

CITY OF OLNEY  
CITY COUNCIL MEETING  
JUNE 13, 2016

AGENDA #1 “CALL TO ORDER” The June 13, 2016, 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.

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 Manager Allen Barker, City Attorney Bart Zuber, Deputy City Clerk Cindy Harlan, City Treasurer Chuck Sanders, and City Engineer Roger Charleston.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on May 23, 2016”

4-B “Approve and Authorize Payment of Accounts Payable June 14, 2016” Pooled Cash \$131,311.15; Manual Pooled Cash \$109,154.33; Petty Cash \$174.72; 175<sup>th</sup> Anniversary \$3,755.53; Tourism \$1,750.00; and IMRF \$29,451.39.

AGENDA #5 “REMOVAL OF ITEMS FROM CONSENT AGENDA” No items were requested to be removed 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 “Presentation: House Resolution in Honor of Dodransbicentennial” State Representative David Reis thanked the Mayor and City Council for their service and commitment to the citizens of Olney. In honor of Olney’s 175<sup>th</sup> anniversary, Mr. Reis presented a framed copy of the House Resolution that was recently adopted by the House of Representatives. A copy of the House Resolution was also presented to the Richland County Board. Mr. Reis and the members of the City Council posed for a picture.

8-B “Request: Discounted Admission Rates for KidZone Child Development Partners, LLC., of \$1.50 per Student and Free Admission for Each Accompanying Teacher” The Council was provided with a letter from KidZone requesting reduced swim rates for the 2016 season.

Councilwoman Henton moved to approve the request as presented, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

Mayor Vaughn requested that in the future, discussion on discounted rates and policy for childcare centers be held prior to the swimming season instead of addressing each request individually. It was suggested that this topic be put on the calendar for discussion in February of next year.

8-C “Request: Class B Liquor License for Yongxin Enterprise, Inc.” The Council was provided with a Class B liquor license application from Lekhranj Ahuja for Yongxin Enterprise, Inc. Also provided were excerpts from the minutes of City Council meetings on March 14 and March 28, 2016, during which Mr. Ahuja’s request for a liquor license was discussed.

Mr. Ahuja informed the City Council that the difference in this application is that a local manager has been hired for the business.

Mayor Vaughn stated that both the first and second times the application for a liquor license was submitted, the application was not complete. It appears that this application is not complete as well.

Councilwoman Henton pointed out that Item 9 on the application requires a list of all partners, officers, managers, directors and all persons entitled to share in the profits of said business, to also complete Item 16. There is a secretary of the corporation listed on Item 9 who did not complete Item 16. Even though Mr. Ahuja is listed as owner of 100% share of the business, Keran Ahuja is listed as secretary. The application clearly states that “every officer and everyone who may share in the profit” must complete Item 16.

This agenda item was tabled. Mayor Vaughn advised Mr. Ahuja to contact the City Clerk when the application is properly completed and put it back on the agenda. Mr. Ahuja stated he would correct the application.

8-D “Ordinance: Amend Section 5.12.070 (Restriction on Number of Licenses Authorized) of the City of Olney Municipal Code” This agenda item was passed as a result of Item 8-C being tabled.

8-E “Request: Tourism Promotion Line Item Expenditure to Complete Purchase of White Squirrel Costume” The Council was provided with a memo from City Clerk Sterchi requesting authorization to disburse funds out of the Tourism Promotion line item to complete the purchase of the white squirrel costume. The down payment for the costume was made during the previous fiscal year.

Mayor Vaughn moved to approve the expenditure of \$2,739.00 from the Tourism Promotion line item, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-F “Ordinance: Prevailing Wage” The Council was provided with a proposed prevailing wage ordinance, and a listing of the most recent prevailing wages, as of July of 2015. Illinois state statutes require municipalities to pass a prevailing wage ordinance during the month of June.

Councilwoman Henton moved to approve Ordinance No. 2016-22 as presented, seconded by Councilman Ferguson. Councilman Harrison, Councilwoman Henton, and Councilmen McLaughlin and Ferguson voted yes. Mayor Vaughn voted no. The motion carried.

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 informed the Council that the mosquito program has begun and spraying will occur on Mondays and Thursdays. New spraying equipment was purchased for this task.

