

CITY OF OLNEY
CITY COUNCIL MEETING
JUNE 25, 2018

AGENDA #1 “CALL TO ORDER” The June 25, 2018, 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 Carress led the group in prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: Morgan Fehrenbacher, Les Harrison, Belinda Henton, and Mark Lambird. Councilman McLaughlin entered the meeting after Agenda Item 8-E. Also present were City Manager Allen Barker, City Clerk Kelsie Sterchi, City Treasurer Jane Guinn, and City Engineer Charleston.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on June 11, 2018”

4-B “Approve and Authorize Payment of Accounts Payable June 26, 2018” Pooled Cash \$62,758.23, Manual Pooled Cash \$5,619.42, MFT \$9,326.55, Tourism \$4,000.00, Route 130 TIF \$14,972.00

4-C “Raffle License: VFW Post #4226”

4-D “Ordinance: Prohibit the Parking of Vehicles in One Parking Space of Municipal Parking Lot Between E. Market and E. Chestnut Streets” 2018-34

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 Harrison 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 “Request/Ordinance: Vacate the North/South Alley Between E. Cherry Street and E. North Avenue & S. Grant and S. Jasper Streets” The Council was provided with a letter of request from Stephen Cecil, and a map of the alley proposed for vacation.

Mr. Cecil had requested closure/vacation of the north/south alley to the west of his property at 1021 E. Cherry Street. Notices of the request had been sent to the adjoining property owners.

Councilwoman Henton asked if the property owner at 1025 E. Cherry Street was in favor of the vacation. Mrs. Sterchi replied that the property owner had not given word on their approval or

objection. Kim Houchin had phoned in approval for the request, and Richard Johnson phoned in an approval, as long as the appropriate easements were reserved. Gas and electric easements were located in the alley.

Mr. Cecil had spoken to the property owners at 1025 E. Cherry Street a few months prior about his request, and they had no objection at that point. Additionally, there were currently several bushes in between the two properties. Mr. Cecil accessed his property through the alley. The owners of 1025 E. Cherry Street accessed their property with a driveway to the east of their home.

Councilwoman Henton requested that additional contact be made with the property owners at 1025 E. Cherry Street to hear their opinion and confirm whether or not they would want one half of the alley.

Since easements were needed, the alley could be vacated at a cost of \$0.15 per square foot, plus the cost of recording.

Councilwoman Henton moved to approve Ordinance 2018-35, pending appropriate feedback from the owners of 1025 E. Cherry Street, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-B “Special Event Request: Closure of 100-300 Blocks of E. Main Street & 100 Block of S. Whittle Avenue for the Olney Bicycle Classic” The Council was provided with a Special Event Application from the Olney & Richland County Chamber of Commerce for the 2018 Olney Bicycle Classic, a letter of request, a map of the proposed Olney Bicycle Classic area, a flyer to be taken to each downtown business, and a flyer for the Olney Bicycle Classic.

Because partial street closures of S. Whittle Avenue and Main Street were included with the request, the City Manager wanted the Council to give approval or denial.

Olney Bicycle Classic Committee Member Lauren McClain reminded the Council that the event had been moved back to the downtown area as of 2017. Due to some safety concerns during the youth races, the Committee was requesting an additional block of Main Street to be closed for the event. This area would be near King’s Furniture. Chamber Director Amy Bissey-Murphy indicated that she had spoken to King’s Furniture, and they had given their blessings for the closure.

Councilwoman Fehrenbacher moved to approve the closures of the 100-300 blocks of E. Main Street and the 100 block of S. Whittle Avenue for the Olney Bicycle Classic, seconded by Councilman Harrison.

Noting the Special Event Application, Councilwoman Henton wondered if it would be a problem for the City to alter the traffic signals, as requested. Mr. Barker believed that City workers would know how to alter the signals, but was more concerned with having someone be out on call to take care of the signals before, during and after the event. Councilwoman Fehrenbacher added that if barricades were placed appropriately, traffic signals should not be a concern.

Mrs. Bissey-Murphy indicated that the request for altered traffic signals was not a deal breaker. Such requests were made in order to make the event as safe as possible.

