(11); & APPROVE CLOSED SESSION MINUTES OF THE MEETING HELD AUGUST 1, 2022; & GRIEVANCE & PERSONNEL COMMITTEE MEETING HELD AUGUST 31, 2022 – 5 ILCS 120/2 (c)(21)

Ervin MOVED TO ADJOURN TO CLOSED SESSION TO DISCUSS PERSONNEL – 5 ILCS 120/2 (C)(1); DISCUSS LITIGATION – 5 ILCS 120/2 (C)(11); & APPROVE CLOSED SESSION MINUTES OF THE MEETING HELD AUGUST 1, 2022; & GRIEVANCE & PERSONNEL COMMITTEE MEETING HELD AUGUST 31, 2022 – 5 ILCS 120/2 (c)(21). Acker SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Acker, Dodds, Ervin, Lambert, Rebman, Ryan, & Trimble; 0 NAYS; 1 ABSENT – Davis. OPEN SESSION STOOD ADJOURNED TO CLOSED SESSION AT 7:01 P.M.

4. RETURN TO OPEN SESSION

Open Session reconvened at 7:06 p.m. with the following present: Mayor Klitz; Council Members – Acker, Dodds, Ervin, Lambert, Rebman, Ryan, & Trimble; City Clerk, Stacey Briney; Superintendent of Operations, Nathan Campbell; City Attorney, Charlie Burton; David Haney of *The Rushville Times*; and Brooklyn Barrett.

13. DISCUSS & CONSIDER ACCEPTING BIDS FOR SILVERLEAF WATER PROJECT & WILSON STREET SEWER PROJECT

Water & Sewer Committee Chairman, Jeff Ervin reported the committees met Friday with Jamie Headen of Benton & Associates to discuss these projects prior to the bid opening. Ervin stated Hood Construction was the lowest bid by Ninety-Seven Dollars and Forty-One Cents (\$97.41). Ervin noted Headen took all bids and checked everything over to make sure everyone listed every item and calculated correctly. Ervin said the committees recommend awarding Hood Construction the bid in the amount of Two Hundred Nineteen Thousand Five Hundred Eighty-One Dollars and Eighty Cents (\$291,581.80). Ervin stated these projects will be paid with ARPA funds.

Ervin MOVED TO APPROVE THE NOTICE OF AWARD TO HOOD CONSTRUCTION IN THE AMOUNT OF TWO HUNDRED NINETEEN THOUSAND FIVE HUNDRED EIGHTY-ONE DOLLARS AND EIGHT CENTS (\$291,581.80) FOR THE SILVERLEAF WATER PROJECT & WILSON STREET SEWER PROJECT WITH PAYMENT BEING MADE WITH ARPA FUNDS. Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Lambert, Rebman, Ryan, Trimble, Acker, Dodds, & Ervin; 0 NAYS; 1 ABSENT – Davis.

14. DISCUSS & CONSIDER STORM SEWER ON NORTH LIBERTY STREET AT ROGERS BAKERY

Ervin reported there is a manhole in front of Rogers Bakery that runs under the bakery and The Lipsticked Pig but no one is exactly sure what runs into it. Ervin said this storm sewer has had a camera down it but no one could see anything so we are not going to shut it off since no one is sure about it. Ervin stated Headen would like to do a drainage study to see how things look. Ervin noted the new storm sewer

would run down to McAllister Street south of The Lipsticked Pig, then there will be two (2) forty-five elbows put in and then join back up with where it is now.

Ervin stated Headen gave this project an estimated cost of One Hundred Twenty-Two Thousand Dollars (\$122,000). Ervin said the sewer committee recommended moving forward with the drainage study and then put the project out for bids.

Ervin MOVED TO APPROVE THE PROBABLE COST STUDY, MOVE FORWARD WITH THE DRAINAGE STUDY, AND MOVE ON WITH BIDDING OUT THE STORM SEWER PROJECT AT A COST OF ONE HUNDRED TWENTY-TWO THOUSAND DOLLARS (\$122,000) TO BE PAID WITH ARPA FUNDS. Lambert SECONDED.

Mayor Klitz stressed that the city does not want to solve this problem in front of the bakery and make problems in other areas.

THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Rebman, Ryan, Trimble, Acker, Dodds, Ervin, & Lambert; 0 NAYS; 1 ABSENT – Davis.

