

CITY OF OLNEY
CITY COUNCIL MEETING
APRIL 27, 2015

AGENDA #1 “CALL TO ORDER” The April 27, 2015, 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. Troy Reynolds led the group in prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: John McLaughlin, Barb Thomas, Bob Ferguson and Ray Vaughn. Also present were City Manager Larry Taylor, City Attorney Bart Zuber, City Treasurer Chuck Sanders, City Engineer Roger Charleston and City Clerk Kelsie Sterchi. Brad Brown entered the meeting at 7:06 p.m.

AGENDA #4 “CERTIFICATE OF APPRECIATION CEREMONY” This item was discussed at the end of item 10-A.

AGENDA #5 “PRESENTATION OF CONSENT AGENDA”

5-A Approve Minutes of Council Meeting from April 27, 2015

5-B Approve and Authorize Payment of Accounts Payable April 28, 2015: Pooled Cash \$118,851.58, Manual Pooled Cash \$10,598.22, Utility Refunds \$1,447.79, EDA Sequestered Funds \$19.26, Unemployment \$8,844.21, Tourism \$160.71, Relending \$1,153.09, EDA \$1,708.31, RLF \$1,967.06

5-C Raffle License-Steber Family Farm

5-D Application for Permit to Sell Merchandise in City Park-Farmers Market

5-E Raffle License-First Financial Bank

AGENDA #6 “REMOVAL OF ITEMS FROM CONSENT AGENDA” No items were requested for removal from the consent agenda.

AGENDA #7 “CONSIDERATION OF CONSENT AGENDA” Councilman McLaughlin moved to approve the items on the consent agenda, seconded by Councilwoman Thomas. A majority affirmative voice vote was received to approve the consent agenda.

AGENDA #8 “CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA” No consideration was necessary since no items were removed from the consent agenda.

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

9-A “Request: ‘Book Bus’ Summer Reading Program at Musgrove Park Tuesday and Thursday Evenings in May and June as Submitted by Andrew Thomann, Intermediate Principal at ERES” The Council was provided with a copy of an e-mail from East Richland Elementary School (ERES) Intermediate Principal Andy Thomann requesting the use of Musgrove Park for a proposed Book Bus Summer Reading Program during the last week of May and the full month of June in 2015.

Principal Thomann handed the Council a flyer promoting the Book Bus. Principal Thomann explained that ERES and the Rotary Club of Richland County had been working together on a plan to keep children reading over the summer months. They decided to have an older bus decorated as a Book Bus to be placed in high traffic areas. Musgrove Park seemed like an ideal location. The bus would be parked at Musgrove Park twice per week from 3:00 p.m. until 7:00 p.m. Rotarians and ERES staff would be on site. At the end of the evening, the bus would be removed from Musgrove Park. Upon approval, Park Department Supervisor Frank Bradley could then advise the groups as to where the best location at Musgrove Park would be for the Book Bus.

Councilman McLaughlin moved to approve the use of Musgrove Park for the Book Bus Summer Reading Program in May and June of 2015, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

9-B “Request: Closure of the 100 Block of S. Camp Street for Prairie Farms” The Council was provided with a memo from City Clerk Sterchi detailing a phone call she received from a property owner who was not in favor of the closure, and a copy of a letter received from Jerry Harmon, also opposing the closure. The item was originally discussed at the April 13, 2015, meeting where it was tabled to allow for more citizen response. Charles Roberts also provided the Council with an opposition letter written by Barb Roberts, and four signed petition pages. Several people were in the audience in opposition of the request.

Mayor Vaughn told the audience and Council that he had spoken further with Prairie Farms General Manager Kenneth Kuhn. Mr. Kuhn had told the Mayor that he would be more than willing to simply restrict the 100 block of S. Camp Street to local traffic without a true closure. Mr. Kuhn wished to deter general motorists from using the block as a through street. It was not Mr. Kuhn’s wish to restrict local residents or business owners from using the area, but to hopefully discourage any potential safety issue with trucks entering and leaving the area.

A member of the audience asked how the area would be restricted. Mayor Vaughn responded that signs would be posted informing that the area was for use of local traffic only.

Charles Roberts approached the Council. Mr. Roberts explained that his neighborhood was unified on the desire of having free access along the 100 block of S. Camp Street. He felt that the street was mainly used by locals anyway. The alley that had access off of this portion of S. Camp Street was frequently used by residents and businesses that spanned three blocks.

Mr. Roberts had read in the Olney Daily Mail that it was suggested by Mr. Kuhn that the alley could be accessed through the Blankenship Auto Parts parking lot. Mr. Roberts knew that in the past, Blankenship Auto Parts had issues with people using the lot for that purpose.

