

CITY OF OLNEY
CITY COUNCIL MEETING
DECEMBER 14, 2015

AGENDA #1 "CALL TO ORDER" The December 14, 2015, meeting of the Olney City Council was called to order by 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. Beau Brown 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, and City Treasurer Chuck Sanders.

AGENDA #4 "PRESENTATION OF CONSENT AGENDA"

4-A "Approve Minutes of Council Meeting on November 23, 2015"

4-B "Approve and Authorize Payment of Accounts Payable on December 15, 2015"

Pooled Cash \$82,146.72, Manual Pooled Cash \$103,657.03, IRP \$21,225.00, IMRF \$29,267.75, MFT \$408.00, Tourism \$15.21, 175th Anniversary \$79.47, Christmas Light Display \$1,164.52, Petty Cash \$92.95

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 Councilman Harrison. 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 "PUBLIC HEARING: EXCHANGE OF PROPERTY BETWEEN THE CITY OF OLNEY AND JAMES L. GIBSON FOR A 20' WIDE SANITARY SEWER EASEMENT" City Manager Barker reminded the Council that the 20' by 20' piece of property used to house a lift station. That lift station is no longer, but was located in front of property owned by Mr. Gibson. Mr. Gibson and the City were interested in trading that 20' by 20' piece to Mr. Gibson in exchange for a 20' sanitary sewer easement. The public hearing was required by State statute.

Mayor Vaughn asked if anyone was present to speak of a concern regarding the transaction. No one from the public wished to speak regarding this public hearing.

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

9-A “Ordinance: Authorizing the Exchange of Real Estate Between the City of Olney and James L. Gibson for a 20’ Wide Sanitary Sewer Easement” The Council was provided with a proposed ordinance to exchange real estate between the City and James L. Gibson. The ordinance would also authorize the execution of a warranty deed.

Councilman Ferguson moved to approve Ordinance 2015-46, seconded by Councilman McLaughlin. Councilwoman Henton, Councilmen McLaughlin, Ferguson, Harrison, and Mayor Vaughn voted yes. There were no opposing votes. The motion carried.

9-B “Request/Ordinance: Handicap Parking for 500 S. Kitchell Avenue” The Council was provided with an e-mail that had been sent to the City Clerk from Joyce Stankewicz requesting a handicap parking space in front of 500 S. Kitchell Avenue. A resident of the address was handicapped and conflict had arisen when parking in front of the residence became of issue due to the parking traffic from Star Dance Studio.

Councilwoman Henton did not recall the City granting reserved parking for residential properties. She had also driven by the area and noted that there was a garage with a driveway to access the property. The Councilwoman and the Mayor could foresee many more similar requests being received if this request was granted.

Councilman Ferguson added that he would not have a problem with the request if the resident did not have access to off-street parking. In this situation, as Councilwoman Henton had noted, off-street parking was available.

Mayor Vaughn decided that the request needed more information establishing that suitable parking was not available. Until then, the request would be denied.

9-C “Resolution: Quit Claim Deed to Convey 321 E. Lafayette Street from Betty Ogburn to the City of Olney” The Council was provided with a proposed resolution and a copy of the proposed quit claim deed. The resolution would accept the donation of 321 E. Lafayette Street to the City from Betty Ogburn. The house on this property had been demolished by the City, and now Ms. Ogburn wished to convey the property to the City.

Mayor Vaughn commented that if the City accepted the resolution, the City would also be accepting the responsibility of maintaining the property. The City would also have the option of selling the property. He did note that he was in favor of the conveyance as it would be a step to improve a dilapidated property.

Councilman McLaughlin wondered what the process would be in moving forward after conveyance of such properties. Mayor Vaughn replied that the goal would be to sell them and get them placed back onto the tax roll.

Councilman Ferguson wished to see development of an incentive for people to build or place modular homes in older parts of town. He was aware that new build homes were going more towards the lakes, and that the older parts of town were being underutilized.

Mayor Vaughn was curious as to how many lots the City was currently maintaining. City Treasurer Sanders was not sure of an exact number. He and the City Manager would work on making a list of all City-owned lots.

