

# Regular Meeting Minutes: July 18, 2022

A REGULAR MEETING OF THE OGLESBY CITY COUNCIL WAS HELD ON MONDAY, JULY 18, 2022 AT CITY HALL. THE MEETING WAS CALLED TO ORDER AT 7:00 P.M.

PRESENT: COMMISSIONERS ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, MAYOR RIVARA, ATTORNEY BARRY AND CITY CLERK AMY EITUTIS.

A MOTION WAS MADE BY CURRAN, SECONDED BY EUTIS to approve the regular meeting minutes from July 5, 2022. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

Public comments on agenda items only: Alan Thompson addresses the council and states that he has no interest in giving up any property located on the East side of his residence. Mr. Thompson states if he has to move the pool he will. Art Pavinato addresses the council and states he has issues in that when the contractor demolished the building part of it fell onto his property and believes the property lines became obscured. Mr. Pavinato states Chamlin & Associates marked with paint the proposed parking lot and believes a portion of it is on his property. Mr. Pavinato's other issue is that excess rain is now coming onto his property from the East side (he has had standing water on the West side of his property). Mr. Pavinato states he has pictures and video of "how close the water came to flooding his basement." Mr. Pavinato states that this has never happened and asks if Chamlin's has a rain water retention plan for the parking lot. He states rain used to come off the building and run to the storm sewer in the alley. Mr. Pavinato asks that the property be re-staked and the issue of rain water retention be discussed.

A MOTION WAS MADE BY ARGUBRIGHT, SECONDED BY CURRAN to approve bills as presented for payment. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

A&B GARAGE \$425.52, AQUA SMART INC \$ 8,502.40, BHMGE ENGINEERS \$ 1,297.31, BOUND TREE MEDICAL \$81.16, CARD SERVICE CENTER \$ 9,585.23, CARD SERVICE CENTER – POLICE \$ 615.06, CHAMLIN & ASSOCIATES INC \$ 1,491.00, CIVIC SYSTEMS LLC \$ 3,049.00, CLEGG-PERKINS ELECTRIC \$ 707.98, CONNECTING POINT \$ 2,304.25, CORE & MAIN \$ 833.12, COSGROVE DISTRIBUTORS \$ 716.13, DALEY'S SUPER SERVICE \$ 3,533.78, DAVIS ERIC \$ 120.05, DE LAGE LANDEN FINANCIAL SERVICES \$ 196.84, DEBO ACE HARDWARE \$ 240.28, EMERGENCY MEDICAL PRODUCTS \$ 376.46, ESSL TERRI \$ 406.56, FASTENAL COMPANY \$ 198.36, FENDER MENDERS \$ 876.00, FOSTER COACH SALES INC \$ 134.29, GROSENBACHS AUTO REPAIR \$ 51.00, HARRIS, KOBIN \$ 167.75, HAWKINS INC \$ 2,518.13, HOLLOWAYS PORTABLE RESTROOMS \$ 710.00, HOPKINS & ASSOCIATES \$ 1,000.00, IL FIBER RESOURCES GROUP NFP \$ 3,300.00, IL VALLEY AREA CHAMBER OF COMMERCE \$15.00, IL VALLEY EXCAVATINGS INC \$ 2,694.00, JOHN SENICA JR \$ 180.89, JOHNS SERVICE & SALES \$ 179.50, KORTE & TURPEN TREE SERVICE \$ 10,500.00, LOCK, NICK \$ 118.52, MAUTINO DISTRIBUTING INC \$ 7.95, MAZE LUMBER \$ 371.80, MCLAUGHLIN BARBARA \$ 156.42, MENARDS \$ 190.24, MERTEL GRAVEL CO \$ 1,012.25, MIDWEST MAILING & SHIPPING \$ 287.77, MISSISSIPPI VALLEY PUMP INC \$ 1,145.00, MOTOROLA \$ 324.00, MTCO \$ 158.87, NEWS TRIB \$ 114.86, NICKS EMERGENCY LIGHTING & MORE \$ 1,060.59, NORTHERN ILLINOIS AMBULANCE BILLING INC \$ 1,967.07, PARKER KRISTI \$ 136.00, RHINE JODIE \$ 111.58, RK GRAPHICS \$ 2,579.00, RO PROS \$ 16.50, SKOFF, KENNETH \$ 202.22, SMART SOURCE LLC \$ 3,474.80, SMITHS SALES & SERVICE \$ 110.00, ST. MARGARETS HEALTH-PERU \$ 355.55, STRYKER SALES CORPORATION \$ 128.22, T.E.S.T. INC \$ 38,908.32, TALLMAN EQUIPMENT CO INC \$ 3,251.90, TECHNOLOGY MANAGEMENT REVOLVING FUND \$ 672.11, TROTSKY INVESTIGATIVE POLYGRAPH, INC \$ 165.0, UNIVERSAL UTILITY SUPPLY \$ 487.64, VERIZON \$ 108.03, WEIDE, KENNETH \$ 161.14 TOTALS: \$114,790.40

A MOTION WAS MADE BY EUTIS, SECONDED BY ARGUBRIGHT to approve 2<sup>nd</sup> quarter building permits in the amount of \$624,869.00 AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

A MOTION WAS MADE BY CURRAN, SECONDED BY NONE to approve 1189-071822 an Ordinance Amending Section 5.102.010 of the Municipal Code of the City of Oglesby Relating to Video Gaming Terminal Fees. AYES: none MOTION DIES. Mayor Rivara states that over the next three years the fees will raise \$100.00 to \$125.00, \$75.00 to \$200.00 and \$50.00 to \$250.00. Mayor Rivara states he will take a look at the ordinance and see what is wrong.

