

CITY OF OLNEY
CITY COUNCIL MEETING
AUGUST 26, 2019

AGENDA #1 “CALL TO ORDER” The August 26, 2019, meeting of the Olney City Council was called to order at 7:00 p.m. in the Council Chambers of the Olney City Hall located at 300 S. Whittle Avenue, Olney, Illinois, with Mayor Mark Lambird presiding.

AGENDA #2 “PLEDGE OF ALLEGIANCE TO THE FLAG-PRAYER” Council members and visitors joined in the pledge of allegiance to the flag. Steve Wingert led the group in prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: Greg Eyer, Morgan Fehrenbacher, Belinda Henton, John McLaughlin and Mark Lambird. Also present were City Manager Allen Barker, City Clerk Kelsie Sterchi, City Treasurer Jane Guinn, City Engineer Mike Bridges, and City Attorney Bart Zuber.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on August 12, 2019”

4-B “Approve and Authorize Payment of Accounts Payable August 27, 2019” Pooled Cash \$85,194.03, Manual Pooled Cash \$4,939.67, Utility Refunds \$1,022.85, Adjustments \$129.64, Housing Rehab Grant \$85.68, Police Pension \$2,606.33,

4-C “Raffle License: St. Joseph Church”

AGENDA #5 “REMOVAL OF ITEMS FROM CONSENT AGENDA” No items were requested for removal from the consent agenda.

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilman McLaughlin moved to approve the items on the consent agenda, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

AGENDA #7 “CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA” No consideration was necessary since no items were removed from the consent agenda.

AGENDA #8 “PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC.”

8-A “Discussion/Possible Action: Presentation and Acceptance of Fiscal Year 2018/2019 Financial Audit & 2018/2019 Tax Increment Financing Fund Audit” The Council was provided with a copy of Annual Financial Statements for the year ending April 30, 2019, and Tax Increment Financing (TIF) Fund Audited Financial Statements for the year ending April 30, 2019.

Krista McLaren, Kemper CPA Group, was present to report on the City’s annual audit. Mrs. McLaren indicated that balances were in the modified cash basis of accounting. The Fire Pension and Police Pension funds, however, were reflecting fair market value.

Kemper CPA Group came to an unmodified opinion regarding the material reflected in the financial position and changes for the fiscal year ending April 30, 2019. Mrs. McLaren clarified that the unmodified opinion meant an overall clean and good opinion.

Mrs. McLaren was pleased to report there were no difficulties or disagreements in performing the audit. All adjustments had also been reported. She thanked the City, specifically the City Treasurer, City Clerk, and Utility Billing Clerk for their assistance.

Mrs. McLaren pointed out that the total cash in the General Fund at the end of the fiscal year came in at \$4,225,108.00. Other governmental funds came in at \$1,936,811.00. Mrs. McLaren reported that both funds were in good position.

The General Fund had increased by \$526,696.00 primarily because no large projects, such as the Kitchell or Whittle Avenue projects, took place in the fiscal year. The other governmental funds were down slightly by (\$27,179.00).

In assets, the Water Distribution fund held \$3,013,500.00, and the Waster Water Treatment fund held \$1,697,139.00. The total liabilities came in at \$1,362,248.00, mainly due to EPA loans. The Water Distribution fund had changed net position by \$207,656.00. The Waste Water Treatment fund had changed net position by \$9,734.00.

Cash in the Fire Pension Fund was \$118,446.00 with \$2,156,189.00 in investments. Cash in the Police Pension Fund was \$214,055.00 with \$4,962,223.00 in investments. Mrs. McLaren was pleased to report no internal control findings other than one finding that related to the lack of having someone on staff with experience and knowledge to put together full footnotes with the financial statements.

Mrs. McLaren continued that the TIF district had also been audited. The ending cash balance as of April 30, 2019, was \$164,754.00. The net change came in at (\$124,541.00) because much activity took place in the TIF district during that fiscal year. She was pleased to say that expenditures and funds were in accordance with requirements of statute. There were also no excess funds on hand that needed to be remitted.

Mrs. McLaren then told the Council that Kemper CPA Group was working on the annual financial report that would soon be due to the State Comptroller.

