

CITY OF OLNEY
CITY COUNCIL MEETING
NOVEMBER 9, 2020

AGENDA #1 “CALL TO ORDER” The November 9, 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. Zachary Caress led the group in prayer.

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

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A “Approve Minutes of Council Meeting on October 26, 2020”

4-B “Approve and Authorize Payment of Accounts Payable November 10, 2020” Pooled Cash \$74,995.10, Manual Pooled Cash \$122,222.66, Petty Cash \$363.10, Foreign Fire \$436.17, MFT \$6,275.00, IMRF \$47,683.07, Tourism \$2,506.07, Christmas Light Display 5,371.33, Route 130 TIF \$495.00

4-C “Raffle License: ERFAE”

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 Eyer. 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 “PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC.”

8-A “Discussion/Possible Action: Prices for Boat Permits” At the last Council meeting, it was requested to revisit this topic again in November.

Mayor Lambird reminded the Council about several past discussions regarding an increase in boat sticker prices. The original purpose of the increase was to collect a pool of funds in order to help contribute to road maintenance in Preston Township on roads that led to and from City lakes. For one reason or another, Preston Township did not move forward with prior offers.

If the boat sticker fee increase passed, yet no solution could be found on road maintenance in Preston Township, Mayor Lambird pointed out that the additional funds could be used on roadways and parking areas inside of City land around the lakes.

Councilman McLaughlin wondered if non-powered watercraft should see an increase. Mayor Lambird said it did not matter to him regarding non-powered watercraft, however he did think that daily permits should also see an increase of some sort.

Councilman McLaughlin asked how much daily permits were. Mrs. Sterchi replied that depending on horsepower, they ranged from \$2.50 to \$10.00 per day. Councilman McLaughlin recommended raising annual boat stickers by \$5.00 and raising daily permits by \$2.50.

Councilwoman Fehrenbacher asked when fees were last raised for boat permits. Mrs. Sterchi replied that they were last raised in 2016.

Councilwoman Fehrenbacher then asked if there was a pricing difference for inside and outside of City limits. Mrs. Sterchi confirmed. But there was no pricing difference for inside or outside of City limits on daily permits.

Mrs. Guinn stated that so far this year, about \$65,000.00 had been generated from boat permits. The prior year generated about \$65,000.00 for the entire year. The year before that generated about \$80,000.00.

Councilwoman Henton wondered how much lake patrol cost the City. Mrs. Guinn did not know off hand.

Mayor Lambird wondered if bad roads made a difference on whether or not people chose to come to Olney lakes. Councilwoman Henton did not believe so.

Mayor Lambird moved to increase annual boat permits by \$5.00, and increase daily boat permits by \$2.50, excluding increases on non-powered watercraft, and to have those funds be used for roadways and/or parking around City lakes, preferably on Preston Township roads leading to and from City lakes, seconded by Councilman McLaughlin. Councilwoman Fehrenbacher, Councilmen McLaughlin, Eyer, and Mayor Lambird voted yes. Councilwoman Henton voted no. The motion carried.

An ordinance amending the boat permit fees as of January 1, 2021, would be on the agenda at the November 23, 2020, Council meeting.

8-B "Request: East Fork Bassmasters Exceptions for Fishing Tournaments at East Fork Lake" The Council was provided with a memo from Mrs. Sterchi regarding exception requests from the East Fork Bassmasters for fishing tournaments at East Fork Lake in 2021.

Mrs. Sterchi told the Council that the East Fork Bassmasters' requests were the same as had been received and approved in prior years. This year, the Bassmasters were requesting a 60 boat tournament for their Memorial Tournament in April, and a 35 boat tournament for their White Squirrel Derby in May. Current regulations for tournaments set a limit of 30 boats. She

noted that the request for exceptions was also sent to DNR for their opinion. DNR replied that the requests should be fine as long as those tournaments are the only tournaments on the lakes for those days.

Noting the Status Report, Councilman McLaughlin was aware that 48 tournaments had already been scheduled for 2021 during the first week of scheduling availability. He asked if that amount was much less than normal. Mrs. Sterchi replied that it was about average. An amount of 51 tournaments were requested during the same time last year.

Councilwoman Henton asked if the annual fisheries fact sheets were yet available for the year. Mrs. Sterchi replied that she had yet to receive the reports. Mayor Lambird commented that he had seen DNR working on this in September.

