

CITY OF OLNEY
CITY COUNCIL MEETING
FEBRUARY 27, 2017

AGENDA #1 “CALL TO ORDER” The February 27, 2017, 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 Ray Vaughn 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 present: Les Harrison, Belinda Henton, John McLaughlin, and Ray Vaughn. Bob Ferguson was absent. Also present were City Attorney Bart Zuber, City Clerk Kelsie Sterchi, City Treasurer Chuck Sanders, Assistant City Treasurer Jane Guinn, and City Engineer Charleston.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on February 13, 2017”

4-B “Approve and Authorize Payment of Accounts Payable February 28, 2017” Pooled Cash \$80,979.87, Manual Pooled Cash \$4,134.25, MFT \$1,705.94, Christmas Light Display \$150.00, Utility Refunds \$796.26, Adjustments \$24.31

4-C “Raffle License: Olney Eagles Aerie #2549”

4-D “Raffle License: Olney Lions Club Foundation, Inc.”

4-E “Raffle License: ERFAE”

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 Henton. A majority affirmative voice vote was received to approve the consent agenda.

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 “Request: Closure of a Portion of the 100 Block of E. Main Street in Front of the Courthouse from 12:15 p.m. to 1:00 p.m. on May 4, 2017, for the National Day of Prayer” Pastor Zachary Caress was present to speak on the request for the temporary closure of the 100 block of E. Main Street on May 4, 2017, for the National Day of Prayer. Mayor Vaughn asked Pastor Caress to provide more information.

Pastor Caress told the Council that there would be about a one hour long ceremony on the courthouse lawn on the National Day of Prayer. Those gathered would be praying for the nation, the

Olney community, and would have a time of worship with music. Pastor Caress requested that the 100 block of E. Main Street be closed from 12:15 p.m. until 1:00 p.m. that day so that the attendees could safely cross the street.

Mayor Vaughn asked City Manager Barker if the Police Chief was in favor of the request. Mr. Barker replied that the Chief had some concerns with traffic, but would do his best to make it work.

Councilman McLaughlin moved to approve the request to close the 100 block of E. Main Street from 12:15 p.m. until 1:00 p.m. on May 4, 2017, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

8-B “Ordinance: Food Establishment Inspection Program” The Council was provided with a proposed ordinance to implement a food establishment inspection program. Cindy Poland and Marina Sample, with the Wabash County Health Department (WCHD), were present to help answer any questions.

Mr. Barker told the Council that City Attorney Zuber had made some revisions to the proposed ordinance since the February 13, 2017, City Council meeting. Mr. Zuber recalled that at the last meeting, the Mayor had requested a 12 month grace period to allow food establishments to remedy structural issues. Since that time, Mr. Zuber had met with the WCHD, and reviewed a few statutes that indicated that it would not be the best idea to allow for such a grace period. Because what the WCHD would be inspecting is already State law, it would not make sense to allow for a grace period on something that is already the law. Understanding Mr. Zuber’s statement, the Mayor agreed. He also noted that the City would simply be codifying what is already the State law, and providing for enforcement.

Mr. Zuber continued that the exemptions portion was expanded to include facilities licensed by the Illinois Department of Public Health as provided for in the Community Living Facilities Licensing Act. The exemptions portion also went into more detail to list hospitals, assisted living facilities, nursing homes, schools, S.W.A.N., and the Senior Citizens Center, as long as those facilities are inspected by the State of Illinois, the Clay County Health Department, or a like agency deemed adequate.

From the audience, Brian O’Neill II stressed the importance of inspections taking place during busier times. He wanted to be sure that restaurants were doing the right thing.

Councilman McLaughlin asked where inspection results would be posted. Mr. Zuber replied that the proposed ordinance did not provide for posting anywhere. Results will be given to the City, and as long as establishments are in compliance, there would be no need to publish results.

The Councilman then asked how someone could find out the results of a restaurant. Because the results would be public information, the results could be provided when asked.

Mayor Vaughn moved to approve Ordinance 2017-13, seconded by Councilman Harrison. Councilmen McLaughlin, Harrison, Mayor Vaughn, and Councilwoman Henton voted yes. There were no opposing votes. The motion carried.

Ms. Poland provided 50 envelopes to the City Clerk to be distributed to area food establishments. The envelopes included an application, survey, and current inspection form. The application and survey would need to be filled out and sent back to the WCHD within 30 days.

