

CITY OF OLNEY
CITY COUNCIL MEETING
NOVEMBER 12, 2019

AGENDA #1 “CALL TO ORDER” The November 12, 2019, 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. Mayor Lambird led the group in prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: Greg Eyer, Morgan Fehrenbacher, Belinda Henton, John McLaughlin and Mark Lambird. Also present were City Manager Allen Barker, City Clerk Kelsie Sterchi, City Treasurer Jane Guinn, City Engineer Mike Bridges, and City Attorney Bart Zuber.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on October 14, 2019”

4-B “Approve and Authorize Payment of Accounts Payable October 29, 2019 & November 13, 2019” Pooled Cash \$239,657.91, Manual Pooled Cash \$99,735.99, Utility Refunds \$1,475.87, Unclaimed Funds \$644.25, Petty Cash \$189.59, Fire Pension 4,600.00, Police Pension \$4,600.00, IMRF \$41,745.85, Unemployment \$2,133.75, Tourism \$843.08, Christmas Light Display \$7,090.92

4-C “Raffle License: Olney Cubs & Olney Tiger Wrestling”

4-D “Raffle License: Salvation Army”

4-E “Special Event Request: Closure of East Street from Scott to Main, Main to Whittle, and Whittle to W. North from 5:30 p.m. to 8:30 p.m. for the Olney Christmas Parade”

4-F “Appointment: Elliott Brazil to the Plan Commission”

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 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 “PUBLIC HEARING: TAXICAB LICENSE REQUEST FROM SPEEDY FAST CABS, LLC./DELORIES DAVISON” Brianna Tracey was present for the public hearing. Ms. Tracey stated she would be a co-manager for Speedy Fast Cabs, LLC. She noted that the company owner, Delories Davison was on her way but would be late.

Councilwoman Henton was aware that the business' Assumed Name Certificate from the courthouse only listed Trevor Gandy as the sole owner and operator, however the City's Application for Taxicab license showed Delories Davison as the owner of the business. Mr. Gandy's name was not mentioned. Ms. Tracey believed that Ms. Davison should have been listed as the owner on all documents. She was unsure why there was a discrepancy.

Councilwoman Fehrenbacher noted that an Assumed Name Certificate had been given to Fast Cabs, LLC., but the City's Application for Taxicab License was for Speedy Fast Cabs, LLC. She wondered if it was the same company. Ms. Tracey replied that Fast Cabs, LLC. was already taken, so they had to change their name to Speedy Fast Cabs, LLC.

Councilwoman Fehrenbacher requested that the public hearing be tabled until an owner of the taxicab company was present.

Councilwoman Henton moved to postpone the remainder of Agenda #8 until later in the meeting, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

AGENDA #9 "PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC."

8-A "Request: Taxicab License for Speedy Fast Cabs, LLC." The Council was provided with an Application for Taxi Cab License from Speedy Fast Cabs, LLC., a copy of an Assumed Name Certificate for Fast Cabs, LLC., and a copy of Chapter 5.32 (Taxicabs) of the City of Olney Municipal Code.

Action on this item was taken later, after discussion in 9-I.

9-B "Request: East Fork Bassmasters Exceptions for Fishing Tournaments on East Fork Lake" The Council was provided with a memo from City Clerk Sterchi explaining requests from the East Fork Bassmasters for exceptions to fishing tournaments at East Fork Lake in 2020.

Mrs. Sterchi explained that the East Fork Bassmasters had submitted two specific requests for tournaments on East Fork Lake that did not comply with current tournament regulations that were in place.

The Bassmasters requested a 60 boat tournament on April 24, 2020, and a 35 boat tournament on May 16, 2020. The boat limit for tournaments was listed at a maximum of 30. Mrs. Sterchi pointed out that similar requests for the Bassmasters had been approved in prior years. She had reached out to IDNR for their opinion, and they said they would have no problem with the request as long as those tournaments were the only tournaments on the lake during that time.

Councilman McLaughlin moved to allow for a 60 boat tournament on East Fork Lake on April 24, 2020, for the East Fork Bassmasters, and a 35 boat tournament on East Fork Lake on May 16, 2020, for the East Fork Bassmasters, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

9-C “Discussion/Possible Resolution of Approval or Denial: Responsive Bid for the Primary Digester Repairs Project at the Wastewater Treatment Plant” Mayor Lambird requested that this topic be tabled until the November 25, 2019, meeting.

