

CITY OF OLNEY
CITY COUNCIL MEETING
SEPTEMBER 12, 2016

AGENDA #1 “CALL TO ORDER” The September 12, 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. Gary Wachtel 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 Manager Allen Barker, 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 August 22, 2016 (Special & Regular Meetings)”

4-B “Approve and Authorize Payment of Accounts Payable September 13, 2016” Pooled Cash \$259,893.51, Manual Pooled Cash \$726,423.76, IMRF \$30,370.93, Tourism \$1,750.00, 175th Anniversary \$310.05, Utility Refunds \$829.57, Petty Cash \$242.20

4-C “Raffle License Application: Olney Jr. Pro Football”

AGENDA #5 “REMOVAL OF ITEMS FROM 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” No items were requested for removal from the consent agenda.

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

8-A “Ordinance: Amend Section 12.16.100 (Hunting) of Chapter 12.16 (East Fork Lake) of the City of Olney Municipal Code” The Council was provided with a proposed ordinance that would amend Sections 12.16.100 (Hunting) on East for Lake and add Sections 12.16101 (Notice of Violation), 12.16.102 (Abatement), and 12.16.103 (Judgement). Prior to the meeting, copies of language that would define a “duck blind,” and a copy of 520 ILCS 5/2.19 was provided by the City Attorney.

Councilman McLaughlin asked what defined “marginal land” in reference to the wording of the ordinance. Mr. Zuber replied that “marginal land” was already a term in the existing ordinance, but approximately 50 feet within East Fork Lake would be “marginal land.”

Councilman McLaughlin wondered how the City would have the authority to tell landowners with property on the lake what they could and could not keep on their property. He noted that City roads have portions of right-of-way, but was not aware of anything similar on such lake land outside of City limits. Mayor Vaughn responded that when East Fork Lake was built, the City adopted certain ordinances to restrict and control all activities within 1,000 feet of the lake. Mr. Zuber then added that when someone buys lakefront property, they buy it subject to the City's lake ordinances, whether or not the land is within City limits.

If the City needed to remove abandoned duck blinds, Mayor Vaughn wondered how the City would do so. Mr. Zuber pointed out that the proposed ordinance stated that if the blind was in violation, the City may immediately remove and dispose of the materials without notice and keep track of the expense of abatement.

Mayor Vaughn asked Dr. Dan Brown if he had any concerns over the proposed ordinance. Dr. Brown had no issue with removing the blinds after hunting season to his property, however his property was on the lake. Completely removing the large structure would be extremely difficult. He wanted the ordinance to be left alone for the next few years to see if conditions improved. He was aware of the individual who was causing problems, and felt that he and other duck hunters could help police the area.

Councilman McLaughlin asked which City department should be enforcing the duck blind violations. The Council was unsure. Councilman McLaughlin felt that Lake Patrol should be monitoring the areas.

Mayor Vaughn noted that enforcement would be difficult if nothing is shown listing to whom the blind belongs. Alternatively, Dr. Brown pointed out that duck hunters do not want large signs on their blinds as they are trying to stay hidden.

From the audience, Jon Racklin thought that the blinds could be regulated in a way similar to boat stickers with a number or a tag.

Mr. Zuber thought that a provision could be added that after April 1, all blinds wishing to remain on the lake should be towed to or remain in an area not designated for hunting. Areas within 500 feet of residences are not designated for hunting.

Mayor Vaughn appreciated the helpful comments from the duck hunters, and expressed his desire to make the changes user friendly. With more apparent work to be done, Mayor Vaughn stated that Mr. Zuber would continue to work on the revised ordinance to be brought back again at a future meeting.

The individual with remaining duck blinds would be contacted that they needed to remediate the blinds remaining at East Fork Lake.

8-B "Tourism Grant Application: "Love Worth Fighting For" Marriage Event" The Council was provided with a Tourism Grant Application from Mt. Gilead Church for their upcoming marriage event to be held on November 18, 2016, and a list of Tourism Grant general information.

Mr. Charleston stated that his church had been very interested in promoting a great event for the area. The church was granted the opportunity to enter into a contract with the Kirk Cameron Group for the "Love Worth Fighting For" Marriage Event.

Due to the numerous requirements of the contract, Mt. Gilead Church was hoping to receive up to \$4,500.00 in Tourism Grant funds to assist with some of the costs. The Church is expecting about 1,400 people to attend the event with many coming from out of town. The event will take place in the evening, so many attendees would be eating at local restaurants and staying at local motels.

