

# Regular Meeting Minutes: September 6, 2022

A REGULAR MEETING OF THE OGLESBY CITY COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 6, 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 CULLINAN to approve the regular meeting minutes from August 15<sup>th</sup>, 2022. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

Public comments on agenda items only: Rich Baldrige addresses the council and gives his opinion as to why he opposes the proposed ordinance that will increase video gaming terminal fees. Mr. Baldrige states he had more agreement with the ordinance when it indicated a certain percentage be allotted for the businesses in the downtown area. Mr. Baldrige gives examples of surrounding towns and figures in regards to video gaming. Mr. Baldrige gives statements about his opinions regarding city matters, businesses, infrastructure, building conditions, etc....

Lisa Carrico addresses the council and the proposed ordinance that will increase video gaming terminal fees. Ms. Carrico questions why the fees cannot be earmarked for the business district for beautification? Ms. Carrico states there is no mention of a percentage being earmarked in the proposed ordinance. Ms. Carrico states that Mayor Rivara did state he would support 50% of the gaming fees being used for downtown projects. Ms. Carrico also questions having different fees for different businesses and states Oglesby in a home-ruled town, to which the Council and City attorney respond that Oglesby is not home-ruled and Attorney Barry explains that the fees for gaming terminals must be the same. Ms. Carrico asks the Council to take into consideration the fact that not all businesses are making the same amount of money the truck stops are. Ms. Carrico gives her opinion about the fees the businesses are required to pay also.

Mayor Rivara states the proposed ordinance is spread out over three years. Mayor Rivara states he has done research in regards to how much profit establishments made in 2021. Mayor Rivara gives figures in regards to income generated along Walnut Street. Mayor Rivara states that in over the last three years the City has reimbursed \$ 102,823.07 in façade improvement program and has also spent \$108,673.02 in improvements to Senica Square and that the city continues to look at ways to bring people to Oglesby.

Mr. Baldrige addresses the council and asks about constituents that have attended the council meetings. Mr. Baldrige makes mention of the improvements to Senica Square to which Mayor Rivara responds that monies were used from TIF and pillow tax money. Mr. Baldrige discusses taxes being paid by other businesses. Mr. Baldrige and Mayor Rivara continue to discuss monies being made by businesses, his in particular.

A MOTION WAS MADE BY CURRAN, SECONDED BY EUTIS to approve bills as presented for payment. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Curran notes that bills that should be corrected are as follows: 3 in regards to concrete reimbursement until receipts are received and Red Flint that was discussed to be paid using ARPA funds.