On behalf of those listed on the petition, Mr. Roberts indicated that the neighborhood did not feel that any action at all needed to be taken by the Council. He asked the Council to not take any action unless a traffic study was conducted to find out more about the usage of S. Camp Street. Scott Fore stood to echo Mr. Roberts' suggestion that no restriction was needed.

Brian O'Neill asked if an ordinance would be created with a penalty fine if the 100 block of S. Camp Street was closed or restricted. Mayor Vaughn replied that he was not sure.

Councilwoman Thomas pointed out that it was of the Council's past history that if residents opposed the requested closure of an area, the Council would respect the residents' opinions. Councilman Brown agreed. Councilman McLaughlin noted that Mr. Kuhn was his father-in-law, so he would abstain from any vote. In a best case scenario, a two-two vote could be received. The Council took no action on the closure of the 100 block of S. Camp Street.

9-C "Request; Class S Liquor License (Bobalou's)" The Council was provided with a Class S Liquor License application and a Special Event application from Bobalou's for the proposed Whittle Fest on June 13, 2015. The event would close a portion of S. Whittle Avenue from 12:00 p.m. to 3:00 a.m. The music would end at 12:30 a.m. The additional closure time was slotted to allow for proper clean up.

The Gypsy, Inc. had changed its "Doing Business As" name from The Gypsy to Bobalou's earlier in 2015. The Gypsy held a similar event in the past called Whittle Rock. Mayor Vaughn asked if the end time of the event was similar to other events held on S. Whittle Avenue; such as Whittle Rock. City Attorney Zuber replied that the proposed end time was later than in prior years. The Gypsy had never received any complaints about the end time of Whittle Rock.

Bobalou's Manager Christy Ritter and Brad Cooley were present to answer any questions. Mr. Cooley stated that this would be the sixth year that The Gypsy, Inc. would be hosting an event on S. Whittle Avenue. The event would showcase local and non-local music artists.

Alcohol would not be served past 12:00 a.m. They were requesting an end time of 3:00 a.m. because the past end times were too constricting to allow for proper clean up of the street.

Councilman Brown moved to approve a Class S Liquor License for The Gypsy, Inc., d.b.a. Bobalou's, for Whittle Fest from 12:00 p.m. on June 13, 2015, to 3:00 a.m. on June 14, 2015, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

9-D "Request: Discounted Swimming Pool Rate for KidZone of \$1.50 per Student and Fee Waiver for Teachers" The Council was provided with a request letter from KidZone Child Development Partners, LLC. requesting a reduced pool entry fee of \$1.50 per student with a fee waiver for accompanying teachers. The Council had approved a reduced rate for KidZone in the past.

Councilman Ferguson moved to approve a reduced pool entry fee for KidZone in the amount of \$1.50 per student with a fee waiver for accompanying teachers, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

9-E "Bid Opening/Ordinance: Sale of Tract One of Former Railroad Right of Way Located in the Northwest Quarter of Section 14, Township Three (3) North, Range Ten (10) East of the 3rd P.M., Richland County, Illinois" The Council was provided with a proposed ordinance to authorize the sale of tract one of former railroad right of way. City Clerk Sterchi received one sealed bid for this tract. Upon opening the envelope, David Hocking bid \$400.00 for the property.

City Manager Taylor explained that the minimum bid for the property was one-half of the publishing cost of the notice that needed to be placed in the Olney Daily Mail. Mr. Hocking's bid exceeded the minimum requirement.

Councilman McLaughlin moved to approve Ordinance 2015-19 with a \$400.00 sale price to David Hocking, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

9-F "Bid Opening/Ordinance: Sale of Tract Two of Former Railroad Right of Way Located in the South Half of the Northwest Quarter of Section 14, Township Three (3) North, Range Ten (10) East of the 3rd P.M., Richland County, Illinois" The Council was provided with a proposed ordinance to authorize the sale of tract two of former railroad right of way. City Clerk Sterchi received one sealed bid for this tract. Upon opening the envelope, Jack Harrell bid \$400.00 for the property.

The minimum bid for this property was also one-half of the publishing cost of the notice that needed to be placed in the Olney Daily Mail. Mr. Harrell's bid exceeded the minimum requirement.

Councilman McLaughlin moved to approve Ordinance 2015-20 with a \$400.00 sale price to Jack Harrell, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

9-G "Ordinance: Authorizing Sale of 310 E. Main Street (Senior Citizens Park)" The Council was provided with a proposed ordinance to authorize the sale of Senior Citizens Park located at 310 E. Main Street.

