

CITY OF OLNEY
CITY COUNCIL MEETING
DECEMBER 14, 2020

AGENDA #1 “CALL TO ORDER” The December 14, 2020, 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. Zachary Caress led the group in prayer.

AGENDA #3 “ROLL CALL” The following Council members were physically present: Mark Lambird, John McLaughlin, Morgan Fehrenbacher, and Greg Eyer. Also physically present were City Manager Allen Barker, City Treasurer Jane Guinn, City Clerk Kelsie Sterchi, and City Engineer Mike Bridges. Several State of Illinois Executive Orders allowed for attendance to take place via video, audio, and/or telephonic means as the COVID-19 crisis continues. Attending by audio were Councilwoman Belinda Henton and City Attorney Bart Zuber.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meetings on November 23, 2020 & December 3, 2020”

4-B “Approve and Authorize Payment of Accounts Payable December 15, 2020” Pooled Cash \$270,051.47, Manual Pooled Cash \$140,077.97, Petty Cash \$113.92, Foreign Fire \$936.44, IMRF \$31,280.35, Levied Insurance \$71,417.00, Tourism \$2,535.75, Christmas Light Display \$2,124.15

4-C “Resolution: Cancel the December 28, 2020, City Council Meeting” **2020-R-68**

4-D “Appointment: Joshua Feddes to the Parks & Recreation Board”

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

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilwoman Fehrenbacher moved to approve the items on the consent agenda, seconded by Councilman Eyer. Councilmen Eyer, McLaughlin, Councilwomen Fehrenbacher, Henton, and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

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 “Presentation: Police Pension Board Formal Request for Tax Levy” The Council was provided with a tax levy worksheet for the proposed Police Pension Tax Levy.

Mrs. Guinn told the Council that the Police Pension Board had met on October 27, 2020, and had unanimously approved requesting the City of Olney to levy a recommended amount for the 2020-2021 Police Pension Tax Levy. The Police Pension Board approved requesting a minimum tax levy of \$608,910.00. After calculating the tax levy for the City as a whole, an amount of \$662,652.00 was suggested.

Councilwoman Fehrenbacher moved to approve the Police Pension Board formal request for tax levy in the amount of \$662,652.00, seconded by Councilman Eyer. Councilwomen Fehrenbacher, Henton, Councilmen McLaughlin, Eyer, and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

8-B “Presentation: Firefighters Pension Board Formal Request for Tax Levy” The Council was provided with a tax levy worksheet for the proposed Firefighters Pension Tax Levy.

Mrs. Guinn told the Council that the Firefighters Pension Board had met on November 5, 2020, and had unanimously approved requesting the City of Olney to levy a recommended amount for the 2020-2021 Firefighters Pension Tax Levy. The Firefighters Pension Board was requesting a tax levy of \$254,593.00.

Councilwoman Fehrenbacher moved to approve the Firefighters Pension Board formal request for tax levy in the amount of \$254,593.00, seconded by Councilman Eyer. Councilwomen Henton, Fehrenbacher, Councilmen McLaughlin, Eyer, and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

8-C “Ordinance: Tax Levy” The Council was provided with a proposed tax levy ordinance and a tax levy worksheet.

Mrs. Guinn stated that the recommendation for the 2020-2021 City of Olney Tax Levy was \$2,102,888.62. The recommendation for the 2020-2021 Olney Public Library Tax Levy was \$228,219.48. These recommended amounts would keep the tax rate flat with the prior year for the City as well as the Library.

Councilwoman Fehrenbacher moved to Ordinance 2020-52, seconded by Councilman McLaughlin. Councilmen McLaughlin, Eyer, Mayor Lambird, Councilwomen Fehrenbacher and Henton voted yes. There were no opposing votes. The motion carried.

8-D “Resolution: Authorize Bank Account for Local CURE Program Funds” The Council was provided with a proposed resolution that would authorize a new bank account for Local CURE Program funds.

Mrs. Guinn explained that the City had received word that its request for the Local CURE funds to cover payroll expenses for public safety employees had been approved. Earlier that morning, the City had actually received the payment.

At the November 9, 2020, Council meeting, it was discussed that the funds could be placed in a separate bank account and held, pending any audits that may be done with respect to

the CURES Program. Mrs. Guinn was requested the Council's authorization to open a new bank account for this purpose.

