

CITY OF OLNEY
CITY COUNCIL MEETING
OCTOBER 24, 2016

AGENDA #1 “CALL TO ORDER” The October 24, 2016, meeting of the Olney City Council was called to order at 7:01 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. John Monroe 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 Meetings on October 10, 2016 (Special & Regular Meetings)”

4-B “Approve and Authorize Payment of Accounts Payable October 25, 2016” Pooled Cash \$123,027.90, Manual Pooled Cash \$67,420.63, Christmas Light Display \$2,166.55, 175th Anniversary \$2,751.15, MFT \$9,450.00, IRP \$1,047.00, Levied Insurance \$833.49, Utility Refunds \$1,907.09, Unclaimed Refunds \$163.96,

4-C “Raffle License: Olney Eagles”

4-D “Raffle License: Richland County Homefront”

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

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

AGENDA #5 “REMOVAL OF ITEMS FROM CONSENT AGENDA” Mayor Vaughn requested removal of items 4-C, 4-E, and 4-F from the Consent Agenda.

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilwoman Henton moved to approve the items on the consent agenda, except for 4-C, 4-E, and 4-F, 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” Mayor Vaughn noted that the items removed from the consent agenda did not give a clear answer under the “Date, time and location to determine winning chances” portion of the application. Raffle Licenses should only be valid for a period of 90 days.

Councilman McLaughlin pointed out that the dates of the raffles were listed on the “Raffle chances will be sold from” portion of the application, and were within the 90 day time frame.

To be certain, Mayor Vaughn requested that the applicants be notified and reminded of the 90 day validity of the licenses.

Mayor Vaughn moved to approve the raffle licenses found under 4-C, 4-E, and 4-F, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

AGENDA #8 “PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC.”

8-A “Ordinance: Vacate the East/West Alley Between S. Wilson and S. West Streets & W. Elm and W. Cherry Streets” The Council was provided with a letter from Michelle Brooks requesting closure of the east/west alley between S. Wilson and S. West Streets, and W. Elm and W. Cherry Streets, an aerial photo of the alley proposed for closure, and a listing of property owners that were sent notice of the request for closure. Michelle Brooks was present to answer any questions.

Ms. Brooks had recently purchased the property located at 317 S. West Street, and would be moving her donut shop to that location in the near future. Mayor Vaughn asked Ms. Brooks if she felt the alley closure was necessary to her business, and if she had plans to build over the alley. Ms. Brooks replied that she would not want to build over the alley. In addition to 317 S. West Street, she had also purchased the property north of the alley at 711 W. Elm Street. In the future, she hopes to expand a portion of her business to that north side, and add outdoor seating. She had noticed that the Schrey Systems trucks run in and out of the property in the opposite direction of the normal flow of traffic. She felt this was a safety concern for her future customers. Additionally, she noted the need to maintain that alley for her customers, but was concerned with the heavy trucks going back and forth causing more required maintenance to the alley.

Mayor Vaughn was aware that notices had been sent to adjoining property owners of the alley. He asked if any comments had been received for or against the closure. City Clerk Sterchi replied that she had not received any comments. From the audience, Kenneth Houpt commented that he wished to speak to the request.

Mr. Houpt owns the commercial property at 718 W. Cherry Street. Mr. Houpt felt that his property would lose value without alley access. The back side of his property has a loading dock. Additionally, Mr. Houpt commented that Terry Schrey often parks his trucks off of the alley.

Councilman McLaughlin asked Ms. Brooks if she would need to close the entire alley. Ms. Brooks replied that she would be willing to close only the portion adjoining her properties. Mr. Houpt did not like the idea of any closure because he was concerned that semi trucks would not be able to turn around. Ms. Brooks felt that trucks could access any necessary places via W. Elm or W. Cherry Streets and would not need to use the alley.

Overall, Mr. Houpt felt that Ms. Brooks’ request would solely benefit her while hindering the other property owners.

Councilman Ferguson pointed out that while electric and cable utilities were still unknown, a two inch gas main ran through the alley, so easements would need to be reserved if closed. Ms. Brooks reiterated that she would not have a need to build over the alley, so that should not be a problem.

Mayor Vaughn told Ms. Brooks that alley closure requests he has received have been granted only with no neighbor opposition. He wondered if Ms. Brooks had any other ideas, other than closure of the alley, that would assist in her concerns. Ms. Brooks did not have any alternate ideas.

Mayor Vaughn wondered if declaring the alley for local use only would be of any assistance. Councilman Ferguson did not feel that the alley was really used for any other purposes than those accessing their adjoining properties.

Councilwoman Henton was curious if the alley could be changed to a one-way alley to help with Ms. Brooks' safety concerns. Ms. Brooks felt that the Councilwoman's suggestion could help some of the problem.

Councilwoman Henton moved to declare the east/west alley between S. Wilson and S. West Streets and W. Elm and W. Cherry Streets a one-way alley running east to west, seconded by Councilman McLaughlin. Councilmen McLaughlin, Ferguson, Harrison, and Councilwoman Henton voted yes. Mayor Vaughn voted no. The motion carried.

