

CITY OF OLNEY
CITY COUNCIL MEETING
OCTOBER 8, 2018

AGENDA #1 “CALL TO ORDER” The October 8, 2018, 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. Mayor Lambird led the group in prayer.

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

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on September 24, 2018”

4-B “Approve and Authorize Payment of Accounts Payable October 9, 2018” Pooled Cash \$99,964.48, Manual Pooled Cash \$106,460.40, Petty Cash \$82.10, Utility Refunds \$74.04, IMRF \$30,905.86, Tourism \$177.93, Christmas Light Display \$991.77, Route 130 TIF \$400.00

4-C “Special Event Request: Closure of Main Street from Elliott to Whittle and Whittle to Chestnut Street on October 26, 2018, from 6:00 p.m. to 7:00 p.m. for the TrustBank Halloween Parade”

4-D “Special Event Request: Closure of East Street from Scott to Main, Main to Whittle, and Whittle to W. North from 5:30 p.m. to 8:30 p.m. for the Olney Christmas Parade”

4-E “Raffle License: Community Support Systems”

4-F “Special Event Request: Closure of Main Street from Elliott Street to the Courthouse from 10:30 a.m. Until 10:45 a.m. for the VFW Veterans Day Parade”

AGENDA #5 “REMOVAL OF ITEMS FROM CONSENT AGENDA” Councilman McLaughlin requested removal of 4-D.

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilman McLaughlin moved to approve the items on the consent agenda, excluding 4-D, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

AGENDA #7 “CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA” For item 4-D, Councilman McLaughlin added that other roads to be closed would include portions of N. East, Willow, Locust, Washington, and Jefferson Streets. City Clerk Sterchi confirmed, but noted that the City Manager felt comfortable approving other road closures except to Main and Whittle. For those two streets, Mr. Barker wanted the Council’s approval.

Councilwoman Henton moved to approve item 4-D, noting that other streets would also be closed per the Special Event Application included in the packets, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

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

8-A “Request/Possible Ordinance: Closure of a Portion of the North/South Alley Between E. Butler and E. Laurel Streets & N. Sycamore and N. Mill Streets” The Council was provided with a letter of request from Jennifer Chaplin to close a portion of the alley mentioned in the title, and a map of the alley and surrounding area. Mrs. Chaplin was requesting to close the alley from the south exit to the top portion that intersects between her two properties on the east and west of the alley. Notices of the request for closure were sent to property owners adjoining the alley. Mrs. Chaplin was present to speak on the request.

Thomas Levitt, 729 E. Laurel, was present to speak in opposition of the request. He stated that in times of heavy rain, the alley frequently flooded. The rainwater often comes right up to his carport, which he accesses from the alley. He wanted there to remain two entry and exit points for this purpose.

Councilman McLaughlin felt that this request for closure had come to the Council in the past. Mrs. Sterchi confirmed. Since that time, ownership of 720 E. Butler had changed, as had some of the owners adjoining the alley.

Mrs. Chaplin pointed out that barricades had been standing, closing the southern portion of the alley for about a year. Mrs. Sterchi confirmed this also. Because heavy rains are problematic to the alley, the Street Supervisor at the time offered to drop off barricades that could be placed in such wet conditions. No property owners had removed them for quite some time.

Mrs. Chaplin commented that Olney had received very heavy rain recently, and certainly in the past year since the barricades had been standing. No one had needed to exit through the southern portion of the alley during that time.

Merrill Chaplin was also present. He stated that Brian Harmon, owner of 327 N. Mill, was in favor of the closure, but that Mr. Harmon was in the hospital and could not be at this evening's meeting.

Mr. Levitt asked why the alley was not maintained by the City. Councilwoman Henton replied that most alleys are not maintained, but are dedicated simply for access to certain properties.

Mayor Lambird wondered why rainwater was backing up in the alley in the first place. Mr. Levitt was not completely sure, but noted that in heavy rain, the water had nowhere to go for drainage between his house and the one to the south. A culvert was replaced in the prior year that helped somewhat.

Mayor Lambird felt that since a majority of the adjoining landowners had not opposed the request, and the alley was not one maintained by the City, he would be in favor of the closure. Councilwoman Fehrenbacher agreed.