15. DISCUSS & CONSIDER FINALIZATION OF PHASE I WATER PROJECT

Ervin reported the committee discussed the Phase I water project and decided to add in a new tank at Hilltop, which is estimated to cost Nine Hundred Thousand Dollars (\$900,000) bringing the total estimated cost to Three Million Five Hundred Eighty Thousand Dollars (\$3,580,000). Ervin noted the council needs to finalize the plans tonight. Ervin said One Million Seven Hundred Thousand Dollars (\$1,700,000) will come from the Federal grant through Darrin LaHood’s office. Ervin stated the city has been approved for the EPA loan that has principal forgiveness in the amount of One Million Eight Hundred Eighty Dollars (\$1,880,000), which means the city will only have to pay back Nine Hundred Forty Thousand Dollars (\$940,000). Ervin noted he would like to just pay off the loan but he does not want to short any funds. Mayor Klitz said the city has sufficient funds in the general and water funds to pay all of it. Mayor Klitz stressed that this will be very nice for the city. Mayor Klitz stated the city will receive Two Million Six Hundred Forty-Three Dollars (\$2,643,000) of free money.

Ervin MOVED TO APPROVE THE PHASE I FINAL PROBABLE COST OF THREE MILLION FIVE HUNDRED EIGHTY THOUSAND DOLLARS (\$3,580,000). Trimble SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Ryan, Trimble, Acker, Dodds, Ervin, Lambert, & Rebman; 0 NAYS; 1 ABSENT – Davis.

3. RETURN TO CLOSED SESSION TO DISCUSS PERSONNEL – 5 ILCS 120/2 (C)(1) & DISCUSS LITIGATION – 5 ILCS 120/2 (C)(11)

Ervin MOVED TO RETURN TO CLOSED SESSION TO DISCUSS PERSONNEL – 5 ILCS 120/2 (C)(1) & DISCUSS LITIGATION – 5 ILCS 120/2 (C)(11). Rebman SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Acker, Dodds, Ervin, Lambert, Rebman, Ryan, & Trimble; 0 NAYS; 1 ABSENT – Davis. OPEN SESSION ADJOURNED TO CLOSED SESSION AT 7:20 P.M.

4. RETURN TO OPEN SESSION

Open Session reconvened at 7:26 p.m. with the following present: Mayor Klitz; Council Members – Acker, Dodds, Ervin, Lambert, Rebman, Ryan, & Trimble; City Clerk, Stacey Briney; Superintendent of Operations, Nathan Campbell; City Attorney, Charlie Burton; David Haney of *The Rushville Times*; and Brooklyn Barrett.

5. DISCUSS & CONSIDER PENDING GRIEVANCE #1

Ryan MOVED TO DENY THE PENDING GRIEVANCE #1. Ervin SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Acker, Ervin, Lambert, Rebman, Ryan, & Trimble; 0 NAYS; 1 ABSTAIN – Dodds; 1 ABSENT – Davis.

6. DISCUSS & CONSIDER PENDING GRIEVANCE #2

Rebman MOVED TO DENY THE PENDING GRIEVANCE #2. Ervin SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Ervin, Lambert, Rebman, Ryan, Trimble, & Acker; 0 NAYS; 1 ABSTAIN – Dodds; 1 ABSENT – Davis.

7. DISCUSS & CONSIDER PENDING GRIEVANCE #3

Acker MOVED TO DENY THE PENDING GRIEVANCE #3. Rebman SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Ervin, Lambert, Rebman, Ryan, Trimble, & Acker; 0 NAYS; 1 ABSTAIN – Dodds; 1 ABSENT – Davis.

8. DISCUSS & CONSIDER PENDING GRIEVANCE #4

Lambert MOVED TO DENY THE PENDING GRIEVANCE #4. Rebman SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Lambert, Rebman, Ryan, Trimble, Acker, & Ervin; 0 NAYS; 1 ABSTAIN – Dodds; 1 ABSENT – Davis.

9. DISCUSS & CONSIDER PENDING GRIEVANCE #5

Ryan MOVED TO DENY THE PENDING GRIEVANCE #5. Lambert SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 6 YEAS – Rebman, Ryan, Trimble, Acker, Ervin, & Lambert; 0 NAYS; 1 ABSTAIN – Dodds; 1 ABSENT – Davis.