Last week, a representative from OSHA inspected all departments of the City except for police and parks. The representative was very pleased with the level of cooperation from the employees and the finding of little or no issues. He was very complimentary of the City.

A memo was provided a couple weeks ago about code enforcement, and what the police officers are doing to help Code Enforcement Officer Mike Mitchell. The program seems to be going well thus far.

Mayor Vaughn mentioned that on code violations, it had been discussed to simplify the process for the recipients of a ticket. City Attorney Zuber stated he had presented something several months ago, but the Police Department is using the same tickets. Mr. Zuber and Police Chief Paddock will get together to discuss this subject. Mayor Vaughn stated a police officer is being used to write tickets, more homes are being demolished, and more progress is being made with enforcement. The last link in the chain is to make the experience of paying or contesting a little clearer. He appreciates all the links in the chain working and resulting in getting a lot more accomplished. Previously, the City Manager was also the attorney and had to go to court on ordinance violations. Mayor Vaughn believes everything is working much better now.

City Engineer Charleston reported work has started on the W. Main St. water main project. He stated the contractor is doing a good job. Work has also started on Washington St. water tower. It should take about six weeks to paint it, depending upon the weather.

City Treasurer Sanders stated the auditors began working today. They will be at City Hall three days this week and two days next week.

Courtney Yockey, RCDC Director, reported he is working on a lot of projects.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Brian O’Neill” Brian O’Neill, 818 E. Main Street, told the Council that he is going to end up shutting down The Fireside because patrons are urinating off the sidewalk, the bouncer’s language is intimidating, and alcohol containers are on the sidewalk. He is recording all the violations and putting them on YouTube.

10-B “Ron Workman” Mr. Workman informed the Council that he has lived on Baltimore St. for the last 10 years. Mike Doll owns the field across the road from his house. The field has never been kept up, and now Mr. Workman is being told the Dolls are not mowing it because they are going

to farm it. Mr. Workman said the police advised him that policy is different for him because his property is residential and the Doll's property is a business. He questioned if it is a business, how come they mowed it for the last 10 years. Mr. Workman said he was told to get rid of all his junk cars, and was given 10 days to move them. Another property close to City Park has junk on it.

Mayor Vaughn stated that in the last 18 months, progress has been made on code enforcement. With one full time code enforcement officer working with new construction, remodeling, demolitions, complaints, etc., and one police officer devoting a few hours to assist in junk violations, they are stretched. They are doing a good job, and the Council is trying to give them resources to assist in their duties.

Mr. Workman complained about the condition of Baltimore St. He also mentioned that he wanted to tear his house down and put a trailer in its place, but was told he could not. He was advised to contact Code Enforcement Officer Mike Mitchell about this. When he requested a copy of the code, he was advised that it is available online.

Councilwoman Henton was interested in discussing weeds. The City Code provides mediation procedures for weeds that exceed 12". She expressed concern that different standards are being used in the enforcement of weed control.

Mayor Vaughn reminded the Council there was some acreage in the Industrial Park, where the owners have obtained permission to bale a couple times of year. This is not a high priority concern for him at this time.

Councilman Ferguson pointed out the Council had talked about the possibility of reviewing and coming up with a game plan to take care of this issue, such as a special permit to not have to mow or restrict the number of times to mow per year.

City Manager Barker said a special permit was discussed last year, as well as the idea of trimming around the outside of a field near streets. The City Council just needs to give him direction on what they want to do. The City also owns some acreage that is grown up.

Councilwoman Henton inquired about the Police Department's involvement in weeds. Mr. Barker advised it is a joint effort between the City Clerk, Code Enforcement, and the Police Department. It is believed the reason Mr. Workman is complaining about weeds is because he was told to move junk cars.

Councilwoman Henton believes if some property owners are going to be allowed to have weeds higher than 12" on their property that it be documented with a special permit. She also said the Municipal Code provides for the City Clerk to handle weeds. Every weed complaint is inspected for validity, and then notices sent out. She does not believe weeds should be added to Mr. Mitchell's work load.

Mayor Vaughn suggested that Mr. Barker and City Clerk Sterchi discuss this topic when she returns.

Councilman Ferguson suggested identifying the properties that need to be addressed and come up with a game plan. Mr. Barker said that the discussion ended last year with the consensus that if the perimeters are mowed and kept looking decent, and the grass was going to be baled, that was sufficient.