An ordinance to designate the alley as a one-way alley will be presented at the November 14, 2016, meeting for formal action.

8-B "Application for Permit to Sell Merchandise in City Park" This item was removed from the agenda.

8-C "Resolution: Accept Proposal to Extend Musgrove Park Parking Lot and Waive Formal Bidding Procedures" The Council was provided with a proposed resolution to accept the \$21,500.00 parking lot extension quote from Dolls, Inc., and waive formal bidding procedures, a schematic of the Parks & Recreation Board's Comprehensive Plan for Musgrove Park, and a magnified version of the proposed parking extension.

The City Council had discussed this resolution and proposal at the October 10, 2016, meeting, but tabled the topic until tonight's meeting. An amount of \$37,200.00 has been included in the 2016/2017 budget for this project.

Councilman McLaughlin explained that the extension would add 55 more parking spaces along Florence Avenue. The Councilman had also spoken with the Park Department Supervisor who would also like to see the extension plan approved.

Mayor Vaughn felt that the proposal was not a good plan. He expressed his concern with the potential for increased traffic at that location, and felt it to be dangerous. He also added his displeasure with the fact that a parking lot would be bisecting the park. Councilman McLaughlin felt that the traffic at the location was already a problem.

Councilman Harrison wondered if the extension could rotate about 90 degrees to the north instead. Councilman McLaughlin replied that a drainage ditch in the area would not allow placement in that area. Councilman McLaughlin also reminded the Council that the parking lot extension was included in the Parks & Recreation Board Comprehensive Plan that was approved by the Council in 2015. Much thought and consideration had been giving to a variety of options for parking. The presented plan was what the Parks & Recreation Board felt to be the best option.

From the audience, Morgan Henton wished to address the Council. Mr. Henton is the Chair of the Parks & Recreation Board. Mr. Henton elaborated that the location of the parking lot would allow service to a variety of park locations such as the Babe Ruth diamond, the soccer field, and the swimming pool.

Mayor Vaughn felt that parking at Musgrove Park was only an issue for a few nights per week during the summer. He strongly felt that the parking issues could be remedied by staggering game dates and/or start times for games. Looking into the future, the Mayor did not want to see Musgrove Park become one big parking lot. Because the extra parking is only needed for a small amount of time, the parking areas would be empty and require maintenance throughout the rest of the year. Instead of more parking lots, he wished to see more recreation areas, picnic tables, and green space. Mayor Vaughn went further to recall that at the old ball diamonds in the City Park, parking was worse, and families would walk a few blocks to attend games.

Councilman McLaughlin commented that the City had allowed the park to turn into more of a recreation area. While green space has been reserved as part of the Comprehensive Plan, Councilman McLaughlin felt that the City should be able to accommodate the people who attend the large tournaments that bring sporting tourism to town.

Councilman McLaughlin moved to approve 2016-R-66.

Councilwoman Henton commented that she would wish to see an addition to the resolution having parking stops added in the parking lot extension.

Councilman McLaughlin amended his motion to approve 2016-R-66 with the inclusion of parking stops, seconded by Councilwoman Henton. Councilmen Ferguson, Harrison, McLaughlin, and Councilwoman Henton voted yes. Mayor Vaughn voted no. The motion carried.

From the audience, Dr. David Eckiss felt that Dr. Monte Musgrove's intent for the land at Musgrove Park was supposed to be for horses and a space for riding. Councilman Ferguson did not agree. He noted that Dr. Musgrove gave the land to the City and never stipulated that it needed to be set aside for horses, but should be set aside for recreation. The Councilman also expressed that he felt the City should be scouting an additional park site.

8-D "Resolution: Amend the 2016/2017 Budget in Tourism Promotion, and Authorize the Expenditure of \$450.00 Towards the Scarecrow Contest" The Council was provided with a proposed resolution to amend the Tourism Promotion line item, and authorize the expenditure of \$450.00 towards the Scarecrow Contest.

The City will be awarding the prize money to the winners of the Scarecrow Contest out of the Tourism budget, and the budget will need to be amended to do so. The Tourism Promotion line item was proposed to increase by \$1,000.00 to cover the prizes for the Scarecrow Contest, and to allow for a small cushion for any extra expenditures that may arise.

City Clerk Sterchi noted a typo in the resolution. The Tourism Promotion line item should read 500-400-2344 instead of 500-400-4344.

Councilman Ferguson moved to approve 2016-R-67, 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 was not in attendance at this meeting as he was attending a training in Galena, Illinois. Mayor Vaughn had a note of items to mention that Mr. Barker had provided him.

The parking lot project at East Fork Lake has not been completed. The contractor’s work was not satisfactory and had left large ruts. The contractor will be bringing out rollers to alleviate the issue.

Mayor Vaughn continued that Fire Chief Holmes had retired, and that Captain Hill would be serving in the interim.

At the October 10, 2016, meeting, some questions had been raised about whether or not the City Park could be completely closed for an event. Information had been received from the Department of Natural Resources (DNR) that closure would not be a problem as long as no grant monies had been received for the park. Councilman Ferguson felt that an OSLAD grant had been received for some equipment. The City would be researching any possible grants received.