Councilman McLaughlin moved to approve 2015-R-58, seconded by Councilman Harrison. A majority affirmative voice vote was received.

9-D “Resolution: Quit Claim Deed to Convey 331 W. Butler Street from Terry L. McCall to the City of Olney” The Council was provided with a proposed resolution to accept the donation of 331 W. Butler Street to the City from Terry L. McCall.

As a result of receiving notice that the property at 331 W. Butler Street needed to be demolished, the owner requested to deed the property to the City. The property was located directly behind the Olney Public Library. If the City accepted the conveyance, bids would be taken in the future on the demolition of the property.

Councilman McLaughlin moved to approve 2015-R-59, seconded by Councilman Harrison. A majority affirmative voice vote was received.

9-E “Ordinance: Establishing an Enterprise Zone Within the City of Olney and Authorizing an Intergovernmental Agreement Between the City of Olney, the City of Newton, the Village of Sainte Marie, and the County of Richland, and the County of Jasper” The Council was provided with a proposed ordinance to establish an Enterprise Zone within the City of Olney that would be within Richland and Jasper Counties, and encompass contiguous portions of the City of Olney, the City of Newton, and the Village of Sainte Marie. The Council was also provided with a proposed intergovernmental agreement that would be necessary to move forward with the new Enterprise Zone application.

Mr. Barker complimented Administrative Assistant Cindy Harlan and RCDC Director Courtney Yockey on their hard work in assisting with the application. The application will be due by December 31, 2015. Awarded Enterprise Zones would be announced by September of 2016. Mr. Yockey then added a brief account of the City’s application process.

Mayor Vaughn told the Council that Jim Schultz from the DCEO would be at The Holiday on Friday, December 18, 2015, at 10:00 a.m. Mr. Shultz and his committee would make final decisions on determining the new Enterprise Zones. The Mayor encouraged the members of the Council and area businesses to attend the meeting.

If granted the new Enterprise Zone, Jasper County would police their side of the zone, and the City would handle its side. All necessary requirements to be considered for inclusion in the Enterprise Zone would be handled through the City.

Other than the boundaries, the biggest change in the newly proposed Enterprise Zone would be that it would include commercial businesses in addition to industrial.

Mr. Yockey felt an Enterprise Zone was critically needed in order to bring economic development to Olney.

Councilman Ferguson moved to approve Ordinance 2015-47, seconded by Mayor Vaughn. Mayor Vaughn, Councilmen Harrison, McLaughlin, Ferguson, and Councilwoman Henton voted yes. There were no opposing votes. The motion carried.

Councilman Ferguson moved to approve the intergovernmental agreement, seconded by Mayor Vaughn. Councilmen Harrison, McLaughlin, Ferguson, Councilwoman Henton, and Mayor Vaughn voted yes. There were no opposing votes. The motion carried.

9-F "Resolution: Authorizing Amendment of a Service Agreement with Good Energy, L.P. " The Council was provided with a proposed resolution that would authorize an amendment of the service agreement between the City and Good Energy, L.P. Good Energy is the company that currently provides electricity consultancy services and procurement for the residential and small commercial electric accounts in Olney.

The amendment would be a continuation of the 2012 services agreement. The City held the option to extend the time frame of the services.

From the audience, Dr. David Eckiss asked if the services had saved the residents any money. Mayor Vaughn felt that the agreement had been working as proposed. He felt the residents of Olney had saved tens of thousands of dollars.

Mayor Vaughn moved to approve 2015-R-60, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

9-G "Resolution: Authorizing Execution of a Service Agreement for the Supply of Electricity for Residential and Small Commercial Retail Customers" The Council was provided with a proposed resolution that would authorize the execution of a service agreement for the supply of electricity for residential and small commercial retail customers. The resolution would authorize the City Manager or his designee to receive and review bids, with recommendations from Good Energy, and to accept the bid most beneficial to the City of Olney without further action of the City Council. The bids will be opened sometime in late January and must be accepted the same day as they are received. The current electric supply agreement with Homefield Energy expires at the end of May of 2016.

