

**CITY OF OLNEY  
CITY COUNCIL REGULAR MEETING  
OCTOBER 10, 2016**

**Agenda #1 – Call to Order** - The October 10, 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.

**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 Manager Allen Barker, City Attorney Bart Zuber, Deputy City Clerk Harlan, 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 September 26, 2016**

**4-B Approve and Authorize Payment of Accounts Payable October 11, 2016 –**  
Pooled Cash \$311,928.45; Manual Pooled Cash \$103,203.89; Petty Cash \$98.02; IMRF \$30,566.85; Tourism \$4,144.50; and 175<sup>th</sup> Anniversary \$608.50.

**4-C Resolution: Accept Donation from RCRC for Swings at Musgrove Park, Waive Formal Bidding Procedures, and Amend the 2016/2017 Budget Resolution 2016-R-64**

**4-D Raffle License: Community Support Systems**

**4-E Raffle License: Olney Central College**

**Agenda #5 – Removal of Items from Agenda** – There were no items removed 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** – There were no items requested for removal from the consent agenda.

**Agenda #8 – Presentation of Ordinances, Resolutions, Etc. -**

**8-A Ordinance: Authorize Sale of 19.6 Acres in the Industrial Park with Property Tax Number 11-15-200-044** – The Council was provided with a proposed ordinance authorizing the sale of 19.6 acres in the Industrial Park and a proposed Real Estate Sales Contract.

City Manager Barker informed the Council that Jack Harrell and Keith Craig bid on the property during the auction held on October 4, 2016. Keith Craig was the high bidder at \$34,000.00.

Councilman McLaughlin moved to approve Ordinance 2016-31, seconded by Councilwoman Henton. Councilwoman Henton, Councilmen McLaughlin, Ferguson, Mayor Vaughn, and Councilman Harrison voted yes. The motion carried.

**8-B Application for Permit to Sell Merchandise in City Park** - Jerri Allen, owner of the home décor business Fabulous Finds, is seeking permission to use the City Park for a vintage market. This type of event is similar to the Fall Festival, but bigger. She believes this would be a great event to boost business and bring 3,000 to 5,000 people to Olney. Qualified vendors offering repurposed items, antiques, clothing, etc. would be selected to participate. It would not be a flea market. Ms. Allen is requesting the use of the livestock barns in case of rain. She is proposing to have one event in the Spring and one in the Fall. The vendors would come in on Thursday evening to set up, and then finish setting up on Friday morning. The event is from 3 to 7 p.m. on Friday evening and from 9 a.m. to 4 p.m. on Saturday. In similar events that Ms. Allen has visited, people will travel two to three hours to attend. Ms. Allen provided a flyer from a similar Hobknob event as an example of the advertising she would provide. She would use people from Olney to assist with the event.

Mayor Vaughn advised that more than a dozen people organize the Fall Festival each year. Councilman McLaughlin inquired if the Fair Board would have to give approval for use of the livestock barns.

Ms. Allen stated she would need electricity and water. Local musicians, the Nitro food truck, and church organizations would be solicited to participate. The lower park area would be needed for parking.

The dates of April 28 & 29 and October 27 & 28 were chosen because at this time those dates are not in conflict with any other events. The City Park would be a perfect location because of the availability of the livestock barns, the Band Shell, restroom facilities, and the Community Building.

Councilwoman Henton advised the Council that City crews begin working on the Christmas Light Display in early October.

Mayor Vaughn inquired what the City's policy is on allowing use of the City Park for a for profit purpose. Most users are not for profit, but the vendors who participate are for profit. Councilwoman Henton answered that applications for a permit to sell merchandise in the City Park must be presented to the City Council. There will be expenses such as electricity and water.

Ms. Allen stated that when she checked on these dates with City Clerk Sterchi, the City Park was available.

Mayor Vaughn asked again if anyone was aware of any restrictions or prohibitions on this type of activity going on at the City Park.

Ms. Allen said she would be responsible for hosting the event and would be in charge of booth rentals. Any income from the event would go to her business. She has already taken care of getting a \$1,000,000 liability insurance policy.

City Manager Barker would like to check if any grants the City has received for the parks would prohibit closing the City Park to the public for this type of event.

Mayor Vaughn suggested tabling this item until the next Council meeting to give City Attorney Zuber and City Manager Barker the opportunity to check on any restrictions for having this type of event in the City Park. In the meantime, he suggested that the dates be reserved.

Councilwoman Henton was concerned about closing the park for someone who may want to be there to use the playground area.

City Treasurer Sanders asked if the sales are subject to sales tax. Ms. Allen replied the vendors are responsible for their own sales tax. Mr. Sanders asked where the sales tax is reported to if the vendor is out of state. Ms. Allen did not know. Councilwoman Henton stated there is a special code for a traveling vendor. She suggested getting a list of vendors who are participating to make sure they are registered under Olney's code.

