

CITY OF OLNEY
CITY COUNCIL MEETING
MAY 22, 2017

AGENDA #1 “CALL TO ORDER” The May 22, 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 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. Gary Wachtel led the group in prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: Morgan Fehrenbacher, Les Harrison, John McLaughlin, and Mark Lambird. Councilwoman Belinda Henton was absent. Also present were City Attorney Bart Zuber, City Clerk Kelsie Sterchi, City Treasurer Chuck Sanders, and Assistant City Treasurer Jane Guinn.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on May 8, 2017”

4-B “Approve and Authorize Payment of Accounts Payable May 23, 2017” Pooled Cash \$143,632.68, Manual Pooled Cash \$5,934.96, IMRF \$26,714.86, MFT \$11,512.38, Route 130 TIF \$82.50

4-C “Raffle License: Fraternal Order of Police Lodge #402”

4-D “Raffle License: Olney FFA Alumni”

4-E “Raffle License: Auxiliary Council of Richland Memorial Hospital”

4-F “Raffle License: B.P.O.E. #926 (1)”

4-G “Raffle License: B.P.O.E. #926 (2)”

4-H “Raffle License: B.P.O.E. #926 (3)”

4-I “Raffle License: Olney Quilt Guild (1)”

4-J “Raffle License: Olney Quilt Guild (2)”

4-K “Raffle License: Petroleum Club of Olney”

4-L “Raffle License: The Revival Center of Olney”

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 Councilman Harrison. 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: Class B Liquor License Application for L & S 2017 Liquor, Inc., d.b.a. RK Party Supply” The Council was provided with a liquor license application for a Class B liquor license from L & S Liquor, Inc., and a copy of the lease for RK Party Supply.

Jagruti and Bhavesh Patel were requesting the Class B liquor license in order to continue the operation of RK Party Supply at 801 S. Whittle Avenue. Currently, RK Party Supply is being ran under Shiv Liquors, Inc., who will no longer be running the business as of June. Per requirements of the City Code, the new corporation would need to request a new liquor license from the City Council. Bhavesh Patel was present to answer any questions.

Councilman McLaughlin asked if RK Party Supply would be ran under the same owners but with a different corporation. Mr. Patel replied that RK Party Supply would have new owners and a new corporation running the store.

City Attorney Zuber told that he had met with the new applicants within the past couple of weeks, and they were following the correct process of changing the corporation and liquor license. Mr. Zuber then pointed out a secretarial error in the lease. The first page of the lease listed the correct entities, but not the correct address of RK Party Supply. Additionally, there were a few pages included in the lease that were actually from a purchase agreement. This may have been a stapling error. Because the error was minor and easy to correct, Mr. Zuber did not see a need for the application to be denied or resubmitted. Per the recommendation of the City Clerk, if the Council wished to grant the request for a Class B liquor license, the license would not be issued until the corrected paperwork was received.

Councilman McLaughlin moved to approve the Class B liquor license application for L & S 2017 Liquor, Inc., d.b.a RK Party Supply, provided that the corrected paperwork would be submitted, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-B “Request: Class B Liquor License Application for R & M 2017 Liquor, Inc., d.b.a. B & L package Liquor” The Council was provided with a liquor license application for a Class B liquor license from R & M 2017 Liquor, Inc., and a copy of the lease for B & L Package Liquor.

Jagruti and Bhavesh Patel were requesting the Class B liquor license in order to continue the operation of B & L Package Liquor at 1701 E. Main Street. Currently, B & L Package Liquor is being ran under Olney Liquors, Inc., who will no longer be running the business as of June. Per requirements of the City Code, the new corporation would need to request a new liquor license from the City Council. Bhavesh Patel was present to answer any questions.

Councilman McLaughlin moved to approve the Class B liquor license application for R & M 2017 Liquor, Inc., d.b.a. B & L Package Liquor, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-C “Resolution: Accept Quotes for Improvements to Chestnut Street and the Intersection of Kitchell Avenue and Chestnut Street, Waive Formal Bidding Procedures, and Amend the 2017/2018 Budget” The Council was provided with a proposed resolution to accept quotes for improvements to Chestnut Street and the intersection of Kitchell Avenue and Chestnut Street. The proposed resolution would also waive formal bidding procedures and amend the 2017/2018 budget.

Mr. Barker reminded the Council that at the May 8, 2017, meeting, the City Council was in consensus to resurface Chestnut Street from Camp to Whittle, and resurface the intersection of Kitchell and Chestnut. By agreeing to add these projects to the contractor's schedule, the cost of the originally accepted project would be less. Ambraw Asphalt Materials of Lawrenceville, Illinois, provided that the cost based on estimated tonnage for Kitchell from Chestnut to Elm would be \$41,508.40, Chestnut from Camp to Whittle would be \$43,941.75, and the intersection of Kitchell and Chestnut would be \$9,012.95.

The proposed resolution would accept the quotes listed for the improvements, but would authorize improvements up to \$60,000.00. Additionally, the 2017/2018 budget would not need to be amended in dollars, but would need to change the 100-460-7780 line item to read Kitchell/Camp/Chestnut Street Repair instead of Kitchell/Camp Street Repair.

Councilman McLaughlin asked for a reminder on how much was originally budgeted for the Kitchell/Camp Street Repair. Mr. Barker replied that \$318,500.00 had been budgeted.