8-C “Ordinance: Authorize Execution of Lease Between the City of Olney and Richland County Farm and Fair Association” The Council was provided with a proposed ordinance that would authorize the execution of a lease between the City and the Richland County Farm and Fair Association, Inc. (Fair Board), and a copy of the current Fair Board lease.

Fair Board President Mark Doris explained that the reason the Board was requesting a new lease was because the State was requiring that any leased fairground areas must have a lease with a term minimum of 20 years. The current Fair Board lease provided for a total of four consecutive terms, each five years apart starting in 2013 and ending in 2033. This meant that as of 2014, the lease was out of compliance with the State.

Mr. Doris was requesting a new Fair Board lease with five consecutive terms, each five years apart. Mr. Doris also requested a change to the listed insurance requirement to read \$2,000,000.00 instead of \$1,000,000.00.

The City Attorney noted that State statute provided that if a City enters a lease with a term in excess of 20 years, notice must be published. If the Council approved Mr. Doris’ request, a notice would need to be published each year, which would be very costly. Mr. Doris was unaware of the requirement. Mr. Zuber then offered that a lease of 20 years could be created with renewal dates each year in order to keep the Fair Board in compliance with the State’s request. Mr. Doris was in favor of the idea.

Mayor Vaughn moved to approve Ordinance 2017-14 which would allow for the City to enter into a 20 year lease with the Fair Board with renewal required each February, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

Councilman McLaughlin then asked Mr. Doris what the Fair Board’s plans were with cleaning up the old baseball fields. Mr. Doris replied that different areas were being cleared slowly but surely. Due to relying on volunteer labor, the process was slower than desired. Mr. Doris confirmed it was still in the Fair Board’s plans to clear the fields and make the best use of the area.

8-D “Request/Discussion: Additional Camping Sites at the Olney City Park/Fairgrounds” Mr. Doris told the Council that he had approached the Parks & Recreation Board about setting up additional camping sites at the City Park. The Parks & Recreation Board recommended that Mr. Doris explain his request to the Council.

It was Mr. Doris’ belief that many cities similar in size to Olney have nice camping areas for those traveling through. Mr. Doris felt that the area north of the old pool area would be ideal for additional sites, however work would be needed to make that happen. Currently, an old catch basin is in the area, but has many years worth of debris clogging it, allowing for standing water after rain. Mr. Doris felt that if the area was graded, gravel brought in, and if the basin was repaired, that eight to twelve campers could fit into the area. Additionally, three transformers were nearby that could provide for electricity. Mr. Doris then indicated that the Fair Board could provide the labor if the City would provide supplies.

Mr. Doris continued that the additional sites would offer the City revenue from camping fees for 51 weeks out of the year. During Fair week, Mr. Doris would request that the sites be used only for Fair purposes and that they would receive the revenue from the camping fees.

Mayor Vaughn asked if there was water access in the area that Mr. Doris was proposing. Mr. Doris replied that water lines were nearby that fed into the old pool. The Mayor then asked if sewer was accessible. Mr. Doris felt that there was an area on the northern side of the creek that held sewer, however he noted that most campers would not require that.

City Manager Barker felt that much more work would be needed than what had originally been suggested. Additionally, Mr. Barker had concerns with vetting the kinds of individuals camping in the park. Mr. Doris replied that campers who stay on the southern part of the park currently are not vetted.

Mayor Vaughn liked the idea of additional camping sites, but wanted more input. He would like to see a more solid plan for work needed with cost estimates so that the Council could take a better look. The Mayor also asked Mr. Barker to look into repairing the catch basin.

Councilwoman Henton asked if spaces along the Fair Board's fence could accommodate the requested additional sites. Mr. Doris replied that during the Fair, the carnival workers camp along the fence, however livestock workers, Fair helpers, and others had no place to park. Parks & Recreation Board Chair Morgan Henton felt that campers would prefer to be parked farther away from highway noises with a better view of the landscape.

No action was taken on the request.

8-E "Request: Class B Liquor License for Casey's General Store #1746" The Council was provided with a liquor license application for Casey's General Store #1746 for package sales, and were provided with a copy of Council meeting minutes from January 25, 2016.