Councilman Harrison stated he has no issues with having the event at the City Park.

Councilman Ferguson was concerned with who would pay for the electricity and water that was used. Ms. Allen said she would be willing to pay for those services.

Councilman McLaughlin does not have a problem with allowing the event, however, he does not want any problems with kids who want to use the playground area.

Mayor Vaughn requested a two weeks to do more checking. Councilman Ferguson asked when the Fair Board has its Spring Derby. Mayor Vaughn gave Ms. Allen some contact information for the Fair Board to check on that date.

Because of liability issues, the possible conflicts with grants, restrictions imposed on use of the park, coordination of dates and making sure nothing else is going on that weekend, this topic will be discussed again at the October 24<sup>th</sup> Council meeting.

**8-C Appointment: Dan Eagleson to Library Board** – Mayor Vaughn received notice from the President of the Library Board informing him there is a vacancy. Dan Eagleson has agreed to serve on the board.

Councilwoman Henton moved to appoint Dan Eagleson to the Library Board, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

**8-D Resolution: Accept Estimate to Resurface Kitchell Avenue from Chestnut Street to Elm Street, Waive Formal Bidding Procedures, and Amend the FY 2016-2017 Budget** – The City Council was provided with a resolution to accept an estimate from Ambraw Asphalt Materials, Inc. to resurface Kitchell Avenue from Chestnut Street to Elm Street, waive

formal bidding procedures, and amend the FY 2016-2017 budget. A copy of the estimate as prepared by City Engineer Charleston was also provided.

City Manager Barker stated this project has been discussed previously with the Council. It is proposed to add a line item to the budget in the amount of \$70,216.00, which includes the curb and gutter project already approved by the Council, as well as the paving of this area. The contractor is scheduled to begin the curb and gutter project this week. The company doing the paving work is lined up to do the work later this month. This project was not budgeted. It would require money from the General Fund balance.

Councilman McLaughlin moved to approve Resolution 2016-R-65, seconded by Councilman Harrison. A unanimous affirmative voice vote was received.

**8-E Ordinance: Regulating Traffic and Parking at the Rural King Store Parking Lot Located at 501 N. West Street & Authorizing Execution of Agreement with OM & S Realty, LLC.** - This item was removed from the agenda.

**8-F Resolution: Accept Estimate to Extend Musgrove Park Parking Lot and Waive Formal Bidding Procedures** – The Council was provided with a resolution to accept the quotation from Doll’s in the amount of \$21,500.00 to extend the parking lot at Musgrove Park, and to waive formal bidding procedures. A copy of the quote from Doll’s was also included.

City Manager Barker stated there is \$37,200.00 included in this year’s budget to extend the parking lot at Musgrove Park.

City Engineer Charleston explained the plan is to extend the existing parking lot from the swimming pool entrance easterly toward N. East Street. The parking lot will have a center lane with parking off both sides and a turnaround area. The surface of the parking lot will be crushed concrete. Councilman McLaughlin explained the problem with the surface is that it cannot be striped.

City Engineer Charleston advised the proposal does not include car bumpers. The parking lot includes spaces for approximately 55 vehicles. Car bumpers are about \$20.00 each. Doll’s will provide the materials and labor at prevailing rates.

Councilwoman Henton suggested that the resolution should be more specific by stating that Doll’s was providing both materials and labor for this project.

Mayor Vaughn stated that he was not in favor of this project as any parking past the circle drive will create chaos. If a parking lot is put at this location, there is going to be a huge traffic jam. If someone pulls in looking for a space to park and there is none, then they will have to turn around and drive back through the parking lot. There were 20 spaces added by the skate park just recently. He suggested adding parking closer to the Babe Ruth field.

Councilman McLaughlin stated this project is included in the Comprehensive Plan created by the Parks & Recreation Board.

Mayor Vaughn said the original plan was to have a road. He has witnessed traffic jams at Musgrove Park ever since the ball diamonds were constructed. Everyone parks in the Circle Drive where no parking is allowed. If it was not for the intervention of the City Council requesting the Police Department to write tickets, there would not be any grass in that area.

Councilman McLaughlin stated that people drive up that road and park there anyway because there is not enough parking.

Mayor Vaughn believes the addition of this parking lot will make the problem worse. He believes the end of the road should be the circle drive. There is parking available in the lot off of Silver Street. There were 25 more spaces just recently added.

Councilman Ferguson advised there is no parking for the large Babe Ruth diamonds. This new parking lot solves that problem.

Councilman McLaughlin stated that the lifeguards currently use this area to park. He suggested having the lifeguards park in the lot on the west side of the pool. While he agreed with Mayor Vaughn on some aspects, there were eight months of meetings involved in creating the Comprehensive Plan.