9-D “Resolution: Accept Bid for the Linn Street Box Culvert Riprap and Cut-off Wall Project” The Council was provided with a proposed resolution that would accept a bid for the Linn Street Box Culvert Riprap and Cut-off Wall Project.

Mr. Barker told the Council that bids for this project were solicited and then opened on October 29, 2019, at 10:15 a.m. One bid was received. Doll’s, Inc., of Olney, Illinois, bid \$19,500.00 for the project. An amount of \$30,000.00 was budgeted for this purpose.

Councilwoman Fehrenbacher moved to approve 2019-R-71, seconded by Councilman Eyer. A majority affirmative voice vote was received.

9-E “Resolution: Accept Bid for Demolition of 1200 N. Silver Street/Musgrove House” The Council was provided with a proposed resolution to accept a bid for demolition of 1200 N. Silver Street, better known as the Musgrove House.

Mr. Barker explained that bids were solicited for this project and then opened on November 8, 2019, at 11:00 a.m. Two bids were received. Hemrich Excavating of Noble, Illinois, bid \$8,400.00. Doll’s, Inc., of Olney, Illinois, bid \$7,900.00. Mr. Barker recommended accepting the low bid from Doll’s, Inc.

Mr. Barker told the Council that if the project moved forward, the budget would need to be amended. An original amount of \$10,000.00 was budgeted for the demolition, but totals were looking to be closer to \$15,000.00 because of asbestos abatement. A resolution amending the budget would be presented to the Council at a future meeting.

Councilwoman Henton moved to approve 2019-R-72, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

9-F “Discussion/Resolution: Estimate of Amount for 2019 Tax Levy” The Council was provided with a proposed resolution that would estimate the amount for the 2019 tax levy.

The State statutes required the City Council to establish the estimated amount of the tax levy at least 20 days prior to the passage of the tax levy ordinance. This passage was scheduled for the Council meeting on December 9, 2019.

Mr. Barker told the Council that the estimated 2019 tax levy consisted of a 4.99% increase for the City of Olney and a 4.99% increase for the Olney Public Library. Mr. Barker recommended that the Council adopt the resolution. Tax levy options would be available at the November 25, 2019, Council meeting.

Councilwoman Fehrenbacher moved to approve 2019-R-73, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

9-G “Presentation: Firefighters Pension Required Reporting to Municipality” The Council was provided with the Required Reporting to Municipality by Pension Board for the Firefighters Pension.

Mrs. Guinn stated that third-party actuary, Art Tepfer, had submitted his report on the Firefighters Pension. The fund was similar in position to the year before, and perhaps a bit worse.

Councilman McLaughlin wondered how the fund could be worse when the City Council voted to infuse the fund with an additional \$100,000.00. Mrs. Guinn replied that the infusion allowed for the fund to break even on income and expense for the year. Nothing was gained.

Councilman McLaughlin noted that the assumption was that the fund would receive a return of 6.5%, but had actually received 2.45%. Mrs. Guinn confirmed.

Mrs. Guinn continued that the Illinois Department of Insurance (IDOI) had declared the Firefighters Pension Fund as 48.86% funded, compared to last year’s 49.23%.

Mayor Lambird pointed out that the report stated that the funded ratio was 65.83%. He wondered where Mrs. Guinn got the 48.86%. Mrs. Guinn stated that the 48.86% was the IDOI’s provided number, and the 65.83% was Mr. Tepfer’s provided number. Mr. Tepfer’s calculations included different variables than that of the IDOI. The IDOI number was received after the report was created.

Mayor Lambird wondered which funded ratio was most accurate. Mrs. Guinn felt that the number that really counted was that of the IDOI. Over the past two years, the IDOI’s suggested levy amount was \$20,000.00 more than Mr. Tepfer’s highest recommendation. Mrs. Guinn also pointed out that when it was time to designate the 2018 tax levy, the actuarial reports had yet to be received from the IDOI.

Councilman McLaughlin recalled that when Mr. Tepfer was first hired a few years ago, he felt that the City should be levying more than what the IDOI had been suggesting. He wondered why Mr. Tepfer’s numbers were now lower than the IDOI’s. Mrs. Guinn replied that changes had taken place on how the numbers were to be calculated.

