

CITY OF OLNEY  
CITY COUNCIL MEETING  
SEPTEMBER 11, 2017

AGENDA #1 “CALL TO ORDER” The September 11, 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. Steve Wingert 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 Manager Allen Barker, City Clerk Kelsie Sterchi, Assistant City Treasurer Jane Guinn, City Treasurer Chuck Sanders, and City Engineer Charleston.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on August 28, 2017”

4-B “Approve and Authorize Payment of Accounts Payable September 12, 2017” Pooled Cash \$215,944.81, Manual Pooled Cash \$106,946.68, Petty Cash \$75.93, IMRF \$27,786.15, MFT \$47,747.00, Tourism \$2,500.00, Christmas Light Display \$4,403.85, Route 130 TIF \$1,020.50

4-C “Raffle License: B.P.O.E. #926 (1)”

4-D “Raffle License: B.P.O.E. #926 (2)”

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

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

4-G “Raffle License: B.P.O.E. (3)”

4-H “Raffle License: Fraternal Order of Eagles #2549”

4-I “Re-Appointment: Paul Wirth to the Airport Authority as Recommended by Mayor Lambird”

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 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 “Raffle License: Future Leaders Through Sport” The Council was provided with a Raffle License Application submitted by Phil Britton of Future Leaders Through Sport. Future Leaders Through Sport was Mr. Britton’s new not-for-profit organization that was established in August of 2017. Mr. Britton had been notified that the not-for-profit had not been in existence for five years, so he could not be eligible for a Raffle License per the City of Olney’s Code. It was Mr. Britton’s preference to go ahead and have the application placed on the agenda for consideration.

Councilwoman Fehrenbacher asked if there was any leeway with the five year requirement. City Attorney Zuber replied that in addition to the requirement being part of the City’s ordinances, it was also part of State law. He had researched various avenues to see if there were any appropriate exceptions, but he did not come up with any.

Mr. Britton asked if he could partner with another not-for-profit organization to act as a raffle manager. Mr. Zuber confirmed. Councilwoman Fehrenbacher recommended partnering with the Richland County Recreation Council because she felt that could be a good fit.

Councilman McLaughlin asked if the five year requirement could be waived. Mr. Zuber replied that the City could have the option to waive its own ordinances, but could not waive State law.

No action was taken on Mr. Britton’s Raffle License Application.

8-B “Request: Planting of Trees Donated by the State of Illinois at Musgrove Park Near the Swimming Pool and Soccer Field” The State of Illinois had indicated that they would be donating 50 trees to the City of Olney. Employees of the State would also be planting the trees. Tree Board Chair Brandy McKinney was present to request allowance for the trees to be planted at Musgrove Park.

Mrs. McKinney told the Council that she had met with the Park Department Supervisor and spoken with the Parks & Recreation Board Chair to discuss planting locations. Both were in agreement that locations near the fenced area of the Musgrove Aquatic Center and the soccer field would be appropriate.

Before moving forward with trees near the soccer fields, Councilman McLaughlin recommended that Mrs. McKinney also speak with Kady Stallard to be sure there would be no conflicts with the soccer teams.

At the last Council meeting, the Council authorized the Tree Board to apply for a grant through Trees Forever for trees to be planted on private property. Mrs. McKinney reported that the City of Olney had been approved, and would be receiving \$2,400.00 worth of grant funds for the project. Mrs. McKinney had distributed to the Council a copy of the Tree Adoption application that interested residents would need to fill out for consideration.

Councilwoman Henton moved to approve the planting of 50 trees at Musgrove Park near the swimming pool fence and soccer fields, after approval from Kady Stallard, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-C “Discussion/Possible Action: Presentation and Acceptance of Fiscal Year 2016/2017 Financial Audit & 2016/2017 Tax Increment Financing Fund Audit” Copies of the Fiscal Year 2016/2017 Financial Audit and 2016/2017 Tax Increment Financing Audit had been placed in the Council’s mailbox during the prior week. Ryan Hawkins, representing the Kemper C.P.A. Group was present to report his findings.

