

CITY OF OLNEY
CITY COUNCIL MEETING
JANUARY 9, 2017

AGENDA #1 “CALL TO ORDER” The January 9, 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. Troy Reynolds led the group in prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: Les Harrison, Belinda Henton, John McLaughlin, Bob Ferguson and Ray Vaughn. 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 Meetings on December 9, 2016 (Special & Regular)”

4-B “Approve and Authorize Payment of Accounts Payable January 10, 2017” Pooled Cash \$226,966.42, Manual Pooled Cash \$94,482.20, Petty Cash \$61.36, Tree Project \$271.73, Unemployment \$506.51, Levied Insurance \$65,347.00, IMRF \$45,573.07, MFT \$108,682.12, Tourism \$1,210.00, 175th Anniversary \$58.02, Christmas Light Display \$1,664.09, Utility Refunds \$1,206.84, Fire Pension \$2,000.00, Police Pension \$2,000.00

4-C “Raffle License: Olney Elks”

4-D “Raffle License: Richland County H.E.A.”

4-E “Raffle License: Salvation Army”

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 “Bid Opening: Sale of 321 E. Lafayette Street Property Owned by the City of Olney” The Notice of Sale for 321 E. Lafayette Street was published in the Olney Daily Mail one time per week for three consecutive weeks as required by statute. No bids were received for this property.

8-B “Ordinance: Authorize Sale of 321 E. Lafayette Street Property Owned by the City of Olney” Because no bids were received for the sale of 321 E. Lafayette Street, this topic was removed from the agenda.

8-C “Bid Opening: Sale of 403 W. Elm Street Property Owned by the City of Olney” The Notice of Sale for 403 W. Elm Street was published in the Olney Daily Mail one time per week for three consecutive weeks. Two bids were received for this property. Jack D. Harrell and Kimbara G. Harrell bid \$840.50, and Amy Siders bid \$605.00. The minimum bid was set at \$480.00.

8-D “Ordinance: Authorize Sale of 403 W. Elm Street Property Owned by the City of Olney” A majority of the Council wished to award the sale of 403 W. Elm Street to the high bidders, Jack D. Harrell and Kimbara G. Harrell. Councilman Ferguson moved to approve Ordinance 2017-01, seconded by Mayor Vaughn. A majority affirmative voice vote was received with Councilman McLaughlin voting no. Ordinance 2017-01 will be created.

8-E “Bid Opening: Sale of 533 W. Chestnut Street Property Owned by the City of Olney” The Notice of Sale for 533 W. Chestnut Street was published in the Olney Daily Mail one time per week for three consecutive weeks. Two bids were received for this property. Jack D. Harrell and Kimbara G. Harrell bid \$2,278.50, and Doan Rentals, LLC., bid \$2,100.00. The minimum bid was set at \$1,085.00.

8-F “Ordinance: Authorize Sale of 533 W. Chestnut Street Property Owned by the City of Olney” The Council wished to award the sale of 533 W. Chestnut Street to the high bidders, Jack D. Harrell and Kimbara G. Harrell. Councilman Ferguson moved to approve Ordinance 2017-02, seconded by Mayor Vaughn. A majority affirmative voice vote was received. Ordinance 2017-02 will be created.

Because no bids were received for 321 E. Lafayette Street, the City now had the option to sell the property by public auction conducted by the City or by an auction service, or to list the property with a real estate firm. The City Manager recommended to sell the property by a public auction conducted by the City.

Mayor Vaughn wished to address Agenda Item 8-J (Ordinance: Change the Name of Kiwanis Road to N. Rotary Way Road/N. Rotary Road). From the audience, Rotary Club of Olney Member Lauren McClain told the Council that the request was submitted on behalf of the Rotary Clubs. If approved by the Council, the Rotary Clubs would then submit the same request to the County Board.

Also from the audience, Rotary Club of Richland County Member Andrew Thomann explained that “Rotary Way” is a term often used in the Rotary Clubs. The Council felt it may be less confusing to the Richland County Dispatchers to have the name changed to N. Rotary Road.

Councilman McLaughlin moved to approve Ordinance 2017-04, seconded by Councilman Harrison. A majority affirmative voice vote was received. Ordinance 2017-04 will be created.

Mayor Vaughn then wished to address Agenda Item 8-I (Resolution: Approve Agreement Between the Rotary Clubs and the City of Olney for Rotary Park). The Council was provided with a

proposed resolution to execute an agreement between the City of Olney and the Rotary Clubs for Rotary Park, and a copy of the newly proposed agreement.

City Manager Barker told the Council that since the October 24, 2016, meeting, the only other addition to the proposed agreement was the addition of, “NEW DEVELOPMENT: Any new major development or repurposing of the park will be a joint decision between the City and both Rotary Clubs.” Parks & Recreation Chair Morgan Henton added that he had met with both Rotary Clubs in December, and all were in agreeance to the proposed changes to the agreement. City Attorney Zuber indicated that he felt the agreement was acceptable.

Mayor Vaughn moved to approve 2017-R-01, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

8-G “Request: Class C Liquor License for Buzz B., Inc.” The Council was provided with a Class C Liquor License Application from Buzz B., Inc. Michelle Brooks was present to answer any questions.

The City Attorney was asked if Ms. Brooks’ application was in proper form. Mr. Zuber replied that the application was sufficient.

Councilwoman Henton noted that Ms. Brooks was the only listed applicant, partner, officer, manager, director and shareholder for Buzz B. Inc. The Councilwoman wondered if that was accurate. Ms. Brooks replied that it was true that she was the only person at this time to be listed under such description.