Councilman McLaughlin had a tough time trusting the State’s numbers. Mrs. Guinn understood, noting that the City had been using the State’s guidance for several years which lead to the fund being in the shape it was in.

Even though Mr. Tepfer’s funded ratio amount showed a number of 65.83%, Mrs. Guinn told the Council that Mr. Tepfer’s report commentary was not positive.

Councilman McLaughlin was aware that the State was going through the process of legislation that could possibly consolidate the downstate fire and police pension funds. Mayor Lambird confirmed, but noted that an amendment had recently been made that caused the IML to pull their support of the effort.

Councilman McLaughlin moved to accept the Firefighters Pension Required Reporting to Municipality, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

9-H “Presentation: Police Pension Required Reporting to Municipality” The Council was provided with the Required Reporting to Municipality by Pension Board for the Police Pension.

Mrs. Guinn reported that Mr. Tepfer’s funded ratio percentage for this fund came in at 44.55%, and the IDOI’S percentage came in at 40.95%. Last year, the IDOI’s percentage was 36.98%, so this fund had seen some improvement.

Councilman McLaughlin noticed that the Police Pension’s report showed the same expectation of a 6.50% rate of return, but actually only received 2.45%. He was aware that the Police Pension Fund was allowed to invest more into equities, so he wondered how come the rate of return was the same as the Firefighters Pension. At the moment, Mrs. Guinn was not quite sure. She said she would look into the matter and let the Council know what she found out.

Councilman McLaughlin moved to accept the Firefighters Pension Required Reporting to Municipality, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

9-I “Discussion/Possible Action: Golf Carts and UTVs on City Streets” The Council was provided with a mock ordinance for golf carts and UTVs, as drafted by Councilwoman Henton. At the last Council meeting, it was requested that Councilwoman Henton draft up a mock ordinance that would detail all of the suggestions she had provided to the Council per research from other communities.

The Councilwoman proposed separate licenses; one for golf carts and one for UTVs. She proposed that a license for golf carts be \$40.00 per year, and a license for UTVs be \$60.00 per year.

Councilwoman Fehrenbacher felt that Whittle Avenue should be added to the listing of prohibited streets for use by golf carts. Councilwoman Henton agreed. Councilman Eyer also suggested adding Elm and North to that list, as well.

Councilman Eyer was still not comfortable with the safety issue that such an ordinance could provide. He was also concerned that some of the wording in the ordinance would make it seem as if the entirety of the Council was in favor of the ordinance. Councilwoman Henton argued that the vote sheet that would be attached to the ordinance would clarify the voting.

Councilman Eyer also had concern with, “This ordinance is adopted in the interest of public safety. Golf carts and recreational off-highway vehicles/utility terrain vehicles are not designed or manufactured to be used on public streets, roadways, and the City of Olney in no way advocates or endorses their operation on streets.” He felt that statement was a complete contradiction to the principle of the ordinance. Councilwoman Henton disagreed. She did not feel that anyone in the public was required to utilize either kind of slow moving vehicle. Such

policy statements were found in ordinances from other communities and were most likely placed there for liability reasons.

Mr. Zuber felt it would be beneficial to add language from 625 ILCS 5/11-1426.1 (i), “No action taken by a unit of local government under this Section designates the operation of a non-highway vehicle as an intended or permitted use of property with respect to Section 3-102 of the Local Governmental and Governmental Employees Tort Immunity Act.”

Mr. Zuber added that any reference to “UTV” should be removed from the ordinance as the State statute only referenced the words “golf carts” and “recreational off-highway vehicles.” He then continued that the City would also need to determine who would perform inspections. Mayor Lambird wondered if the ordinance could cite the “Olney Police Department or agent.” He was curious if “agent” would authorize local businesses to also perform the inspections. Mr. Zuber felt that local businesses could perform the inspections, but felt it was best to clarify one or the other.

Councilwoman Henton felt that if local businesses were performing inspections, they should charge about \$22.00 to do so. Mayor Lambird felt the local businesses could instead be provided a price range and then choose how they would charge from there.

Mayor Lambird wondered if a minimum level of insurance coverage should be specified. Councilwoman Henton replied that it would always be the State requirement.

Councilwoman Fehrenbacher felt the license fees were too low, but added that she was not in favor of the proposal anyway.

The Council then discussed how license applicants, upon passing inspection, could bring authorization to City Hall for the rest of the processing. Councilwoman Henton worried people could forge approvals on inspections, and felt that having the Police Department conduct the inspections could help prevent that.

