

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

Others present included: Mike Grate, City Clerks Office; City Attorney, Erin Wilson-Laegeler; Superintendent of Operations, Drew Ralston; Chief of Police, Rick Wright; Moe Billingsley of *The Rushville Times*, and Richard Davis of Halcomb Oil Company.

### **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 15, 2025
- b) Approve the Minutes of the Police Committee Meeting held September 17, 2025; Ordinance Review Committee Meeting held September 24, 2025; & Industrial Park Committee Meeting held September 25, 2025
- c) Approve "Claims for Council Approval Dated 10/06/25" & Accept Monthly Reports
- d) Approve Setting Trick-or-Treat Hours from 6:00 P.M. – 8:00 P.M. on Friday, October 31, 2025
- e) Approve Outside Employment for Bill Thompson
- f) Approve Purchasing Tiller for City Maintenance
- g) Approve Loan Reimbursements
- h) Pass & Adopt Resolution No. 1168, Resolution Pledging Financial Support for a Safe Routes to School Non-Infrastructure Grant Application

**Farniok MOVED TO APPROVE THE CONSENT AGENDA. Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 5 YEAS – Acker, Farniok, Fishel, Matteson, & Trimble; 0 NAYS; 3 ABSENT – Carey, Dodds, & Ryan.**

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

All items were approved on the Consent Agenda.

### **7. DISCUSS & CONSIDER PUTTING GAS TANKS AT CITY SHED**

Richard Davis of Halcomb Oil Company presented the advantages of having two (2), five hundred (500) gallon fuel tanks at the city maintenance shed. Davis explained one (1) tank would be for diesel and the other for regular fuel, both equipped with meters that show gallons pumped and electric pumps that could be ran by a generator in case of a power outage. Davis said he has an app on his phone that shows the percentage of fuel in the tanks that he checks daily, so he would know when to fill the tanks without having us contact him. Davis noted that municipalities are exempt from federal motor fuel tax and sales tax by filing a RMFT 11 form and Halcomb Oil would file the form for us and those exemptions would be reflected on our monthly statement.

Davis stated since he is filling the generators now and if he were to get these tanks approved, if he could get the opportunity to service Scripps Park and Schuy-Rush Park as well. Mayor Ervin said he would need to go through those boards for approval.

**Fishel MOVED TO APPROVE HALCOMB OIL COMPANY TO FILL THE CITY'S GENERATORS AND PUT TWO (2) FIVE HUNDRED (500) GALLON FUEL TANKS AT CITY SHED, ONE (1) REGULAR FUEL AND ONE (1) DIESEL. Farniok SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 5 – YEAS – Fishel, Matteson, Trimble, Acker, and Farniok; 0 NAYS; 3 ABSENT – Carey, Dodds, & Ryan.**

**8. DISCUSS & CONSIDER 1<sup>st</sup> READING OF ORDINANCE NO. 1398, AN ORDINANCE REGULATING MOBILE HOMES WITHIN THE CITY LIMITS**

City Attorney, Erin Wilson-Laegeler handed out a copy of this ordinance. Mayor Ervin stated that the agenda title should read recreational vehicles, not mobile homes, but the copy of the ordinance Attorney Wilson- Laegeler handed out reflects recreational vehicles, so it will be corrected on the next agenda.

Ordinance Review Committee Chairman, Mike Farniok reported that the committee met and came to the consensus to prohibit the use of recreational vehicles within the city limits and not to allow them to be used as a residence, hooked to city sewer or power. Farniok stated they put a fourteen (14) day limit per year on the ability to stay in a recreational vehicle without it being a violation. Attorney Wilson-Laegeler stressed that actual campgrounds are exempt from this ordinance.

**Farniok MOVED TO PASS ORDINANCE NO. 1398, AN ORDINANCE REGULATING RECREATIONAL VEHICLES WITHIN THE CITY LIMITS, TO THE SECOND (2<sup>ND</sup>) READING. Fishel SECONDED, AND THE MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS: 4 YEAS – Matteson, Trimble, Farniok, & Fishel; 1 NAYS – Acker; 3 ABSENT – Carey, Dodds, & Ryan.**

**9. DISCUSS & CONSIDER SUSPENDING THE RULES RE: ORDINANCE NO. 1402, AN ORDINANCE AMENDING THE REGULATIONS REGARDING SOLICITATION WITHIN THE CITY LIMITS**

Attorney, Wilson-Laegeler stated that at the committee meeting and discussed banning peddlers and solicitors within the city limits, but upon further review this violates first amendment rights. Attorney Wilson-Laegeler said we need to figure out if we want to amend our current regulations or just leave them as is. Mayor Ervin said this will go back to the committee for further review. **No action was taken at this time.**

**10. PASS & ADOPT ORDINANCE NO. 1402, AN ORDINANCE AMENDING THE REGULATIONS REGARDING SOLICITATION WITHIN THE CITY LIMITS**

**No action was taken at this time.**

**11. DISCUSS & CONSIDER ADVERTISING FOR BIDS FOR CITY-WIDE GARBAGE SERVICE**

Mayor Ervin reported the current garbage contract expires May 31, 2026. Mayor Ervin said he would like to advertise for bids because if we go with a new company, they need to have time to acquire enough trash totes to supply all the residents of the city. Mayor Ervin noted he would like to advertise in the month of October and close out the bids around November 12, 2025, so we can open bids before the council meeting on November 17<sup>th</sup>. Mayor Ervin stressed that he did not want to give up anything we already have in the current contract, like Spring and Fall clean-ups and recycling.

