

CITY OF OLNEY
CITY COUNCIL MEETING
OCTOBER 23, 2017

AGENDA #1 “CALL TO ORDER” The October 23, 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. Nate Whisler led the group in prayer.

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

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on October 9, 2017”

4-B “Approve and Authorize Payment of Accounts Payable October 24, 2017” Pooled Cash \$204,457.05, Manual Pooled Cash \$6,277.40, Utility Refunds \$1,668.71, Unclaimed Refunds \$755.38, MFT \$113,755.37, Tourism \$63.83, Route 130 TIF \$132.00

4-C “Raffle License: Community Support Systems”

4-D “Ordinance: Authorize the Disposal of Items of Personal Property by Recycling from the City Clerk Department (Epson DFX-5000+ Dot Matrix Printer)” **2017-52**

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 “PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC.”

8-A “Discussion/Possible Ordinance: Authorize the Execution of a Redevelopment Agreement Between the City of Olney and Parkside Inn, LLC.” The Council was provided with a proposed ordinance to enter into a redevelopment agreement with Parkside Inn, LLC., the updated redevelopment agreement, and the originally proposed redevelopment agreement.

Mr. Zuber told the Council that a few changes and clarifications had been made to the original draft of the redevelopment agreement since its initial proposal. Both the City and the

Seales worked together to negotiate the terms included in the agreement. Additionally, Terry Bruckert, the City's special TIF counsel, was consulted on the proposed changes, and both he and Mr. Zuber were in agreement to make the changes as reflected in the revised agreement.

Councilman McLaughlin moved to approve Ordinance 2017-53, seconded by Councilman Harrison. Councilmen Harrison, McLaughlin, and Mayor Lambird voted yes. Councilwomen Henton and Fehrenbacher voted no. The motion carried.

8-B "Discussion/Possible Resolution: Authorize Lease Between the City of Olney and the Olney Little League" The Council was provided with a proposed resolution to authorize a lease with the Olney little League for the use of the ball diamonds inside of Musgrove Park, and a copy of the proposed lease agreement.

Mr. Zuber told the Council that additional changes had been made to the agreement that were not listed on the proposed agreement they had in their packets. Language had been included so that the League or tournament leaders would line the fields for tournaments. Language had also been included that the City Manager would have absolute final discretion as to who is granted permission to use the fields and how much would be charged. The yearly rental fee was still listed as \$1.00 because the City would be receiving \$300.00 per month for rental of the concession stand.

Councilman McLaughlin asked if the agreement could be changed to show that the City Manager or the City Council would have the final authority on who uses the fields and how much would be charged. Mr. Zuber replied that the agreement should list one or the other and not both.

Councilman McLaughlin then addressed the language that would allow for the League to charge up to \$200.00 per diamond per day for use. He desired for the agreement to be more clear in that the League should not be charging regular taxpayers to use the fields for a recreational function. He wondered if the language should state that the League could charge only for tournament use.

Mr. Zuber reminded the Councilman that if a group felt what they were charged was unfair, they could address the issue with the City Manager. Councilman McLaughlin still felt that the League should not be allowed to charge for use other than for outside tournaments. He emphasized that the fields were funded by taxpayers. Councilman Harrison then offered that if a fee was charged to enter a tournament, then the League could charge for use of the fields. Councilwoman Fehrenbacher pointed out that there is often an entry fee for fundraiser tournaments, but that she was not in favor of charging for that sort of scenario.

Councilman McLaughlin then wanted it to be specifically noted from the discussion that the intent of allowing for a charge for field use was not to charge the local individuals, but intended for outside tournaments.

Councilwoman Henton still felt that if the League was charging a fee for use, that the City should then receive some contribution for utilities. The City paid for electricity at the ball diamonds which totaled between \$7,000.00 and \$8,000.00 each year.

Mr. Zuber felt that if the City was compensated some amount for utilities, that would allow for the City to see what entities were being charged and how much. He suggested that 10% of whatever the League charged could go to the City. The Council was in favor of the idea.

The City Attorney would work on another revision to the lease agreement.

8-C “Resolution: Accept Proposal for Maintenance of the Brentwood Intersection for the Street Department, Waive Formal Bidding Procedures, and Amend the 2017/2018 Budget” The Council was provided with a proposed resolution to accept a proposal for maintenance to the Brentwood intersection, waive formal bidding procedures, and amend the 2017/2018 budget. The Council was also provided with a copy of the proposal from A. J. Walker Construction Co.

City Engineer Charleston told the Council that the Whittle Avenue project stopped just south of the intersection at Brentwood Avenue, but improvements needed to be made at that intersection. A.J. Walker Construction Co., of Mattoon, Illinois, had submitted a proposal in the amount of \$28,152.60 to complete the work. Mr. Charleston noted that A.J. Walker Construction Co. was the same contractor used for the recent Whittle Avenue and Kitchell Avenue projects. The City would also provide for the costs for concrete and engineering.

Funds still remained in the Kitchell/Camp Street Repair line item. It was proposed to transfer \$35,000.00 from that line item to create a new line item, Brentwood Intersection, in the Street Department’s budget.

Councilman McLaughlin asked if the work on the intersection would tie in smoothly to what was recently done on Whittle Avenue. Mr. Charleston replied that it would.