Mr. Zuber asked if there would be permitted hours of operation. Councilwoman Henton replied there were none proposed.

Councilwoman Henton pointed out that evidence of ownership was needed, but she was not certain if that would be necessary. She wondered if it would then be a problem for a someone to take out a slow moving vehicle that was owned by that person’s parents. From the audience, Fire Chief Hill thought that the insurance card should be sufficient.

Councilwoman Henton did not want the City Attorney to put any more time into the topic if the Council did not wish to move forward. Mr. Zuber agreed that unless three members of the Council wished to move forward, there would be no point in continuing the conversations.

Mayor Lambird, Councilman McLaughlin and Councilwoman Henton wished to move forward.

From the audience, Phil Bennett asked if golf carts would be allowed along Hall Street. Mr. Bennett resided in the Taylor Subdivision and would wish to travel to Cypress Road, via golf cart, down Hall Street to get to Cypress. Mr. Zuber commented that golf cart travel on Hall Street would only be permissible in order to cross the roadway at the nearest intersection.

Updates would be made to the proposed ordinance and possible action could take place at the November 25, 2019, Council meeting.

Mayor Lambird then directed the meeting back to Agenda #8 to finish the public hearing for the taxicab license request from Speedy Fast Cabs, LLC. Owner, Delories Davison, was now present.

Councilman McLaughlin moved to re-open the public hearing, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

Ms. Davison addressed the Council to say that she felt that there was a need for a taxi service in Olney, and recognized that need as a business opportunity.

Councilman McLaughlin noted that the Assumed Name Certificate only showed Trevor Gandy's name, and not Ms. Davison's. In addition, the company name on the certificate showed Fast Cabs, LLC., instead of Speedy Fast Cabs, LLC. Ms. Davison replied that Fast Cabs, LLC., was already in existence, so they needed to instead operate as Speedy Fast Cabs, LLC. She was not sure why her name was not on the Assumed Name Certificate. Mr. Gandy had completed that paperwork. She apologized for any information that had not been updated.

Mr. Zuber noted that the Council was only considering the Taxicab License Application, and not the Assumed Name Certificate. Councilwoman Henton was aware, but the differences made her question who was the actual owner.

Ms. Davison told the Council that Mr. Gandy was her son, and he lived in Olney. Mr. Gandy would be the general operating manager. Ms. Tracey would be handling the bookkeeping. Ms. Davison resided in Springfield, Illinois, but would be the owner of the business.

Councilman Eyer wondered how Ms. Davison would vet her taxicab drivers. Ms. Davison replied that she would review applicants' driving records, and require a copy of their driver's license.

Advertisements had been in the local newspaper. Councilwoman Henton wondered if Ms. Davison had already been operating the business. Ms. Davison replied that the business was not yet in operation. She had intended to start the business a few weeks ago, but was notified that licensure was needed from the City.

Councilmen Eyer and McLaughlin wanted to be certain that Ms. Davison was aware of the requirements as detailed in the City of Olney Municipal Code. Ms. Davison indicated she

would abide by the rules. City Clerk Sterchi commented that Mr. Gandy was in receipt of two copies of Chapter 5.32 (Taxicabs) of the City of Olney Municipal Code.

Councilman McLaughlin moved to close the public hearing, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

Mayor Lambird then took up agenda item 9-A.

Insurance requirements for vehicles were then discussed. If the taxicab license was approved, Ms. Davison would need coverage in the amount of \$300,000.00 per vehicle. Chief Paddock added that the policy would need to be through a commercial carrier.

Mayor Lambird asked Mr. Zuber if the presented Application for Taxi Cab License was in order. Though it was “bare bones,” Mr. Zuber indicated that the application was in order.

Councilman McLaughlin moved to approve a taxi cab license for Speedy Fast Cabs, LLC., seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

9-J “Ordinance: Authorize the Disposal of Items by Recycling of Personal Property Owned by the City of Olney – Two Desktop Computers & Printer from the City Treasurer’s Department” The Council was provided with a proposed ordinance that would authorize the disposal of items by recycling of two desktop computers and a printer from the City Treasurer’s Department.

