

CITY OF OLNEY
CITY COUNCIL MEETING
MAY 11, 2020

AGENDA #1 “CALL TO ORDER” The May 11, 2020, 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 physically present: Mark Lambird, John McLaughlin, Morgan Fehrenbacher, and Greg Eyer. Also physically present were City Manager Allen Barker, City Clerk Kelsie Sterchi, City Treasurer Jane Guinn, and City Engineer Mike Bridges. Section 6 of Governor Pritzker’s COVID-19 Executive Order No. 5 allowed for attendance to take place via video, audio, and/or telephonic means. Attending by video and audio were Councilwoman Belinda Henton and City Attorney Bart Zuber.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of the Council Meeting on April 27, 2020”

4-B “Approve and Authorize Payment of Accounts Payable April 29, 2020 & May 12, 2020” Pooled Cash \$108,503.76, Manual Pooled Cash \$218,610.47, Petty Cash \$361.27, Foreign Fire \$11,975.88, IMRF \$47,614.32,

4-C “Appointments: Jan McKinney & Laura Williams to the Tree Board”

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

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilwoman Fehrenbacher moved to approve the items on the consent agenda, seconded by Councilman McLaughlin. 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 “PUBLIC HEARING: DOWNSTATE SMALL BUSINESS STABILIZATION APPLICATION FUNDED BY CDBG FUNDS” Due to the outbreak of COVID-19 and its detrimental impact on small businesses, the State invoked its option to adjust allocations to address specific needs to benefit Illinois’ non-entitlement communities in case of unforeseen circumstances, as included in the Consolidated and Action Plans. This allocation, along with unspent and recaptured funds from previous allocations, would be made eligible in a total of \$20,000,000.00 for the Downstate Small Business Stabilization Program.

The City's application would be for the use of federal Downstate Small Business Stabilization Grant funds through the State of Illinois' Department of Commerce and Economic Opportunity Office of Community Development.

The Small Business Stabilization Program's grant ceiling was \$25,000.00 per business, and could be used for working capital for the benefit of the business in which the City of Olney was making application on its behalf. The intent of the grant program was for the urgent needs of the business due to the COVID-19 emergency. The grant funds could be used to assist private for-profit small retail and service businesses, or businesses considered non-essential by the Governor's Executive Order without the ability for employees to work remotely.

Funds were available to all eligible applicants meeting program component requirements until all funds allocated to this component had been distributed. All awards would be predicated upon a demonstrated need for funds. This would include a review of all sources and uses of funds, an analysis of the recipient's ability to comply with the terms of the program, and a determination that the CDGB participation is appropriate.

Mayor Lambird explained that the City would be submitting one application. A \$25,000.00 grant would be sought for Hill's Solutions, Inc. The City would not be expending any of its own funds on the project.

The Mayor continued that the City also did not propose to displace any persons on low-to-moderate income dwellings as a result of this project. A copy of the application package would be maintained on file at City Hall for public inspection.

Also open to discussion would be the community development and housing needs within Olney and the surrounding area in reference to the Jasper/Lincoln Waterline Replacement, Ultraviolet Treatment Equipment at the Wastewater Treatment Facility, and the Storm Sewer Replacement -Walnut/Main Street.

The Mayor then asked if anyone was present and/or had questions regarding this public hearing. No one from the public wished to speak.

Referencing the grant application documents, Councilwoman Henton asked what the difference was between Hill's Resources, LLC., and Hill's Solutions, Inc. Mr. Hill replied that the two were separate corporations. Hill's Resources, LLC., owned the properties utilized by Hill's Solutions, Inc.

The Councilwoman then asked if Hill's Solutions, Inc., had seen an increase in their percentage of business decrease since the paperwork had been completed. Mrs. Hill replied that the numbers varied day to day due to a number of circumstances. While she could not give a specific number, she noted that the Main Street Ginger Ale's location was seeing a significant decrease in traffic, mainly due to school closures.

Councilwoman Henton also noted that Hill's Solutions, Inc., had received funds from the Payment Protection Program (PPP). She wondered when that funding would end. Mr. Hill replied that the PPP was set up for eight weeks. He indicated that the business would certainly have needs that bypassed the period of the PPP loan.

Some employees of Hill's Solutions, Inc., were voluntarily not working due to their own choices surrounding COVID-19. Past that, there was no reduction in workforce.