Mayor Vaughn believes this parking lot is bisecting the park with cars and does not want cars driving three-fourths of the way into the park. When curb stops were put in the existing parking lot, it drastically improved the parking situation. He understands there are going to be days you cannot find a space to park. That is no different than it used to be at the City Park. On special event days, parking is allowed in the open grassy area. He spent all day on Saturday planting trees with the Eagle Scout project, and the number of trees in the park was just doubled. There is no place to sit down in the park. Twenty-five percent of the space is taken up with parking and 15% with storm water drainage. Once a parking lot is put in, it will not go away. He believes that the best place for a parking lot is on the East Street side with a walking path to the Babe Ruth diamond. He would rather see people circling around Mack Avenue than cutting back through the park.

Councilman McLaughlin remarked that if parking is provided off of East Street, there will be problem with traffic cluster on East Street because of no turning lanes. Regardless of where the parking lot is located, it is taking away from the grassy area.

City Manager Barker reminded the Council that there was originally \$50,000.00 budgeted for this project, however, \$14,800.00 was transferred to the East Fork Lake parking lot line item. The balance remaining for this project is now \$37,200.00.

Councilman Ferguson said he would like to see the design for this parking lot and how traffic is going to flow. He does not want to create a bigger problem. He agrees that additional parking is needed, but he wants more information on the design and flow.

This topic will be discussed again at the October 24th City Council meeting.

**Agenda #9 - Reports from Elected and Appointed Officials**

**9-A Status Report-City Manager** – City Manager Barker advised that construction begins this week on the curb and gutter project on Kitchell Avenue. The East Fork Lake parking lot project will be completed on Tuesday, October 11<sup>th</sup>. Mr. Barker will be seeking quotes to paint the exterior of the City Hall building. The building is in bad shape and he would like to get that done before winter. About one-third of the roof project at Pacific Cycle is completed. The project is progressing well.

City Treasurer Sanders stated that Use Tax and Video Gaming Tax are the only revenues running ahead of last year.

City Engineer Charleston advised that the water main project on W. Main Street will be completed this week.

Mayor Vaughn mentioned that the new concrete crosswalks on E. Main Street are very nice.

City Manager Barker advised the audible signals are working well. There was a complaint that the beeping was too loud, so the sound was adjusted. No complaints have been received since that time.

Mayor Vaughn expressed his appreciation to Frank Bradley and the Park Department for their assistance with the tree planting project. There were 67 trees planted this past weekend. Arrangements were made for restroom facilities to be available for the persons working on the project.

Mayor Vaughn stated that City Clerk Sterchi had advised him the Squirrel Count this past weekend had gone well. Councilwoman Henton handed out squirrel corn. The last count will be held October 15<sup>th</sup>.

Mayor Vaughn mentioned an e-mail he received from a resident concerned about whether the City should have a dumpster available at a central location for the disposal of couches and junk. Councilwoman Henton stated that Republic Services would be concerned with monitoring this situation. In the past, City-wide cleanups were held, but Councilwoman Henton advised the contract with Republic Services does not include a cleanup.

City Attorney Zuber stated there has been positive progress made on two properties he had been working on.

**Agenda #10 - Public Comments/Presentations**

**10-A Brian O’Neill** – Mr. O’Neill discussed the new audible crossing devices and believes they should be installed at the intersection by Casey’s. He believes that sidewalks are needed from the City Park on the west side of Route 130 to Walmart.

**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.

Mayor Vaughn, Councilmen Harrison, McLaughlin, Ferguson, Councilwoman Henton, City Manager Barker, City Treasurer Chuck Sanders, City Attorney Zuber, and Deputy City Clerk Harlan left the Council Chambers at 7:52 p.m.

**Agenda #12 – Reconvene Open Session** – Upon the return of those who were in closed session to the Council Chambers, Mayor Vaughn moved to enter back into open session, seconded by Councilwoman Henton. A majority affirmative voice vote was received. Open session resumed at 9:57 p.m.

Councilman McLaughlin asked if anything could be done about the building next to Bobalou's which has plywood over the windows. He requested that Code Enforcement Officer Mike Mitchell address this issue.

City Manager Barker advised the new part-time Code Enforcement Officer is doing well.

Mr. Barker also reported that the scarecrow display has started in Bower Park.

Councilwoman Henton advised the City was not chosen as a recipient of grant funds for a dog park.

**Agenda #13 – Adjourn** – Councilman McLaughlin moved to adjourn, seconded by Councilwoman Henton. A majority voice vote was received.

The meeting adjourned at 10:00 p.m.

Cindy L. Harlan  
Deputy City Clerk