City Manager Taylor told the Council that earlier in the day, at 4:00 p.m., an auction was held at City Hall for the sale of the property. The minimum bid needed to be at least 80% of fair market value. The property was appraised at \$12,000.00, making the minimum required bid to be at least \$9,600.00. One bid was received at the auction in the amount of \$9,601.00 from Tommie Fehrenbacher.

Councilman McLaughlin moved to approve Ordinance 2015-21 with a \$9,601.00 sale price to Tommie Fehrenbacher, seconded by Mayor Vaughn. Councilmen Brown, Ferguson, McLaughlin, and Mayor Vaughn voted yes. Councilwoman Thomas voted no. The motion carried.

9-H "Resolution: Authorizing Execution of Loan Offer and Acceptance of Loan Amendment for Wastewater Project L175039 (North St. Pumping Station Project)" The Council was provided with a proposed resolution to authorize the execution of a loan offer and acceptance of loan amendment for Wastewater Project L175039 (North St. Pumping Station Project), a letter received from the Illinois Environmental Protection Agency (IEPA), and a copy of the loan amendment.

Mr. Taylor told the Council that on April 24, 2015, he received a letter from the IEPA indicating that they would be making a principal forgiveness adjustment of \$275,000.00. The principal forgiveness would also provide substantial savings in interest cost. The City had until June 1, 2015, to reply to the IEPA.

Councilman Ferguson moved to approve 2015-R-23, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

9-I “Resolution: Restricting Funds for Capital Expenditures in the Water Fund” The Council was provided with a proposed resolution to restrict funds for capital expenditures in the Water Fund for the painting of the Washington Street water tower.

The City Manager reminded the Council that in prior discussion in the current fiscal year, the Council indicated interest in transferring \$50,000.00 from the Water Fund to the Water Capital Improvement Account for the painting of the Washington Street water tower. The proposed resolution was a formality.

Mayor Vaughn moved to approve 2015-R-24, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

AGENDA #10 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS” Mayor Vaughn took a moment to introduce the new City Attorney, Bartley Zuber.

10-A “City Manager - Status Report” The Council was provided with a Status Report from City Manager Taylor. Mr. Taylor updated the Council that Utility Service Partners, LLC. would soon begin their mail marketing on May 14, 2015. A reminder letter would also be sent to residents two weeks later. A press release from the City would be issued closer to that time.

The City had been working on a housing grant for a few months. From the surveys that were mailed to residents, enough surveys were returned to proceed with the grant application. A map had since been created that plotted areas above and below the income threshold. The map would be used to determine an area of focus. After an area was determined, house to house interviews would be conducted in the area. The interviews need to be completed by June 1, 2015, to submit the grant application by July 8, 2015. The Greater Wabash Planning Commission will be contracting out the interviewers.

The City Manager also informed the Council that City Engineer Charleston was working on constructing a berm along N. East Street in the southeast corner of Musgrove Park. The berm would be in effort to direct more water into the detention pond.

AGENDA #11 “PUBLIC COMMENTS/PRESENTATIONS”

11-A “Did You Look in the Mirror :) Mayor Ray Vaughn Resign and Fire Olney Police Chief Kevin Paddock Now! - Belinda Henton and Les Harrison Discriminate Against People With Disabilities. If Les Harrison Did That at Richland Memorial Hospital, He Would Be Fired. If a Citizen With a Disability Can Be Employed. Then They Shall Not Be Denied to Serve and Protect Our Nation Within the Military Arm Forces Disclosure News Online Jack Howser” Brian O’Neill, 818 E. Main Street, again told the Council that the City failed to enforce City ordinances, and that officers had been allowed to violate laws. Mr. O’Neill claimed that he had

spoken with Sergeant Nuttall and Sheriff Hires, and was told that the reason a person had not been arrested was because they were not aware of a law.

Mr. O'Neill then accused soon-to-be Council members Belinda Henton and Les Harrison of discriminating against people with disabilities. He felt that people in office like to keep people on the "system."

Shawn Tate next wanted to address the Council. Mr. Tate explained that the crosswalk behind First National Bank on Market Street needed a stop or yield sign because he was afraid someone could get injured in that area. Additionally, Mr. Tate requested the Council's blessing for him to bring a biofuel production plant to Olney. Mayor Vaughn felt that the Council would stand behind the project.

Allen Travous approached the Council following Mr. Tate. Mr. Travous is a contractor in Olney, and he has found that his biggest challenge on selling a home is property tax. Mr. Travous had discovered that Flora, Illinois, offered a property tax rebate if a new home was built there. He felt that such a program would entice people to build in Olney. Additionally, water/sewer revenue would increase, about 90% of materials would be purchased in Olney, and many of his subcontractors are located in town.