Councilwoman Henton wondered if employees volunteering to not come into work would have any effect on the grant application. RCDC Executive Director Courtney Yockey did not believe so.

Part of the Downstate Small Business Stabilization Grant requirements would be that the benefiting business would need to stay in business for at least one year. Councilwoman Henton questioned if both Ginger Ale's locations would be able to stay open for that length of time. Her concern was based on the fact that if that condition was not met, the City of Olney would become liable. Mrs. Hill replied that having both locations stay open for that length of time would absolutely be no problem.

The Mayor again asked if there were any other comments or questions to be heard during the public hearing. No one had any additional comments. The public hearing closed at 7:12 p.m.

Before moving on to Agenda #9, Mayor Lambird wished to make a statement on behalf of the Olney City Council. For the record, the statement was as follows:

"Residents of Olney,

We all believe that the coronavirus is an ongoing health threat, especially to our older and more vulnerable residents. We urge residents to continue to use caution until the coronavirus threat is past us. We want to thank everyone who has worked hard the past couple of months to ensure the safety of the residents of Olney and Richland County.

We are also aware and concerned about the economic impact that the coronavirus and the Governor's Executive Order is having on our local businesses, organizations, and residents. We want to remind everyone that the City of Olney does not issue business licenses, other than liquor licenses, and did not request the closure of any businesses or organizations. The closures have been from businesses and organizations following the Governor's orders.

There are varying legal opinions on the Governor's Executive Order and the enforcement of it.

Each business will have to continue to decide for themselves and be responsible for their own actions, i.e. health risks to employees, customers, and the public, state licenses, legal liability, insurance risks, etc.

As always, the members of the public are welcome to make comments during the Public Comments portion of this meeting. In addition to or in the alternative, members of the public may submit written comments by mail or e-mail. No further action will be taken at this meeting on this topic.

Thank you,
The Olney City Council”

AGENDA #9 “PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC.”

9-A “Council Resolution of Support: Authorize the City of Olney to Apply to the State of Illinois for a Community Development Block Grant on Behalf of Hill’s Solutions, Inc.” The Council was provided with a copy of the CDBG grant application, supporting documents, and a copy of the proposed Council Resolution of Support that would authorize the City to apply to the State of Illinois for a Community Development Block Grant on behalf of Hill’s Solutions, Inc.

Mr. Barker reminded the Council that Hill’s Solutions, Inc., had applied for this grant in the amount of \$25,000.00 for Ginger Ale’s. The resolution would need to be approved by the Council in order to move forward in the application process.

Councilman McLaughlin moved to approve 2020-R-33, seconded by Councilman Eyer. A majority affirmative voice vote was received.

9-B “Discussion/Possible Action: Policies & Procedures Related to Direct Public to Employee Contact” At the last Council meeting, the Council decided to extend City lobby closures through at least May 11, 2020. The State’s Stay at Home Order is still in effect, and the Council would need to decide whether or not to keep lobbies closed. Mr. Barker recommended to keep the lobbies closed in May, and possibly two more additional weeks.

Councilman McLaughlin felt that the front lobby entrance to City Hall separated the public from most City offices anyway. He wanted to re-open the City Hall lobby with restrictions such as limiting one person in at a time, requiring the public to wear a mask, etc. He felt that opening the lobby of City Hall would be a benefit to residents. If not, he requested that plans begin to develop over the next couple of weeks of how to re-open City Hall.

Mr. Barker indicated that the concern was not with members of the public accessing other areas of City Hall. Rather, if any person became infected it would spread from there. Though the front office of City Hall had glass partitions as doors, those doors slid all the way open and brought the staff face-to-face with members of the public.

Councilwoman Fehrenbacher also did not mind to start creating a plan for re-opening the office, but noted that the Council also needed to protect City staff.

Mr. Barker added that he had done some research on a new window installation that would also have an opening at the bottom for transactions. Councilwoman Fehrenbacher noted that something as simple as a plexiglass partition could be added, similar to what was found in grocery stores, or plastic sheeting like the Post Office.

Overall, the Council was in consensus to keep the City Hall building closed to the public through the end of the month and/or the next Council meeting.

Councilwoman Henton wondered if the Police Department could reinstate the inspection program for the permitting of golf carts and recreational off-highway vehicles. Police Chief Paddock indicated that contact with the public would need to take place in order to complete the inspection procedures.