Councilwoman Fehrenbacher moved to approve 2020-R-69, seconded by Councilman McLaughlin. Mayor Lambird, Councilmen Eyer, McLaughlin, Councilwomen Fehrenbacher and Henton voted yes. There were no opposing votes. The motion carried.

8-E "Resolution: Authorize an Additional IMRF Payment & Amend the 2020-2021 Budget" The Council was provided with a proposed resolution that would authorize an additional IMRF payment of \$50,000.00 and amend the 2020-2021 budget.

Mrs. Guinn recommended that the City make an additional contribution of \$50,000.00 to the IMRF Fund before the end of 2020. The account balance had gradually increased over time and there was sufficient cash available in the City's IMRF account to make the additional contribution. It had been recommended by the CFO of the IMRF that cities with unfunded benefit obligations make additional contributions when funds were available. It was also the CFO's recommendation to submit additional contributions in the month of December to receive the maximum credit from investment returns.

Councilman McLaughlin asked if the funds in the City's IMRF account could be used for any other purpose other than IMRF. Mrs. Guinn replied that the funds could only go towards IMRF.

Councilman McLaughlin moved to approve 2020-R-70, seconded by Councilwoman Fehrenbacher. Councilwomen Fehrenbacher, Henton, Councilmen McLaughlin, Eyer, and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

8-F "Resolution: Amend the 2020-2021 Budget for Interior Painting of the Taylor Water Tower" The Council was provided with a proposed resolution that would amend the 2020-2021 budget for the interior painting of the Taylor Water Tower.

Mrs. Guinn told the Council that the interior painting of the Taylor Water Tower was now complete and a budget amendment would need to be made. Currently, the Water Main Replacement line item of the budget held \$150,000.00 with no anticipated expenditures at this time. Mrs. Guinn recommended that \$86,900.00 be moved from the Water Main Replacement line item to the Paint Water Tower line item.

Councilman McLaughlin moved to approve 2020-R-71, seconded by Councilman Eyer. Councilwomen Henton, Fehrenbacher, Councilmen McLaughlin, Eyer, and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

8-G "Discussion/Possible Resolution: Accept Quotes for Liability, Property, Workers Compensation, Auto & Miscellaneous Insurance Coverages for 2021" The Council was provided with a proposed resolution to accept quotes for liability, property, workers compensation, auto, and miscellaneous insurance coverages for 2021. The Council was also provided with a quote from Arthur J. Gallagher & Co.

Mr. Barker explained that quotes had been received from Arthur J. Gallagher & Co. for a variety of insurance coverages. Overall, the renewal premium would be increasing by 5% for 2021. Mr. Barker also pointed out that the City would be eligible for a \$4,230.00 grant from the Illinois Public Risk Fund which could be used for safety-related expenses.

Mr. Barker recommended accepting the proposal from Arthur J. Gallagher & Co. which would include insurance coverages from Atlantic Specialty Insurance Company, Hanover Insurance Company, BCS Insurance Company, Crum & Forster Specialty Insurance Co., and Illinois Public Risk Fund.

Councilman McLaughlin asked if the increase was included in next year's budget or the tax levy. Mrs. Guinn replied that the insurance payments would be paid in the current fiscal year, so it would be included in the 2020-2021 budget.

Councilman McLaughlin moved to approve 2020-R-72, seconded by Councilwoman Fehrenbacher. Councilmen McLaughlin, Eyer, Mayor Lambird, Councilwomen Fehrenbacher and Henton voted yes. There were no opposing votes. The motion carried.

8-H "Discussion: Route 130 Sidewalk Project Update" The Route 130 Sidewalk Project had started in March of 2018 with a grant application to IDOT. Funding was approved by the State in the amount of \$704,921.00 and would require 10% in matching funds from the City in the amount of \$78,325.00. The goal of the project was to provide sidewalks on Route 130 between North and Parker Streets.

In a letter dated October 23, 2018, IDOT notified the City that the City would be responsible for all signalization upgrades at the intersection of Route 130 and W. Main Street. The estimates for this upgrade came in at \$150,000.00. IDOT agreed to do the engineering portion of the signalization upgrade. Even so, the City had yet to receive those plans.

