

CITY OF OLNEY
CITY COUNCIL MEETING
NOVEMBER 28, 2016

AGENDA #1 “CALL TO ORDER” The November 28, 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. Beau Brown 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 November 14, 2016”

4-B “Approve and Authorize Payment of Accounts Payable November 29, 2016” Pooled Cash \$86,047.07, Manual Pooled Cash \$15,607.43, Utility Refunds \$1,250.98, MFT \$1,559.19, Pacific Cycle Roof \$308,000.00, Christmas Light Display \$3,355.52, Tree Project \$7,912.68, Fire Pension \$1,800.00

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 “Ordinance: Designate All or a Portion of 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” At the October 24th meeting, the City Council heard a request from Michelle Brooks to close the east/west alley between the north and south properties at 317 S. West Street. During the meeting, a person who owns commercial property in this area expressed opposition to the alley being closed. As a compromise, a majority of the Council was in agreement to designate the alley as a one-way alley running east to west. The topic needed to be placed on the November 14th agenda for formal action.

At the November 14th meeting, the Council had a discussion that perhaps designating the alley as a one-way would only be needed for part of the alley. Also at that meeting, City Attorney Zuber

recommended sending another notice to the property owners adjoining the alley to make them aware of the continued discussion, and inviting their comments on the topic. City Clerk Sterchi sent notice out on November 21st. No comments had been received for or against the new proposal.

Ms. Brooks was again present at this evening's meeting. She agreed that a one-way designation would only be needed from the S. West Street entrance to the end of her property. When entering the alley from either S. West or S. Wilson Streets, motorists would be able to exit by turning south at the end of her property and exiting on W. Cherry Street.

Mayor Vaughn noted the Council's past desire to designate the entire alley as a one-way. He pointed out that no ordinance had actually been created.

Councilman Ferguson was concerned with how to properly add signage that would not confuse motorists.

Councilman Ferguson moved 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 from the S. West Street entrance to the end of Ms. Brooks' property while having the remainder of the alley as a two-way, seconded by Councilman Harrison. A majority affirmative voice vote was received with Mayor Vaughn voting no. Ordinance 2016-34 will be created.

8-B "Ordinance: Trade in of Personal Property from the Police Department for Five AR-15 Rifles" The Council was provided with a proposed ordinance authorizing the trade of 10 firearms in exchange for five AR-15 rifles with carry handles, and would authorize waiving formal bidding procedures. The Council was also provided with product information for the AR-15 rifles with carry handles from Route 130 Pawn, and a description of the firearms proposed for trade in from the Police Department.

Mr. Barker explained that the 10 firearms proposed for trade in from the Police Department are of no use to the department.

Mayor Vaughn moved to approve Ordinance 2016-35, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-C "Ordinance: Sale of Personal Property from the Park Department on GovDeals.com-Split Face and Smooth Dry Blocks" Mr. Barker told the Council that Park Department Supervisor Frank Bradley had made him aware that there were 105 leftover split face dry blocks and 613 leftover smooth dry blocks from the construction of the Musgrove Park restrooms. Mr. Barker recommended selling the blocks by auction on GovDeals.com with a minimum bid of \$1,000.00.

Mr. Barker added that that the blocks were purchased with donated funds from RCRC. RCRC expects to have left over money after completion of the project, and Mr. Barker was with the understanding that any leftover funds would be re-invested into the project. Mr. Barker proposed re-investing whatever money was received from the sale of the leftover blocks into the project, as well.

Councilman McLaughlin moved to approve Ordinance 2016-36, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

8-D “Resolution: Amend the 2016-2017 Budget in the Legislative Department & Authorize the Expenditure to the Chamber of Commerce for the Sale of 19.6 Acres in the Industrial Park” The Council was provided with a proposed resolution to amend the 2016-2017 budget and authorize an expenditure to the Chamber of Commerce from the sale of the 19.6 acres in the Industrial Park. The Council was also provided with a detail listing of expenditures and proceeds from the sale.

Mr. Barker reminded the Council that the 19.6 acres sold for \$34,000.00 by public auction. It had also been the desire of the Council to split the proceeds of the sale with the Chamber of Commerce as the City had originally received the property from the Chamber.