Councilwoman Henton recalled that in the past, if any adjoining property owner was in opposition, there was no closure.

Mrs. Chaplin again pointed out that it had been over a year since anyone had used the south entrance/exit of the alley. Mr. Levitt did not feel that he should have to exit through the north and go around the block to get to Butler Street instead of taking the alley directly to Butler.

Mayor Lambird suggested postponing the request until the next Council meeting so that the water drainage in the area could be evaluated. The Council agreed.

8-B “Resolution: Accept Proposal for Maintenance on a Final Clarifier for the Sewer Department and Waive Formal Bidding Procedures” The Council was provided with a proposed resolution to accept a proposal for maintenance on a final clarifier for the Sewer Department and waive formal bidding procedures. The Council was also provided with the proposal from DPS Equipment Services, Inc., of Caledonia, Illinois.

Mr. Barker told the Council that DPS Equipment Services, Inc., had submitted a proposal in the amount of \$24,750.00 to recondition the spur drive and worm gear tower on the #3 final clarifier at the Sewer Plant. DPS Equipment Services, Inc., was the same company that replaced and rebuilt the #1 and #2 clarifiers in April and September of 2017, and was the company recommended by Walker Process Equipment, which was the clarifier brand.

The #3 clarifier was currently empty and ready for the sandblasting and painting work scheduled to be completed by the end of October. If the proposal was accepted this evening, the maintenance work would be done in November.

Councilwoman Henton moved to approve 2018-R-71, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-C “Ordinance: Authorize the Sale of Items of Personal Property – Miscellaneous Scrap Metal from the Public Works Center” The Council was provided with a proposed ordinance that would authorize the sale of miscellaneous scrap metal from the Public Works Center to Scrap Daddy, Inc., of Olney, Illinois.

Councilman McLaughlin moved to approve Ordinance 2018-45, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-D “Discussion/Possible Action: TIF Redevelopment Agreement – State Route 130 Corridor” Mr. Barker told the Council that an application for TIF assistance was submitted by Hill’s Resources, LLC., in order to locate a second Ginger Ale’s at 610 N. West Street, in the State Route 130 Corridor. The application requested assistance in the form of 85% property tax reimbursement on the increased increment for the first five years, and 75% for the rest of the TIF life, or until all eligible expenses were reimbursed. Eligible expenses for this project would include site preparation, site improvements, financing costs, and professional fees for architects and engineers. Michael and Julie Hill were present to speak on the request.

If the Council would be in agreement to move forward with the application, a Redevelopment Agreement would need to be prepared and presented at later date.

Councilwoman Henton asked why 85% was requested for the first five years. Mr. Hill replied that another local business had received the same amount, so he felt they should at least ask for the same.

Councilwoman Henton stated that was the reason she had voted against the other businesses' same request, and now a precedent had been set. She suggested changing the amount to 75%, and clarified that she had nothing against the Hills' project.

Mr. Hill commented that there were quite a bit of expenses that would not be offset by the TIF. He also pointed out that nothing was being asked for upfront either.

Councilwoman Henton moved to approve moving forward with a TIF Redevelopment Agreement with Hill's Resources, LLC., at a 75% property tax reimbursement on the increased increment for 15 years. The motion died due to lack of a second.

Councilman McLaughlin moved to approve moving forward with a TIF Redevelopment Agreement with Hill's Resources, LLC., as presented in the application.

Councilwoman Fehrenbacher asked if the Hills would be asking for anything else other than what was listed in the application. Mr. Hill did not believe so.

Councilwoman Fehrenbacher seconded the motion. Councilwoman Fehrenbacher, Councilman McLaughlin, and Mayor Lambird voted yes. Councilwoman Henton voted no. The motion carried.

8-E "Resolution: Amend the 2018/2019 Budget in the Board of Fire & Police" The Council was provided with a proposed resolution to amend the 2018/2019 budget in the Board of Fire & Police.

Mr. Barker reminded the Council that there were two vacancies in the Police Department for patrol officers. Nothing had been included in this year's budget for testing to create an eligibility list for hiring. The current list would be in effect for another year, but there were not enough candidates left on the list to fill both positions. Therefore, a professional agency conducted physical and written testing in September to begin the process of creating a new eligibility list from which to hire.