Mr. Hawkins began by stating that since the Route 130 TIF Fund exceeded \$100,000.00, an audit was required for that Fund. Mr. Hawkins concluded that the TIF audit showed that the Fund was in line with State statute, and the City was in full compliance.

Mr. Hawkins explained that the auditor’s report for the financial audit described management’s responsibility, and the auditor’s responsibility in respect to the audit as a whole. The City’s basis for accounting is the modified cash basis. In the auditors’ opinion, statements were materially correct and matched that basis of accounting.

Part of the audit included a general testing of compliance. No errors were found, nor anything out of compliance.

Page four of the report showed the Statement of Net Position which is a snapshot of the City. The cash on hand for Governmental Activities and Business-Type Activities, as of April 30, 2017, was \$9,952,733.00. The library’s cash on hand ended at \$589,019.00. There was \$416,616.00 on hand of restricted cash. The total assets were listed at \$31,405,420.00 for Governmental Activities and Business-Type Activities. The library’s total assets ended at \$864,732.00.

Page five detailed the cost of government and listed all tax revenues. Change in net position for Governmental Activities was \$363,693.00. Change in net position for Business-Type Activities was \$559,785.00, and change in net position for the library was \$32,951.00.

Mr. Hawkins then continued to point out where in the report various other statements could be found. Mr. Hawkins did point out that the General Fund showed a deficit of \$776,141.00, but that was mainly due to capital expenditures that had been budgeted. As of April 30, 2017, the General Fund still had a fund balance of \$3,920,272.00. Other governmental funds held a balance of \$2,475,328.00.

Page ten detailed key metrics in operating revenues and expenses. Water Distribution’s net position ended at \$7,959,499.00. Waste Water Treatment’s net position ended at \$5,500,299.00.

Page eleven showed net cash provided by water and sewer operations. Water Distribution’s net cash from operations was \$556,215.00 and Waste Water Treatment’s was \$409,961.00.

Mr. Hawkins then told that fiduciary funds were also reviewed. Total net position for both fiduciary funds (Police and Fire) ended at \$6,645,423.00.

Lastly, Mr. Hawkins pointed out that page fifty-two showcased the five year comparative statement of revenues, expenditures, and changes in fund balances.

Councilwoman Henton moved to approve the Fiscal Year 2016/2017 Financial Audit, seconded by Councilman Harrison. A majority affirmative voice vote was received.

Councilman McLaughlin moved to approve the 2016/2017 Tax Increment Financing Fund Audit, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-D “Ordinance: Authorize Disposal of Items of Personal Property from the Fire Department by Recycling or Discarding (SCBA Equipment, Electrical Equipment, Miscellaneous Office Accessories)” The Council was provided with a proposed ordinance to authorize disposal of items of personal property from the Fire Department by recycling or discarding.

Mr. Barker told the Council that in June, the City Council had passed an ordinance authorizing the sale of unusable SCBA equipment on GovDeals.com. There were no bids received on the equipment. Fire Chief Hill now requested authorization to dispose of the SCBA equipment through recycling. Fire Chief Hill was also requesting authorization to dispose of some old electrical equipment and miscellaneous office accessories by either recycling or discarding.

Councilman McLaughlin moved to approve Ordinance 2017-49, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-E “Discussion/Review: Redevelopment Agreement Between the City of Olney and Parkside Inn, LLC.” The Council was provided with a proposed Redevelopment Agreement between the City of Olney and Parkside Inn, LLC.

Mr. Barker told the Council that City Attorney Zuber and TIF Attorney Terry Bruckert had worked together to prepare the agreement which implemented the TIF reimbursement provisions as discussed at the July 24, 2017, meeting. Mr. Barker noted that more information was needed to make Exhibit A more accurate.

The agreement would allow for a reimbursement for eligible costs up to 85% of the tax increment for the first five years, and a reimbursement of 75% for the remaining life of the TIF.