The Councilwoman felt that for the time being, people could submit all necessary documents to City Hall and then the Police Department could make arrangements for an inspection. If the inspection passed, the permits could then be mailed. Normally, the inspection would first take place before the person could move forward in the permitting process.

The Chief was a bit apprehensive about reinstating the inspections, but conceded that it would be easier to just do it.

9-C “Discussion/Possible Action: Closure of Parks, Recreational Sites, and Leased Ground” The Council was provided with a written proposal from Richland County High School (RCHS) Principal Andy Thomann regarding the potential use of the Bandshell in the City Park for a drive-up graduation ceremony for the Class of 2020.

Because the Stay at Home Order was still in effect, the Council would need to consider cancelling events and park reservations through May and whether or not to permit the use of the Bandshell for RCHS.

Mayor Lambird told the Council that the drive-up graduation ceremony proposal fell in line with guidelines released from the Illinois State Board of Education. RCHS was requesting to use the City Park and the Bandshell on May 30, 2020, from 12:00 p.m. until 7:00 p.m.

Councilwoman Henton wondered where the graduation ceremony would have taken place prior to COVID-19. Mayor Lambird believed the original plan was to hold the ceremony on the football field.

Regarding the City Park, Councilman McLaughlin asked why the circle drive had been barricaded. Councilwoman Fehrenbacher replied that was done to restrict access to the

playground. The State had required playground closures throughout the state related to the COVID-19 public health emergency. The people who parked along the circle drive usually parked there for the purpose of utilizing the playgrounds.

Councilman McLaughlin felt that the barricades did not make any sense. He noted that he and his son were wanting to have lunch in the Gazebo. The barricades made it inconvenient to do so. They had to park farther south and then walk to the Gazebo.

Looking into July, Councilman McLaughlin felt that Little League should be allowed to schedule games and tournaments, even though those games and tournaments may not take place. Having them on the books would allow for Little League to hit the ground running when such events were allowed. Additionally, he felt that the Musgrove Aquatic Center should have a plan in place for when clearance was given.

Councilwoman Fehrenbacher noted that the Park Department Supervisor indicated that it would only take three days to get the pool filled and treated. The pool managers would also only need a handful of days for lifeguard training. Overall, the turnaround time to get the pool ready to open would be about one week.

Councilman McLaughlin asked what the plans were for the future of the pool this Summer. Mr. Barker was uncertain. Referencing the guidelines from the 5-phase Restore Illinois plan, Phase 4 would still limit gatherings to 50 people or less. Mr. Barker pointed out that about 10 people at the pool would be staff members. Phase 4 also would require social distancing and face coverings.

Councilwoman Fehrenbacher believed that waiting until the end of May or early June would give the Council a better opportunity to see what was happening with other community pools and to receive any additional guidance from the State. The pool managers would also be contacting the interested lifeguards for their feedback.

Going back to the topic of Little League, Mayor Lambird reminded the Council that Little League was also in charge of scheduling any third party tournaments out at the ballfields. He felt that once able, it would be very important to get tournaments to Olney as soon as possible.

Councilman Eyer expressed his concern over the Governor and his Restore Illinois plan. He felt that most of the plan only should apply to Cook County. At some point, he felt that the General Assembly should say that the State was no longer in a state of emergency, but in a situation that needed to be managed. If the City followed the State orders, the Councilman was not certain how long some of the restrictions would be in place. The Councilman wondered if the City should consider not following the State's orders on openings and gatherings.

Mayor Lambird expressed his feelings that until there was a court case, the City should only consider disregarding State orders if the City also wanted to consider the liability that would be brought. Until there was such a court case to say the orders were illegal or should not be upheld, then the State's orders were the law and were rules of the law even at this very moment. He continued by stating that the City could incur some liability by doing anything other than following the orders, regardless of "whether we like it or not."

Councilman Eyer stated that the orders were being challenged as unconstitutional. Councilman McLaughlin did not feel that the orders were laws.

Councilman McLaughlin recommended waiting until the next Council meeting to discuss more on the future of the pool, ballfields, etc.

The Council was in consensus to allow RCHS to utilize the Bandshell in the City Park from 12:00 p.m. until 7:00 p.m. on May 30, 2020, for a drive-up graduation ceremony.

