

CITY OF OLNEY
CITY COUNCIL MEETING
NOVEMBER 14, 2016

AGENDA #1 “CALL TO ORDER” The November 14, 2016, meeting of the Olney City Council was called to order at 7:02 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. Tim Loomis led the group in prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: Les Harrison, Belinda Henton, John McLaughlin, Bob Ferguson, and Ray Vaughn. Also present were City Attorney Bart Zuber, City Clerk Kelsie Sterchi, City Treasurer Chuck Sanders, Assistant City Treasurer Jane Guinn, and City Engineer Roger Charleston.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on October 24, 2016”

4-B “Approve and Authorize Payment of Accounts Payable November 15, 2016” Pooled Cash \$195,635.97, Manual Pooled Cash \$182,088.24, Tree Project \$38.62, EDA \$79.43, IRP \$21,255.00, IMRF \$30,403.89, MFT \$61,832.28, Tourism \$4,957.82, \$5,491.85, Christmas Light Display \$10,060.55, Fire Pension \$800.00, Petty Cash \$315.00

4-C “Raffle License: Olney Elks”

4-D “Raffle License: Salvation Army”

4-E “Raffle License: Petroleum Club (1)”

4-F “Raffle License: Petroleum Club (2)”

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 Mayor Vaughn. 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 “Discussion/Possible Action: Parks & Recreation Board’s Recommendation for Two More Tennis Courts to be Painted with Pickleball Lines” The Council was provided with a photo from the Parks & Recreation Board Chair Morgan Henton of pickleball line examples. At the last City Council meeting, the City Council had heard a request to paint tennis courts four and five with pickleball lines. Mayor Vaughn requested that the topic be on the November 14, 2016, agenda to give the tennis and pickleball groups more time heard on the issue.

Mr. Henton was again present at this meeting, and reiterated that the request was for approval to have two more courts to be painted with pickleball lines. The lines would be professionally painted, and paid for at the expense of the local pickleball group. Mr. Henton continued that Gene Brauer of the Richland County Tennis Association was still in favor of the request.

Councilwoman Henton moved to allow courts four and five to be professionally painted with pickleball lines at the expense of the local pickleball group, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

8-B “Discussion: Food Serving Establishment Inspections” The Council was provided with a memo regarding a proposal to conduct food serving establishment inspections within the City of Olney. Mr. Barker had met with the Administrator of the Wabash County Health Department with interest in coming to Olney to inspect food service establishments. If the Council was interested in such a program, Mr. Barker would schedule a presentation from the Wabash County Health Department for the Council.

Mr. Barker explained that the program would be of no cost to the City. The Wabash County Health Department would be paid at the cost of the food service establishments.

Councilman Ferguson was aware that an ordinance would need to be established that would include State guidelines, if the Council wished to move forward. The full Council was in agreement that they would like to hear a presentation from the Wabash Valley Health Department.

Mayor Vaughn felt that such a program was long overdue. The topic would be placed on the December 12, 2016, City Council agenda. He invites anyone from the public that may have interest for or against the program to attend the presentation to learn more.

8-C “Ordinance: Designate the East/West Alley Between S. Wilson and S. West Streets & W. Elm and W. Cherry Streets as a One-Way Alley Running East to West” The Council was provided with a proposed ordinance to designate the east/west alley between S. Wilson and S. West Streets and W. Elm and W. Cherry Streets as a one-way alley running east to west. At the last City Council meeting, a request was heard from Michelle Brooks expressing interest in closing the aforementioned alley. During the meeting, one person who owns commercial property in this area was opposed to the request. As a compromise, a majority of the Council members were in agreement to designate the alley as a one-way alley running east to west. Because such a designation for the alley was not on that meeting’s agenda, the ordinance could not be passed at that time. The proposed ordinance was then placed on this evening’s agenda.

