

# Minutes: February 19, 2019

A REGULAR MEETING OF THE OGLESBY CITY COUNCIL WAS HELD ON TUESDAY, FEBRUARY 19, 2019, AT CITY HALL. THE MEETING WAS CALLED TO ORDER AT 7:00 P.M.

PRESENT: COMMISSIONERS RIVARA, PORTER, ZBOROWSKI, ARGUBRIGHT, MAYOR FINLEY, ATTORNEY ANDREONI AND CITY CLERK MERTES.

Mayor Finley requested a moment of silence for past committee member Bob Ebener whom passed away this past week.

A MOTION WAS MADE BY PORTER, SECONDED BY ARGUBRIGHT to approve the regular meeting minutes from February 4, 2019. AYES: PORTER, RIVARA, ZBOROWSKI, ARGUBRIGHT, FINLEY.

A MOTION WAS MADE BY RIVARA, SECONDED BY ZBOROWSKI A&B Garage, \$103.42; Airgas USA, \$5.58; ANIXTER, \$1,178.85; Apple Press, \$398.00; Arjes, Kendra, \$62.50; Barbeck Communications, \$1,039.68; Britton, Shakillyia, \$134.54; Catalanello, Katie, \$42.47; Central Region Senior Baseball, \$2,500.00; City of Peru, \$1,858.00; Comcast Internet, \$218.70; Core&Main, \$2,440.00; Dollar General, \$31.00; Edens, Cathie, \$3.76; Emergency Medical Products, \$415.25; Fastenal Company, \$426.14; Feece Oil, \$1,614.41; Ferguson Enterprises, \$131.58; Flink Snow Plows&Spreaders, \$4,860.00; Grasser's, \$1,355.72; Halm's Auto Parts, \$872.73; Hygienic Institute, \$355.55; IL MUN ELEC AGENCY REVENUE FUND, \$232,715.33; Il Valley Cellular, \$1,003.20; Illini State Bank-MasterCard, \$818.01; ILMO Products, \$99.00; IVCH, \$32.00; Jack's Gas&Service, \$60.00; John's Service and Sales, \$53.88; Lafarge North America, \$286.06; LaSalle Office Supply, \$241.59; Marco, \$212.38; Mautino Distributing, \$12.50; McDermott, James, \$ 62.50; MCS Advertising, \$150.00; Menards, \$108.92; Mentgen, Matthew, \$24.91; Midwest Mailing&Shipping, \$1,408.00; Midwest Meter, \$5,500.00; Mississippi Valley Pump, \$2,816.00; MTCO, \$143.87; Newstribune, \$838.00; Nick's Emergency Lighting, \$1,892.49; Nighthawk, \$3,060.38; Oscar's Automotive, \$509.02; Panicucci, Kristen, \$195.67; Patient Point Hospital Solution, \$1,164.00; Perona, Peterlin, Andreoni, \$6,563.28; Peterson, Samantha, \$204.93; RK Graphics, \$300.00; Rush Power Systems, \$4,233.75; Schimmer, \$2.51; SD Meyers, \$5,190.00; Sigmund, Rachel, \$ 147.71; Smart Source, \$1,093.20; Smith's Sales and Service, \$16.00; St. Margaret's, \$68.00; Staples, \$164.42; Star Ford, \$80.00; Steven's Service Center, \$55.00; Sunrise Supply, \$73.33; Swisher, Sarah, \$131.96; T&T Hydraulics, \$345.48; T.E.S.T., \$164.00; Witmer Public Safety Group, \$1,149.02. TOTAL \$294,849.52 AYES: PORTER, RIVARA, ZBOROWSKI, ARGUBRIGHT, FINLEY.

The Mayor opened the floor to comments from the public on agenda items only. There were none.

Commissioner Porter addressed the council and the public in relation to the next two agenda items. Porter said that Chief Knoblauch has dedicated 29 ½ years of service to the City of Oglesby and has requested FMLA leave to care for his family members that are battling illnesses. He went on to say that Chief will continue to work as much as possible; working nights and weekends when able. He said that Chief made a temporary schedule change at the police department to allow command officers to be available for the citizens during his absence. Porter said that he felt it was an excellent arrangement that further demonstrates his commitment to Oglesby. He went on to said that what he believes to be a politically motivated grievance has been filed against Chief Knoblauch. He asked for the members of the council to support both motion on the agenda granting the family medical leave and to support a

defense of the grievance. Commissioner Rivara then asked if the city has an FMLA policy and how is it going to work. Porter responded that they are going to follow the FMLA law. Chief said that he has used the 9 sick/comp days that are required in order to use FMLA and that he is going to continue to use vacation, sick and comp time. Attorney Andreoni said that we do have an FMLA policy but per the handbook it needs to be approved by the City; hence placing it on the agenda. Rivara asked if other City employees could gift time to Chief. Chief responded that he didn't want anyone else's time he just wanted what was allowable through FMLA. Rivara said that he wanted Chief to get what he deserved but if he needed anything more to come see us.