AA AMERICAN LOCKSMITH INC \$ 4,429.00, AIR ONE EQUIPMENTS INC \$ 180.00, AIRGAS LLC \$ 243.46, ALTORFER INDUSTRIES INC \$ 188.42, AMEREN ILLINOIS \$ 25.85, AMEREN ILLINOIS \$ 182.07, AMEREN IP \$ 767.34, AMERICAN EXPRESS \$ 455.25, APLINGTON KAUFMAN MCCLINTOCK STEELE & BARRY \$ 15,551.05, APPLE PRESS \$ 233.60, BENEFIT PLANNING CONSULTANTS INC \$ 300.25, BORIO LYNN \$ 50.00, COUND TREE MEDICAL LLC \$ 338.93, CHAMLIN & ASSOCIATES INC \$ 29,879.00, COLUMBIA PIPE & SUPPLY CO \$ 3,569.33, COMPLETE INTEGRATION & SERVICE \$ 467.07, CONNECTING POINT \$ 661.25, CONRAD EDWARD \$ 240.00, CORE & MAIN \$ 1,138.11, DE LAGE LANDEN FINANCIAL SERVICES \$ 192.83, M DRESBACH DISTRIBUTING \$ 67.90, EMERGENCY MEDICAL PRODUCTS \$ 1,565.19, FASTENAL COMPANY \$ 1,027.01, FEECE OIL CO \$ 3,488.91, FLEET SAFETY SUPPLY \$ 91.37, GARZANELIS SUPPER CLUB \$ 1060.00, GLOBE LIFE LIBERTY NATIONAL DIVISION \$398.11, GRINCO FS INC \$ 378.80, GROSENBACHS AUTO REPAIR \$ 525.04, HALMS AUTO PARTS \$ 83.96, HASKINS INC \$ 2798.14, HOLCIM-MAMR INC \$ 343.81, HOLLOWAYS PORTABLE RESTROOMS \$ 710.00, HOLY FAMILY CATHOLIC SCHOOL \$ 200.00, HY-VEE INC \$ 211.52, IL LABOR LAW \$ 99.50, IL PUBLIC RISK FUND \$5511.00, IL VALLEY CELLULAR \$ 1259.49, IL VALLEY REGIONAL DISPATCH \$ 6963.09, IVACED \$ 15.00, JF ELECTRIC \$ 3012.00, JDS LOCK & KEY \$ 15.00, JOHNS SERVICE & SALES \$ 185.00, KARPINSKI AUTUMN \$ 35.09, KENDRICK PEST CONTROL \$ 180.00, KING TIRE \$ 125.00, KOHR JESS \$32.01, KOLEY LORILEE \$ 50.00, LANDCOMP LANDFILL \$ 1396.59, MACQUEEN EMERGENCY \$ 1883.96, MARGIS MICHAEL \$ 10.00, MENARDS \$ 763.83, MERTEL GRAVEL CO \$ 945.50, METERS 7 CONTROLS INC \$ 856.75, MONTES RIVERSIDE INN \$ 240.00, MTCO \$ 10.00, NICKS EMERGENCY LIGHTING & MORE \$ 225.00, NORTHERN IL AMBULANCE BILLING \$ 1936.88, OSF SAINT FRANCIS MEDICAL CENTER \$ 5.00, PEERLESS NETWORK INC \$ 6039.13, PELNARSH JEANIE \$ 150.00, PTM DOCUMENT SYSTEMS \$ 172.07, QUADIENT INC \$ 167.97, RAY O-HERRON CO INC \$ 1462.69, RED FLINT SAND & GRAVEL LLC \$ 55032.00, RENTAL PROS \$ 7004.00, REPUBLIC SERVICES \$ 30691.97, RIVARA DOMINIC \$ 154.00, RK GRAPHICS \$ 4500.00, RO PROS \$ 16.50, ROYAL PUBLISHING \$ 95.00, RUSH POWER SYSTEMS \$ 735.00, SALTER CHALEY \$ 122.43, SCHLESINGER TAMARA \$ 1280.00, SECRETARY OF STATE \$ 151.00, SPRINGFIELD ELECTRIC SUPPLY \$ 710.75, ST. MARGARETS HEALTH-PERU 231.71, STANDARD INSURANCE LIFE \$ 888.81, STAPLES CREDIT PLAN \$ 244.72, STRYKER SALES CORPORATION \$20663.70, T.E.S.T. INC \$ 20874.96, USPS \$837.6, US TREASURY \$ 2134.13, USA BLUEBOOK \$ 205.05, VALLE BRETT \$10.00, VERIZON \$ 188.82, WATER PRODUCTS COMPANY \$ 12140.00 TOTALS; \$ 264,882.28

A MOTION IS MADE BY CURRAN, SECONDED BY ARGUBRIGHT to Approve the consideration of the recommendation of the Planning Commission on a text amendment to the Oglesby Land Development Code to allow "Freestanding signs" as a permitted use by Special Use Permit in a B-1 Downtown Commercial District and possible approval of that Text Amendment. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Attorney Barry gives explanation as to how the proposed text amendment would change things and states that the Plan Commission did make the recommendation to allow for the change. Commissioner Curran states he was going to vote against this matter due to the fact that on April 18, 2022 other items were sent to the Plan Commission and they have not been addressed yet.

A MOTION IS MADE BY EUTIS, SECONDED BY ARGUBRIGHT to approve the consideration of the recommendation of the Planning Commission on a request for Special Use Permit by Rita Arteaga for a freestanding sign located at 309 East Walnut Street. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Commissioner Eutis questions that it would be contingent upon necessary inspections, to which he is told by Attorney Barry it would be.