Councilman Harrison moved to approve 2017-R-42, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-D "Ordinance: Authorize Sale of Personal Property from Sewer Department on GovDeals.com – 1 John Deere Riding Mower and 1 John Deere Ztrak Mower" The Council was provided with a proposed ordinance that would authorize the sale of a John Deere riding mower and John Deere Ztrak mower from the Sewer Department on GovDeals.com.

Sewer Department Supervisor Jeff Lathrop was requesting to sell the mowers by auction on GovDeals.com because the engines were not in good condition, and a new tractor had been purchased for their necessary mowing. Mr. Lathrop proposed starting bids for each mower to be \$300.00.

Councilman McLaughlin moved to approve Ordinance 2017-30, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-E "Ordinance: Unlawful Possession of Cannabis and Cannabis Drug Paraphernalia" The Council was provided with a proposed ordinance on the unlawful possession of up to 10 grams of cannabis and cannabis drug paraphernalia within the City of Olney. Any person who would violate any of the provisions of the ordinance would pay a fine of not less than \$100.00, nor more than \$200.00.

The City Attorney explained that the proposed ordinance was suggested by the Police Chief. City of Olney police officers were running into problems with enforcing cannabis related violations due to differences between City and County ordinances. The Richland County Board had passed such an ordinance in July of 2016. If the City Council chose to pass the proposed ordinance, it would make violations related to cannabis and cannabis drug paraphernalia cohesive with County laws.

Mr. Zuber then suggested a change in the wording under Section Four, part B, number Four to read, "All fines unpaid after thirty days of issuance shall be forwarded to the Richland County State's Attorney for further prosecution," instead of the City of Olney City Attorney.

Councilman McLaughlin moved to approve Ordinance 2017-31, including Mr. Zuber's proposed change, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-F "Ordinance: Authorize Sale of Items of Personal Property from the Park Department at Scrap Daddy, Inc. – Miscellaneous Scrap Metal" The Council was provided with a proposed ordinance that would authorize the sale of miscellaneous scrap metal from the Park Department at Scrap Daddy, Inc.

Councilman Harrison moved to approve Ordinance 2017-32, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-G "Resolution: Amend the 2017/2018 Budget for the West Main Watermain Project, and Authorize Expenditure" The Council was provided with a proposed resolution that would amend the 2017/2018 budget for the W. Main Watermain Project and authorize final expenditures for the project.

Mr. Barker told that the W. Main Watermain Project had been completed, and final paperwork had been submitted by the contractor. An amount of \$10,000.00 had been held as a retainer until the contractor successfully completed all aspects of the project. Additionally, final engineering costs were due in the amount of \$4,316.00.

Councilman McLaughlin moved to approve 2017-R-43, seconded by Councilwoman Fehrenbacher. Councilmen McLaughlin, Harrison, Mayor Lambird, and Councilwoman 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" The Council was provided with a status report from the City Manager. Other than the report that was provided in the Council packets, Mr. Barker told the Council that the final portion of concrete for the Kitchell Avenue repaving project was poured that morning. The engineer indicated that the area would be closed for an additional six days before being opened back up to traffic. The asphalt contractor should be ready to start work in that area around the first of June.

Mr. Barker continued that the driveway to the sign shop near Bower Park was being re-poured with concrete.

Mr. Barker had also received a request from Larry Willis regarding a Civil War marker in the brick near 308 E. Main Street. Mr. Willis was part of the organization that had placed the marker, and they now desired for the marker to be moved to the old Senior Citizens Park lot located between 308 and 322 E. Main Street. The lot once housed a building where individuals went to sign up for war. Mr. Barker did not believe that the Council needed to take any action on the request, but he did want the Council to be aware.

Renovation of a final clarifier at the Sewer Plant had been budgeted for in the 2017/2018 year. Mr. Barker and Mr. Lathrop would be moving on with the project to get parts ordered. August 1, 2017, was the proposed start date for renovation.

Councilman McLaughlin asked when the Summer MFT program would begin. Mr. Barker estimated the program would begin between mid-July and the first of August. Roads had not yet been selected for the program, but the City Engineer and Street Department Supervisor were working on the selections.

9-B “RCDC Report” RCDC Executive Director Courtney Yockey told the Council that Eric and Karen Seals had submitted a preliminary plat of the Parkside Plaza for consideration of the Plan Commission, and a variance application for consideration of the Board of Appeals. Both the Board of Appeals and Plan Commission meetings would take place on June 5, 2017. Mr. Yockey added that Mr. and Mrs. Seals had also submitted their TIF application.

9-C “Chamber of Commerce Report” Councilman McLaughlin, a member of the Chamber Board, had nothing to report at this time.

9-D “Parks & Recreation Board Report” The Parks & Recreation Board did not meet this month.

9-E “Tourism Board Report” Councilwoman Belinda Henton and Karen Bell are the members of the Tourism Board. Councilwoman Henton was absent from this meeting, so no report was given.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Brian O’Neill” Mayor Lambird announced that Mr. O’Neill could step up to give his public comment/presentation, but Mr. O’Neill was not in attendance. Councilman McLaughlin noted that since his time on the Council, this was the first meeting that Mr. O’Neill had not been in attendance.

AGENDA #11 “ADJOURN” Councilman McLaughlin moved to adjourn, seconded by Councilman Harrison. A majority affirmative voice vote was received.

The meeting adjourned at 7:16 p.m.

Kelsie J. Sterchi
City Clerk