If the Council was in consensus to move forward, Mr. Barker would forward a copy to Eric Seals for his review. He hoped to have the Redevelopment Agreement on the agenda for the September 25, 2017, meeting for action.

8-F “Resolution: Accept Quotation for Wastewater Treatment Plant Accessory Building”

The Council was provided with a proposed resolution to accept a quotation for an accessory building at the Wastewater Treatment Plant. Mr. Barker told the Council that the City had solicited sealed quotations for the construction of a 40’ x 48’ x 16’ accessory building for the Wastewater Treatment Plant. Quotations were opened earlier in the day, and \$75,000.00 had been included in the 2017/2018 budget for the project.

Two quotations had been received. For the Base Bid, Cleary Building Corp, Olney, Illinois, quoted \$65,860.00. For the Alternate No. 1, Cleary Building Corp. quoted \$68,405.00. Beachy’s Construction of Olney, Illinois, bid an amount of \$51,225.00 for either the Base Bid or the Alternate No. 1. Mr. Barker and the City Engineer recommended approving the Alternate No. 1 quote from Beachy’s Construction in the amount of \$51,225.00.

Councilman McLaughlin moved to approve 2017-R-59, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-G “Ordinance: Amend Chapter 5.16 (Peddlers and Solicitors) of the City of Olney Municipal Code” The Council was provided with a proposed ordinance that would amend Chapter 5.16 (Peddlers and Solicitors) of the City of Olney Municipal Code. City Clerk Sterchi also disbursed examples of potential solicitor regulation signage.

Mrs. Sterchi told the Council that door to door solicitors continued to be a problem within the community. While there were indeed solicitors who followed the rules of registering and conducted themselves in a professional manner, City Hall still receives numerous complaints about solicitors being unregistered, unethical, or both.

As a way to make handing solicitors easier, Mrs. Sterchi recommended offering a weatherproof card to residents to indicate whether or not they are willing to accept registered solicitors at their homes. Such cards were available in some other communities, and seemed to help.

Councilman McLaughlin asked if the Code amendment would affect people who go door to door to sell things like Boy Scout popcorn. Mrs. Sterchi replied that such people would not be defined as solicitors per the City’s Code. Sections 5.16.140 and 5.16.150 detailed those exempt from the provisions, including people selling items for religious, charitable, school, educational or veteran’s organizations.

While canvassing for office, Councilwoman Henton recalled seeing some home-made signage at residences indicating that solicitors were not welcome. She wondered if the weatherproof cards being proposed by Mrs. Sterchi were necessary. Mrs. Sterchi replied that the weatherproof cards, or any signage at all, would not be mandatory. The cards being suggested were colored, to be easily seen, and would point out that any welcomed solicitors must be registered. The cards would read either ‘ONLY SOLICITORS REGISTERED IN OLNEY INVITED’ or ‘NO SOLICITORS INVITED.’ The cards would also have the City’s logo.

Councilwoman Henton asked if a fee would be charged for the cards. In effort for the City not to lose money on the production, Mrs. Sterchi proposed to offer the cards for \$1.00 each.

Councilman McLaughlin moved to approve Ordinance 2017-50, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-H “Discussion/Possible Action: Funding of Water and Sewer Extensions for Parkside Plaza, LLC. Hotel Project” Mr. Barker told the Council that in order to receive construction permits from the Illinois Environmental Protection Agency (IEPA) for the extension of water and sewer mains for the Parkside Plaza, LLC. hotel project, the City Council would need to make a commitment of funds for the project, and the commitment would need to be noted in the minutes from this evening’s Council meeting from a Council vote.

Councilman McLaughlin thought the Council had already taken action on the commitment of funds. Mr. Barker replied that the action taken by the Council needed to explicitly say that the Council would approve funding of the entire water and sewer extension project. If the IEPA did not receive that confirmation, then the City would be charged an extra \$1,200.00 for the permit. The City would need to authorize total funding of the project using local funds, and note that the City would not be reimbursed for the construction costs.