Councilman McLaughlin then asked for the Council's advice on utilizing the disc golf course at Rotary Park. Overall, the group indicated that disc golf was similar to playing tennis. As long as guidelines were followed, there should be no problem.

9-D "Discussion/Possible Action: Permitting the Sale of Boat Stickers to Individuals Residing Outside of Richland County" At the last Council meeting, the Council continued the restriction on boat sticker sales to out-of-County residents through May 11, 2020. The Council would need to decide whether or not to extend this restriction.

Councilman Eyer asked if City Hall was receiving many requests for out-of-County boat stickers. Mrs. Sterchi replied with an emphatic "yes."

Mrs. Sterchi was then asked how someone could purchase a boat sticker. She replied that boat stickers could be purchased at The Holiday and the Lakeside RV bait shop. Boat stickers could be purchased through the City by printing and filling out the application, and submitting the application with payment via mail. In this case, boat stickers would be mailed back out to the applicant. Otherwise, individuals could print and fill out the application, and submit the application with payment into the City Hall dropbox. If the individual had a couple of minutes, City staff could quickly process the boat sticker and slide it out under the front door.

Councilwoman Henton wished to extend the restriction through the end of the month. Councilwoman Fehrenbacher and Councilman McLaughlin were fine to lift the restriction.

Councilman McLaughlin moved to lift the restriction on boat sticker sales.

Councilman Eyer asked how far away some individuals would be coming to visit the lakes. Mrs. Sterchi indicated that requests were coming from as far away as Chicago and Indianapolis. Some were coming from only one county away.

Councilman Eyer had some concerns with people coming from heavily populated areas with higher COVID-19 cases. Councilman McLaughlin pointed out that people could already be coming here from such places, and he had seen several people on the lake from out of the County anyway.

Councilman Eyer asked if Lake Patrol was active. Chief Paddock indicated so. There were also a few incidents where they needed to make people leave.

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

9-E “Resolution: Authorize Execution of Lease Between the First National Bank in Olney and the City of Olney” The Council was provided with a proposed resolution that would authorize the execution of a lease with the First National Bank in Olney (FNBO), and the Council was also provided with a copy of the proposed lease.

Mr. Barker explained that for many years, the City had leased the property owned by FNBO located at the northwest corner of Walnut and Main Streets for the purpose of maintaining a municipal parking lot. The previous lease had expired, and a new lease was recommended. The initial term of the lease would be for five years, and may be renewed for an additional five years.

Councilman McLaughlin asked if any big changes were made to the lease agreement. Mr. Barker replied there were not.

Councilman McLaughlin moved to approve 2020-R-34, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

9-F “Discussion/Possible Action: Identify Projects for the Rebuild Illinois Program” The Council was provided with a memo from Mr. Barker, and guidelines for the Rebuild Illinois Program.

Mr. Barker told the Council that the State of Illinois would be administering a Rebuild Illinois grant program. One component of the program was to address public infrastructure. Eligible projects may include storm and sanitary sewers, and sewage and water treatment facilities. The grant application deadline was June 30, 2020.

Mr. Barker suggested that some projects the Council may want to consider would be the storm sewer drainage on Main Street, and lining of sewer lines. Additionally, filter work at the Sewer Plant could be considered.

The Council was aware that storm sewer work on Main Street and the resurfacing of Main Street would be a costly project, totaling over \$1,000,000.00. The storm sewer work on Main Street would be needed from Walnut to Elliott Streets.

Councilman McLaughlin asked if the grant required matching funds. Mr. Barker replied that matching funds were not required, but if the City contributed funds, points would be earned on the grant application.

Councilwoman Fehrenbacher pointed out that the City already had some funds set aside for the Main Street project that could be used as a pledge.

Mayor Lambird wondered if additional MFT funds could also be used. Mr. Bridges did not believe that MFT funds could be used. Mayor Lambird countered that some of the project could be considered new construction. Mr. Bridges felt it might be a stretch to do so, and noted that a design process would be required for the road.

Councilman Eyer wondered how much life the Sewer Plant filters still had. Mr. Barker indicated that the filters were over 40 years old. Mr. Bridges added that while parts and equipment were beginning to get harder to find, the Sewer Plant Supervisor was still able to find what was needed.