Councilwoman Henton moved to approve 2015-R-61, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

9-H "Request: EFL Bassmasters & Illinois B.A.S.S. Nation Tournaments at East Fork Lake" The Council was provided with a memo from City Clerk Sterchi regarding requests from the East Fork Lake Bassmasters and Illinois B.A.S.S. Nation on certain requests pertaining to 2016 fishing tournaments. The requests do not comply with the existing regulations for tournaments.

The City Council has approved the East Fork Lake Bassmasters' requests in past years. The Bassmasters requested to host seven tournaments on East Fork Lake, to hold a tournament in April that would include 60 boats, an eight hour tournament in June, and a 12 hour tournament in July.

The Illinois B.A.S.S. Nation was interested in scheduling their State Championship on East Fork Lake in September that would also exceed timing and boat limit regulations. This championship would be televised and bring a variety of people and teams to Olney.

Mrs. Sterchi had spoken with Mike Hooe at the DNR regarding the requests. He had no issue as long as the tournaments would be the only ones allowed on the lake during those days. The regulations went into effect in 2012 to help improve the health of the fish population in the lakes. The DNR assisted in establishing those regulations.

Mrs. Sterchi cannot reserve any tournament dates until after January 2 of the given year, but she found it wise to see if the exceptions would be granted before moving forward in January.

Mayor Vaughn asked about the annual lake reports from DNR. Mrs. Sterchi replied that the last report showed a slight improvement in the health of the fish in the lakes. The Mayor hoped to be able to review the next report, when available.

Councilwoman Henton recalled that a major factor in establishing the regulations was to reduce the stress to the fish during the day. The Bassmasters' night tournament would not be of concern due to that reason. She also added that she had worked with Frank Hyla, of the Illinois B.A.S.S. Nation, in the past and encouraged welcoming him back to Olney lakes.

Councilman McLaughlin moved to approve the requests from the East Fork Lake Bassmasters and the Illinois B.A.S.S. Nation, as presented, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

9-I "Discussion: Community Building Repairs" Mr. Barker explained that he and City Engineer Charleston had been discussing three major components of repairs to the Community

Building: restrooms, kitchen, and floor. They were still trying to determine the best option for the floor. A recommendation for the floor would be available at the next Council meeting.

In the 2015/2016 budget, the Council had approved \$20,000.00 for repairs to the Community Building. He felt that if the Council wished to make some repairs this fiscal year, decisions would need to be made fairly soon to get the project completed in a timely manner.

The restrooms would be made handicap accessible and would be updated. Materials would need to be ordered, some of which may take six to eight weeks to deliver. Some of the work could be done by City workers, but some would need to be contracted. The restroom upgrade would cost around \$10,000.00.

The Council would also need to decide what they would like to have done in the kitchen area. Mr. Barker suggested considering a wall with a serving window. Mayor Vaughn commented that he liked the idea of a partition. He also felt that the current state of the building made it an eye sore and made the building underutilized. He wanted to see the projects done the right way.

Councilman Ferguson wished to see everything taken care of all at once. Councilwoman Henton and Councilman Harrison commented that they would also like to see repairs done to the ceiling.

Councilman Ferguson was intrigued that some of the bathroom fixtures were worth saving. City Engineer Charleston confirmed that most were not in bad shape.

Mayor Vaughn felt the consensus of the Council was that they were ready to move forward. If Mr. Barker had some definitive numbers by the end of January, they could start approving expenditures.

Mr. Barker also added that \$50,000.00 had been budgeted for improvements to City Hall. He did not expect that money to be spent this fiscal year. If necessary, he felt funds could be used from that line item.

Councilwoman Henton commented that she did not see a need for as many cabinets in the kitchen area. Councilman Ferguson agreed. He also added that he would like to see an ice maker in the Community Building.