The proposed resolution would take \$2,463.00 from Contingencies and place \$413 in the Legal Publications line item and \$2,050.00 in the Professional Services line item.

Councilwoman Henton moved to approve 2018-R-72, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-F "Ordinance: Authorize the Sale of Item of Personal Property – 1972 Clark Forklift from Mechanic Department" The Council was provided with a proposed ordinance that would authorize the sale of a 1972 Clark forklift from the Mechanic Department on GovDeals.com.

Mr. Barker stated that the Mechanic Department was in possession of a new forklift to replace the 1972 Clark forklift. Mr. Barker recommended selling the surplus forklift on GovDeals.com.

Councilwoman Henton moved to approve Ordinance 2018-46, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-G “Discussion: Lightning Detectors at Musgrove Park” The Council was provided with information on a LW110 Lightning Warning System.

Mayor Lambird told the Council that he had been approached by a group willing to donate \$6,000.00 for a lightning detector at Musgrove Park. The group requested that the City submit a \$3,000.00 grant request to the Carrie Winter Charitable Trust, and contribute \$3,000.00 from the City’s General Fund. The detector would be beneficial for baseball, soccer, and swimming events that take place in the City Park. The detector would indicate when lightning conditions were favorable.

Once the detector was triggered, Councilwoman Fehrenbacher wondered what would happen next. Mayor Lambird replied that a policy would need to be created. The detector would indicate imminent lightning up to seven and a half miles from its location.

Councilman McLaughlin asked where such a detector would be placed. Mayor Lambird recommended it be placed in a location where it could be seen from all areas.

Councilwoman Henton asked if the City would then be required to maintain the equipment and replace when necessary. Mayor Lambird offered that the City may choose not to replace if the device no longer was functional.

Councilwoman Henton felt it would be wise to see if the Carrie Winter Charitable Trust would authorize the grant before making a commitment. Mayor Lambird countered that the group willing to donate would only do so if they knew the City would apply for the grant. The Mayor offered that the City could even wait until the next budget year.

Councilman McLaughlin asked what the policy was currently for lightning at Musgrove Park. The Council replied that if lightning was spotted, activities were shut down.

Councilman McLaughlin stated that he was in favor of lightning detectors if it would only cost the City \$3,000.00, and if the City would not be held responsible for any replacements.

Councilwoman Fehrenbacher wondered if having a lightning detector would at all affect the City’s liability. Mayor Lambird replied that a representative of the City’s liability insurance company indicated that this would be seen as a positive step, but should include established policies and procedures when lightning warnings occur. City Attorney Zuber agreed, but was curious if other communities in southern Illinois had lightning detectors, and how the detectors worked for them.

Mayor Lambird then tabled the topic until the next Council meeting. He would try to get information from similar communities on lightning detectors.

8-H “Discussion: Review of Boat License Fees” The Council was provided with a summary of classifications of boat licenses and current fees.

Mayor Lambird had been in contact with Preston Township regarding the roads in and out of the East Fork and Borah Lake public areas. The roads were not in good shape. The Mayor wondered

if a surcharge could be added to the boat license fees in order to have that money go to Preston Township to improve those roads. The Mayor also suggested an intergovernmental agreement.

Councilwoman Henton was not in favor of the proposal, and felt that the City could out price itself for boating. Most of the boat licenses were purchased from non-residents. Their trips to the Olney lakes would also include food, gas, and sometimes motel costs. Mayor Lambird felt that anyone bringing a boat in on a trailer would prefer not to drive on roads in such poor condition, and would gladly pay the extra fees if it would help.

Mayor Lambird felt that a minimum increase of \$5.00 could be appropriate on all except for Class A (non-power). Councilwoman Henton commented that fees recently increased by \$10.00. Mayor Lambird had heard that boat license fees in Marshall, Illinois, got up to \$80.00.

The City was not allowed to work on roads in Preston Township, however those roads were part of a draw to our community. Mayor Lambird continued that the City had spent a good amount of money on improvements at the lakes, and felt it would make the community look better if there were also good roads going in and out of the public access areas.

Councilman McLaughlin agreed that Preston Township had really let the roads to the lakes get into poor condition, but noted that the City had no leverage to make them do better. Alternatively, he was also not in favor of giving Preston Township any taxpayer money for repairs. Councilwoman Fehrenbacher agreed.