The City had a total expense of \$2,932.68 in items related to the sale of the property that included an appraisal fee, cost of publishing notices in the Olney Daily Mail, attorney fees, and recording fees. The net proceeds from the sale totaled \$31,067.32. A total of \$15,533.66 was proposed to be contributed as support to the Chamber of Commerce.

Councilman Ferguson moved to approve 2016-R-72, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

8-E “Discussion/Possible Resolution: Little League Concession Operations” Mr. Barker told the Council that discussion had been taking place for a few months regarding the concession stand at the Musgrove Park ball diamonds. Little League President Jon Wright had told Mr. Barker that if Little League needed to find a concessionaire for the stand, they would need to start searching now. Mr. Barker had also spoken with Parks & Recreation Board Chair Morgan Henton who did not feel that having Little League move forward with finding a concessionaire would impact any of the Board’s work on a recommendation for an updated Little League contract.

Mayor Vaughn noted that the City was not equipped to take on the concession stand itself.

Councilwoman Henton wondered if a concessionaire contract should be made between the vendor and the City instead of the vendor and Little League. Mayor Vaughn felt that Little League and the concessionaire should be the contracting parties, but the City should be able to review the contract and provide suggestions before it is signed.

Councilwoman Henton then asked what the terms of the concessionaire contract would be. From the audience, Mr. Wright indicated that he would like to see a three year contract with an opt out clause for Little League.

Originally, Councilman McLaughlin felt that the City should look at managing the concession stand at the ball fields and a potential concession stand at the City pool. Since that time, he agreed that now would not be a good time for the City to manage the concession stand at the ball fields, but he was interested in moving forward with a concession stand at the pool.

If a concession stand was going to be built at the pool, Councilwoman Henton wondered if the leftover blocks from the construction of the Musgrove Park restrooms should be kept and used to build

the stand. Councilman McLaughlin replied that the blocks from the restrooms would not match the blocks at the pool.

Councilwoman Henton then asked if the Parks & Recreation Board had a recommendation. Mr. Henton replied that it was felt that it would make more sense to have the concessionaire contract made between the vendor and the City so that if a concession stand was added at the pool, everything could be more easily managed, and there would not be vendors competing with one another. Mr. Henton then described that Mr. Wright hoped to change the contract end of term to a December 1 date so that any new negotiations could be made in an appropriate amount of time.

Councilman Ferguson still felt that the City, college and school districts should hire a full-time recreation director, and that each district could pay one-third of the salary. This would allow for best use to be made of all Richland County facilities, and could promote intramural and after school programs. Councilman McLaughlin agreed that there could be a better flow of recreation scheduling.

Mayor Vaughn moved to approve 2016-R-73 which would authorize Little League to solicit a vendor for the concession stand at the ball diamonds, and require the City to review and sign off on the proposed concessionaire contract between the vendor and Little League, seconded by Councilman McLaughlin.

Councilwoman Henton wondered if the City would still be collecting a fee from Little League to cover utilities. Mr. Wright confirmed that the City would still receive such payment, and noted that Little League was not seeking to profit from the concession stand. The Council felt it would be appropriate to re-evaluate the utility operating costs of the stand.

Mayor Vaughn wished to amend his motion to add that the rental fees for the concession stand should be reviewed with the City Manager, and Councilman McLaughlin amending his second for the same. A majority affirmative voice vote was received, and 2016-R-73 will be created.

AGENDA #9 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

9-A “Status Report-City Manager” Mr. Barker told the Council that the Pacific Cycle roof project had been completed with the exception of the oven portion.

Regarding the Whittle Avenue waterline project, brush and roots would need to be removed. City Engineer Charleston had received a \$3,000.00 quote for the removal. After bids are received for the waterline project, the budget would need to be amended to include the removal of the brush and roots. The Council was in consensus to move forward with the removal.

Mr. Barker then reported that a police vehicle had been damaged due to an accident a couple of weeks prior. The vehicle was an older unit, and was next in line to be taken out of service. Damages to the vehicle totaled \$4,082.00. Mr. Baker felt it appropriate to accept the check in that amount, and not have the vehicle repaired. A new unit had been ordered earlier in the year and would replace this vehicle. At some point, Mr. Barker would recommend disposal of the vehicle.