Councilwoman Henton noted that based off of the ticket price, the church's income should be at least \$31,500.00. Mr. Charleston responded that most of that would go to the Kirk Cameron Group. The church is only allowed to keep profits from the first 200 tickets sold.

Councilwoman Henton then questioned the cost of \$1,000.00 for five hotel rooms. Mr. Charleston responded that after the Olney event, the group would immediately be heading for Kansas City. They would be stopping somewhere along the trek to rest. They would not be staying in Olney.

The Councilwoman then questioned the \$1,000.00 meal cost. Mr. Charleston explained that the details of the contract were more than what the church could prepare on their own, and one required vegan meals.

The overall request concerned Councilwoman Henton. She felt a precedence could be set for each church ever wanting to bring in a guest. Additionally, the Kirk Cameron Group would not be spending the night or eating with Olney businesses.

Councilman McLaughlin pointed out that the purpose of the Tourism Grant was to help with events that would bring people in from out of town to stay and spend their money in Olney.

Councilwoman Henton then pointed out that the grant should also be evaluated on the event's ability to attract other sources of funding. The ticket sales would be the only other source of funding.

Councilman McLaughlin asked how much money remained in the Tourism Promotion line item. If this request was approved, an amount of \$234.00 would be left in the line item after the other Tourism Grant recipients submitted their receipts for reimbursement.

Councilman McLaughlin moved to approve Mt. Gilead Church's Tourism Grant Application in the amount of \$4,500.00 for the "Love Worth Fighting For" Marriage Event, seconded by Councilman Ferguson. A majority affirmative voice vote was received with Councilwoman Henton voting no. The motion carried.

8-C "Discussion: Amending Parking Restrictions on the East Side of the 100 Block of S. Fair Street" The Council was provided with a letter from Jon and Tara Racklin, and a copy of Ordinance 80-8. Jon Racklin was present to help answer any questions.

Mayor Vaughn asked Mr. Racklin to explain his request. Mr. Racklin responded that he and his wife had bought the property at 116 S. Fair Street. They would like to turn the space into a short term rental, but would need parking. Currently, there is no overnight parking allowed on that block. He requested an amendment to the ordinance that would allow overnight parking.

Mayor Vaughn was curious why the original ordinance was created in the first place. Councilwoman Henton thought it was due to street sweeping schedules. The street sweeper no longer runs on nights.

Councilman McLaughlin moved to go forward with amending the ordinance, seconded by Councilman Harrison. A majority affirmative voice vote was received. A formal ordinance would be prepared for action at the next meeting.

8-D “Discussion: Permitting Food Trucks to Operate on City Streets” Della Budde was present to explain her request for allowing food trucks to operate on City streets. Mrs. Budde is one of the owners and operators of Nitro Food Service.

Mrs. Budde explained that due to current Code language, food trucks cannot conduct business on City streets. Currently, her food truck sits in the parking lot of one of the local car washes. Mrs. Budde desired flexibility to be able to move to different street locations in town, and possibly City owned areas such as the City Park, Musgrove Park ball diamonds, or the lakes.

Mrs. Budde continued that her food truck had been inspected by the Clay County Health Department and is licensed for food safety. Mrs. Budde also collects and reports sales tax, and has \$1,000,000.00 liability insurance coverage. Mrs. Budde also noted that they would never need to use any City water or electricity to run the truck.

Mayor Vaughn was concerned with safety as he notices many cars at the car wash parking lot over the lunch hour. Additionally, if moving forward, he would want to know who is operating the food truck, what licensing they have, what insurance they have, if they are reporting sales tax, and if they have been inspected by a health department.

Mayor Vaughn then expressed concern over competition issues if the food truck was parked near a local restaurant where bad blood could be created. Mrs. Budde indicated that she would never want to be parked near a local restaurant during their business hours.

Councilman McLaughlin was in favor of adjusting the Code to allow language suitable for food trucks.

Mrs. Sterchi commented that she had recently found some language from the City of Carbondale’s City Code regarding ice cream trucks and food truck vendors. There were many details in Carbondale’s ordinances that would help address some of the Council’s concerns. She even offered that perhaps the Council would want to regulate food truck vendors similar to liquor license applicants where the Council can choose whether or not another licensee would be appropriate for the area.

Mayor Vaughn felt that as a whole, the Council had the desire to create appropriate language, but did want to keep regulations at a high level for food truck vendors. He requested if Mrs. Budde had any additional information for the Council, that it get submitted to the City Clerk.