Even more recently, Mr. Barker told the Council that IDOT would also now require the City to upgrade the northeast corner of the intersection along and on Mach 1's business property. This upgrade was never previously mentioned and therefore, engineering and design had not been included in any of the City's plans. This upgrade was estimated to cost the City another \$108,000.00.

In addition, the State environmental study indicated that there were four sites where old underground storage tanks may be located. If found, the City would also be responsible for removing those storage tanks.

Mr. Barker and City Engineer Bridges had discussed a few scenarios related to the new scope of the project. The City could request more funds from IDOT since the scope of the project had changed. The City could also approach the Springfield offices about utilizing a different pool of money. Lastly, the City could pull out of the project altogether, but neither Mr. Barker nor Mr. Bridges believed that would be a good option.

Councilman McLaughlin asked when sidewalk construction could begin. Mr. Bridges replied that the letting was supposed to be held around July of 2021. The project could likely be completed in 2022.

Regardless of the new scope, Councilman McLaughlin felt that the City should move forward with the project. He wondered if there was any hesitation to ask the State for more money. Mr. Bridges did not believe so. He simply wished to make the Council aware of the situation to be sure it was acceptable for him to move forward with the request.

Mr. Barker pointed out that some costs related to the project would be TIF-eligible. Even so, he wanted the Council to be well aware that the project costs were running much deeper than originally anticipated.

Councilwoman Fehrenbacher asked if the City could back out of the project if the State was not willing to provide more funds. Mr. Barker replied that would be allowable, but he did not feel that would be a good idea. Mr. Bridges added that the City really needed to use the grant funds in some way on this project.

Councilman Eyer asked if the bid specifications could be written so that if no underground storage tanks were discovered, then the bid price would be reduced. Mr. Bridges indicated that was typically how IDOT projects were handled. He added that the City would include having one underground storage tank removed within its plans. Bidders would not be aware of any other details, so they would likely bid high to cover their bases.

Mr. Bridges continued to tell the Council that environmental testing would also be in order. A trained professional would need to come down to watch underground storage tank removal and take various samples for testing.

Councilman Eyer surmised that if underground storage tanks were found at all four locations, the project could easily run into the millions of dollars. Mr. Barker noted that the City would also be responsible for contamination outside of its easements.

Councilman McLaughlin recalled providing the State with plans on which side of Route 130 to place the sidewalks. He asked if changing sidewalk placement would be of any assistance. Mr. Bridges replied that would not benefit the City.

Mr. Bridges then explained that if any discovered underground storage tanks were registered, then a fund would be available to pay for their removal. The four sites that may include such tanks were near Exhaust Specialty, Hog n' Dog, Subway, and possibly Mach 1.

Councilman Eyer wondered if it would be of benefit to do a soil core in those four areas to see if any contamination was detected. This would give the City a better idea of what to expect. Mr. Bridges replied that could be an option, but such testing would still be part of the project down the line.

Overall, a majority of the Council was in favor of asking the State for more funds for the Route 130 Sidewalk Project since the scope of the project had changed.

8-I "Resolution: Authorize Execution of Facility Encroachment Agreement Between the City of Olney & CSX Transportation, Inc., for the Elliott Street Bridge Project" The Council was provided with a proposed resolution that would authorize executing a Facility Encroachment

Agreement with CSX Transportation, Inc., for the Elliott Street Bridge Project. The Council was also provided with a copy of the proposed agreement.

Mr. Barker told the Council that the City was in receipt of a proposed Facility Encroachment Agreement from CSX Transportation, Inc., (CSX). As part of the Elliott Street Bridge Project, the City would be installing storm water drainage on CSX's property. Entering into the proposed agreement would also commit the City to paying a one-time non-refundable Encroachment Fee of \$10,200.00. There would also be a \$2,500.00 fee to review the plans for the drainage project, and possibly a \$1,250.00 fee for railroad protective liability. Mr. Barker did not believe the City would need to pay the \$1,250.00 railroad protective liability fee.

Mr. Barker reminded the Council that a few months ago, CSX had also asked for an \$80,000.00 deposit. That amount had not yet been paid. Mr. Barker wanted to wait and see if CSX would accept the offer of \$1,000.00 for the needed easement before providing CSX with any other funds, including the Encroachment Fee. Mr. Barker stressed that the Facility Encroachment Agreement would only move forward if the necessary easements were provided.