A majority affirmative voice vote was received.

8-C “Ordinance: Amend Chapter 5.12 (Liquor Control) of the City of Olney Municipal Code” The Council was provided with a proposed ordinance that would amend the description of a Class E liquor license in Sections 5.12.010 and 5.12.060 of the City of Olney Municipal Code. At the last City Council meeting, the Council decided to table a request for a liquor license from the Olney Bowling Center in order to make an amendment to the City Code in regards to license classifications.

Councilwoman Henton noticed that one portion of the ordinance referenced 50% of total non-alcohol purchases, with another portion of the ordinance referencing 75% of non-alcohol purchases. She felt that 50% would be appropriate in both places. Mayor Lambird agreed. Councilwoman Fehrenbacher wondered if the City Attorney should be consulted before any changes were made to the ordinance. The Council did not believe so.

Councilwoman Henton moved to approve Ordinance 2018-36, with striking 75% from Section 2 and replacing with 50%, seconded by Councilman Harrison. A majority affirmative voice vote was received.

Councilman McLaughlin entered the meeting at 7:09 p.m.

8-D “Request/Possible Ordinance: Liquor License for Olney Bowling Center, LLC.” The Council was provided with a liquor license application from Olney Bowling Center, LLC. The topic was tabled from the prior Council meeting because an appropriate license class was needed.

Councilwoman Henton had heard that manager Tony Mattoon would soon be residing in Olney. She asked him if that was true. Mr. Mattoon confirmed. He owns the property at 524 W. North Avenue and was waiting on some repairs to take place before moving into the residence. He expected the repairs would be made within the next four to six weeks.

Councilwoman Henton moved to approve 2018-37, increasing the Class E liquor licenses from zero to one, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-E “Ordinance: Address the Payment of Cable Television Franchise Fees” The Council was provided with a proposed ordinance that would address the payment of cable television franchise fees, and a copy of pages 348 and 349 of the IML 2018 Municipal Handbook. This item was also tabled from the last Council meeting. The Council would need to decide what annual service provider fee to set for the Telecommunications Management/NewWave Communications’ franchise fee.

Councilman McLaughlin asked what the City had been charging as a franchise fee. Mr. Barker replied that the City had been charging three percent, but could legally charge up to five percent.

Councilwoman Fehrenbacher asked how much a three percent fee generated. City Treasurer Guinn replied that about \$44,000.00 per year was being received. Mrs. Guinn also believed that the City had never raised that fee.

Franchise fees for Telecommunications Management/NewWave Communications would be passed on to the consumer by the company. Councilwoman Henton noted that people using other

providers such as Dish would not be paying the extra franchise fees. She was not in favor of raising the fee.

Councilman McLaughlin moved to approve Ordinance 2018-38, with a franchise fee of three percent, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

8-F “Ordinance: Prevailing Wage” The Council was provided with a proposed Prevailing Wage ordinance, a copy of the Prevailing Wage determination from the Illinois Department of Labor for Richland County for wages paid after September 1, 2017, and a copy of the prevailing wages for the oil and chip program which was approved by the Richland County Board at their June meeting.

The Illinois State statutes require municipalities to pass a Prevailing Wage ordinance during the month of June.

Councilman McLaughlin moved to approve Ordinance 2018-39, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

8-G “Resolution: Accept Bid for MFT Concrete for Use in Miscellaneous Construction Work” The Council was provided with a bid tabulation for bids received for MFT Concrete and MFT Oil & Chip. The Council was also provided with an IDOT resolution that would approve the low bid for concrete.

Mr. Barker told the Council that at 10:00 a.m. on June 20, 2018, sealed bids were opened for the supply of concrete for miscellaneous construction to be paid with MFT funds. Schrey Systems, LLC., had bid \$106.00 per square yard, and Doll’s, Inc., had bid \$102.00 per square yard. It was recommended to accept the low bid from Doll’s, Inc.