Mayor Vaughn continued that the Kitchell Avenue resurfacing project would have to wait until 2017 due to the contractor’s schedule.

City Engineer Charleston told the Council that sidewalk work on W. Main Street was taking place. The work was being done in part by the City and by a contractor. Also, the W. Main Street watermain project was complete and in service.

City Treasurer Sanders told that he had filed the Fire and Police Pension Reports, and would soon be working on the tax levy.

9-B “Recommendation to Add Lights to Flag Poles in All City Parks” Mr. Henton again stood to address the Council. The Parks & Recreation Board had a list of recommendations for the Council to consider.

First, Mr. Henton pointed out that the City’s flag poles have flags flying at all times without proper lighting. The Parks & Recreation Board suggested adding solar lights to these light poles to follow proper etiquette. He also read an excerpt from the Flag Code on proper procedure.

Mayor Vaughn was in favor of the recommendation, but requested that the City Manager and Park Department Supervisor work together on the lighting.

9-C “Recommendation for a Yield Sign at the Western Intersection of White Squirrel Drive” Mr. Henton explained that the need for a yield sign at the western intersection of White Squirrel Drive was brought to the Parks & Recreation Board by its member Jason Doris. Mr. Doris is also a member of the Fair Board, and noted that this intersection has no indication of drivers’ rights-of-way. This intersection poses a potential safety issue.

The Council was in agreement that this recommendation was a good idea. Mr. Barker would work further on this.

9-D “Recommendation for Updated Kiwanis/Rotary Park Contract” Before the meeting, copies of the proposed revision to the Kiwanis/Rotary Park contract were distributed along with copies of the current contract. Mr. Henton noted that the current contract is several years old.

The Board wished to see the name of the park change from Kiwanis/Rotary Park to Rotary Park. The Board also wished to see “Ball Diamonds” removed under b) of Section 3, as those diamonds no longer exist, but did instead add “Designated Sporting Areas” under that same section.

Mr. Henton continued that since the park is a “club” park, the Board wanted to see more of a Rotary Club presence in the contract. The Board recommended adding language stating that the Rotary Clubs shall maintain, repair, and construct current and future park signage. The Rotary Park signs are the clubs’ property anyway, but the Board did want to put that into writing.

The clubs also participate in work days each year to help maintain the park grounds. This was also proposed to be formally listed under Section 4.

Lastly, the Rotary Clubs requested that the entrance road into Rotary Park be changed from Kiwanis Road to Rotary Way.

Under b) of Section 4, Councilwoman Henton requested that the language read that the project coordination with the City should be done before the projects take place. She wanted to be sure that the City has a say on what is being done at the park.

With that change, Mayor Vaughn requested that Mr. Henton take the proposed revisions to both Rotary Clubs for their official approval before the Council takes formal action.

Mayor Vaughn asked Mr. Henton if the Parks & Recreation Board had any input on the addition of the Tree Identification Park at Musgrove Park. Mr. Henton replied that the Tree Board had been in contact with him to make sure that the proposed Tree Identification Park would be cohesive with the Parks & Recreation Board’s Comprehensive Plan. The area that the now holds the Tree Identification Park was proposed as green space in the Comprehensive Plan, so it was a fit.

9-E “Recommendation for Two More Tennis Courts to be Painted with Pickleball Lines” Mr. Henton told the Council that Jim Pottorff had approached the Parks & Recreation Board to request that two more of the City Park tennis courts be painted with pickleball lines. Funds to paint the lines would be supplied by Mr. Pottorff’s pickleball group. The Parks & Recreation Board recommended painting of additional pickleball lines on courts four and five. These lines should be identical to those that are currently on court six.

Mr. Henton went on to explain that he had spoken with Gene Brauer, on behalf of the Tennis Association. Mr. Brauer did not see a problem with the additional lines as long as they were cohesive with the lines on court six, and as long as the painting was done by a professional. The Parks & Recreation Board agreed.

Mayor Vaughn wanted to be certain that everyone involved had a chance to be heard regarding the issue. He requested that this item be placed on the November 14, 2016, agenda for further discussion. Mr. Henton would be in touch with the pickleball and tennis groups in the meantime.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Brian O’Neill” Brian O’Neill, 818 E. Main Street, unfolded an American flag and threw it over his shoulder. He told the Council that Mr. Henton was incorrect on flag requirements. Mr. O’Neill felt that he could treat the American flag anyway he wanted to because the Supreme Court felt that it falls in line with Freedom of Speech. He then reminded the Council how he had worn the American flag as a cape in 2003 as Mr. Constitution.

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 McLaughlin 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 8:03 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Upon return of those who were in closed session to the Council Chambers, Mayor Vaughn moved to enter back into open session, seconded by Councilman Harrison. A majority affirmative voice vote was received. Open session resumed at 8:28 p.m.

After overhearing some concerned discussion taking place in the audience after taking up item 8-A, the Council wondered if they should change or amend their action taken on that item. The Council decided that if the decision made became a problem, the Council would certainly be approached again.

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

The meeting adjourned at 8:29 p.m.

Kelsie J. Sterchi
City Clerk