Councilwoman Fehrenbacher moved to approve a 60 boat tournament for the East Fork Bassmasters at East Fork Lake on April 24, 2021, and a 35 boat tournament on East Fork Lake on May 15, 2021, seconded by Councilman Eyer. A majority affirmative voice vote was received.

8-C “Resolution: Estimate Amount of 2020 Tax Levy” The Council was provided with a proposed resolution that would estimate the amount of the 2020 tax levy. State statute required that the Council establish the estimated amount of the tax levy at least 20 days prior to the passage of the tax levy ordinance. If the estimated or actual tax levy were to increase by 5% or more above the previous year’s tax extensions, a truth in taxation hearing would be required.

Mrs. Guinn told the Council that the proposed resolution suggested a 4.99% increase for the City of Olney and a 4.99% increase for the Olney Public Library. Mrs. Guinn did not anticipate needing any more than a 4.99% increase and noted that the actual amount could be less. The proposed resolution would simply set a cap on what could be levied.

Councilman McLaughlin moved to approve 2020-R-66, seconded by Councilwoman Fehrenbacher. A majority affirmative voice vote was received.

8-D “Presentation: Firefighters Pension Required Reporting to Municipality” The Council was provided with a Required Reporting to Municipality report for the Firefighters (Fire) Pension.

Mrs. Guinn told the Council that the Fire Pension Board had approved submitting the report to the Council. Mrs. Guinn compiled the report and had the Kemper CPA Group review it for accuracy for both the Fire and Police Pension Funds.

The report stated that the actuarial value of assets for the Fire Pension Fund was 2,466,228.00. The funded ratio of the Fund was 53%. The unfunded actuarial accrued liability was \$2,143,748.00.

Noting that the Fund was underfunded by 47%, Councilman McLaughlin wondered how that percentage compared to the year prior. Mrs. Guinn replied that last year, the Fire Pension

Fund was funded at 65%. She pointed out that different assumptions had been used to create the calculations.

Councilman McLaughlin was aware of the substantial additional contributions that the City had made to the Fire Pension Fund over the past few years. He felt it was almost insane to do so for only three full time firefighters. He wondered what was suggested for the next tax levy.

Mrs. Guinn believed that the next tax levy would be a bit less than the prior year's. The IDOI had informed her that they were recommending a contribution of \$166,493.00 for the next year. In addition, Mrs. Guinn expected to need an additional \$20,000.00 for expenses.

Councilman McLaughlin felt that the City had levied much more than that in the past. Mrs. Guinn reminded the Councilman that the Council had chosen in some years past, including the prior year, to levy some additional funds to try and help the underfunding. Last year, the Council levied an additional \$55,000.00.

Mrs. Guinn went further to tell the Council that the Fire Pension Fund had hit the \$2,500,000.00 threshold which now allowed them to invest up to 45% into equities instead of only allowing them to invest up to 10%. Mrs. Guinn expected that the balance would fall under \$2,500,000.00 during the year as pension payments were made, but the Fund was making some progress.

8-E "Presentation: Police Pension Required Reporting to Municipality" The Council was provided with a Required Reporting to Municipality report for the Police Pension Fund.

Mrs. Guinn reported that the actuarial value of assets came in at \$5,512,651.00. The funded ratio of the Fund was 42%. The unfunded actuarial accrued liability was \$7,620,182.00.

Councilman McLaughlin was also displeased with this report. He noted that the underfunding of the Police Pension Fund was worse than it was eight years ago despite putting in additional funds. He wondered why the end was not in sight.

One thing Mrs. Guinn wanted to bring to the Councilman's attention was that this report was for the Fund as of April 30, 2020. At this time, the stock market had tanked due to the COVID-19 crisis. Since then, the Fund had bounced back somewhat. She also noted that all of the City's pension funds were underfunded. She did not know when the underfunding would improve since different assumptions were used each year to create the actuarial valuation.

Councilman McLaughlin asked when the consolidation of the downstate pension funds would finalize. Mrs. Guinn was not certain, but knew that the entire process was expected to take about 30 months.