Mr. Barker explained that the City Treasurer and Junior Accountant had received new computers this fiscal year. Because of this, their old computer systems were no longer needed. Additionally, Mrs. Guinn had a new printer and no longer needed the old, non-functional model. Mr. Barker proposed that these items be recycled through Abacus Computer Systems of Olney, Illinois.

Action on this item was taken under 9-K.

9-K “Ordinance: Authorize the Disposal of Items by Recycling of Personal Property Owned by the City of Olney – Desktop Computers from the City Clerk’s Department & City Manager’s Department” The Council was provided with a proposed ordinance that would authorize the disposal of items by recycling of desktop computers from the City Clerk and City Manager Departments.

Mr. Barker stated that the City Clerk and Director of Human Resources had received new computers this fiscal year. Because of this, their old computer systems were no longer needed. It was proposed that these items be recycled through Abacus Computer Systems of Olney, Illinois.

Councilman Eyer wished to vote on 9-J and 9-K together.

Councilwoman Fehrenbacher moved to approve Ordinances 2019-31 and 2019-32, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

9-L “Resolution: Amend the Fiscal Year 2019-2020 Budget for Fire Department Pagers & Chargers” The Council was provided with a memo from Fire Chief Hill, and a proposed resolution to amend the 2019-2020 budget for Fire Department pagers and chargers.

Chief Hill reminded the Council that at a prior Council meeting, the Council had authorized a budget amendment for thermal imaging cameras. Also during that time, the Fire Department still had an outstanding grant request for pagers and portables. Unfortunately, the Fire Department did not receive that grant. Many of the department’s pagers were failing, and they were in dire need of replacements.

Enough funds would remain in the new Camera (Thermal Imaging) line item that could be transferred to the Pagers w/ Chargers line item. Chief Hill was requesting that the Council authorize a transfer of \$5,500.00 from Camera (Thermal Imaging) to Pagers w/ Chargers. The \$5,500.00 would allow Chief Hill to purchase five pagers and chargers.

Councilman McLaughlin moved to approve 2019-R-74, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

9-M “Ordinance: Amend Chapter 5.24 (Raffles) of the City of Olney Municipal Code” The Council was provided with a proposed ordinance that would amend Chapter 5.24 (Raffles) of the City of Olney Municipal Code.

City Clerk Sterchi told the Council that the State statutes regarding raffles and poker runs had received many changes. The City of Olney Municipal Code mirrored State law, so the City’s ordinance would need to be updated.

Mr. Zuber pointed out a few of the proposed changes. Raffle licenses would only be needed where in the jurisdiction of the “key location.” Key locations for a poker run would be the location where the poker run concluded and prizes were awarded. Key locations for raffle would be the locations where winning chances in the raffle were determined.

Mr. Zuber had noticed that the State statute allowed for raffle license fees to be \$25.00. In the proposed ordinance, Mr. Zuber changed the fee from \$10.00 to \$25.00.

Mr. Zuber continued that previously, any felony convictions made an applicant ineligible for a license. Now, a felony conviction would only impair the applicant to act as a manager of the raffle.

Mr. Zuber recommended that the Council change the maximum value of prizes from \$35,000.00 to \$70,000.00. He was aware that some raffles, such as Queen of Hearts, often awarded much more than \$35,000.00. Mayor Lambird commented that he would have no problem raising the maximum value to \$500,000.00.

Additionally, applicants could now note if there was no maximum set for the number of raffle chances to be sold. Raffle chances could also now be sold throughout the State.

Fidelity bonds had the ability to be waived by a unanimous vote of the organization's members. Now, the law changed so that the bond could be waived by an affirmative vote of its members.

Councilman McLaughlin did not want to change the application fee from \$10.00 to \$25.00. He did not wish to "nickel and dime" the applicants.

Councilman McLaughlin moved to approve Ordinance 2019-33, but to keep the application fee at \$10.00, seconded by Councilman Eyer. A majority affirmative voice vote was received.

9-N "Discussion: Future Resolution Regarding Referendum for a 0.5% Sales Tax Increase for Road Maintenance" Mr. Barker reminded the Council that discussions had taken place regarding the option of a referendum for the purpose of a sales tax increase to help fund street improvements in the City of Olney. If the Council wished to move forward with a referendum, the amount of increase would need to be established and a resolution passed in order to have it on the Spring ballot. If the Council wished to move forward, a proposed resolution could be ready for action at the November 25, 2019, City Council meeting.