8-E “Resolution: Accept Bid for Backhoe for Parks & Cemeteries Department” The Council was provided with a proposed resolution to accept the low bid for a new backhoe for the Parks & Cemeteries Department, and copies of the two bids received from Sievers Equipment Company of Hillsboro, Illinois, and LeMond’s Kubota of Fairfield, Illinois.

Mr. Barker told the Council that bids were opened on September 8, 2016, for a backhoe for use by the Parks & Cemeteries Department. Two bids were received. Sievers Equipment Co. submitted a bid in the amount of \$76,459.00 for a JCB 3CX Compact Backhoe, and LeMond's Kubota submitted the low bid in the amount of \$62,900.00 for a Kubota M62TLB. There is \$65,000.00 included in this fiscal year's budget for the purchase of a backhoe.

Councilman Ferguson moved to approve 2016-R-56, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

8-F "Discussion/Resolution: Accept Quotations for Repairs to Pacific Cycle Roof and Waive Formal Bidding Procedures" The Council was provided with a proposed resolution to approve the installation of a ventilated rubber roofing system on the Warehouse Area, Store Area, and North Loading Dock Area of the Pacific Cycle building, a copy of the proposed agreement with A.C.I. Commercial Roofers for the work, a copy of a proposed resolution to approve the installation of a vented EPDM rubber membrane roofing system for the roof and Isocyanurate foam and TPO membrane for the sidewalls off the old oven area of the Pacific Cycle building, and a copy of the proposed agreement with A.C.I. Commercial Roofers for the work. Brian Brookheart with A.C.I. Commercial Roofers, was present to help answer any questions.

Mr. Barker told the Council that the ventilated rubber roofing system on the warehouse, store, and north loading docks was quoted at \$500,000.00. The ventilated rubber roofing system, Isocyanurate foam, and TPO membrane for the sidewalls of the old oven area were quoted at \$58,689.00. This year's budget holds \$831,421.00 for repairs to the Pacific Cycle roof.

Mayor Vaughn asked for a general explanation on what the repair process would entail. Mr. Brookheart replied that the work would be similar to that done in 2003. The roof would be sprayed with silicone and then overlaid with 60 milliliter TPO membrane. This would also be vented to allow moisture already in the roof to leave over time.

Mayor Vaughn asked for the expected life span of the repairs. Mr. Brookheart felt that the repairs would hold up for at least 20 years.

Councilman McLaughlin recalled that at one time, a bigger project was planned for the roof. He wondered why the project has been toned down. Mr. Barker replied that was done in effort to limit expenses.

With Pacific Cycle's change in operations, Councilman Ferguson wondered if any more word had been heard from Pacific Cycle regarding their future in Olney. Mayor Vaughn indicated that correspondence had been received reassuring that they will still have a strong presence in Olney with some manufacturing operations staying in town, in addition to the other areas of operation. They still expect to employ over 100 people.

Councilman Ferguson wondered if the extra warehousing space would even be needed. Mayor Vaughn indicated that the areas proposed for this evening's meeting were of highest priority to Pacific Cycle.

Councilman McLaughlin moved to approve 2016-R-57, seconded by Mayor Vaughn. Councilmen McLaughlin, Ferguson, Harrison, Mayor Vaughn, and Councilwoman Henton voted yes. There were no opposing votes. The motion carried.

Councilman McLaughlin moved to approve 2016-R-58, seconded by Mayor Vaughn. Councilmen Ferguson, Harrison, McLaughlin, Mayor Vaughn, and Councilwoman Henton voted yes. There were no opposing votes. The motion carried.

8-G “Resolution: Authorize Execution of Loan Offer and Acceptance of Loan Amendment for Drinking Water Project L173585 (W. Main Street Watermain Replacement Project)” The Council was provided with a proposed resolution that would authorize the execution of a Loan Offer and Acceptance document from IEPA, a copy of the letter received from IEPA, and a copy of the proposed Loan Offer and Acceptance document.

Mayor Vaughn noted that the agreement would offer \$211,136.00 in loan principal forgiveness in relation to the W. Main Street watermain replacement project.

Councilman Ferguson moved to approve 2016-R-59, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-H “Re-Appointments to the Library Board and the EDA Revolving Loan Fund” The Council was provided with a listing of tentative re-appointments to the Library Board and the EDA Revolving Loan Fund.