8-F "Ordinance: Amend Ordinance 2020-33 Entering Into an Agreement for the Local Coronavirus Urgent Remediation Emergency Support Program (Local CURE Program) & Authorize a Representative to Sign Documents Relating to the Local CURE Program" The Council was provided with a proposed ordinance that would amend Ordinance 2020-33 regarding the Local CURE Program.

Mrs. Guinn reminded the Council that the City had been allotted up to \$376,021.00 in the Local CURE Program. At the September 14, 2020, meeting, the Council passed an ordinance approving the financial support conditions and certification to participate in and receive the funding. At the time, it was estimated that the City would use up to \$10,000.00 of the allotted amount.

Since that time, guidelines had been clarified to include payroll expenses for public safety employees incurred from the period of March 1 to December 30, 2020. Mrs. Guinn felt that the City appeared to be eligible to be reimbursed for the payroll expenses which would result in the City requesting the full \$376,021.00. If the Council wished to request the full amount, Ordinance 2020-33 would need to be amended and a new certification sent to the DCEO.

Councilman McLaughlin moved to approve Ordinance 2020-48.

Councilman Eyer wished to discuss the topic further before a vote.

Councilwoman Fehrenbacher was in favor of requesting the full amount, but wanted to be sure to set the money aside and not spend it right away. Mrs. Guinn supported the Councilwoman's opinion and felt that the funds should be set aside for three to five years in case of an audit.

Councilman McLaughlin felt that if the City could get State or Federal aid in any way, that it would be beneficial. Because the funds were available, he recognized that if the City of Olney did not receive those funds, some other municipality would.

Councilman Eyer wondered if the City even qualified for the full amount. He was not sure that the City's firefighters and/or police officers were spending a substantial amount of time mitigating or responding to COVID-19.

Mr. Zuber explained that the guidelines for the Local CURE Program were defined within the program. According to the program, municipalities should essentially assume that public safety employees meet the qualifications unless something specific indicated otherwise. Additionally, documentation from the DCEO indicated that a government would not need to demonstrate that public safety employees were substantially dedicated to mitigating the emergency. The City would also not need to demonstrate that public safety employees' functions were utilized any differently on their payroll. Lastly, the government would not be required to perform any analysis to determine dedication of these employees to mitigation or response to COVID-19.

Councilman Eyer agreed with Mr. Zuber, but pointed out that the presumption that public safety employees qualified was only valid unless the chief executive (or equivalent) of the municipality, in this case it would be the Mayor, determined that specific circumstances indicated otherwise. He did not believe the Mayor could support the presumption that should qualify the City for the full amount available.

Councilman McLaughlin stated that he was aware that other area communities were asking for the full amount. Mayor Lambird added that IML was also encouraging all municipalities to apply for the full amount.

Even so, Councilman Eyer told the Council that the Federal funds being used for the program were coming from somewhere and were at a cost to someone. He agreed that if the City felt it met the qualifications, then it should apply for the full amount. But, he felt that the spirit of the program was rather to reimburse municipalities for work related to COVID-19. He felt it was a matter of integrity as to whether or not the City should apply for the full amount.

Mr. Zuber clarified that the actual intent of the program was to go ahead and apply unless there were specifics found in order to not apply.

Councilman McLaughlin felt it was the duty of the Council to do what was best for its tax payers. If Federal money was readily available to the City, he felt the City should take steps to receive the money. Because funds were already allocated throughout the State for this purpose, if the City did not take the funds, someone else would. He did not believe that the State would take back any unused funds and return them to the tax payers.

Councilman Eyer still was not confident that the City met the qualifications. Councilwoman Fehrenbacher replied that according to the program guidelines, the City did meet the qualifications.

Mayor Lambird stated that he was aware that the Fire Department fielded calls related to the Richland Reacts group. Councilman Eyer still was not sure that would qualify as “substantial.”

Councilman Eyer then pled to the Council’s integrity. He did not feel that applying for the full amount available would be an example of moral integrity. Councilman McLaughlin disagreed and said he did not see it that way at all.

Councilman Eyer pointed out that someone would need to sign the certification in order to apply for the funds. He wondered if the Mayor would be willing to do so. Councilman McLaughlin stated that if the Mayor would not sign the form, then he would as Mayor pro-tem.

Mayor Lambird then pointed out that the IML would absolutely not encourage the City to apply for the full amount of funds if it was not appropriate to do so.