Councilwoman Henton told the Council that she had since spoken with Ms. Brooks and discussed the idea of just designating the alley as a one-way for only the length of her property. Perhaps the rest of the alley could remain two-way with a Do Not Enter sign placed at the end of the one-way. Ms. Brooks was in favor of the idea. This would prevent unnecessary truck traffic through the entrance of her property.

From the audience, RCDC Director Courtney Yockey explained that such a designation would be similar to that in the first block of S. Whittle Avenue coming off of Main Street.

City Attorney Zuber recommended that the topic be placed on the November 28 agenda for action since a few changes had been suggested. He would also like to get input from surrounding property owners of the alley. The City Clerk would send a notice to the surrounding property owners.

8-D “Ordinance: Authorize Sale of Personal Property from the Sewer Department on GovDeals.com (1985 GMC Field Gymmy)” The Council was provided with a proposed ordinance to sell

the 1985 GMC Field Gymmy from the Sewer Department at auction on GovDeals.com. The truck has been replaced with a tractor and sludge hauling wagon.

Councilman Ferguson moved to approve Ordinance 2016-32, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-E “Resolution: Accept Quote for a Mowing Tractor for the Sewer Department, Waive Formal Bidding Procedures, and Amend the Annual Budget for Fiscal Year 2016-2017” The Council was provided with a proposed resolution to accept a quote for a Sewer Department mowing tractor, waive formal bidding procedures, and amend the 2016-2017 budget, and a copy of the two quotes received. Deere & Company of Cary, North Carolina, submitted a quote in the amount of \$13,336.65, and LeMond’s Kubota of Fairfield, Illinois, submitted a quote for \$11,375.00.

Mr. Barker explained that two of the Sewer Department’s mowers had gone down in the last 45 days. Sewer Department Supervisor Jeff Lathrop had indicated that he can get by with one working mower. It was recommended to accept the quote for the Kubota tractor mower from LeMond’s Kubota of Fairfield, Illinois. The quote from Deere & Company was a State bid, but was more expensive.

Councilman Ferguson noted that money to pay for the mower would come out of the Sewer Line Camera line item. He wondered why it was thought that the full \$80,000.00 would not be needed for the camera. Mr. Barker reminded the Councilman that the sewer line camera had already been purchased, by authority of the Council, for less than what had been budgeted.

Mayor Vaughn moved to approve 2016-R-68, seconded by Councilman Harrison. Councilmen Ferguson, Harrison, McLaughlin, Mayor Vaughn, and Councilwoman Henton voted yes. There were no opposing votes. The motion carried.

8-F “Request: East Fork Bassmasters and USA Bassin 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 and the USA Bassin regarding fishing tournaments on East Fork Lake. The requests did not comply with existing regulations for tournaments, so they required special permission.

City Clerk Sterchi explained that similar requests have been received from fishing groups in the past. Regulations were placed for fishing tournaments on City lakes because it had been determined that the health and population of the fish were suffering. The regulations were put in place by recommendation of the Illinois Department of Natural Resources (IDNR).

Mrs. Sterchi had been in touch with Mike Hooe of the IDNR regarding the requests. It was of Mr. Hooe’s opinion that the requests could be granted because the overall health of the fish was improving. Mr. Hooe was in favor of the presented requests only if the tournaments would be the only tournaments to take place on East Fork Lake for the dates requested.

Mayor Vaughn noted that requests were being received annually for exceptions. He felt that if regulations were needed, then the City should stick by those regulations. He felt the exceptions were becoming the rule.

Councilwoman Henton moved to approve a 60 boat tournament for the East Fork Bassmasters on East Fork Lake on May 6, 2017, a 35 boat tournament for the East Fork Bassmasters on East Fork Lake on May 20, 2017, and eight hour tournaments for the USA Bassin on June 10, July 15, and August 12, 2017, seconded by Councilman McLaughlin. A majority affirmative voice vote was received with Mayor Vaughn voting no.