A MOTION IS MADE BY CURRAN, NO SECOND, MOTION DIES. Commissioner Curran states that the way the ordinance is written he has no issue with, Curran also agrees with setting aside funds for beautification and states that ideas that were presented to the council from business owners were fantastic, but feels most of the recommendations cost money and feels if he were to support the proposed ordinance, he feels the fees should go to the maximum amount at once. Mayor Rivara states that the city needs to make sure people are coming to Oglesby. Mayor Rivara gives examples of things the city is looking to improve upon (signs, playgrounds, stage, volleyball courts, frisbee golf, murals, etc.) Commissioner Curran asks what happens next? Mayor Rivara felt he had enough committed to the ordinance and reminds that the gaming fee must be deposited into the general fund. \$1675.00 is collected annually and 50% of the fees and in cases 100% are covered by the terminal owner to which Mayor Rivara is corrected in that only 50% can be paid for by the gaming terminal owners. Commissioner Eutis reminds that he could support the ordinance with a percentage being earmarked for downtown. Mayor Rivara questions Commissioner Eutis' comment about downtown revitalization. Mayor Rivara and Commissioner Eutis discuss various towns and their downtown areas. Mayor Rivara believes money is being spent and Commissioner Eutis comments that even more could be spent. Mayor Rivara states he doesn't have a problem spending money has concerns about being mandated to spend a certain amount of dollars. Commissioner Curran doesn't have a problem raising the fee to the maximum amount, Commissioner Eutis states he is not in favor of doing so. Commissioner Curran asks Commissioners Cullinan and Argubright their opinions. Commissioner Argubright states feels projects will be brought before the Council so they will have control over where it is spent. Commissioner Argubright states Oglesby has spent no where near what other cities have spent. Commissioner Argubright feels there is more potential. Mayor Rivara states no one has a problem with investing/spending money in the downtown area and would like to take things project by project. Mayor Rivara talks about the different areas of Oglesby that will/may need improvements. Examples of improvements being considered are given by Mayor Rivara and he states it takes time and money. Commissioner Cullinan states there is not a lot to offer in Oglesby currently and feels that we need to get businesses to come to Oglesby to rely on their tax money and not gaming money. Commissioner Curran questions Commissioner Cullinan on how he would like to see gaming monies be spent? Commissioner Cullinan states it is a rough area and is not aware what businesses are making and does not want to rely on gaming revenue. Commissioner Curran again asks about how Commissioner Cullinan wants to see monies be spent. Commissioner Argubright discusses advertising and questions why the city is not doing more advertising? Commissioner Curran asks for Commissioner Argubright's opinion and he states "he does not have a say either way" to which Commissioner Curran states he does have an opinion that matters. Mayor Rivara states monies have been spent from the hotel/motel funds. Commissioner Argubright feels goals and timelines should be established, otherwise things will not get done (and gives an example of Senica Square taking three years to

get done). Mayor Rivara states that Senica Square was done by city employees and has taken some time. Mayor Rivara states it is time to move on.

Commissioner Eutis swears in Oglesby's newest Patrolman, Wesley Budach and gives him the Oath of Office. Mrs. Megan Budach pins on Patrolman Budach's badge.

A MOTION IS MADE BY EUTIS, SECONDED BY ARGUBRIGHT to approve a raffle license for the Oglesby Firefighter's Association. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

A MOTION IS MADE BY CURRAN, SECONDED BY ARGUBRIGHT to approve the request from the Knights of Columbus for a Tootsie Roll drive to be held on September 17, 2022 at the corners of Columbia and Walnut Streets. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Commissioner Curran states that the current ordinance in place states that requests must be submitted by March 15<sup>th</sup> of each year. Commissioner Curran states he doesn't have an issue with approving the request but is questioning the following of the ordinance and possibly changing it. Commissioner Eutis states if it is not being followed it should be changed. Attorney Barry states he has not read said ordinance but states it indicates the limiting the number of Tag Days allowed and does indicate a "must submit by" date. Mayor Rivara suggests taking a look at revising the ordinance and suggest the council approve the requests submitted to the Council.

A MOTION IS MADE BY CURRAN, SECONDED BY ARGUBRIGHT to approve the request from the Illinois Valley Dolphin's Swim Team for a Tag Day to be held on October 1, 2022 at the corners of Columbia and Walnut Streets. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

A MOTION IS MADE BY ARGUBRIGHT, SECONDED BY EUTIS to declare the week of September 5<sup>th</sup>, 2022 as National Payroll Week.

A MOTION IS MADE BY EUTIS, SECONDED BY ARGUBRIGHT to declare the week of September 17, 2022 as Constitution Week. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Mayor Rivara states the request was submitted by the Daughters of the American Revolution.

A MOTION IS MADE BY CURRAN, SECONDED BY EUTIS to authorize Chamlin & Associates to seek bids for clearing trees in order to complete surveying for engineering designs of future Waste Water Treatment Plant. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Commissioner Curran gives explanation in regards to the WWTP project and work that needs to be done to the future site. Commissioner Argubright questions the area that is to be cleared out to prepare for the WWTP and what the estimate is to do so? Commissioner Curran states it is estimated to cost \$108,000.00. Commissioner Argubright states he is surprised by that figure. Commissioner Curran asks the Council if they want to include the building also or keep the items separate. Commissioner Curran has concerns about the timeline and states his goal is to keep the project moving along and allow for the most amount of time. Commissioner Curran believes the City is waiting for Junk B Gone to finish removing the debris from the property. Commissioner Eutis asks if it will save any money if both issues were handled at the same time? Commissioner Curran said he cannot answer that. City Engineer Jim Clinard said the people who clear the trees would not be the same people who would tear down the

building. Commissioner Argubright states an EPA grant may cover some of the costs. Mayor Rivara suggests moving forward with the tree removal.