Councilwoman Fehrenbacher seconded Councilman McLaughlin’s earlier motion. Mayor Lambird, Councilwomen Fehrenbacher, Henton, and Councilman McLaughlin voted yes. Councilman Eyer voted no. The motion carried.

8-G “Discussion: Use of MFT Rebuild Illinois Bond Funds” Mr. Barker reminded the Council that the City had been notified that it would receive additional MFT money over the next few years in an amount near \$600,000.00. At that time, it was stated that the funds could not be used on paving, specifically for Main Street. However, the answer had since changed and the funds now would qualify for paving.

Also since that time, other ways were found to help fund the paving of Main Street. An amount of \$450,000.00 was already set aside for that purpose, and the account would likely have \$600,000.00 for that purpose five years from now. Mr. Barker had also discovered that the City

could borrow ahead on some STU funds that would bridge the difference and cover the paving of Main Street.

Because of this, Mr. Barker still supported the Council's decision to use the extra MFT funds for repairs to the East Street Bridge. The Council agreed.

8-H "Discussion/Possible Action: Upgrade to Lift Station at Route 130 South" Mr. Barker informed the Council that Love's had requested to make certain upgrades to the lift station that would serve their new location. The improvements specifically would include new chopper pumps, mounting, and associated necessary hardware. Mr. Barker recommended that the City take this opportunity to also replace certain cutoff and check valves in the lift station and to utilize Love's contractor to do the work. Estimates were currently being sought for the City's part of the project.

Councilwoman Fehrenbacher wondered if Mr. Barker had any guess as to how much the valves would cost. Mr. Barker did not have any guesses on cost of labor, but felt that all of the valves could cost near \$20,000.00. But, some of those pumps would likely not be able to be found, so a more realistic number would be about \$12,000.00.

Mr. Barker was seeking the Council's authorization to move ahead with the project. He pointed out that eventually, the project could be funded through the TIF so the City could be reimbursed later.

Councilman McLaughlin moved to approve upgrading the lift station at Route 130 South per Mr. Barker's recommendations, seconded by Councilman Eyer. A majority affirmative voice vote was received.

AGENDA #9 "REPORTS FROM ELECTED AND APPOINTED OFFICIALS"

9-A "Status Report-City Manager" Mr. Barker reported that some projects that had been waiting on State action were now starting to move along.

9-B "RCDC Report" RCDC interim Executive Director Dan Sulsberger reported that RCDC was still seeking a permanent Executive Director. Interviews were looking to be scheduled later in the week with six qualified candidates.

Mr. Sulsberger had also facilitated a tour of Love's with the Richland County CEO. The Love's site manager stated that December 17, 2020, was still the target date for opening.

Mr. Sulsberger then stated that he would be speaking to the Council in closed session about a potential industry prospect.

The Route 50 Coalition would also be meeting on Thursday to discuss its future. Mr. Sulsberger would also be attending a Chamber of Commerce meeting later in the week.

9-C "Chamber of Commerce Report" Councilwoman Fehrenbacher told the Council that Moonlight Madness was coming up on December 4, 2020. Additionally, the Community Tree Lighting would take place on November 25, 2020, at 5:30 p.m. in Bower Park.

9-D “Parks & Recreation Board Report” No report was given.

9-E “Tourism Board Report” Councilwoman Henton told the Council that she had attended the Tourism Board’s quarterly meeting via Zoom. Everything was “status quo.”

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS” No one from the public wished to speak.

AGENDA #11 “CLOSED SESSION: SALE OR LEASE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; APPOINTMENT, EMPLOYMENT, COMPENSATION, AND PERFORMANCE OF SPECIFIC EMPLOYEES” Councilwoman Henton 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.

The meeting adjourned to closed session at 7:38 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Councilwoman Henton moved to enter back into open session, seconded by Councilwoman Henton. A majority affirmative voice vote was received. Open session resumed at 8:33 p.m.

Mr. Barker asked the Council if they would be in favor of the Mechanic Department to go ahead and purchase a steam cleaner.

Councilman McLaughlin asked if the City’s budget was in a good position to do so. Mrs. Guinn confirmed.

The Council was in favor of the steam cleaner being purchased.

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

The meeting adjourned at 8:34 p.m.

Kelsie J. Sterchi
City Clerk