City Attorney Zuber noted that three new demolition complaints had been given to him from Code Enforcement Officer Mike Mitchell.

Councilman McLaughlin then took a moment to thank the City of Olney, Police Department, Sheriff's Department, and City Clerk Sterchi for their assistance with the 2016 Christmas Parade. He felt that the parade went very well and felt it was much needed after the recent tragedy.

Mayor Vaughn agreed that the parade happened at a good time, and thanked the Councilman, Olney Rotary Club, and City Clerk for their work with the parade. The Councilman noted that those serving on the Parade Committee included himself, City Clerk Sterchi, David McNabb, Dolores McNabb, and Danielle Stevens.

Councilman McLaughlin then gave an update on the Musgrove Park restrooms. He indicated that all block work had been completed, and that the roof work was being contracted.

9-B "Recommendation to Add a Hitting Wall on the Northern Fence at the Tennis Courts in the Olney City Park-Parks & Recreation Board" The Council was provided with a drawing by Gene Brauer of the City Park's tennis court area. Mr. Henton told the Council that the Parks & Recreation Board had been approached by Mr. Brauer with interest in reconstructing a hitting wall at the courts. A hitting wall had existed in the past, but was taken down and never replaced after a new fence was placed. Mr. Henton indicated that labor and materials would be provided by Mr. Brauer and Larry Cartmill.

Mayor Vaughn asked what other things the Parks & Recreation Board had been working on. Mr. Henton replied that the Board was working on a recommendation for the Little League Contract that would include updates and a listing of standard practices. Mayor Vaughn expressed his appreciation of the Board and their work.

Councilman McLaughlin moved to approve the installation of a hitting wall at the City Park tennis courts with labor and materials provided by Mr. Brauer and Mr. Cartmill, and supervision by Mr. Bradley, seconded by Councilman Harrison. A majority affirmative voice vote was received.

9-C "Recommendation to Add Concrete Pads Under the Bleachers Location at the Northern Tennis Courts in the Olney City Park-Parks & Recreation Board" Mr. Henton told the Council that Mr. Brauer had also requested a concrete pad to be placed under a set of bleachers at the tennis courts. The Parks & Recreation Board had also noticed a need for a concrete pad under the other set of bleachers. The tennis and pickleball groups had offered to pay for materials if the City could provide labor.

Councilman McLaughlin moved to approve placement of concrete pads under both sets of bleachers at the City Park tennis courts with materials paid for by the tennis and pickleball groups and labor provided by the City, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

AGENDA #10 "PUBLIC COMMENTS/PRESENTATIONS"

10-A "Brian O'Neill" Brian O'Neill, 818 E. Main Street, told the Council that he felt people were recklessly driving around town and not obeying pedestrian laws. Mr. O'Neill felt that cameras should be placed at intersections, and tickets should be written to protect those with disabilities.

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"

Councilwoman Henton 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 Councilman Harrison. 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 7:43 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 Councilman Harrison. A majority affirmative voice vote was received. Open session resumed at 8:45 p.m.

12-A “Resolution: Authorize Payment of Unused Leave to Fire Chief” Mr. Barker reminded the Council of Rusty Holmes’ recent retirement. Mr. Holmes had accumulated leave time that had not been taken, and Mr. Holmes had requested payment for the unused leave time.

Mayor Vaughn moved to approve 2016-R-74 which would authorize payment of \$10,000.00 to Mr. Holmes for unused leave time and years of dedication, seconded by Councilman Ferguson. A majority affirmative voice vote was received. The resolution will be created.

12-B “Resolution: Authorize Destruction of Audio Recordings of Closed Session Meetings” The Council was provided with a resolution to destroy audio recordings of closed session meetings from January 12, 2015 through May 26, 2015.

Mayor Vaughn moved to approve 2016-R-75, seconded by Councilman Harrison. A majority affirmative voice vote was received.

12-C “Resolution: Authorize Release of Closed Session Minutes” This topic was removed from the agenda.

Mayor Vaughn noted that a Special Meeting of the City Council would take place at 5:30 p.m. on December 12, 2016, for the purpose of holding a closed session.

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

The meeting adjourned at 8:50 p.m.

Kelsie J. Sterchi
City Clerk