10. PUBLIC COMMENTS

There were no public comments at this time.

11. 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 December 5, 2022
- b. Approve the Minutes of the Public Buildings Committee Meeting held December 8, 2022
- c. Approve “Claims for Council Approval Dated 12/19/22” & Accept Monthly Reports
- d. Approve “Claims for Scripps Park Approval Dated 12/12/22” (*due to no quorum*)
- e. Consider Reserving Central Park on Saturday, January 7th, from 12:00 p.m. – 3:00 p.m. for the TDF Employee Candy Cane Giveaway
- f. Approve 2023 MFT Local Public Agency General Maintenance Estimate of Maintenance Cost
- g. Approve 2023 MFT Equipment Rental Schedule
- h. Approve 2023 MFT Maintenance Engineering
- i. Approve 2023 MFT Resolution for Maintenance

Ervin MOVED TO APPROVE THE CONSENT AGENDA. Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Ervin, Lambert, Rebman, Ryan, Trimble, Acker, & Dodds; 0 NAYS; 1 ABSENT – Davis.

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

All items were approved on the Consent Agenda.

16. DISCUSS & CONSIDER PAYOFF OF CITY BONDS

Mayor Klitz reported he wants to payoff the bonds for the downtown square renovation, which totals about One Hundred Sixty-Eight Thousand Dollars (\$168,000), with interest. Mayor Klitz noted these funds would come out of the TIF Fund and the money in the Downtown Bond Fund would be transferred back into the TIF Fund.

Ervin MOVED TO APPROVE PAYING OFF THE CITY BONDS FOR THE DOWNTOWN PROJECT. Ryan SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Ryan, Trimble, Acker, Dodds, Ervin, Lambert, & Rebman; 0 NAYS; 1 ABSENT – Davis.

17. DISCUSS & CONSIDER SUSPENDING THE RULES RE: ORDINANCE NO. 1354, SUPPLEMENTAL APPROPRIATION ORDINANCE TO ALLOW FOR DEBT RETIREMENT

Ervin MOVED TO APPROVE SUSPENDING THE RULES RE: ORDINANCE NO. 1354, SUPPLEMENTAL APPROPRIATION ORDINANCE TO ALLOW FOR DEBT RETIREMENT. Dodds SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Trimble, Acker, Dodds, Ervin, Lambert, Rebman, & Ryan; 0 NAYS; 1 ABSENT – Davis.

18. PASS & ADOPT ORDINANCE NO. 1354, SUPPLEMENTAL APPROPRIATION ORDINANCE TO ALLOW FOR DEBT RETIREMENT

Ryan MOVED TO PASS & ADOPT ORDINANCE NO. 1354, SUPPLEMENTAL APPROPRIATION TO ALLOW FOR DEBT RETIREMENT. Ervin SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Acker, Dodds, Ervin, Lambert, Rebman, Ryan, & Trimble; 0 NAYS; 1 ABSENT.

19. COUNCIL MEMBER & OFFICIALS’ REPORTS

Council Member, Paul Trimble reported the price for a permit for the city dump is Two Hundred Dollars (\$200) and there has been some discussion that fee might need to be raised. Trimble said there is a lot of wear and tear on the city’s equipment when they have to go out there and push all that stuff around. **City Clerk, Stacey Briney was directed to place *Discuss & Consider Amending Dump Fee on the next council agenda.***

Council Member, Terry Dodds reported there has been a lot of things stolen lately. Dodds noted someone stole the LP tanks off the Boy Scout trailer but Amerigas was nice enough to donate two (2) full tanks. Dodds said he has a log chain around them now.

Council Member, Mike Ryan reported he has received some complaints about the variance that the council approved last meeting. Ryan stated the complaints have been about the messiness that is around the owner’s house now. Ryan said the trailer behind the Beatty lot on South Congress needs to be taken care of as well. Ryan noted he told the complainants that he would take care of both things.

20. ADJOURN

Dodds MOVED TO ADJOURN. Ryan SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 7 YEAS – Dodds, Ervin, Lambert, Rebman, Ryan, Trimble, & Acker; 0 NAYS; 1 ABSENT – Davis. THE MEETING STOOD ADJOURNED ACCORDINGLY AT 7:36 P.M.

Minutes submitted by,

Stacey L. Briney, City Clerk

Date Minutes Approved