Mr. Barker reminded the Council that Casey's General Store had requested the same class of liquor license on January 25, 2016, and the Council took no action on the request.

Councilwoman Henton felt that if Casey's General Store was granted a liquor license, then the other convenience stores in Olney would also wish to be granted license. For this reason, she was not in favor of the request.

Mayor Vaughn noted that no liquor licenses were currently available. If the Council wished to grant the request for liquor license, the Code would need to be amended to allow for an additional Class B liquor license. It was the Mayor's preference that the Council indicate exactly how many licenses for each classification should be available, and stick to it.

Councilwoman Henton recalled a provision where a store selling items other than liquor that totaled a certain percentage of sales could not be granted a liquor license. City Clerk Sterchi replied that the provision was no longer allowable by State law, and the City Code had been changed.

Councilman Harrison had no issue with Casey's General Store's request for liquor license.

Councilman McLaughlin agreed with the Mayor's request to set a definite number of allowable licenses per classification, but was concerned on how to establish a fair way to grant the licenses up to the allowable amount. Councilman McLaughlin also added that if Casey's General Store was granted a license, that he would prefer for it to be beer and wine sales only.

The Council took no action on the Class B liquor license request from Casey's General Stores, Inc.

8-F "Resolution: Accept Donations from RCRC for the Musgrove Park Restrooms, and Amend the 2016-2017 Budget" The Council was provided with a proposed resolution to accept donations from RCRC for the restrooms at Musgrove Park, and that would amend the 2016-2017 budget. The Council was also provided with a memo from Park Department Supervisor Frank Bradley about the total cost of the Musgrove Park restrooms.

Mr. Barker told the Council that the RCRC had generously donated \$27,159.15 to the City for the restroom facility at Musgrove Park. An amount of \$50,000.00 had been included in the 2016-2017 budget for the project, but the current total cost estimate for the project totaled \$83,696.00.

Councilman McLaughlin moved to approve 2017-R-06, seconded by Councilman Harrison. Councilmen Harrison, McLaughlin, Councilwoman Henton, and Mayor Vaughn voted yes. There were no opposing votes. The motion carried.

Mayor Vaughn commented that when the restroom project was originally proposed a few years ago that most did not believe it would be completed so quickly.

Councilman McLaughlin reported that the Together We Play Park project was completed. Security cameras had recently been installed. Swings would soon be placed as provided by a separate project, also funded by donations.

Mayor Vaughn asked how the new park had held up over the winter. Councilman McLaughlin replied that one portion of the rubberbond surfacing had a tear, but would be patched.

8-G "Discussion: Policy for Use of White Squirrel Costume" The Council was provided with a proposed list of policies and regulations for use of the white squirrel costume, and a proposed rental agreement for use of the white squirrel costume.

City Clerk Sterchi reminded the Council that the topic had been discussed at two Council meetings already. She had also received another request over the weekend from a group wanting to use the costume.

Mayor Vaughn felt that the list of policies and regulations could have added that the signee would be responsible for reimbursing the City for any damage done to the costume. He also requested

that a deposit be placed when borrowing the costume where a portion of the deposit could be refunded once the costume is back at City Hall with no damages.

Mr. Barker felt that insurance and liability issues were of great concern. It was then suggested that the wording in paragraph 15 of the rental agreement could be added to the policy and regulation page.

Councilman McLaughlin wondered if the City would even be allowed to loan the costume, similar to not being able to loan out other City items.

Councilwoman Henton asked Mrs. Sterchi what kind of request she had recently received for use of the costume. Mrs. Sterchi replied that she was approached by someone who would be part of a team participating in an upcoming race in another town. The team wanted the costume to act as a sort of mascot for their team.

Councilman McLaughlin offered that a fee could be charged to whomever requested the squirrel for their event, but impose a fee for a City employee to wear it.

Mr. Barker requested another month to construct a better policy. The Council was agreeable. No outside use of the white squirrel costume would be allowed until a policy was in place.

8-H “Ordinance: Authorize Sale of Personal Property from the Water Plant on GovDeals.com – 1997 Dakota 16-Foot Jon Boat & 1997 Haul-Rite Trailer” The Council was provided with a proposed ordinance to authorize the sale of a 1997 Dakota 16-foot jon boat and 1997 Haul-Rite Trailer from the Water Plan on GovDeals.com.