Mayor Vaughn stated that for the past several years, when RCDC Director Courtney Yockey had questions, he was able to call City Hall and talk to the City Manager who was also the City Attorney. Now, with the City recently hiring a contract attorney on an hourly rate, Mr. Yockey is finding that if he calls the attorney and asks questions, the City is getting a bill for it. This is not something that has been dealt with before. This situation also includes engineering services. Some of the projects in the TIF district along Route 130 involve discussing the project with the City Engineer for his input and expertise.

At the last meeting of the RCDC Board, it was discussed that RCDC needs to have some type of agreement with the City to utilize City services, especially legal and engineering. No action can be taken this evening, but it is a need that should be addressed. RCDC is supposed to be, in concept, an organization whose sole purpose is to bring commercial and industrial development to Richland County. The City carries most of the load for that. Contribution over the last three years is around \$170,000 which is about half of RCDC's budget. The next largest contributor is one of the banks. The County participates solely in assisting with the IMRF contribution for the director. Over the last three years, the City has reduced its contribution to RCDC because RCDC's costs have decreased due to the change in directors, Richland County paying for IMRF, and for the last six months there has been no administrative assistant. Both Mayor Vaughn and Councilman Ferguson serve on the RCDC Board of Directors. There needs to be some parameters set to move forward to access legal and engineering services. Neither come without costs associated with them.

Mr. Yockey stated that these services are needed for projects involving the City of Olney. The services needed on a project vary on a case by case basis. Mr. Yockey has drafted a proposed agreement that would authorize RCDC as an agent through the City to work with the City Attorney or City Engineer, or a consultant down the road. He suggested authorizing up to \$5,000 annually for legal services and up to \$5,000 annually for engineering services. If more is needed, the request will come before the City Council.

AGENDA #11 "CLOSED SESSION: SALE PRICE OF REAL PROPERTY; COLLECTIVE NEGOTIATING MATTERS; ACQUISITION OF REAL PROPERTY; AND APPOINTMENT, EMPLOYMENT, COMPENSATION, AND PERFORMANCE OF SPECIFIC EMPLOYEES"

Councilman Harrison moved to adjourn to closed session to discuss sale price of real property; acquisition of real property; collective negotiating matters; and appointment, employment, compensation, and performance of specific employees, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

Councilmen Harrison, McLaughlin, Ferguson, Councilwoman Henton, Mayor Vaughn, City Manager Barker, City Attorney Zuber, City Treasurer Sanders, and Deputy City Clerk Harlan left the Council Chambers at 7:37 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 9:05 p.m.

12-A “Resolution: Authorize Destruction of Audio Recordings of Closed Session Meetings”

12-B “Resolution: Authorize Release of Closed Session Minutes”

Councilwoman Henton moved to approve Resolution No. 2016-R-38 and Resolution No. 2016-R-39 as presented, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

Councilman McLaughlin inquired if Mr. Barker had talked to Frank Bradley about the charges imposed by the Little League for the use of the ball diamonds at Musgrove Park. Mr. Barker replied that the Little League does charge \$100 for the use of each diamond per tournament because the League’s equipment is used to drag and line the fields. The City maintains and upkeepes all of the diamonds in Musgrove Park.

Councilman McLaughlin also inquired if the City is made aware of when travel tournaments are being held, and asked if a master schedule was kept. This year, on June 25<sup>th</sup>, the biggest swim meet of the year is being held, and on that same weekend one of the biggest tournaments is being held. It is understood that the swim meets are scheduled through the City Clerk, however, there are travel tournaments held every weekend. Councilman McLaughlin asked who schedules those and asked if the City is made aware of who is using the fields for insurance purposes. He believes Frank Bradley is aware of who is using the fields because he is President of the Little League. It is Councilman McLaughlin’s understanding that the Little League keeps the \$100 fee so that the all-stars have money for traveling. He believes if anyone gets the \$100 fee it should be the City. He asked how the City was policing the use of the fields. Whoever is hosting the tournaments should be made aware of all of the rules, such as parking in the grass.

City Manager Barker excused himself from the meeting at 9:12 p.m.

Mayor Vaughn commented that in regard to June 25<sup>th</sup>, permission is being sought to park on the grass. Frank Bradley needs to approve that request. Councilman McLaughlin replied that it is going to be a bad deal if it rains. He suggested that the City Clerk contact someone with the swim team and someone associated with the tournament to assist in parking.