9-J “Discussion: Parameters on Potential City Manager Authority to Make Purchases Over \$10,000 on Government Auction Sites” At the last Council meeting, it had been discussed that there was interest in implementing a policy whereby the City Manager would be allowed to purchase used, budgeted items from government auctions on various websites, or other sources, when time is of the essence. Mr. Barker proposed that if the Council had a meeting prior to a bid deadline, the City Manager should consult with the Council before making purchases. If the

deadline was prior to a Council meeting, he suggested making the purchase and informing the Council at the next meeting. He noted that the City Manager should be responsible for staying within budgetary parameters.

Councilman Ferguson was concerned on how such a policy would affect the City's requirements for bidding and/or waiving of formal bidding procedures. City Attorney Zuber would research regulations.

Mayor Vaughn moved to allow the City Manager to bid on items in excess of \$10,000.00 if the item had been budgeted and the item was not above the budgeted amount, seconded by Councilman Harrison. A majority affirmative voice vote was received.

9-K "Resolution: Cancel December 28, 2015, Meeting" The Council was provided with a proposed resolution that would cancel the December 28, 2015, meeting of the City Council.

Councilman Ferguson moved to approve 2015-R-62, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

9-L "Resolution: Accept Bid for Demolition of 533 W. Chestnut Street" The Council was provided with a proposed resolution to accept the bid from Robert Simmons, LLC., for the demolition of a residence and unattached garage at 533 W. Chestnut Street.

Mr. Barker explained that three bids had been received on Friday, December 11, 2015, for this demolition. HSF Excavating, Inc., of Newton, Illinois, bid \$9,750.00. Doll's, Inc., of Olney, Illinois, bid \$7,750.00. Robert Simmons, LLC., of Mason, Illinois, was the low bidder at \$5,450.00.

Councilwoman Henton moved to approve 2015-R-63, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

9-M "Ordinance: Tax Levy" The Council was provided with a Tax Levy Summary Sheet and the proposed 2015 Tax Levy Ordinance.

The proposed ordinance would levy \$1,846,800.00 for the City of Olney and \$206,349.00 for the Library for a total of \$2,053,149.00. The levy would increase by 4.99%.

Councilman McLaughlin was strongly against raising the Police Pension levy by \$122,537.00. He was tired of seeing taxes continuously raise and was startled by such an increase in one line item. While he understood the reasoning, he felt enough was enough.

Mayor Vaughn responded that the City was simply paying what was their obligation. He also noted that eight other areas would be seeing a tax decrease.

Keeping the proposed 2015 increase in mind, Councilman McLaughlin wondered what prediction the City Treasurer had for next year. Mr. Sanders replied that the actuary's approach is to keep the same percentage each year. If payroll increases, dollars will also increase even though the percentage will be the same. He also added that of the three pension funds, the Police Pension was the worst funded in both dollars and percent.

Councilman McLaughlin asked if there were any other ways of funding the Police Pension. Mr. Sanders indicated that the General Fund could be used.

Councilwoman Henton requested clarification on why the IMRF levy was decreased by \$4,000.00, but the City was going to contribute an additional \$50,000.00. Mr. Sanders replied that the IMRF total included the additional \$50,000.00. The \$4,000.00 reduction was primarily due to lower actual wages than what was budgeted.

The Mayor did not feel the pension problem would be disappearing any time soon. He was aware that it would be a continuing problem unless steps were taken to address the problem. Councilman McLaughlin argued that the City could lose residents as a consequence. Mayor Vaughn noted that the City had been keeping the tax rates reasonable. Increases have been under 5% where some of the other taxing bodies could not say the same.

Councilman Ferguson moved to approve Ordinance 2015-48, seconded by Councilman Harrison. Councilmen Ferguson, Harrison, Mayor Vaughn, and Councilwoman Henton voted yes. Councilman McLaughlin voted no. The motion carried.

AGENDA #10 "REPORTS FROM ELECTED AND APPOINTED OFFICIALS"

10-A "Status Report - City Manager" The Council was provided with a status report from City Manager Barker.

Mr. Barker reported that he and the City Treasurer had started the process of planning budget meetings for next year. He also requested from the Department Heads a listing of priorities to address during the first three months of 2016.