Mr. Barker explained that the boat and trailer were taken out of service last summer when the new boat and trailer were purchased.

Councilman McLaughlin moved to approve Ordinance 2017-15, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

8-I “Request: Tourism Promotion Line Item Expenditure for Feature in the Eat & Explore Illinois Cookbook and Visitors Guide, and to Purchase 32 Copies of Eat & Explore Illinois” The Council was provided with a memo from City Clerk Sterchi explaining the opportunity the City had to be featured in the Eat & Explore Illinois cookbook and tour guide.

Mrs. Sterchi told the Council that she was requesting a \$818.96 expenditure out of the Tourism Promotion line item. The amount would include the \$495.00 placement fee in Eat & Explore Illinois, the cost of purchasing 32 of the books, and estimated shipping costs. An amount of \$5,531.00 remained in the line item.

The Eat & Explore Illinois cookbook and tour guide would be the eighth volume of the Eat & Explore State Cookbook Series, and would be printed approximately 50,000 times. The book would be sold in major bookstores, gift shops, chain stores, wholesale clubs, Amazon.com, etc.

If participating, the City would receive two full color pages that would include photos, a 150 word spot, contact information, and a recipe from the area. Additionally, the City had the option to purchase 32 of the books at half price to sell at full retail to help recoup some of the cost.

Councilwoman Henton wondered if the City could sell 32 of the books. Mrs. Sterchi strongly felt that 32 could be sold.

Councilwoman Henton moved to approve the request for expenditure of \$818.96 from the Tourism Promotion line item towards costs related to placement in the Eat & Explore Illinois cookbook and tour guide, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-J "Ordinance: Authorize Sale of Municipally Owned Real Property at 321 E. Lafayette Street" Mr. Barker reminded the Council that no bids were received on January 9, 2017, for the sale of 321 E. Lafayette Street. As a result, the Council passed a resolution on January 23, 2017, to allow for a public auction.

The public auction was held earlier in the day at 4:00 p.m. Only one bidder attended the auction, and placed a bid at \$500.00.

Councilman McLaughlin moved to approve Ordinance 2017-16, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-K "Resolution: Accept Bid for Demolition of 826 S. Whittle Avenue" The Council was provided with a proposed resolution to accept a bid for the demolition of 826 S. Whittle Avenue.

Mr. Barker told the Council that one bid had been received. Doll's, Inc., bid \$4,175.00 for demolition of 826 S. Whittle Avenue.

Councilwoman Henton moved to approve 2017-R-07, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

Mayor Vaughn commended the Code Enforcement Department for their continuous work on helping to remediate the numerous violations within the City.

AGENDA #9 "REPORTS FROM ELECTED AND APPOINTED OFFICIALS"

9-A "Status Report-City Manager" The Council was provided with a status report from the City Manager. Mr. Barker told the Council that the IBEW contract was coming due, and that he had been in touch with their representative.

Mr. Barker then mentioned that interviews had started for the CBDG housing grant. Approximately seven homes would be eligible for grant benefits.

An appointment had been set for Mr. Barker at Pacific Cycle to take a look at the roof and determine where to go with the next phase of the project.

City Engineer Charleston told the Council that bids would be opened in Springfield on March 3, 2017, for the Whittle Avenue Reconstruction Project. He expected the waterline replacement work to begin at some point during the week.

Mayor Vaughn asked the City Treasurer why the telecommunications tax showed such a reduction. Mr. Sanders was uncertain, but had noticed that comparable cities were also experiencing such a pattern.

Mrs. Sterchi mentioned that Olney had been nationally awarded the designation as a Tree City U.S.A. In addition, work was taking place by the Tree Board to allow for the planting of a Milkweed Garden in collaboration with the Mayor's Monarch Pledge, and work was taking place to offer many free trees to the public in observance of Arbor Day.

AGENDA #10 "PUBLIC COMMENTS/PRESENTATIONS"

10-A "Brian O'Neill" Brian O'Neill told the Council of something he had recently noticed. Mr. O'Neill was concerned with a trailer behind CVS that had numerous lawn mowers on the property. He felt that was a fire hazard and should be cleaned up.

In regards to the white squirrel costume, Mr. O'Neill did not feel that governmental property could be used for private purposes unless an intergovernmental agreement was involved.