City Manager Barker returned at 9:13 p.m. Mr. Barker had notes from his discussion with Mr. Bradley in reference to use of the ball diamonds at Musgrove Park. Each tournament director is required to collect Certificates of Insurance from each team participating in the tournament. There are two directors with whom Mr. Bradley works. Mr. Bradley authorizes the use of the fields, and he keeps the schedule as Park Supervisor.

Councilman Ferguson believes the City should have access to all the information. Councilwoman Henton believes the Certificates of Insurance should be on file with the City.

Councilman McLaughlin commented that during an adult softball tournaments at the Babe Ruth field, they were parking on the grass.

Mr. Barker commented that Mr. Bradley will not be president of the Little League after this year. Mr. Barker believes the rules need to be revamped, but mid-year is not the best time to do that. The City is not profiting anything during the tournaments.

Councilman McLaughlin has received complaints about the Little League charging a fee for using the various fields. Councilwoman Henton asked if the City was prepping the fields.

Mr. Barker responded that the fee is for using the Little League's equipment such as drags and the 4-wheeler. The City lines the diamonds for the leagues during the week, but not for the tournaments held on the weekends.

Councilman McLaughlin reminded everyone that the Little League was supposed to hire someone part-time to prep the fields for games. That never happened. It takes almost a full time person to maintain the fields. Also, the City needs to know who is using the fields and when.

Mr. Barker agreed that when Mr. Bradley schedules use of the fields, he needs to let the City Clerk know, if he does not already.

Mayor Vaughn received a complaint from someone at the lake who believes the fishermen participating in fishing tournaments are not acquiring boat licenses.

Mayor Vaughn received a call from a representative of the Rotary stating the club has the money to build a new pavilion at Rotary Park. He was curious to know if the project has been cleared with the City.

Councilman McLaughlin responded that LaGala donated funds for this project and both Rotary Clubs are participating.

The project will need Council approval, as well as presenting the information to the Parks and Recreation Board.

Councilman McLaughlin requested that City Manager Barker look into a project involving a heater at the swimming pool. It is his understanding there is a gentleman in town who is willing to donate half of the money for the project. It is estimated to cost around \$90,000. Councilman McLaughlin also mentioned some playground equipment that has not been installed yet by the ball diamonds at Musgrove Park. Mr. Bradley advised him that once the brown shed is moved, the equipment will be installed.

City Manager Barker advised the Council about the following items:

A donation of \$750 had been received for repair of the flag pole at the Police Department. The donation will be recognized as income and the repairs as an expense.

Jeff Lathrop has located a 5,100 gallon sludge wagon trailer for \$53,850. There is \$35,000 budgeted for this item. There is \$90,000 budgeted for a used tractor, so hopefully that purchase will be less than budgeted to balance it out.

The property at 403 W. Elm Street can belong to the City for \$553. A check has been prepared, and bids will be solicited for the demolition of the house.

A representative of the Senior Citizens Center has requested a donation from the City. The request will be on the agenda for the next meeting. Mr. Barker has requested an audit from them. They deliver approximately 84 meals per day and served 36,800 meals in the community last year.

Councilwoman Henton mentioned the grant application for the Dog Park is complete. At this time, GWRPC is reviewing the application prior to submittal.

Councilman McLaughlin informed everyone that the ribbon cutting for the Together We Play Park will be scheduled once the fence is installed. Brad Doll is extending the parking lot and making more handicapped spots. More sidewalk will be poured. Adam's Memorials has donated granite for a plaque.

Councilman McLaughlin would like to put discussion on bathroom facilities at Musgrove Park on the agenda for the next meeting.

City Manager Barker advised he is attending a joint city manager conference in Lake Geneva next week.

Mayor Vaughn reminded everyone the 175<sup>th</sup> anniversary celebration weekend is in five weeks. Councilman McLaughlin hoped everyone participating in the parade would re-enter their floats in the Christmas Parade.

City Manager Barker stated Marty Doan is waiting to hear from his corporate office on participating in the repairs of the Pacific Cycle roof.

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

The meeting adjourned at 9:34 p.m.

Cindy L. Harlan  
Deputy City Clerk