Councilman McLaughlin was also a part of the Road Committee. He told the Council that once the roads were evaluated, and better paving options discussed, funding options were also considered. A couple of years ago, the idea of a sales tax referendum was discussed, but RCCU #1 had placed a 1% sales tax referendum on the ballot that had passed. This passage put the Road Committee's suggestion of a sales tax referendum on the back burners.

Councilman McLaughlin continued that several people had told him that they would wish to see such a referendum placed on the ballot. The Councilman also felt that it should be specified that the proposed .5% sales tax increase would only go towards funding road improvements.

Mayor Lambird wondered what a .25% increase and a .5% would look like. Mrs. Guinn replied that a .25% increase would generate about \$400,000.00 worth of revenue, and a .5% increase would generate about \$800,000.00 worth of revenue.

Councilman McLaughlin pointed out that currently, the City could only spend about \$150,000.00 per year on road maintenance. He added that to replace all oil and chip roads to asphalt would be about \$10,000,000.00.

Mayor Lambird recalled that Main Street would soon be due for resurfacing. He asked how much that project would cost. City Engineer Bridges replied that would cost slightly over \$1,000,000.00. Mayor Lambird then asked how much had been set aside so far for Main Street's resurfacing. Mrs. Guinn replied that about \$435,000.00 had been set aside.

Councilman McLaughlin felt that a sales tax increase was the best way to fund the road improvements. He also liked that a sales tax increase would not burden property taxpayers.

Councilwoman Fehrenbacher recalled that efforts for passage on the sales tax increase for RCCU#1's high school remodel was backed by a group of people that essentially campaigned over several months. She was concerned that there would not be enough time to educate the public before the referendum went to a vote in the Spring. Mr. Zuber agreed. At any rate, Mayor Lambird felt that language should be drawn up even if the City needed to wait to place the referendum on the November ballot.

9-O "Resolution: Calling a Public Hearing to be Heard by the Plan Commission Regarding Appropriate Zoning Amendments Relating to Adult Use Cannabis Facilities" The Council was provided with a proposed resolution that would call for a public hearing to be heard by the Plan Commission regarding appropriate zoning amendments relating to adult use cannabis facilities.

As of January 1, 2020, recreational use of marijuana would be allowed in the State of Illinois for adults 21 years of age or older. The State of Illinois would also be issuing 75 licenses for adult use cannabis facilities around the state by May 1, 2020.

Mr. Barker explained that the City would need to go through the process of deciding whether or not to allow such facilities in its zoning jurisdictions. As such, the Council needed to request that the Plan Commission consider the topic and report their recommendations to the City Council. The proposed resolution would request that the Plan Commission hear the topic at their December 2, 2019, meeting.

Mr. Zuber added that even if the City did not accommodate zoning for adult use cannabis facilities, medical dispensaries would be authorized within a reasonable zoning category.

Mr. Zuber would be going through the model ordinance, provided by IML, to get it into a form that would be compatible with the City Code.

Councilwoman Fehrenbacher moved to approve 2019-R-75, seconded by Councilwoman Henton.

Councilman Eyer wondered if a majority of the Council was even interested in discussing such allowance of adult use cannabis facilities in Olney's zoning. If not, he did not see any reason to pass the resolution or waste the Plan Commission's time.

Mayor Lambird felt the City would be remiss to think that it could "hold back the ocean." Regardless, recreational adult marijuana use would be legal, even inside of City limits. It was his personal preference that if people were going to use, that they buy it in Olney. Councilman Eyer did not believe that current marijuana users would willingly pay more to buy from a legal source.

Mayor Lambird then told the Council that he had made some phone calls to Colorado. One of the towns was similar in size to Olney. Their tax revenue generated from cannabis sales came in at about \$3,000,000.00 per year. While he was not sure that Olney's revenue would be that high, he noted that even an extra \$400,000.00 would make a big difference. When it came to morality, just like anything else, he noted that it was up to each person to decide whether or not he or she would partake. He felt that Olney needed the extra jobs and revenue that adult use cannabis facilities could provide.

Councilwoman Fehrenbacher added that even if Olney prohibited the zoning amendments, there would not be anything saying that such a facility could not be placed in the County, and the City of Olney would lose out on the tax revenue and job creation.

Councilwoman Henton noted that two licenses were available for the zone that included Olney. She did not feel that Olney's chances of receiving a license were too great. Mayor Lambird felt that Olney's chances would be getting better if zoning amendments were made.