If Preston Township was given money from boat license fee surcharges to fix the roads to and from the lakes, she wondered what would happen when other roads needed repair and they demanded money to repair those as well. Mayor Lambird replied that would be the importance of having an intergovernmental agreement in place.

Councilwoman Henton continued that many other people used such Preston Township roads that did not boat. She felt that boaters were being targeted. Mayor Lambird agreed, but felt that boaters wanted better roads.

Mayor Lambird had heard that \$10,000.00 would oil and chip one mile of road. By generating an extra \$6,000.00 per year, 60% of one mile of road could be oiled and chipped.

Councilman McLaughlin wondered if Preston Township had told the Mayor why the roads had been torn up. Mayor Lambird had not heard.

Councilwoman Fehrenbacher asked if Preston Township was not repairing the roads due to not having enough money to do so. Mayor Lambird felt that was indicted, and noted that money was tight in Olney, as well.

Councilwoman Henton wanted to hear from boaters on the proposal. The topic would be tabled until the next Council meeting.

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 reported that the Ludlow drainage project was complete. Crack sealing

work was supposed to begin earlier in the day, but the crack sealers were involved in an accident and did not get much done.

The Park Department had begun stringing lights for the Christmas Light Display.

Mr. Barker invited the members of the Council to take some time and tour the Sewer Plant in order to see some of the equipment and learn more about operations.

Mr. Barker then noted that Veterans Day would fall on a Sunday this year with the City observing the holiday on Monday, November 12th. This was also a scheduled Council meeting date. He requested that the Council think about rescheduling or cancelling that meeting.

Mr. Barker then reminded the Council that he would be absent at the next Council meeting as he would be attending an IPELRA conference.

9-B "RCDC Report" RCDC Executive Director Courtney Yockey told the Council that a business workshop was scheduled for October 16th from 6:00 p.m. to 8:00 p.m. at RCDC for succession planning.

9-C "Chamber of Commerce Report" Councilman McLaughlin told the Council that the Pumpkin Spice Tour had taken place on October 5th, but he had not heard how it went. Councilwoman Fehrenbacher and Mrs. Sterchi indicated that while ticket sales were lower than desired, it was still a fun event.

Councilman McLaughlin added that Domino's had opened and seemed to be staying pretty busy.

9-D "Parks & Recreation Board Report" The Parks & Recreation Board had not yet met for the month, so there was no report.

9-E "Tourism Board Report" Councilwoman Henton stated that she would be attending a Tourism Board meeting on October 24th.

AGENDA #10 "PUBLIC COMMENTS/PRESENTATIONS"

10-A "Ron Workman" Mr. Workman was not in attendance.

AGENDA #11 "CLOSED SESSION: SALE OR LEASE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; AND APPOINTMENT, EMPLOYMENT, COMPENSATION, AND PERFORMANCE OF SPECIFIC EMPLOYEES" Councilman McLaughlin moved to adjourn to closed session to discuss sale or lease price of real property; acquisition of real property; appointment, employment, compensation, and performance of specific employees, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

Councilman McLaughlin, Councilwomen Fehrenbacher, Henton, Mayor Lambird, City Manager Barker, City Treasurer Guinn, City Attorney Zuber, and City Clerk Sterchi left the Council Chambers at 7:37 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 Councilwoman Fehrenbacher. A majority affirmative voice vote was received. Open session resumed at 8:30 p.m.

Mayor Lambird asked if the City maintained any alleys. Councilwoman Henton replied that a few of the well-traveled alleys were maintained. Such alleys were usually accessed by businesses.

Councilwoman Fehrenbacher had received a complaint about the alley near the First National Bank drive-thru on Whittle Avenue, and also about the alley at the end of S. Fair and W. Market. Mrs. Sterchi would create work orders.

Mayor Lambird asked if there was a list of City-maintained alleys. No one believed so.

The Council then briefly discussed adding additional security features.

AGENDA #13 “ADJOURN” With no further business to discuss, Councilwoman Henton moved to adjourn, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

The meeting adjourned at 8:35 p.m.

Kelsie J. Sterchi
City Clerk