Councilman McLaughlin moved to identify Main Street storm sewer work and lining of miscellaneous sewer lines as projects for the Rebuild Illinois Program, seconded by Councilman Eyer. A majority affirmative voice vote was received.

9-G “Discussion/Possible Action: Identify Projects for the IDOT Rebuild Illinois Capital Program” The Council was provided with a memo from Mr. Barker and details from IDOT on the IDOT Rebuild Illinois Capital Program.

Mr. Barker explained that the City of Olney would be awarded approximately \$600,000.00 over a three-year period from the IDOT Rebuild Illinois capital program. Rebuilding the East Street Bridge appeared to be an eligible project. Funds would need to be committed to a project within one year of the date of receipt.

Councilman McLaughlin asked what other streets were on the list for needing major repair work. Mr. Barker recalled that Cherry Street was one on such list.

Councilman Eyer asked if the Elliott Street Bridge could be considered for some of the funds. Mr. Barker replied that Elliott Street Bridge would not be eligible since a CDBG grant was already in the works.

Councilman McLaughlin moved to identify repairs to the East Street Bridge as a project for the IDOT Rebuild Illinois Capital Program, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

9-H “Appointment: Mayor Pro-Tem” Each year, the Council should select from its members at the first regular meeting in May a new Mayor pro-tem.

Councilwoman Fehrenbacher moved to appoint Councilman McLaughlin as Mayor pro-tem, seconded by Councilman Eyer. A majority affirmative voice vote was received.

9-I “Resolution: Amend the Fiscal Year 2020-2021 Budget for Capital Items Not Completed During Fiscal Year 2019-2020” The Council was provided with a proposed resolution that would amend the fiscal year 2020-2021 budget for capital items not completed in fiscal year 2019-2020.

Mrs. Guinn explained that last fiscal year, digester repairs at the Sewer Plant were budgeted but were not able to be completed. The budget amendment would transfer \$94,244.00 for that project from the prior fiscal year to the current.

Councilman McLaughlin moved to approve 2020-R-35, seconded by Councilwoman Fehrenbacher. Mayor Lambird, Councilmen Eyer, McLaughlin, Councilwomen Fehrenbacher and Henton voted yes. There were no opposing votes. The motion carried.

AGENDA #10 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

10-A “Status Report-City Manager” Mr. Barker told the Council digester work at the Sewer Plant would require the lid to be removed to evaluate what work would be needed on the inside. Mr. Barker was pleased that the interior repair estimate came in at \$2,500.00.

10-B “RCDC Report” Mr. Yockey had nothing to report.

10-C “Chamber of Commerce Report” Councilwoman Fehrenbacher had nothing to report.

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

10-E “Tourism Board Report” Councilwoman Henton told the Council that the staff of the ILLINOISouth Tourism Bureau were continuing to work from home and making weekly contacts with tourism partners.

AGENDA #11 “PUBLIC COMMENTS/PRESENTATIONS”

11-A “Brent Conley” Mr. Conley did not attend remotely, so he did not speak.

Mayor Lambird then opened the floor for comments from members of the public. After asking for public comment several times, the Mayor then requested that the Clerk read written comments that were received.

Mrs. Sterchi first read a letter submitted by Curtis Koch that seemed to offer ideas for some younger residents to find work.

Mrs. Sterchi then read two letters that were submitted by Deanna Allison expressing her opinion that she would like to see stores and restaurants re-open. She would also like to see OCC re-open, and felt that there would be some way for these things to happen.

Mrs. Sterchi then read an anonymous letter that thanked the Council for their efforts in protecting the citizens of the community, and requested the Council to continue the difficult job of protecting the community.

Via Zoom Chat, Penny Densmore submitted a written comment requesting more definitive information at the next Council meeting instead of June so that businesses can secure help and procure supplies.

AGENDA #12 “CLOSED SESSION: SALE OR LEASE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; APPOINTMENT, EMPLOYMENT, COMPENSATION, AND PERFORMANCE OF SPECIFIC EMPLOYEES” A closed session was no longer needed.

AGENDA #13 “RECONVENE OPEN SESSION” Because there was no closed session, this agenda item was not necessary

AGENDA #14 “ADJOURN” With no further business to discuss, Councilwoman Fehrenbacher moved to adjourn, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

The meeting adjourned at 8:04 p.m.

Kelsie J. Sterchi
City Clerk