The Council then discussed whether or not its members could attend the Plan Commission meeting. It was determined that if more than two Council members attended, they would not be allowed to participate in discussion during that meeting due to OMA requirements.

A majority affirmative voice vote was received.

AGENDA #10 "REPORTS FROM ELECTED AND APPOINTED OFFICIALS"

10-A "Status Report-City Manager" Mr. Barker had nothing further to report.

10-B "RCDC Report" RCDC Executive Director Courtney Yockey had nothing to report.

10-C "Chamber of Commerce Report" Councilwoman Fehrenbacher told the Council that the Chamber would be hosting a luncheon at The Holiday on November 19, 2019. The Community Christmas Tree Lighting would also take place on November 27, 2019. Lastly, Small Business Saturday was coming up on November 30, 2019, as well as the Olney Christmas Parade.

The parade would be hosted by the Olney Rotary Club. As a member of that club, Councilman McLaughlin reported that over 60 parade entries had been received. The parade would begin at 6:30 p.m. on November 30th, and over 5,000 people had responded as interested or going on Facebook.

10-D "Parks & Recreation Board Report" The Board had not yet met for the month, so there was no report.

10-E "Tourism Board Report" Councilwoman Henton had disbursed the ILLINOISouth Strategic Plan Research Study to the Council. She stated that the information provided many details, such as why visitors came to our area and what those visitors wanted to do while here.

A digital marketing report also showed good numbers for the past quarter.

AGENDA #11 “PUBLIC COMMENTS/PRESENTATIONS” Chief Hill told the Council that he had misspoke earlier. The budget amendment would allow for eight pagers and chargers to be purchased, and not the five that he had stated.

AGENDA #12 “CLOSED SESSION: SALE OR LEASE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; 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 Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

Councilmen Eyer, McLaughlin, Councilwomen Fehrenbacher, Henton, Mayor Lambird, City Manager Barker, City Attorney Zuber, City Treasurer Guinn, and City Clerk Sterchi left the Council Chambers at 8:35 p.m.

AGENDA #13 “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 8:55 p.m.

13-A “Ordinance: Amend Chapter 2.24 (Police Department) of the City of Olney Municipal Code” The Council was provided with a proposed ordinance that would amend Chapter 2.24 (Police Department) of the City of Olney Municipal Code.

Mr. Barker explained that the proposed ordinance would authorize the addition of a Deputy Chief of Police. If passed, Detective Justin Bloomer would fill the position of Deputy Chief of Police, and would still be able to perform all other duties in the department.

Action on this item was taken under 13-B.

13-B “Ordinance: Establish the Salary of a Full Time Police Department Employee of the City of Olney” The Council was provided with a proposed ordinance that would establish the salary of a full time Police Department employee.

Mr. Barker explained that if passed, the new Deputy Police Chief’s salary would be \$71,000.00. As of May 1, 2020, the Deputy Police Chief’s salary would be \$73,000.00.

Councilman Eyer moved to approve Ordinances 2019-34 and 2019-35, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

Councilwoman Fehrenbacher recalled that the Council had discussed amending the Tourism Grant Applications. She felt it would be nice to have the amendments in place for the first of the year. Mr. Barker indicated that Mrs. Guinn had been working on a few amendments.

Mayor Lambird commented that he would be interested in using Tourism funds to purchase a portable LED sign trailer to move around town in order to advertise for different events and businesses.

Councilwoman Henton thanked Mrs. Sterchi for the implementation of the new Public Service Request feature on the City website. During the budget planning process, that was one of the features that the Councilwoman had wished to be put into place.

Councilman McLaughlin told the Council that he had received many compliments on the orange and black painting of the Industrial Park water tower.

Referencing the 2019 Squirrel Count numbers, Councilwoman Fehrenbacher was pleased to see that the stray cat population was decreasing. Councilwoman Henton pointed out that all numbers were decreasing, and she was very concerned about the white squirrels. Councilman McLaughlin offered that an enclosure could be placed in the City Park. Councilwoman Henton disagreed, pointing out that was how many white squirrels were easily trapped and taken to other towns.

AGENDA #14 “ADJOURN” With no further business to discuss, Councilman McLaughlin moved to adjourn, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

The meeting adjourned at 9:01 p.m.

Kelsie J. Sterchi
City Clerk