8-G “Discussion/Authorization: Contribution of Additional \$50,000 Towards City’s IMRF Funding Obligation” Mr. Barker told the Council that over the past few years, the City had contributed an additional \$50,000.00 each year to its IMRF obligation. As discussed last year, the additional \$50,000.00 was included in the 2015-2016 tax levy and the 2016-2017 budget.

Councilman McLaughlin asked if the additional \$50,000.00 could be used for anything other than IMRF. City Treasurer Sanders replied that it was levied into IMRF, so it can only be used on IMRF.

Councilman Ferguson thought that he recalled the audit report advising that the City should contribute more to IMRF. Mr. Sanders replied that while IMRF continues to be underfunded, it had improved this year. Mr. Sanders also indicated that when he calculates the IMRF contributions, he uses information that the State provides. The information from the State plus the additional \$50,000.00 were included in the tax levy.

Councilman Ferguson moved to contribute an additional \$50,000.00 towards the City’s IMRF obligation, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-H “Discussion/Resolution: Estimate of Amount for 2016 Tax Levy” The Council was provided with a resolution that proposed an estimated tax levy consisting of a 4.99% increase for the City of Olney and a 4.99% increase for the Olney Public Library, and a copy of EAV and extension numbers as provided by the City Treasurer. The resolution would act as notice to the public that the City did not intend to levy more than 4.99%. Should the City levy more than 4.99%, a Truth in Taxation Hearing would be necessary.

Mr. Barker told the Council that the EAV is expected to increase by 4%. A resolution estimating the amount of the 2016 tax levy is required to be passed at least 20 days prior to the passage of the tax levy ordinance, which is scheduled to be on the agenda for the December 12, 2016, meeting.

Councilman Ferguson expressed concern over the State funding situation. He wondered if the City could be tying its hands by limiting the levy to under a 5% increase. Mr. Sanders replied that many items within the levy are capped to a 4.99% increase. Very few items would benefit for an increase over 5%. For example, the pensions do not have a 4.99% cap. He also noted that other funds such as social security and liability cannot have more than two years of funding in the bank.

Considering Councilman Ferguson’s concern, Mayor Vaughn wondered if Mr. Sanders had any worries as to the City’s ability to manage a funding problem at the State level. Mr. Sanders was uncertain how long the City could function without feeling the effects of such a funding issue. If and when funding becomes a problem, he would recommend lowering the amount of capital spending.

Mr. Sanders also pointed out that funds that have a cap could be increased by referendum.

Mayor Vaughn moved to approve 2016-R-69, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-I “Discussion/Approval: SOS Bucks for City Employees for Christmas” Mayor Vaughn told the Council that this item would be considered after closed session.

8-J “Resolution: Authorize Separate Banking Account for CDBG Housing Funds” The Council was provided with a proposed resolution to authorize a separate bank account for funds committed to the Community Development Block Grant (CDBG) for housing rehabilitation. This grant had been awarded to the City in the amount of \$400,000.00. Before releasing the funds, inspections and permits were needed, and have since been completed.

Mr. Barker also reminded the Council that in addition to the grant, the City and Build Community had committed \$10,000.00 each towards the project. A separate bank account was needed in order not to comingle with other City funds.

From here, the Greater Wabash Regional Planning Commission would conduct community meetings and interviews before the improvements are made.

Councilman Ferguson moved to approve 2016-R-70, seconded by Councilman McLaughlin. 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 told the Council that the leaf vacuum machine was up and running. Later in the week or early next week, the second machine would also be working on leaf collection.

Mr. Barker went on to tell that the Pacific Cycle roof repairs were near completion, and tuck pointing on the City Hall building should begin soon. After the tuck pointing, Mr. Barker will be focusing on securing a contractor to have the building painted before winter.

The relocation project for the water line on S. Whittle Avenue has been pushed into 2017. Mr. Barker expected to have bids ready for approval at the December 12, 2016, meeting.

Mayor Vaughn asked for an update on the resurfacing of the boat ramp parking lot. Mr. Barker replied that the work had not gone as well as expected. The work came out too rough. The contractor had tried to roll the area to make it more smooth, but it had not worked. The contractor would return in the spring to remedy the issue.