Councilman McLaughlin moved to accept the Fiscal Year 2018/2019 financial audit report, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

Councilman McLaughlin moved to accept the Fiscal Year 2018/2019 TIF Fund audit report, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-B "Tourism Grant Request: 2019 Car Show" The Council was provided with a Tourism Grant Application from the White Squirrel Cruisers Car Show for their event that took place on August 17 and 18, 2019. The Council was also provided with a listing of Tourism Grant General

Information. Ed Jones, representing the White Squirrel Cruisers Car Club, was present to speak on the topic.

Mr. Jones gave a report of the car show. He believed the show also brought an economic benefit to the community.

Councilman McLaughlin asked why the application was not submitted before the event. Mr. Jones replied that some financial information was incorrect and it took too long to get the correct information. The Councilman noted that no grants had ever been approved after an event had taken place. He did not want to set a precedent that requesting a Tourism Grant after an event was acceptable.

Mayor Lambird wondered if the application could be amended and approved now for next year's car show. Councilwoman Fehrenbacher advised against that since discussion had taken place on revamping the Tourism Grant application process.

Looking at the information on the application, Councilwoman Henton did not believe there was a monetary need for the grant. Councilman Eyer agreed.

Councilwoman Henton moved to deny the Tourism Grant request for the White Squirrel Cruisers Car Club, noting that the amount budgeted for that purpose had already been exhausted, the application was late, and there was no apparent need, seconded by Councilman McLaughlin.

Mayor Lambird informed Mr. Jones that if and when the Tourism Grant application process were revamped, that he would be contacted.

A unanimous voice vote was received.

8-C "Discussion: Use of Golf Carts on Streets Inside City Limits" Steve Bryan was present to speak on this topic. Mr. Bryan asked the Council if any other discussion had taken place on the use of golf carts on streets inside City limits.

The City Attorney had researched the State statutes on the topic. Essentially, as long as certain requirements were met, the Council could have the option of allowing golf carts on its streets. The Council would need to decide the conditions for which golf carts could be allowed. Mr. Zuber pointed out that the statute also stated that the legislation should not be relied upon as a determination as to if permitting slow moving vehicles was safe or even advisable.

Councilwoman Fehrenbacher wondered how the City could possibly control whether or not drivers used slow moving vehicles on certain roads. She felt it would be a nightmare to enforce.

From the audience, Myra Brian wanted to know how other towns allowed for slow moving vehicles, if it was such a problem. Councilwoman Fehrenbacher replied that other nearby towns that allowed for it were not as large as Olney.

Councilman Eyer felt that the allowance could pose great calamity, even if certain restrictions were imposed. He felt it would only be a matter of time before there was a terrible accident.

Mrs. Bryan then asked why motorized wheelchairs, bicycles and scooters were allowed. Chief Paddock replied that it would depend on the type of motorized equipment. If there was no accessible sidewalk to the public, then a person in a motorized wheelchair would have no choice but to use the side of the road to get around. The Chief advised that if the Bryans wanted to make a complaint, then they should call the police if they felt there was an illegal vehicle on the roadway.

Mr. Bryan asked how Flora regulated their golf cart traffic. Councilwoman Henton replied that golf carts were allowed on certain streets, were inspected, and needed to meet certain requirements. Councilman McLaughlin asked if Flora required slow moving vehicles to be street legal. The Council confirmed.

Mayor Lambird knew slow moving vehicles were not permitted on highways, but wondered if they would be able to cross them. Mr. Zuber indicated they could cross at intersections.

Mr. Zuber added that before an ordinance could even be created for Olney, the Council would be required to determine that the allowance would not jeopardize public safety.

Councilman Eyer told the Council that he had spoken with two local insurers and neither of them would insure a slow moving vehicle if used on City streets. Councilwoman Henton was confused, noting that her side-by-side and Segway were both insured.

Councilman McLaughlin did not feel the City should rush into adopting an ordinance to allow golf carts on City streets. He felt more detail was needed. Councilwoman Henton agreed.

Councilwoman Fehrenbacher asked for the Police Chief's opinion. Chief Paddock felt the request was a huge safety issue. He was not sure that a special circumstance should be created for such few people. Mr. Bryan told the Chief that earlier in the evening, some kids on a two-cycle engine scooter were driving around S. Camp Avenue. An officer drove by without even stopping. Because of this, he wondered what good it would do to report such issue. Chief Paddock replied that it depended on the circumstance. If the officer was en route to a call, he or she would not stop for such an issue.