A MOTION IS MADE BY CURRAN, SECONDED BY ARGUBRIGHT to approve a policy regarding sewer credit policy procedures. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA. Commission Curran discusses the policy and procedure he came up with and discusses the four areas of the policy. Commissioner Curran gives examples of the new policy that now includes seeding and sod installation. Commissioner Curran states the policy does not include watering gardens, washing cars, etc. Attorney Barry points out a change to the policy that should state a resident “seeding” a lawn and feels a motion is in order as well. Commissioner Curran points out the authority levels of the policy and procedures. Attorney Barry suggests not adopting a policy that allows someone else to change it. Attorney Barry suggests it be a council decision. Mayor Rivara asks if Commissioner Curran wants to wait until the next council meeting? Commissioner Curran asks Commissioner Argubright his thoughts and Commissioner Argubright is ok with striking the two items in the policy.

Mayor Rivara addresses the council in regards to the number of liquor licenses the city has available and states there are none available. Attorney Barry explains the manner in which the final two applications came in and that two applicants applied for a packaged liquor store. The council discusses past discussions on the issue. Commissioner Curran states he has no problem with a new business that is coming into the city that offers something different. Commissioner Curran suggests changing the number of licenses to zero so when a new business comes in the city has control over it. Commissioner Curran questions having more than one liquor store in town. Commissioner Argubright believes the opening of the store is sue to gaming. Commissioner Eutis questions if a license can be issued but not a gaming license to which Attorney Barry states you cannot. Commissioner Curran asks if you can open a license for a specific business to which Attorney Barry states you can and that is where the council is tonight. Commissioner Curran is surprised that two applicants have applied in one month.

Rick Rigazio addresses the council in regards to the option of a liquor being carried out? Rigazio asks if any of the existing bars can offer a “carry out” option for liquor. Lisa Carrico states it depends on the type of license. Commissioner Curran questions if there is a certain amount of time the liquor license can be held? Mayor Rivara states there are licenses that have been issued that are not being used because the business has not been opened yet. Commissioner Curran states he likes the idea of having control over the issue. Commissioner Eutis does not like the idea that someone can sit on their license for a period of time (3 years as an example). Attorney Barry states that can’t happen because every year the license has to be renewed. Commissioner Curran does not like the idea of holding up a potential business. Attorney Barry states the council would have to meet in order to avoid that.

Old Business: none

Public Comments: Lisa Carrico thanks the city for putting on the car show but asks that the city look into making changes in the future. Examples she cites are ways to utilize the whole business district, setting out the cars differently, placing food trucks on one side and opening

the parking lot for public parking. Ms. Carrico states there was one block at the end of Walnut Street that was not utilized. Mayor Rivara responds that next year things will be looked at to include everyone. Mayor Rivara states that food trucks were able to use the electricity in the public parking lot and that it may not be an option in other places. Mayor Rivara states the date may also be changed as well so the city is not competing with the Morris Car Show or Mendota Sweet Corn Festival and that the cars will be spread out next year and that there are factors involved with getting the cars to attend.

### **Commissioner Reports:**

Argubright: none

Eutis: none

Cullinan: none

Curran: branch chipping will begin the week of October 17, 2022 and leaf vacuuming will be the week of October 24, 2022. Commissioner Curran states that well 3 was inspected and there was not a hole in the pipe or basin and found water penetration in one of the electric line approximately 540 feet down. The pump is to be replaced. The pump is in stock and ordered. The stoplight at the intersection of the college was likely hit by lightning and will be flashing for awhile while repairs are done. Commissioner Argubright suggests removing the light and creating a 4-way stop.

Mayor's: apologizes for not including Claudette's when thanking the businesses who supported the City's Food Truck event. Mayor Rivara thanks the City Clerk, staff, events committee, city workers and all volunteers who help make the city's events a success. Mayor Rivara notes the food pantry will now be locked due to vandalism but notes it will be available upon request. Food was dumped inside, on the ground and at Senica Square. On September 11, 2022 at 2:00 p.m. a patriotic municipal band concert will be held. Mayor Rivara recognizes that September 11<sup>th</sup> is the birthdate of Oglesby's Sam Leone of Sam's Pizza. Mayor Rivara recognizes Glen Gerard for his pictures and stories about Oglesby. Mayor Rivara states project and ideas are being looked at on how to bring people to Oglesby; one example is pickleball.

Mayor Rivara states that Tropical Sno has requested to bring their truck to Oglesby in 2023 and asks the Commissioners for their thoughts on the matter.

A MOTION IS MADE BY CUURAN, SECONDED BY EUTIS TO ENTER INTO CLOSED SESSION regarding **5ILCS 120/2(c)(1)** *"The appointment, employment, compensation, discipline. Performance or dismissal of a specific employees of the public body or legal counsel of the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with the Act.* AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

A MOTION IS MADE BY CURRAN, SECONDED ARGUBRIGHT BY TO RETURN TO REGULAR SESSION. AYES: ARGUBRIGHT, CULLINAN, CURRAN, EUTIS, RIVARA.

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

Amy Eitutis, City Clerk