A MOTION IS MADE BY CURRAN, SECONDED BY ARGUBRIGHT to approve 1190-071822 an Ordinance Amending Section 5.92.030 and Section 9.16.010 of the Municipal Code of the City of Oglesby Relating to Adult Uses AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Mayor Rivara states the ordinance cancels outdated/illegal language that was previously in the municipal code. Attorney Barry explains that the proposed ordinance eliminates the definition in the current ordinance regarding cross-dressing. Attorney Barry states there are two proposed ordinances. Commissioner Eutis asks if there is a city that has a comparable ordinance? Attorney Barry states he found the city of Bellville has one. Commissioner Eutis feels the existing ordinance is very dated. Attorney Barry agrees. Attorney Barry asks the council if they would like a whole new ordinance? Commissioner Eutis does not want to put a band aid on the ordinance. Commissioner Curran does not like how the current ordinance is worded. Commissioner Curran feels a re-vamp of the ordinance is a good ordinance. Commissioner Argubright addresses the matter of 5,000 feet. Mayor Rivara feels the proposed ordinance is common sense. Commissioner Curran agrees it solves the issue of cross-dressing it still leaves a lot of issues open for interpretation to which he gives examples of. Attorney Barry recommends adopting the ordinance with the two references in it to correct the unconstitutional issue for right now and states he will e-mail the council an ordinance to review. Commissioner Argubright feels they should approve the ordinance and Commissioner Curran agrees but wants to move forward with other issues.

A MOTION IS MADE BY ARGUBRIGHT, SECONDED BY CURRAN to approve 1201-071822 an Appropriation Ordinance for the City of Oglesby for the Fiscal Year Beginning May 1, 2022 and Ending April 30, 2023. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Attorney Barry states this ordinance has to be adopted the first fiscal quarter of the year. Attorney Barry states the numbers are put together by Auditor Joel Hopkins.

A MOTION IS MADE BY ARGUBRIGHT, SECONDED BY EUTIS to approve 071822R A Resolution Authorizing the Permanent Transfer Among City Funds AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Attorney Barry states the numbers are recommended the Auditor

A MOTION IS MADE BY CURRAN, SECONDED BY ARGUBRIGHT to approve quotes for upgrades for parts and resin materials at the iron plant, quotes for recoating the tanks at the iron plants, quotes for EZ valves from Core and Main and EZ valves from UECO. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Commissioner Curran explains that the City of Oglesby is allowed to use ARP funds to pay for the infrastructure upgrades and suggests using the funds for such matters.

A MOTION IS MADE BY EITUS, SECONDED BY CURRAN to table taking action on the property located at 663 N. Columbia Avenue Oglesby, Illinois. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

The council holds a discussion on property located at 663 N. Columbia Avenue, Oglesby Illinois. Mayor Rivara states the homeowner has passed away and the City can purchase the property for \$818.00. Attorney Barry states there are two different ways to sell the property. Commissioner Curran states taxes have not been collected since 2017. Attorney Barry states the property has been sold by a tax buyer and gives further information on the matter. Mayor Rivara feels the cost of \$818.00 it may be worth it to acquire the blighted property. Attorney Barry states there are two ways to sell the property 1) get an appraisal and then sell it for appx. 80% of the appraised value the second way is to advertise the property for bids, 3x and 30 days before the meeting date where bids will be opened and the council can sell to whoever they want with a 2/3 agreement. Advertising or appraisal costs would be involved depending on which way the city went with the property. Commissioner Curran has concerns with taking the property of the tax roll. Commissioner Eutis has concerns with demolishing the building and the property's worth.

Mayor Rivara is not looking to pay to demolish the property. Commissioner Curran questions if no one were to purchase the property, Commissioner Eutis agrees that the city would also “look like the bad guy because they’re not doing anything with the property.” Commissioner Curran has concerns with taking the property off the tax roll. The City Clerk gives the City Attorney the name of the law firm, Joseph Meyers who is handling the matter. Attorney Barry states he will reach out to the law firm. Commissioner Eutis would like to table the issue and the council can get more information on the matter.