Councilman Ferguson commented that Flora's program was part of its Enterprise Zone benefits. Mayor Vaughn told Mr. Travous that the Council would have more discussion on his suggestion.

Following the public comments, Mayor Vaughn wished to re-visit Agenda #4 (Certificate of Appreciation Ceremony). The Mayor told the audience that two Council members were retiring from service after the evening's meeting. On behalf of the City Council, Mayor Vaughn presented Councilwoman Thomas with a Certificate of Appreciation for her four years of service. He also noted that the Councilwoman was the first woman in history to be elected to the Olney City Council. The other Council members also expressed their gratitude toward the Councilwoman.

Next, Mayor Vaughn presented Councilman Brown with his Certificate of Appreciation for his eight years of service. The Council appreciated all that the Councilman had contributed over the years.

Mayor Vaughn then distributed to the Council a listing of accomplishments made over the past two years. He commented that the Council had worked very hard, and accomplished quite a bit. He thanked the Council for their hard work.

AGENDA #12 “2015/2016 BUDGET”

12-A “2015/2016 Budget Discussion” The Council was provided with updated replacement pages for the 2015/2016 budget, and a memo from Park Department Supervisor Frank Bradley detailing the need to replace a broken slide at Musgrove Park.

Mr. Taylor explained that two slides in Musgrove Park were cracked. The mogul slide had been purchased, and would be taken out of the 2014/2015 budget. The current corkscrew slide is obsolete, and parts are unavailable. Crack repair is also not an option. This means that a complete replacement slide would need to be purchased in the amount of \$9,621.00 plus freight.

A line item for Musgrove Park Improvements had been created for the 2015/2016 year. The proposed money allocated in that line item had been discussed to be used on lighting for the park. The Council had the option to use the money in that line item for the replacement slide, or they could amend the proposed budget to add more funds for the replacement.

Councilman McLaughlin preferred to use the current funds in the Musgrove Park Improvements line item for the lighting, and to increase the proposed budget for the replacement slide. Mr. Taylor recommended creating a separate line item for the slide. Councilman Ferguson noted that the increase would bring the General Corporate budget to a total -(\$282,363.00).

Councilman Brown moved to amend the 2015/2016 by \$10,000.00 to create a line item for the corkscrew slide replacement, seconded by Councilman McLaughlin. Mayor Vaughn, Councilmen McLaughlin, Brown, Ferguson, and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

12-B “Resolution: Approving 2015/2016 Budget” Including the recent amendment, Councilman McLaughlin moved to approve the proposed 2015/2016 budget, seconded by Councilman Ferguson. Councilmen McLaughlin, Brown, Ferguson, Councilwoman Thomas, and Mayor Vaughn voted yes. There were no opposing votes. The motion carried. Resolution 2015-R-25 will be prepared.

AGENDA #13 “CLOSED SESSION: REVIEW RESUMES FOR CITY MANAGER POSITION, SALE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY, APPOINTMENT, EMPLOYMENT AND PERFORMANCE OF SPECIFIC EMPLOYEES; AND COLLECTIVE NEGOTIATING MATTERS” Councilwoman Thomas moved to adjourn to closed session to review resumes for City Manager position, discuss the sale price of real property, acquisition of real property, appointment, employment and performance of specific employees, and collective negotiating matters, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

Councilmen Ferguson, Brown, McLaughlin, Councilwoman Thomas, Mayor Vaughn, City Manager Taylor, City Attorney Zuber, City Treasurer Sanders and City Clerk Sterchi left the Council Chambers at 7:48 p.m.

AGENDA #14 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman McLaughlin moved to enter back into open session, seconded by Councilwoman Thomas. A majority affirmative voice vote was received. Open session resumed at 9:47 p.m.

14-A “Ordinance: Salaries and Wages for Non-Bargaining Employees” City Manager Taylor handed the Council a proposed ordinance that would allow for a three percent raise for non-bargaining full-time employees. Councilman Ferguson moved to approve Ordinance 2015-22, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

14-B “Resolution: Insurance Premium Allocations for Non-Bargaining Employees” Mr. Taylor handed the Council a proposed resolution to keep the insurance premium allocations the same for non-bargaining full-time employees effective May 1, 2015. Mayor Vaughn moved to approve 2015-R-26, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

AGENDA #15 “ADJOURN” Councilman Brown moved to adjourn, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

The meeting adjourned at 9:48 p.m.

Kelsie J. Sterchi
City Clerk