Mayor Vaughn noted that Jacob Tucker had recently moved, so his name should be removed from the proposed list of re-appointments to the Library Board. Mayor Vaughn asked the Council’s blessing to re-appoint the remaining individuals.

Councilwoman Henton moved to re-appoint Charles Roberts and Charlotte Bruce to the Library Board, and to re-appoint Peter Ubellacker, Ray Vaughn, and Tony Beal to the EDA Revolving Loan Fund, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

8-I “Discussion/Resolution: Accept Quotation to Remove Hose Drying Tower from City Hall Roof and Waive Formal Bidding Procedures” The Council was provided with a proposed resolution to accept the quote from Schuetz Companies, LLC., for removal of the hose drying tower from the roof of City Hall, and to repair and install rubber roofing in the project area.

Mr. Barker told the Council that two quotes had been received for the project. Illini Builders Co. quoted \$10,049.00, and Schuetz Companies, LLC., quoted \$9,725.00. Mr. Barker recommended accepting the low quote. An amount of \$20,000.00 was included in this year’s budget for the project.

Councilman McLaughlin moved to approve 2016-R-60, seconded by Councilman Ferguson. 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 told the Council that he, Mr. Charleston, and the Park Department Supervisor had many discussions regarding the re-working of the parking lot at East Fork Lake. It was decided that exploratory digging should be done to determine the best approach to the problem. That should be done within the next few days.

Mr. Barker then told the Council that the painting of the Washington Street water tower was complete. Councilman McLaughlin asked when the water tower on Route 50 would be refurbished. Mr. Charleston replied that the tower could be power washed to brighten up its appearance, but the tower should be re-painted in the near future. Councilman McLaughlin recommended setting aside \$100,000.00 per year for the project, similar to the Washington Street water tower project.

Mayor Vaughn asked for an update on the oil and chip program. Mr. Charleston indicated that the program was complete. Additionally, the Lathrop Street curb and gutter and E. Hall Street sewer line projects were complete. Mr. Charleston was still waiting on State permits for the Whittle Avenue project. The W. Main Street waterline work was still taking place. The underground storage tank removal has also started.

Councilman McLaughlin updated the Council that the new bathrooms at Musgrove Park would begin the dirt work process within the next couple of weeks.

Mr. Barker then indicated that the newly ordered sludge wagon should arrive within the next week. Additionally, property insurance coverages were being reviewed in hopes to make some cost saving changes. Lastly, the sale of the 19.6 acres in the Industrial Park was scheduled to go to public auction on October 4, 2016.

9-B “City Clerk – Set Date for Trick or Treat & Request Annual Squirrel Count Volunteers” Mrs. Sterchi reported that the 38th annual Squirrel Count was quickly approaching, and she was in need of volunteers to participate. This year’s Squirrel Count would be on October 1, October 8, and October 15, 2016. If anyone is interested, they should contact her for more information.

Mrs. Sterchi then told the Council that it was time to determine the City of Olney’s trick-or-treat night. This year, Halloween falls on Monday, October 31. She recommended that date for trick-or-treat.

Councilwoman Henton moved to set trick-or-treat night from 6:00 p.m. until 8:00 p.m. on Monday, October 31, 2016, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Brian O’Neill” Brian O’Neill, 818 E. Main Street, agreed with Mr. Racklin on his suggestion to use tags for duck blinds. Alternatively, Mr. O’Neill felt that Mr. Racklin’s parking request could cause problems in the future if the parking is always taken and his tenants have nowhere to park.

Mr. O’Neill was also aware that Animal Control was building a new dog pound that has no water or sewer accessibility. He reiterated that it was required to have available water for animals.

Mayor Vaughn updated the Council that he had met with Donnie Watson and Frank Bradley regarding the Tree Identification Park. He had heard that the area for trees was drastically impacted due to a proposed football field. Councilman McLaughlin believed that the proposed football field never made it into the Parks & Recreation Board's official Comprehensive Plan.

Mr. Barker commented that he was looking for a chairperson for a scarecrow contest. If anyone is interested, they should get in touch with him.

Mr. Barker also told the Council that an appreciation dinner for John Stadge to celebrate his retirement after 36 years of service was scheduled for September 15, 2016.

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" This item was removed from the agenda.

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

AGENDA #13 "ADJOURN" Councilman McLaughlin moved to adjourn, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

The meeting adjourned at 8:14 p.m.

Kelsie J. Sterchi
City Clerk