A MOTION WAS MADE BY , SECONDED BY to table taking action on the proposed parking located at 246 East Walnut Street, Oglesby Illinois. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Mayor Rivara makes a recommendation to have fewer spaces for the proposed parking lot at 246 East Walnut Street and no exit to the North. Art Pavinato speaks up from the audience and suggests that cars park facing East so lights do not shine on his house. Mayor Rivara said the city will look at ways to reduce that from happening. Commissioner Curran states he would like to see schematics of the proposed lot that does not allow for exiting to the North. Commissioner Eutis thought there was one shown to the council. Commissioner Curran states that he has not had much contact about the parking lot. Commissioner Curran states the engineer did a traffic study and didn’t see a problem with allowing to exit to the North. Attorney Barry shows Commissioner Curran a schematic that shows 12 spaces, with no exits to the North. The City Clerk suggests asking the City Engineer to take a look at the drawing. Attorney Barry and Commissioner Curran question Jim Clinard about specifics of the parking lot. City Engineer Jim Clinard answers their questions. Commissioner Curran wants to see the schematic and Commissioner Eutis questions the water drainage issue. Art Pavinatio speaks up from the audience about the demolition of the building. Commissioner Curran discusses the “diverted water.” Art Pavinato speaks up from the audience and says the grade of the gravel is diverting the water to the west, his property. Mr. Pavinato states the only place water can go is to the NW corner, which is on his property. Commissioner Curran asks the City Engineer about this issue. Mayor Rivara states that before any action is taken the council will make sure water is not being diverted to Mr. Pavinato’s property. Attorney Barry states he is certain the City Engineer will address the issue. Attorney Barry reiterates the parking lot issues. Commissioner Curran states that he has not had communication from a single resident about concerns with the proposed parking lot. Commissioner Argubright feels that for what the city is going to spend he is in favor of four additional spots. Alan Thompson and the Lopatics spoke up and said they did speak up and voice their concerns. Mrs. Lopatic discussed a parking lot that is located at Memorial Park and asked if the proposed lot can be done the same way. Commissioner Eutis speaks up and feels that Commissioners Argubright and Curran may not be on the same page. Commissioner Curran feels they should be looking to get the most spaces possible and acknowledges the residents concerns and states the engineer did evaluate it and did not see a concern and feels the council should try and get as many parking spaces as possible. Mayor Rivara feels the resident’s opinions should be taken into consideration and states he, personally, would not want an exit from a parking lot eight feet from his house. Commissioner Argubright states he lives on an alley and loves it. Mr. Pavinatio speaks up from the audience and states that there are two businesses that have their own property they can develop into a parking lot and asks why the city is taking on the expense? Commissioner Curran acknowledges that they cannot make everyone happy.

Old Business: Mayor Rivara states he has a meeting scheduled with the President of the Townhouse Association and hopes they can come up with a solution. Commissioner Curran states a meeting was held with himself, the Mayor, City Engineer and some of the residents. Curran states two plans were developed as a result of that meeting. Curran states he will bring that information to the council once he receives it.

Public Comments Kathy Fredricks addresses the council in regards to the comment that was made to the audience (by Mr. Pavinato) in regards to business owners being responsible for putting in their own parking lot. She doesn’t feel he should have made that particular comment. Mrs. Fredricks wants to make sure the council addresses the “adult uses” ordinance. She states she was at the event in question and there was no nudity involved. Mrs. Fredricks gives her opinion on other matters. Commissioner Curran does not like the idea of the city being involved in matters of policing how people dress. Mayor Rivara feels strongly that the ordinance is outdated and disagrees with Mrs. Fredricks.

**Commissioner Reports:**

Argubright: none

Eutis: none

Cullinan: will be hosting Sub State this weekend at the Rudy Gandolphi ball diamond.

Curran: a storm on Friday came through and took down three trees that landed on wires and one was so large it cut through the tree wire insulation. Commissioner Curran gives information on the event and that it resulted in a power outage that lasted appx. one hour.

Discusses the city's well depth and pumps and states that there are going to be major repairs needed. There is the possibility of a hole in one of the pipes in well #3. Commissioner Curran will be getting quotes and passing the information along to the council.

Commissioner Curran states that there are issues with culverts within the city and hopes to have a plan to fix them soon.

Commissioner Curran discusses the matter of sewer back ups that happened on July 5, 2022. Commissioner Curran states that both pump and the Walnut Street lift station were ceased up and reminds residents to not throw items in the sewer. Commissioner Curran states the pumps have been fixed and the city will be adding more censoring.

Mayor's report: solar site construction will begin in March of 2023 and should be completed by September 2023 and will need to speak with the city attorney on net metering and interconnect agreement.

The city has sent a letter to the US Dept of Congress in support of IVCC annexing into to the city which will include obtaining sewer, water and electric services.

A car show/food truck festival will be held on August 13, 2022. There will be music in Senica Square. There will be no beer garden provided but the city will allow for open alcohol as long as there is no glass. Walnut Street will be closed from 4:00-8:00 p.m. and music will be from 7:00-10:00. A \$100.00 trophy sponsorship is available for businesses.

The IVAC will host an After Hours on August 23, 2022 from 4:30-6:30 p.m. in Senica Square. Approximately 20 vendors will be there.

An ice cream social will be held at the Dickinson House on August 2<sup>nd</sup> and 9<sup>th</sup> at 6:00 p.m. with the band starting at 7:00 p.m.

Mayor Rivara asks Commissioners Cullinan and Eutis to meet with him.

A MOTION TO ADJOURN WAS MADE BY ARGUBRIGHT SECONDED BY CURRAN. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

Amy Eitutis, City Clerk

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