Councilman McLaughlin moved to approve the IDOT resolution to accept the Doll’s, Inc., bid for MFT concrete at \$102.00 per yard, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-H “Resolution: Accept Bid for MFT Oil & Chip” The Council was provided with a bid tabulation for bids received for MFT Concrete and MFT Oil & Chip. The Council was also provided with an IDOT resolution that would approve the one bid received for MFT oil and chip.

Mr. Barker indicated that sealed bids for MFT oil and chip were also opened at 10:00 a.m. on June 20, 2018. One bid was received from the Mt. Carmel Stabilization Group in the amount of \$96,875.30.

Councilwoman Fehrenbacher moved to approve the IDOT resolution to accept the Mt. Carmel Stabilization Group’s bid for MFT oil and chip in the total amount of \$96,875.30, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-I “Discussion: Highway Safety Improvement Program (HSIP) Funding for Sidewalk Construction Along Route 130 from North Avenue to Parker Street” Mr. Barker wanted to share some great news with the Council. On June 18, 2018, the City received notice that the grant application for installation of a sidewalk along Route 130 from North Avenue to Parker Street was approved. The amount of the grant was \$704,921.00, with the City’s match estimated to be \$78,325.00. The City’s TIF attorney indicated that TIF funds could be used for the match.

The sidewalk project would be a multi-year project with many regulations to be met in order to be in compliance with grant conditions. At some point, the Council would need to determine if the sidewalk should be placed on the west or east side of Route 130. Some considerations would include preliminary environmental assessments, elevations, signalization upgrades, and the existence of under and above ground utilities.

Once contractual terms were met, and the site determined, an environmental review with the State would be needed, and could take up to one year. The estimated bid letting/approval date would be August of 2021.

Mayor Lambird thanked everyone involved in submitting the grant application, and noted that he greatly appreciated the effort.

8-J “Resolution: Amend the 2018-2019 Fire Department Budget for a Grant from the Illinois State Fire Marshal” The Council was provided with a proposed resolution that would amend the 2018-2019 Fire Department budget for a grant received from the Illinois State Fire Marshal.

Fire Chief Hill told the Council that a grant had been awarded in the amount of \$20,864.00 from the Illinois State Fire Marshal for the purchase of a gear extractor to wash and dry firefighter gear. Funds were also allocated for modifications that may be needed to the Fire Station. “Good job,” said Councilwoman Henton.

Councilman Harrison moved to approve 2018-R-47, 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” The Council was provided with a Status Report from the City Manager. Mr. Barker reported that some extensive vandalism had occurred at the new restrooms at Musgrove Park, near the Together We Play Park. He hoped that the restroom would be re-opened in time for the weekend.

Councilman McLaughlin thought he recalled that security cameras had been placed near the location. He wondered if those were operational. Mr. Barker confirmed, and added that they helped to identify the culprit. Councilman McLaughlin was pleased, noting that many people had put a tremendous amount of effort into placing that restroom and playground.

Mr. Barker continued that bid specifications were being drawn up for the cleaning of the Brentwood water tower. Bids were being sought for an articulating boom lift for the Park Department, roof work to City Hall, and a commercial ventilation hood and drones for the Fire Department.

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

9-C “Chamber of Commerce Report” Councilman McLaughlin had nothing to report.

9-D “Parks & Recreation Board Report” The Parks & Recreation Board had nothing to report.

9-E “Tourism Board Report” Councilwoman Henton stated that she had recently been interviewed about white squirrels for the Illinois Bicentennial.

Councilman McLaughlin apologized for being late to the meeting. He was finishing up a ballgame for a Little League team he was coaching. He asked if the Raffle License for the VFW had been approved. The Council confirmed.

Mayor Lambird told the Council that he had attended the most recent Route 50 Coalition meeting in Salem, Illinois, that had good representation. Funding had been received on the western side for the Lebanon, Illinois, bypass.

Mayor Lambird also congratulated the Olney Tigersharks for a successful invitational.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS” Ronald Workman, 901 and 929 S. Baltimore Street, wished to speak with the Council. Mr. Workman indicated that he was very displeased with the condition of S. Baltimore Street. He utilizes a wheelchair from time to time, and the road has damaged the tires.