A MOTION WAS MADE BY PORTER, SECONDED BY ZBOROWSKI to approve a Family Medical Leave Act request for Chief Knoblauch to allow him the time he needs to attend to his family's medical issues  
AYES: PORTER, RIVARA, ZBOROWSKI, ARGUBRIGHT, FINLEY.

A MOTION WAS MADE BY PORTER, SECONDED BY ZBOROWSKI to approve retaining the law firm of Klein, Thorpe, and Jenkins as labor counsel to defend the city regarding the Fraternal Order of Police grievance challenging the schedule adjustments to accommodate FMLA for Chief Knoblauch  
AYES: PORTER, ZBOROWSKI, FINLEY; NAYS: RIVARA, ARGUBRIGHT  
MOTION CARRIED.

Prior to a second, but after the initial motion, a discussion occurred. Rivara asked if the city gets to sit down to figure out the grievance. Chief said no that since they did a grievance it goes to level 3; it's been turned into Melody and goes to arbitration. Rivara asked why wouldn't we just want to meet to settle it. Chief responded that they tried to sit down by was unsuccessful. It's up to the attorney's to argue it not eh council. Rivara said that in his experience with grievances it was found to beneficial to resolve at the lowest level. Chief said that once they file the grievance it goes to level 3; they city can't sit down now. At that point commissioner Zborowski made a second to the original motion and roll call was taken.

The Mayor asked for comments from the public.

Resident Drew Merriman addressed the council, singling out Commissioner Porter; he made comments of past instances of when he felt Porter wasn't "by the book."

Resident Sarah Cudlip asked if there were ordinances about signs on the berms. Andreoni said that the land development code addresses signs on right of way and berms and they are not allowed on city property. Kathy Knoblauch said that she has seen numerous signs that are in violation of state law; including more than 1 in a yard or size. Andreoni said that it could seen as a violation of free speech if the city tries to put restrictions on private property. The city could get caught up in court if we fought it.

Resident Carrie Lijewski said that she felt that arbitration with legal law firm seems over the top and was disappointed by this expense. Chief responded that once the grievance was filed it has to go to arbitration; they can't sit down at the table.

Doug Crawford from the FOP said that the contract is clear that he communicated with the Chief with regard to the schedule change. He said that the Chief should have communicated changes first. They offered to meet to talk about the changes. That didn't take place so they filed a grievance.

Ed Sadnick asked the council what the City did to resolve the electric not being at full strength. He said that it is bad and low power. Mayors said that things were done to correct the problem and these repairs don't happen overnight. He went on to say that this is the first time he has heard anything since the capacitor bank repair. Mayor said that it was up to the electric department commissioner to

address the issues. Commissioner Argubright said that they are working on putting Wire Mesh on their own transformer/circuit and it should solve the whole thing but they are still working on it.

Resident Jason Curran said that it sounds like there are efforts on both sides. He asked if there was a way to pause the grievance and have a committee meet to reach a good decision. FOP rep could still meet if they want. Chief said that he would have Tom Melody call the FOP rep.

Commissioners and Mayor's Report:

Rivara- Rivara has received a complaint about a dog at 745 Swift. He says that there is a pit bull there and when the dog is out the chain is stretched. He asked if we needed to have an incident to have something done. Porter said that the police has been working on it for months. The police have to stay within the boundaries of the law. He asked Rivara what they can do. Rivara asked if we could make him put a fence around the dog. Porter asked Andreoni if we can. Andreoni said that you can't put an ordinance against on person; you would have to do a blanket ordinance for all residents with dogs. He also said that it's hard to define a vicious dog when trying to develop a breed ordinance. He went on to say that it could be something the City could have a committee meeting to talk about it. He said there might be unintended consequences to forcing people to put up a fence. Porter said that they have done everything the police can so far.

Argubright- Argubright said that they are working on specifications for a transformer upgrade to the system to help development west of town.

Zborowski- None

Porter- None

Mayor Finley- Mayor said that every 3 to 4 months he would reach out to the contacts that own the land were Neiman's was going to put the grocery store. He received a response back from them that says that overtime the grocery industries have changed and they have explored all their options but they regret to inform us that it's not financially possible to have a grocery store there. They cited that the community isn't big enough to support it. They said they would be actively marketing it in the future. Mayor then said that he was contacted by Ken Ficek, the plan commissioner chair, he would like to look into updated the plan that was done 10 to 15 years ago. He will present what he is looking to do at the next council meeting. Mayor said that Greyhound Bus Company was looking at having a bus stop here in Oglesby that would stop here daily. Originally Beck's was going to be the stop but they have backed out. Greyhound would like permission to have a curbside drop and pick up on Lewis St and Roebuck. Mayor was looking for a consensus from the council. All members of the council voiced that they were ok with it.

A MOTION TO ADJOURN WAS MADE AT 7:36 pm by ARGUBRIGHT, SECONDED BY ZBOROWSKI. AYES: PORTER, RIVARA, ZBOROWSKI, ARGUBRIGHT, FINLEY.

Stacie Mertes, City Clerk