Mr. Bryan felt that Chief Paddock was hindering the Council's decision. The Chief replied that he was asked his opinion and had given it.

Mayor Lambird asked if the Council was interested in moving forward. Councilwoman Henton was interested in researching the topic further. Councilman McLaughlin was indifferent. Councilwoman Fehrenbacher and Councilman Eyer were not interested.

Mayor Lambird wondered if Flora allowed for golf carts or UTVs only. Based on the ordinance, Councilwoman Henton felt it was for UTVs only.

Mayor Lambird commented that he was less supportive of golf carts on City streets than he would be of UTVs. He felt golf carts were too unsafe.

No action was taken on this topic. The Council decided they still needed more information. Councilwoman Henton offered to call Flora, Fairfield, and her insurance company for more information. Mr. Bryan would also be contacting his insurance company.

8-D “Discussion/Possible Action: Bidding of Specific Work at the Olney Wastewater Treatment Plant” The Council was provided with a proposed scope of work to be performed on the digester at the Sewer Plant.

Mr. Barker told the Council that in this year’s budget, the Sewer Department had planned for painting the digester lid (Phase 1) and digester lid piping (Phase 2). The digester piping could not be inspected and the scope of work determined until access was gained through the lid. Mr. Barker suggested formally bidding the exterior lid repairs (Phase 1) and allowing a determination by himself and the Sewer Plant Supervisor as to the scope of work to be performed on the interior as the work progressed (Phase 2).

Mr. Barker continued that the intent would be to have the contractor who was awarded the bid for Phase 1 also do Phase 2 of the project. If the Council desired, they could authorize him and the Sewer Department Supervisor to approve the work needed for Phase 2, but limit the project expenditure to what was currently budgeted in both the digester lid painting and digester lid piping line items. This would help facilitate timely repairs without delaying the contractor.

Councilman McLaughlin asked how much had been budgeted for the project. Mrs. Guinn replied that \$80,000.00 had been budgeted for both phases.

Councilwoman Fehrenbacher moved to approve the scope of work, as presented, but not to exceed \$80,000.00, seconded by Councilman Eyer. A majority affirmative voice vote was received.

8-E “Resolution: Authorize a Bank Account for the Purpose of Establishing and Maintaining Electronic Citation Devices as Required by 705 ILCS 105/27.3.e” The Council was provided with a proposed resolution that would authorize opening a new bank account for the purpose of establishing and maintaining electronic citation devices as required by 705 ILCS 105/27.3.e.

Mrs. Guinn told the Council that the Richland County Circuit Clerk’s office had started charging a \$5.00 fee per ticket for the purpose of establishing or maintaining electronic citation devices. The City would then receive 40% of that \$5.00 fee. Mrs. Guinn recommended setting up a separate account to accumulate this money. From there, if the City was required to also go to an electronic citation device, funds would be available to help with the cost. Mrs. Guinn also

added that it was the Circuit Clerk's opinion that the State would soon require establishing electronic citation devices across the board in the future.

Councilman McLaughlin asked for more detail about electronic citation devices. Mr. Zuber believed that the violator and City would still receive copies of the paper ticket. If unpaid, the City would then scan in the ticket and e-mail the scanned version into an e-filing system. The system would then file it with the courthouse and stay in a database inside of the Circuit Clerk's Office. It was believed that over time, paper would become obsolete in that office.

Councilman McLaughlin moved to approve 2019-R-61, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-F "Resolution: Accept Bid for HVAC System at the Fire Department" The Council was provided with a proposed resolution that would accept a bid for an HVAC system at the Fire Department.

Sealed bids were solicited for a replacement HVAC system at the Fire Department. Bids were opened on August 14, 2019, with two responses. Schuetz Companies of Olney, Illinois, bid \$8,280.37 for a standard efficiency unit and \$8,873.99 for a high efficiency unit. Shultz Heating, Cooling & Electrical of Claremont, Illinois, bid \$7,518.91 for a standard efficiency unit and \$8,491.91 for a high efficiency unit. Fire Chief Hill recommended accepting the low bid for a standard efficiency unit from Shultz Heating, Cooling & Electrical.

Councilman McLaughlin asked if the recommended bid was under budget. Mr. Barker confirmed.

Councilman McLaughlin moved to approve 2019-R-62.

Councilwoman Fehrenbacher asked if the other HVAC system purchased in the prior year was also standard efficiency. Chief Hill confirmed.