AGENDA #11 "CLOSED SESSION: SALE OR LEASE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; CONSIDERATION FOR THE SELECTION OF A PERSON TO FILL A PUBLIC OFFICE; COLLECTIVE NEGOTIATING MATTERS; AND APPOINTMENT, EMPLOYMENT, COMPENSATION, AND PERFORMANCE OF SPECIFIC EMPLOYEES" Councilman Harrison moved to adjourn to closed session to discuss sale or lease price of real property; acquisition of real property; consideration for the selection of a person to fill a public office; collective negotiating matters, and appointment, employment, compensation, and performance of specific employees, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

Councilmen Harrison, McLaughlin, Councilwoman Henton, Mayor Vaughn, City Treasurer Chuck Sanders, City Attorney Zuber, and City Clerk Sterchi left the Council Chambers at 8:00 p.m.

AGENDA #12 "RECONVENE OPEN SESSION" Upon return of those who were in closed session to the Council Chambers, Councilman Harrison moved to enter back into open session, seconded by Councilwoman Henton. A majority affirmative voice vote was received. Open session resumed at 8:44 p.m.

12-A "Resolution: Authorize Side Agreement Between the City of Olney and the International Association of Fire Fighters Local 4301" The Council was provided with a proposed resolution that would authorize the execution of a side agreement between the City and the International Association of Fire Fighters Local 4301 (IAFF), and a copy of the proposed side agreement.

Mr. Barker explained that in the newest IAFF contract, the residency requirements were not included by accident. The side agreement would require firefighters to live within a four mile radius of the Olney Fire Station. Additionally, firefighters living outside of City limits would face a one percent

deduction in their gross pay, would still be required to live within the Olney Fire Protection District, and would not be allowed to take home a City owned vehicle.

Councilwoman Henton moved to approve 2017-R-08, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

12-B “Resolution: Authorize Employment Agreement for Fire Chief” The Council was provided with a proposed resolution that would authorize the execution of an employment agreement between the City and Michael F. Hill, Jr., and a copy of a draft employment agreement.

After conducting interviews for the Fire Chief position, it was Mr. Barker’s recommendation to appoint Mr. Hill as Fire Chief. The Council felt that paragraph two in the draft agreement had wording that was a bit unclear. They requested that Mr. Zuber clean up the wording a bit to more clearly define Mr. Hill’s pay structure.

Mayor Vaughn moved to approve 2017-R-09 with the agreement to be finally drafted with wording change in paragraph two, seconded by Councilman Harrison. A majority affirmative voice vote was received.

12-C “Ordinance: Establish the Salary for the Fire Chief” The Council was provided with a proposed ordinance that would establish the salary for Mr. Hill as Fire Chief.

Mr. Barker explained that the ordinance provided for the Fire Chief’s salary to be \$62,000.00 with \$500.00 being compensated to Mr. Hill for assuming the administrative duties of the Fire Department after Rusty Holmes’ retirement.

Councilman Harrison moved to approve Ordinance 2017-17, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

12-D “Resolution: Authorize Memorandum of Understanding Between the City of Olney and the International Association of Fire Fighters Local 4301” The Council was provided with a copy of a proposed resolution that would authorize a memorandum of understanding between the City and the IAFF, and a copy of the memorandum of understanding.

Mr. Barker explained that the memorandum would allow the City to use part-time employees as temporary substitutes for bargaining unit members due to vacancies in the Fire Department until the vacancies were filled.

Councilman McLaughlin moved to approve 2017-R-10, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

12-E “Ordinance: Establish Temporary Hourly Wage for Volunteer Paid-on-Call Firefighters’ Working Shifts” The Council was provided with a proposed ordinance that would establish a temporary hourly wage for paid-on-call (POC) firefighters’ working shifts.

Mr. Barker told that the ordinance would provide for an hourly wage of \$10.50 for those POC firefighters working 24-hour shifts from March 1, 2017, until September 1, 2017, or until shift coverage was no longer needed.

Councilwoman Henton moved to approve Ordinance 2017-18, seconded by Councilman Harrison. A majority affirmative voice vote was received.

AGENDA #13 “ADJOURN” Councilman McLaughlin moved to adjourn, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

The meeting adjourned at 8:46 p.m.

Kelsie J. Sterchi
City Clerk