Mayor Vaughn then asked for an update on the Musgrove Park restrooms. Councilman McLaughlin replied that work was continuing and three sides of the restroom were already placed. The work has been done by mostly volunteer labor. The next step will be to lay a roof, paint, and get the finishing touches for the interior.

Mayor Vaughn then made comment that the Christmas Parade was set for November 26, 2016, at 6:30 p.m. He invited the public to attend and noted that the parade was estimated to have 70 entries.

Mr. Sanders told that September’s Income Tax allocations were received on November 1 and were \$1,000.00 favorable to this time last year. Overall, Income Tax was unfavorable by \$65,000.00 year-to-date.

Councilwoman Henton brought up the small portion of the Boone Street project that was still unfinished. She was curious if the remaining work could be done with City labor. City Engineer Charleston pointed out that a very large tree would need to be removed, and the ditch straightened. Mr. Barker felt that the tree's removal would need to be contracted.

The Councilwoman thought that now might be a good time to complete the project. She feared that springtime would be too wet. Mr. Charleston felt that now would be a good time. Councilman Ferguson felt the project should be completed as soon as possible.

City Attorney Zuber noted that 425 E. South Avenue was now in compliance. With that being said, no more demolition cases were pending.

AGENDA #10 "PUBLIC COMMENTS/PRESENTATIONS"

10-A "Brian O'Neill" Brian O'Neill, 818 E. Main Street, felt that more benches were needed at Musgrove Park. He felt it was a shame to spend hundreds of thousands on a big park with no benches. He then mentioned that he would also like to see an ice skating program for Musgrove Park. Mr. O'Neill felt it was time to "fix this place."

AGENDA #11 "CLOSED SESSION: SALE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; COLLECTIVE NEGOTIATING MATTERS; 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 Treasurer Chuck Sanders, City Attorney Zuber, and City Clerk Sterchi left the Council Chambers at 7:40 p.m.

AGENDA #12 "RECONVENE OPEN SESSION" Upon return of those who were in closed session to the Council Chambers, Councilman Harrison moved to enter back into open session, seconded by Councilwoman Henton. A majority affirmative voice vote was received. Open session resumed at 9:48 p.m.

12-A "Resolution: Authorize Agreement with the International Association of Fire Fighters Local 43401" The Council was provided with a proposed resolution to enter into an agreement with the International Association of Fire Fighters Local 43401 (IAFF), and a copy of the proposed IAFF agreement.

Mayor Vaughn thanked the City Manager and counsel for their assistance with establishing the agreement.

Councilman McLaughlin moved to approve 2016-R-71, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

12-B "Ordinance: Establish the Salary of the City Clerk" The Council was provided with a proposed ordinance to establish the salary of the City Clerk.

Mr. Barker told the Council that the Department of Labor passed a new ruling that salaried individuals in managerial positions should be paid a salary of at least \$47,476.00 or be compensated for all overtime hours. The City of Olney has one employee in that category, the City Clerk.

The Mayor expressed his interest in compliance with the new law that goes into effect on December 1, 2016. He noted that the new law was a federal law. Mayor Vaughn then added that there may be future changes to the law. The City of Olney and the City Clerk are with the understanding that if the law is rescinded, the City Clerk salary would need to be revisited. Additionally, the Mayor commented that the City Clerk had agreed to forgo annual raises until her current salary would meet or exceed \$47,476.00 as a result of those annual raises.

Mayor Vaughn moved to approve Ordinance 2016-33, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

Mayor Vaughn then wished to address item 8-I.

Councilman Ferguson moved to approve the giving of up to \$3,500.00 worth of SOS Bucks to City employees at the City Manager's discretion, seconded by Councilman Harrison. A majority affirmative voice vote was received.

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

The meeting adjourned at 9:52 p.m.

Kelsie J. Sterchi
City Clerk