Councilwoman Fehrenbacher asked if Mr. Barker expected CSX to ask the City for any more money. Mr. Barker believed it would be likely that CSX would present future fees, but he had no way to know what to expect.

In dealing with CSX, Councilman McLaughlin wondered if they could be asked to clean up the trash on their railroad tracks. Mr. Barker replied that CSX was difficult to work with, especially in finding the appropriate person to speak with. If the project went through, that topic could be broached with the employees that CSX would be sending to Olney.

Councilman McLaughlin moved to approve 2020-R-73, seconded by Councilwoman Fehrenbacher. Mayor Lambird, Councilmen Eyer, McLaughlin, Councilwomen Henton and Fehrenbacher voted yes. There were no opposing votes. The motion carried.

AGENDA #9 "REPORTS FROM ELECTED AND APPOINTED OFFICIALS"

9-A "Status Report-City Manager" Mr. Barker had nothing additional to report.

Going back to the topic of the Elliott Street Bridge Project, Councilman McLaughlin asked when actual repair work was scheduled to begin. Mr. Barker hoped to have the easement from CSX by the end of 2020. If so, the City could move forward with bid documents and have a letting. He did not expect any work to begin any sooner than May or June of 2021.

9-B "RCDC Report" Mayor Lambird commented that the RCDC Executive Committee was still working on finding a permanent Executive Director.

9-C "Chamber of Commerce Report" Councilwoman Fehrenbacher had nothing to report.

9-D "Parks & Recreation Board Report" There was no report.

9-E "Tourism Board Report" Councilwoman Henton told the Council the ILLINOISouth Tourism Bureau was putting in a lot of work for the 2021 Visitors Guide.

Mayor Lambird pointed out that the Christmas Light Display was having a “bang up year.” Mrs. Sterchi agreed and noted that donations had just exceeded the \$20,000.00 mark. This had been the shortest amount of time to receive that many donations. Councilwoman Fehrenbacher agreed and said that the Park Department Supervisor and his crew had done a wonderful job.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS” No one from the public wished to speak.

AGENDA #11 “CLOSED SESSION: SALE OR LEASE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; APPOINTMENT, EMPLOYMENT, COMPENSATION, AND PERFORMANCE OF SPECIFIC EMPLOYEES” Councilman Eyer moved to adjourn to closed session to discuss sale or lease price of real property; acquisition of real property; appointment, employment, compensation, and performance of specific employees, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

The meeting adjourned to closed session at 7:35 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Councilwoman Henton moved to enter back into open session, seconded by Councilwoman Fehrenbacher. Mayor Lambird, Councilmen Eyer, McLaughlin, Councilwomen Fehrenbacher and Henton voted yes. There were no opposing votes. The motion carried. Open session resumed at 7:42 p.m.

12-A “Resolution: Authorize Destruction of Closed Session Audio” The Council was provided with a proposed resolution that would authorize the destruction of closed session audio at least 18 months old.

Councilwoman Henton wished to vote on both 12-A and 12-B at the same time.

Councilwoman Henton moved to approve 2020-R-74 and 2020-R-75, seconded by Councilwoman Fehrenbacher. Councilwomen Fehrenbacher, Henton, Councilmen McLaughlin, Eyer, and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

12-B “Resolution: Authorize Release of Closed Session Minutes” The Council was provided with a proposed resolution that would authorize the release of some closed session minutes at least 18 months old.

Action on this item was taken under 12-A.

12-C “Ordinance: Establish Wage Rates for Paid-on-Call Firefighters, Part-Time Employees, & Summer Recreation Employees” The Council was provided with a proposed ordinance that would establish wage rates for paid-on-call firefighters, part-time employees, and summer recreation employees. The ordinance was needed based on mandated minimum wage increases.

Councilman McLaughlin moved to approve Ordinance 2020-53, seconded by Councilman Eyer. Councilwomen Henton, Fehrenbacher, Councilmen McLaughlin, Eyer, and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

Mrs. Guinn wanted to report that she had received the JEDS bill for next year. The City would be seeing an increase of \$320.95 per month for a total of \$21,607.59 per month.

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

The meeting adjourned at 7:45 p.m.

Kelsie J. Sterchi
City Clerk

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