Mayor Lambird told Mr. Workman that the City would take a look at the roadway and follow up with him.

Mr. Workman continued that an area across the road from him had not been mowed yet this year. The same property had only been mowed twice in the prior year. He stated that he had spoken with the Utility Billing Clerk about the issue, and she had put in a work order for the weed complaint. Mr. Workman believed the property owner got around mowing by stating it was too wet to mow. Mayor Lambird was aware that bush hogs were different than regular mowers and may be part of the problem, depending on the type of growth on the property.

Mr. Workman then asked if he could get a demolition permit. City Clerk Sterchi told him to see City Hall during business hours to get an application. The fee for the permit would be \$75.00.

From the audience, Dr. David Eckiss referenced minutes published in local newspapers. He observed some quite critical comments and “colorful” presentations made during the Public Comments/Presentations portion of some recent meetings. In jest, Dr. Eckiss asked if voicing such comments was a paid position, and if the City was accepting such applications.

Fire Chief Hill told the Council that since the last meeting, he had done more research on the topic of fireworks. The information he had referenced was outdated, but permitting would be the same. Because he was misinformed, he wanted to make the Council aware.

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 Harrison 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 McLaughlin. A majority affirmative voice vote was received.

Councilmen Harrison, McLaughlin, Councilwomen Fehrenbacher, Henton, Mayor Lambird, City Manager Barker, and City Clerk Sterchi left the Council Chambers at 7:27 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 Councilwoman Fehrenbacher. A majority affirmative voice vote was received. Open session resumed at 7:53 p.m.

12-A “Resolution: Authorize Destruction of Closed Session Audio” The Council was provided with a proposed resolution to destroy closed session audio.

Councilman McLaughlin moved to approve 2018-R-48, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

12-B “Resolution: Authorize Release of Closed Session Minutes” The Council was provided with a proposed resolution to release closed session minutes.

Councilwoman Henton moved to approve 2018-R-49, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

Mr. Barker told the Council that a meeting had been held with Illinois Rural Water out of Taylorville, Illinois. The company had come to talk about GIS systems to be used within public works. The Mayor and Councilwoman Fehrenbacher had also attended.

If the Council took action in the near future on the project, work could begin this fall. The project was a budgeted item.

Mayor Lambird added that a yearly membership fee would also be needed in the amount of \$19.95 per user. The system would also not be integrated into the City’s current GIS. Councilwoman Henton hoped they could export a layer that could be used with the City’s GIS.

Councilman Harrison asked how close the GIS system would be able to go. Mr. Barker replied that the accuracy would go to subfoot. Maps could also be printed.

Councilwoman Fehrenbacher asked what type of work was taking place at the intersection of S. Whittle and E. North Avenues. Mr. Barker replied that concrete crosswalks were being installed.

Councilwoman Henton asked if the Street Department had a list of sidewalks they intended to replace throughout the year. Mr. Barker confirmed, but noted that other projects of greater importance often took priority.

Councilwoman Fehrenbacher told the Council that she understood Mr. Workman’s complaint about S. Baltimore. She knew that workers going to and from Fehrenbacher Trailer Court used it often but past that, she was not sure how much S. Baltimore Street was utilized by the public.

Mr. Barker then told the Council that he had received a proposal from Preston Township Road Commissioner, Phil Kuentler. Mr. Barker would be speaking with Mr. Kuentler on potential cost sharing. Councilwoman Henton offered that the County could take over some of the roads. The Council, overall, had some concerns about maintenance of several of the roads near East Fork Lake. Councilman McLaughlin offered that perhaps the Council could write a formal letter stating its opinions about the conditions. Councilwoman Henton noted that the City was already maintaining Preston Township roads located at Vernor Lake. Councilwoman Fehrenbacher felt that it would not be wise to put City money towards township roads and not the City's own poor ones.

AGENDA #13 "ADJOURN" With no further business to discuss, Councilwoman Fehrenbacher moved to adjourn, seconded by Councilman Harrison. A majority affirmative voice vote was received.

The meeting adjourned at 8:07 p.m.

Kelsie J. Sterchi
City Clerk