**Trimble MOVED TO ADVERTISE FOR BIDS FOR CITY-WIDE GARBAGE SERVICE. Fishel SECONDED, AND THE MOTION CARRIED WITH AN ALL "YEA" ROLL CALL VOTE AS FOLLOWS: 5 YEAS – Trimble, Acker, Farniok, Fishel, & Matteson; 0 NAYS; 3 ABSENT – Carey, Dodds, & Ryan.**

**12. DISCUSS AND CONSIDER REPLACING VALVE ON LOGAN STREET**

Water Committee Chairman, Bryan Matteson, reported there are two (2) six-inch (6") valves, two (2) line stops, and a fifty-foot (50') section of pipe needing replaced on Logan Street. Matteson stated they had a meeting earlier today to review the bids they received from Laverdiere Construction and Hood Construction. Matteson said the committee went with the less intrusive of the projects, limiting the amount of time water being shut off for the residents, especially Country Gardens. Matteson noted this project should not take more than two (2) days, with the water not being shut off for more than six (6) hours on the

second day. Matteson stated the committee recommends the council accept the bid from Hood Construction in the amount Forty-Nine Thousand Nine Hundred Thirty-Five Dollars and Seventy-Seven Cents (49,935.77).

**Matteson MOVED TO APPROVE REPLACING VALVES ON LOGAN STREET AT A COST NOT TO EXCEED FORTY-NINE THOUSAND NINE HUNDRED THIRTY-FIVE DOLLARS AND SEVENTY-SEVEN CENTS (\$49,935.77). Farniok SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 5 YEAS – Acker, Farniok, Fishel, Matteson, & Trimble; 0 NAYS; 3 ABSENT – Carey, Dodds, & Ryan.**

### **13. COUNCIL MEMBER & OFFICIALS REPORTS**

Parks & Recreation Co-Chair, Paul Trimble reported that Schuy-Rush Park Board President, Brad Thurman requested assistance in finding grants to remodel the bath house at Schuy- Rush Park. Mayor Ervin stated he would contact Thurman.

Industrial Park Development Chairman, Susan Acker reported the party is very interested in buying one-third (1/3) of the lot next to Dollar General and is currently waiting on a survey.

Water & Sewer Committee Chairman, Bryan Matteson reported that since the council voted to take well #8 offline, well #10 has had issues passing water quality tests, so we have kept well #8 on-line to help keep up with demand. Matteson stated Brotcke Well & Pump will run a test on well #8 at a cost of Three Thousand Two Hundred Eighty-Eight Dollars (\$3,288) to check to see if it's feasible to acidize well #8 and continue to use it moving forward. **Consensus was to have Brotcke Well & Pump run tests on well #8 at a cost of Three Thousand Two Hundred Eighty-Eight Dollars (3,288) and to have this item placed on the next Consent Agenda.**

Matteson also reported that Culbertson Hospital is putting in a concrete parking lot at the old Peterman's Appliance building and there is a storm sewer drain that runs across there that needs replaced. Matteson stated that if we do not replace that storm sewer drain before Culbertson puts it in concrete, we are going to run into issues soon. Matteson asked for a consensus to have Superintendent of Operations, Drew Ralston and the city crew replace the two hundred forty-foot (240') section of pipe with new twenty-four inch (24") diameter water main quality pipe. **Consensus was to have the city crew replace the storm sewer pipe.**

Matteson told the Council that he is getting the old water salesman mounted on a board to present to the Schuyler County Jail Museum, on behalf of the Mayor and the City Council.

City Attorney, Erin Wilson-Laegeler passed out a proposed ordinance relating to building codes for the alderman to review prior to the next council meeting. Attorney Wilson- Laegeler explained that the General Assembly has changed the building code requirements for municipalities, and we currently have 2009 version of International Property Codes. Attorney Wilson-Laegeler said this proposed ordinance complies with the new requirements set forth by the General Assembly.

Mayor, Jeff Ervin reported he was contacted by Hutchison Engineering regarding the grant for the brick street on West Lafayette Street between Monroe and Jackson Streets. Mayor Ervin said the current grant is an eighty/twenty (80/20) grant, with the city's part being approximately Three Hundred Seventy Thousand (\$370,000) Dollars. Mayor Ervin stated that after we received the grant, Hutchinson Engineering applied for an additional grant to help cover our part and he is happy to report that we were awarded that grant. Mayor Ervin said depending on the bids for the street, our part now will be minimal.

### **14. ADJOURN**

**Acker MOVED TO ADJOURN. Matteson SECONDED, AND THE MOTION CARRIED WITH AN ALL “YEA” ROLL CALL VOTE AS FOLLOWS: 5 YEAS – Acker, Farniok, Fishel, Matteson, & Trimble; 0 NAYS; 3 ABSENT – Carey, Dodds, & Ryan. THE MEETING STOOD ADJOURNED ACCORDINGLY AT 7:39 P.M.**

Minutes submitted by,

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Mike Grate

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Date Minutes Approved