Councilman McLaughlin moved to authorize the City to fund the water and sewer extension for the Parkside Plaza, LLC. hotel project through local funds without being reimbursed for the construction costs, seconded by Councilman Harrison. 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. Other than the information listed in the status report, Mr. Barker had nothing additional to report, however he noted that the City Treasurer wished to address the Council.

Mr. Sanders informed the Council that he and Mrs. Guinn had attended a mandatory conference in Springfield, Illinois, during the prior week. During the conference, Mr. Sanders learned that the CDAP program was being proposed for termination by the end of September for the City of Olney, along with about 56 other communities in the state. The purpose of the termination was because the City had gone 12 months without utilizing CDAP funds for a revolving loan. New HUD guidelines stated that any municipality that had not made a CDAP loan in the past 12 months would have the program terminated to figure out another use for the funds. Unused CDAP funds would be remitted to the State in January. Mr. Sanders stated that the City had about \$260,000.00 worth of CDAP funds.

Mr. Sanders continued that in February, the City would be given the opportunity to complete an application to use the CDAP funds for up to two projects that would benefit the citizens of Olney in the form of infrastructure, housing rehabilitation, or economic development. Because the City was currently working on a housing rehabilitation project, he felt that an infrastructure or economic development project, or both, would be most appropriate. The

projects would also need to benefit low to moderate income areas, blighted areas, or areas that have health and safety concerns. The City would have until December of 2020 to apply for the two projects.

9-B “RCDC Report” RCDC Executive Director Courtney Yockey told the Council that dirt work had begun at the site of the new Best Western Plus. In the near future, a groundbreaking would be scheduled for the project. Mr. Yockey also told that Master Halco was working on an expansion.

9-C “Chamber of Commerce Report” Councilman McLaughlin told the Council that the Chamber’s Bicycle Classic had just taken place on September 9<sup>th</sup>. Councilwoman Fehrenbacher had also volunteered during the event that had just moved locations back to the downtown area. While she felt it was hard to judge attendance in comparison to when the event had been held in the City Park, she did note that the event was well attended.

Councilman McLaughlin went on to say that the Scarecrow Contest would soon take place. Mr. Barker added that the Fall Planter Challenge should also ramp up soon.

9-D “Parks & Recreation Board Report” The Parks & Recreation Board had not yet met for September, so there was nothing to report.

9-E “Tourism Board Report” The Tourism Board had not yet met for the quarter, so there was nothing to report.

City Clerk Sterchi commented that she was seeking volunteers for the 2017 Squirrel Count that would take place on the mornings of October 1<sup>st</sup>, 14<sup>th</sup>, and 21<sup>st</sup>.

Councilman McLaughlin asked for an update on the housing rehabilitation project. Mr. Barker replied that the project was still in the hands of the Greater Wabash Regional Planning Commission. The State of Illinois had put the project on hold due to issues with inspections.

Mayor Lambird noted the anniversary of the September 11, 2001, terrorist attacks. He thanked emergency personnel for all of their efforts and reminded those present that there is never a guarantee of coming home to their families at the end of the day. The Mayor then requested a moment of silence to remember those lost. After the moment of silence, the meeting continued on to Public Comments/Presentations.

#### AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Brian O’Neill” Mr. O’Neill told the Council that September 11<sup>th</sup> was also his birthday. He also reminded the Council that those running for public office that go door to door should be exempt from the ordinance regulating peddlers and solicitors.

From the audience, Michael Winter told the Council that he had a hearing problem and requested that the Council either speak up or have better microphones.

AGENDA #11 “CLOSED SESSION: SALE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; AND APPOINTMENT, EMPLOYMENT AND PERFORMANCE OF SPECIFIC EMPLOYEES” This items was removed from the agenda.

AGENDA #12 “RECONVENE OPEN SESSION” This item was removed from the agenda.

AGENDA #13 “ADJOURN” Councilwoman Henton moved to adjourn, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

The meeting adjourned at 7:41 p.m.

Kelsie J. Sterchi  
City Clerk