Councilman McLaughlin thanked the Police Department, Sheriff's Department, City Clerk Sterchi, the Sewer Department, and all others that helped make the Rotary's Christmas Parade a success. Mayor Vaughn commented that the Rotary Club had done an excellent job with the parade. He also added that the Christmas Lights Display was a wonderful show this year.

Mayor Vaughn asked Mr. Sanders if he had a six month financial review to present. Mr. Sanders explained that earlier in the week he had placed a memo, Treasurer's Report, and current and prior year comparison information in the Council's mailboxes.

Mr. Sanders told the Council that the City was within \$8,000.00 of revenue compared to this time last year. He also noted that the totals were also without many of the funds that the State had been withholding. Mr. Sanders did say that since the report was tabulated, \$59,000.00 of MFT money and \$29,000.00 of video gaming funds had been received.

Operating disbursements were totaling at \$3,254,000.00 compared to last year's amount of \$3,111,000.00. The increase was due to several things such as the leasing of a front end loader in the Street Department.

Overall, the Treasurer felt that the City was tracking to budget.

Mayor Vaughn recalled that back in April, the City was very concerned with not knowing what the State would do in regards to their budget. As of this point, he was curious if Mr. Sanders felt any concern with the ability to complete and purchase items that remained in the budget. Mr. Sanders felt comfortable with the City's position.

Councilman McLaughlin exited the meeting at 8:18 p.m.

AGENDA #11 "PUBLIC COMMENTS/PRESENTATIONS"

11-A "Brian O'Neill" Brian O'Neill, 818 E. Main Street, explained areas that were or were not public forums. He added that providing parking access for private use would be illegal as it would violate a public forum.

Councilman McLaughlin returned to the meeting at 8:20 p.m.

AGENDA #12 "CLOSED SESSION: SALE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY; APPOINTMENT, EMPLOYMENT AND PERFORMANCE OF SPECIFIC EMPLOYEES; AND CONSIDERATION OF PRICE FOR SALE OR LEASE OF REAL ESTATE" Councilman Harrison moved to adjourn to closed session to discuss sale price of real property; acquisition of real property; appointment, employment and performance of specific employees; and consideration of price for sale or lease of real property, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

Councilmen Harrison, McLaughlin, Ferguson, Councilwoman Henton, Mayor Vaughn, City Manager Barker, City Treasurer Chuck Sanders, City Attorney Zuber, and City Clerk Sterchi left the Council Chambers at 8:21 p.m.

AGENDA #13 "RECONVENE OPEN SESSION" Upon return of those who were in closed session to the Council Chambers, Mayor Vaughn moved to enter back into open session, seconded by Councilwoman Henton. A majority affirmative voice vote was received. Open session resumed at 9:46 p.m.

13-A “Resolution: Authorize Destruction of Closed Session Audio Recordings” The Council was provided with a proposed resolution to destroy closed session audio recordings from December of 2013 to June of 2014.

Councilwoman Henton moved to approve 2015-R-64, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

13-B “Resolution: Authorize Release of Closed Session Minutes” The Council was provided with a proposed resolution to release some full and some partial closed session minutes from March of 1996 to June of 2014.

Councilwoman Henton move to approve 2015-R-65, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

Before adjourning, Councilwoman Henton commented that she felt the City should host or provide something for the Illinois B.A.S.S. Nation’s proposed State Championship on East Fork Lake in 2016. She mentioned that in the past, the City had held events such as banquets and breakfasts. She felt that the City should definitely provide free fishing passes for the Illinois B.A.S.S. Nation.

Mayor Vaughn asked if there was a local group or organization that would normally come to the Council to request such an event on behalf of Tourism. City Clerk Sterchi suggested the Tourism Board. The Mayor wished to see something in writing of what such a group would need.

AGENDA #14 “ADJOURN” Councilman McLaughlin moved to adjourn, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

The meeting adjourned at 9:49 p.m.

Kelsie J. Sterchi
City Clerk