Councilman McLaughlin moved to approve a Class C Liquor License for Buzz B. Inc., seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-H “Ordinance: Amend Section 5.12.070 (Restriction on Number of Licenses Authorized) to the City of Olney Municipal Code” The Council was provided with a proposed ordinance to amend Section 5.12.070 (Restriction on Number of Licenses Authorized) of the Code to allow for five Class C liquor licenses instead of four.

Councilman McLaughlin moved to approve Ordinance 2017-03, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-I “Resolution: Approve Agreement Between the Rotary Clubs and the City of Olney for Rotary Park” Action was taken on this item under 8-F.

8-J “Ordinance: Change the Name of Kiwanis Road to N. Rotary Way Road/N. Rotary Road” Action was taken on this item under 8-F.

8-K “Discussion: Possible Changes to Chapter 5.32 (Taxicabs) of the City of Olney Municipal Code” Charles Robertson of Olney Taxi was present. Mr. Robertson had some concerns about seeing a taxi from Effingham on Olney streets. Since that time, he had learned that the taxi from Effingham

was in Olney doing medical transfers only. He had also heard that Uber was trying to recruit drivers in Olney. City Attorney Zuber felt that the current taxi ordinance would require Uber to register with the City if the company was doing any business in Olney.

Mr. Robertson then expressed interest in being able to deliver alcohol. Mr. Zuber indicated that alcohol delivery could be possible if the liquor establishment paid Mr. Robertson for the service, and if the Council wished to amend Section 5.32.170 of the Code to allow for such a service.

Mr. Robertson would speak with Marilyn's Liquor Cabinet about the possibility.

8-L "Resolution: Amend the 2016-2017 Budget in the Band Department, and Authorize Payment for Band Shell Improvements" The Council was provided with a proposed resolution to amend the budget in the Band Department, and authorize payment for Band Shell improvements.

Mr. Barker told the Council that renovations for the Band Shell were budgeted for the current fiscal year. Some invoices were not received until recently. The total costs exceeded the amount in this year's budget, so an amendment was needed in the amount of \$8,515.24.

Councilman McLaughlin was pleased with all of the work done to the City Park over the last year. Mayor Vaughn agreed, and commended Park Department Supervisor Frank Bradley and the Parks & Recreation Board for their efforts over the past few months.

Councilman McLaughlin moved to approve 2017-R-02, seconded by Councilman Ferguson. A unanimous voice vote was received.

AGENDA #9 "REPORTS FROM ELECTED AND APPOINTED OFFICIALS"

9-A "Status Report-City Manager" Mr. Barker told the Council that easements were currently being acquired for the improvements to S. Whittle Avenue. The waterline relocation project would begin soon, and the bid letting for the widening of the road was hoped for March.

Councilman McLaughlin wondered if the State had ever found a way to reconstruct S. Whittle Avenue's intersection with Route 130. Mr. Barker replied that the intersection would be improved, but not changed. City Engineer Charleston added that the State would not allow for the rebuilding of the intersection.

Mayor Vaughn recalled that part of the project was being funded by 11 years of advanced STU funds at about \$104,000.00 annually. He did not want future Councils to be handicapped because of the advanced funds, so he recommended that future budgets allow for some of those funds to be reimbursed.

Mr. Sanders told the Council that State Income Tax continued to run unfavorable. His numbers showed that the tax was running about \$78,000.00 unfavorable to this time last year. This was an actual reduction, and not due to any back payments from the State.

Mr. Sanders added that the first installment of hotel/motel tax had been received from The Loft at 116.

Mr. Barker then added that a budget planning meeting was scheduled for January 30, 2017, at 6:30 p.m., and a public hearing with the Wabash County Health Department was scheduled for January 23, 2017, at 3:00 p.m.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Brian O’Neill” Brian O’Neill told the Council that the sidewalk on S. Camp Avenue had been removed. He told the City that just because the sidewalks were removed did not mean that anyone could build on City right-of-way. Mr. O’Neill then made comment about eminent domain potentials.

Mayor Vaughn then explained that a Plan Commission meeting had taken place on January 3, 2017, to consider rezoning requests for Prairie Farms. The request and Plan Commission recommendations were not on this evening’s agenda, but would be in the near future.

AGENDA #11 “CLOSED SESSION: SALE OR LEASE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; AND 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 Councilman Harrison. A majority affirmative voice vote was received.

Councilmen Harrison, McLaughlin, Ferguson, Councilwoman Henton, Mayor Vaughn, City Treasurer Chuck Sanders, City Attorney Zuber, and City Clerk Sterchi left the Council Chambers at 7:25 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Upon return of those who were in closed session to the Council Chambers, Councilwoman Henton moved to enter back into open session, seconded by Mayor Vaughn. A majority affirmative voice vote was received. Open session resumed at 8:02 p.m.

12-A “Ordinance: Repeal Ordinance 2016-33 Establishing the Salary of the City Clerk” The Council was provided with a proposed ordinance to repeal Ordinance 2016-33. Mr. Barker reminded the Council that a few months ago, the Department of Labor had passed a new ruling stating that salaried individuals in managerial positions should be paid a salary of at least \$47,476.00 or be compensated for all overtime hours. The Council passed Ordinance 2016-33 in November, but since that time, a federal judge had contested the ruling. Ordinance 2016-33 would need to be repealed.

Mayor Vaughn moved to approve Ordinance 2017-05, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

Mr. Barker told the Council that Rob David was interested in having work done to a portion of Lakeview Lane. Mr. David would also be willing to pay for proposed work done to that area. Mayor Vaughn asked if the work would need to be bid. Mr. Barker felt that the total for any work would be under the threshold required for bidding.

Mayor Vaughn noted that Lakeview Lane did need some improvements because it was the road used to access Bird Haven.

The Council was in consensus to have Mr. Barker handle the situation from here.

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

The meeting adjourned at 8:18 p.m.

Kelsie J. Sterchi
City Clerk