Councilwoman Henton moved to approve 2017-R-61, seconded by Councilman Harrison. Councilwomen Henton, Fehrenbacher, Councilmen McLaughlin, Harrison, and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

8-D “Resolution: Establish a Policy Regarding the Recording of Public Meetings by City Officials” The Council was provided with a proposed resolution that would establish a policy regarding the recording of public meetings by City officials.

Mrs. Sterchi began by thanking the Council for again allowing her to go to an annual training for City Clerks that was recently held in Springfield, Illinois. During the training, Ancel-Glink attorneys recommended a resolution that would authorize disposal of open session audio recordings once minutes from open meetings are approved. She stated that the minutes serve as the formal public record, and audio from open meetings is simply used as an aid for the minutes.

Councilwoman Henton served as the City Clerk prior to Mrs. Sterchi. She recalled times when her supervisor would ask for her to pull open session audio for clarifications. Mrs. Sterchi confirmed that could happen, but since her time as City Clerk, she has not needed to pull any audio for such a purpose. Additionally, if any City official felt that audio from an open session meeting should be kept for a longer period of time, that could be accommodated.

Councilman Harrison moved to approve 2017-R-62, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-E “Appointment: City Representative for Joint Review Board” In 2009, Bob Ferguson was appointed to represent the City on the Joint Review Board. Since Mr. Ferguson no longer served on the City Council, a new City representative would need to be appointed. Mayor Lambird had asked Councilman McLaughlin to act as the City representative on the Joint Review Board, and the Councilman agreed.

Councilman Harrison moved to appoint Councilman McLaughlin to the Joint Review Board, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

8-F “Resolution: Authorize Sale of 539 S. Shields Street by Public Auction” The Council was provided with a resolution that would authorize the sale of 539 S. Shields Street by public auction.

Mrs. Sterchi reminded the Council that sealed bids were solicited for the sale of 539 S. Shields Street, but no bids were received. The City then solicited to sell the property by public auction, but no bidders were interested. After the public auction, Mrs. Sterchi received two phone calls from individuals interested in the property, and they requested to be notified when the City was again interested in trying to sell the property. The proposed public auction date would be Monday, November 27, 2017, at 4:00 p.m. at City Hall. If approved, a notice would be placed in the newspaper once per week for three successive weeks.

Councilman McLaughlin moved to approve 2017-R-63, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-G “Resolution: Approve a Change Order in the Contract with Beachy Construction for Waste Water Treatment Plant Accessory Building & Waive Formal Bidding Procedures” The Council was provided with a proposed resolution to approve a change order in the contract with Beachy Construction for the Waste Water Treatment Plant’s accessory building and waive formal bidding procedures. The Council was also provided with a copy of the proposal from Beachy Construction for the additional work.

City Treasurer Sanders reminded the Council that on September 11, 2017, the Council accepted a bid in the amount of \$51,225.00 from Beachy Construction to construct an accessory building at the Waste Water Treatment Plant. Since that time, it had been determined that additional work was needed. The contractor then submitted a proposal to provide material and labor to insulate the building’s attic and walls, including rib metal, for an additional \$15,100.00.

Mr. Sanders added that the only other bid received at the time of the original bid opening was in the amount of \$68,405.00. Therefore, if the Council approved the change order, the contract with Beachy Construction would still be less than the one other bid originally received.

Councilman Harrison asked if an amount of \$75,000.00 had been budgeted for the project. Mr. Sanders confirmed.

Councilwoman Fehrenbacher asked why the original bid did not include insulation work. Mr. Sanders replied that the City did not request or specify such work in the bid notice.

Councilman McLaughlin moved to approve 2017-R-64, seconded by Councilwoman Fehrenbacher. 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 was not at this evening’s meeting, so no verbal report was provided from him.

Mr. Sanders told the Council that the State of Illinois was continuing to be month-current on income tax payments.

9-B “RCDC Report” RCDC Executive Director Courtney Yockey told the Council that the groundbreaking for the Best Western Plus would take place on October 26, 2017.

9-C “Chamber of Commerce Report” Councilman McLaughlin had nothing to report in regards to the Chamber of Commerce, but did note that Christmas Parade notices had been sent out and entry forms were already being received. The parade was organized by the Rotary Club of Olney.

9-D “Parks & Recreation Board Report” This item was removed from the agenda.

9-E “Tourism Board Report” The Council was provided with a website analytics report from the ILLINOISouth Tourism Bureau. Councilwoman Henton told that the Bureau had been putting more emphasis on their website and the numbers showed continuous growth over the past six months.

The Councilwoman then reported that the annual squirrel corn give-a-way had taken place on October 21, 2017. Over 100 residents had been serviced on that date, and more corn would be given away on November 4, 2017, at 9:00 a.m. in front of the Community Building at the City Park.

Mayor Lambird thanked Councilwoman Henton for administering the squirrel corn give-a-way, and Mrs. Sterchi for organizing this year’s Squirrel Count. The Mayor then thanked the Police Department for their vigilance earlier in the day with the issue at the high school. He felt that it served as a reminder that one never knows what is going to happen once you leave your door.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Brian O’Neill” Mr. O’Neill was not in attendance.

AGENDA #11 “RECONVENE OPEN SESSION” This item was removed from the agenda.

AGENDA #12 “ADJOURN” Councilman McLaughlin moved to adjourn, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

The meeting adjourned at 7:22 p.m.

Kelsie J. Sterchi
City Clerk