Mayor Lambird wondered how much a high efficiency unit would save the City in the long run. Chief Hill was unsure because his department did not pay for utility bills.

Councilwoman Henton seconded the motion. A majority affirmative voice vote was received.

8-G "Resolution: Accept Bid for Thermal Imaging Units for the Fire Department" The Council was provided with a proposed resolution to accept a bid for 18 thermal imaging units for the Fire Department.

Sealed bids were solicited for the 18 thermal images for the Fire Department. Bids were opened on August 14, 2019, with one timely response. Municipal Emergency Services of Deer Creek, Illinois, bid \$12,310.00. This bid was also under the amount budgeted for the purchase.

Councilwoman Henton moved to approve 2019-R-63, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

AGENDA #9 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

9-A “Status Report-City Manager” Mr. Barker told the Council that the Musgrove House had been vacated, and demolition plans could move forward as soon as the Council was ready. Councilwoman Henton and Councilman McLaughlin felt they were ready. Mr. Barker indicated the topic could be put on the next meeting’s agenda.

Mr. Barker continued that the he, the City Clerk, and Street Department Supervisor would soon be putting together a presentation for the Council’s review of the City’s storm drain conditions.

9-B “RCDC Report” RCDC Executive Director Courtney Yockey had nothing to report.

9-C “Chamber of Commerce Report” Councilwoman Fehrenbacher told the Council that the Chamber was still working on its upcoming Bicycle Classic.

9-D “Parks & Recreation Board Report” The Parks & Recreation Board had not met, so there was no report.

9-E “Tourism Board Report” Councilwoman Henton had nothing to report.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS” From the audience, Rodney Raney wished to speak. Mr. Raney was representing IECC and wished to thank Chief Paddock and the Olney Police Department (OPD) for their service to the college on August 8, 2019, for an active shooter drill. He felt the OPD used a considerable amount of resources for the drill, and had done an excellent job. Mr. Raney wanted to be certain the OPD was publicly thanked for their service.

AGENDA #11 “CLOSED SESSION: SALE OR LEASE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; APPOINTMENT, EMPLOYMENT, COMPENSATION, AND PERFORMANCE OF SPECIFIC EMPLOYEES” Councilman

McLaughlin moved to adjourn to closed session to discuss sale or lease price of real property; acquisition of real property; and appointment, employment, compensation, and performance of specific employees, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

Councilmen Eyer, McLaughlin, Councilwomen Fehrenbacher, Henton, Mayor Lambird, City Manager Barker, City Attorney Zuber, City Treasurer Guinn, and City Clerk Sterchi left the Council Chambers at 7:47 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Upon return of those who were in closed session to the Council Chambers, Councilman McLaughlin moved to enter back into open

session, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received. Open session resumed at 8:04 p.m.

Regarding the upcoming Rotary Oktoberfest, Councilman McLaughlin was aware that a County liquor license was required, but not a City license, since the event would take place in a City park, but outside of City limits. Mr. Zuber confirmed. He wondered if the City needed to provide any other permission, other than the approved Special Event Application. The Council decided that the Mayor, as Liquor Commissioner, could write provide written permission.

At the August 12, 2019, meeting, the Council had voted to enter into agreements with two different parties for collections. Councilman McLaughlin wondered if one of the collection agencies would go after those that did not pay water bills. Mrs. Guinn replied that the agreement with the State Comptroller could.

Councilman McLaughlin then expressed his opposition to having area landlords be responsible to pay delinquent bills that renters could leave behind. He did not feel a landlord should be at all responsible for charges incurred in someone else's name. Since the City would not be using collection services, he felt that policy should no longer be needed. Councilwoman Henton and Mrs. Guinn pointed out that the State Comptroller could only go after City debts if the individual stayed in Illinois. Mrs. Guinn continued that another agreement could be entered into, but would charge the City.

Councilman McLaughlin also felt the City should explore raising the deposit amount for utility accounts since the water and sewer rates had raised more than once in the past few years.

City Manager Barker asked if the Council was ready to advertise for the available firefighter position. The Council confirmed.

AGENDA #13 "ADJOURN" With no further business to discuss, Councilman McLaughlin moved to adjourn, seconded by Councilwoman Fehrenbacher.

The meeting adjourned at 8:12 p.m.

Kelsie J. Sterchi
City Clerk