

CITY OF OLNEY
CITY COUNCIL MEETING
JANUARY 12, 2015

AGENDA #1 “CALL TO ORDER” The January 12, 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. Steve Wingert led the group in a prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: John McLaughlin, Barb Thomas, Brad Brown, Bob Ferguson and Ray Vaughn. Also present were City Manager/City Attorney Larry Taylor, City Treasurer Chuck Sanders, City Engineer Roger Charleston and City Clerk Kelsie Sterchi.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A Approve Minutes of Council Meeting from December 8, 2014 and Special City Council Meeting on December 15, 2014

4-B Approve and Authorize Payment of Accounts Payable January 13, 2015: Pooled Cash \$268,865.31, Manual Pooled Cash \$111,257.76, Christmas Light Display \$4,142.00, IMRF \$123,236.45, E. Main Water Main Grant \$45,584.69, MFT \$21,956.55, Tourism \$1,750.00, Water Deposit Refunds \$1,680.24, W. North Lift Station \$61,432.34, Worker’s Compensation \$58,371.00, Petty Cash \$337.72

4-C Raffle License-Olney Aerie #2549

4-D Raffle License-Pink Warrior Sisters

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 Brown . A majority affirmative voice vote was received to approve the consent agenda.

AGENDA #7 “CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA” No consideration was necessary since no items were removed from the consent agenda.

Before moving on to the agenda topics, Mayor Vaughn mentioned that Richland County Fair Queen Sadie Gassmann would be attending the State competition during the coming

weekend. Councilman McLaughlin moved to support Queen Sadie Gassmann at the competition, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

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

8-A “Resolution: Approve Proposed Re-Plat of Lots 61-86 of South Cove Subdivision”

The Council was provided with a proposed resolution to approve the proposed re-plat of lots 61-86 of the South Cove Subdivision, a copy of the minutes from the Plan Commission meeting on January 5, 2015, the original plat for the lots and the proposed re-plat of the lots.

The request had been submitted by Brad Doll. The Plan Commission had unanimously voted to recommend the re-plat to the City Council. The re-plat would take 26 lots and reconfigure them to 20 lots. The re-plat would also make Blackberry Lane end at a cul-de-sac instead of running through to Holly Road.

Councilman Brown moved to approve 2015-R-01, seconded by Mayor Vaughn. A majority affirmative voice vote was received with Councilman McLaughlin abstaining. The motion carried.

8-B “Ordinance: Sale of Personal Property to Scrap Daddy, Inc., and GovDeals.com - Water Distribution” The Council was provided with a proposed ordinance to sell items from the Water Distribution Department. The proposed ordinance would authorize the sale of a tiller to Scrap Daddy, Inc. for the purpose of recycling, and would authorize the sale of a trash pump at auction through GovDeals.com.

Councilman McLaughlin moved to approve Ordinance 2015-01, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

8-C “Ordinance: Sale of Personal Property to Scrap Daddy, Inc., and GovDeals.com - Mechanics Department” The Council was provided with a proposed ordinance to sell items from the Mechanics Department. The proposed ordinance would authorize the sale of miscellaneous scrap metal to Scrap Daddy, Inc. for the purpose of recycling, and would authorize the sale of two portable generators at auction through GovDeals.com.

Councilman McLaughlin moved to approve Ordinance 2015-02, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

8-D “Ordinance: Recycling of Personal Property with Wilson Metals - Fire Department & Office of the Mayor” The Council was provided with a proposed ordinance to recycle one printer from the Fire Department and one printer from the Office of the Mayor with Wilson Metals.

Councilman Ferguson moved to approve Ordinance 2015-03, seconded by Councilman Brown. A majority affirmative voice vote was received.

8-E “Request: EFL Bassmasters Tournaments at East Fork Lake” The Council was provided with a memo from City Clerk Sterchi to City Manager Taylor detailing special requests from the East Fork Bassmasters in regard to tournaments at East Fork Lake, copies of the requests from the East Fork Bassmasters, and a copy of 2009-R-75 that established regulations for fishing tournaments.

The East Fork Bassmasters were requesting seven tournament dates at East Fork Lake, a Memorial Tournament that would include 60 boats, and an eight hour tournament on June 20. City Manager Taylor did not have a problem with the requests, but he did feel that since the resolution was adopted by the Council, that the Council should be made aware of the requests.

Councilwoman Thomas asked what the reason was for the creation of the resolution from 2009. From the audience, Belinda Henton recalled that the Department of Natural Resources recommended the rules because the fish population counts were decreasing.

Councilman Ferguson asked if the East Fork Bassmasters were aware of the regulations. Mr. Taylor indicated that they were aware. Additionally, Mr. Taylor noted that the tournaments do not restrict the public from using the lake during tournament times.

Mayor Vaughn was hesitant to disregard the regulations unless there had been an increase in fish population. Alternatively, Councilman McLaughlin felt that he would be in favor of the exception this year, and noted that the Memorial Tournament would more than likely bring tourism.

While the requests seemed minor, Councilman Brown wanted to receive feedback from DNR to see if the regulations were working. The Council agreed. City Clerk Sterchi would be in touch with DNR to receive more information.

8-F “Resolution: Authorizing Expenditures from Line Item 500-400-2444 (Olney’s 175th Anniversary) in the City of Olney Annual Budget by the Dodransbicentennial Commission” The Council was provided with a memo from City Clerk Sterchi, who is also chairing the Dodransbicentennial Commission, requesting a waiver of Council approval for purchases related to the 175th anniversary celebration and a proposed resolution to authorize the expenditures by the Dodransbicentennial Commission.

City Manager Taylor explained that a bank account had been created to hold donations towards the celebration. The account would hold donations from the City and also donations

from outside of the City.

Instead of going before the Council before every purchase, the proposed resolution would allow the Dodransbicentennial Commission to authorize purchases, provided that the disbursements were logged through the accounts payable system with appropriate documentation.

Councilman Ferguson moved to approve 2015-R-02, seconded by Councilman Brown. A majority affirmative voice vote was received.

Mayor Vaughn, also a Commission member, made mention that many entertainers require a reservation fee that can be up to half of the booking cost. The City had made a verbal commitment to provide \$25,000 towards the celebration in Fiscal Year 2015/2016. At a future meeting, the Commission would make a formal request that would allow the Commission an advance on the funds.

8-G “Resolution: First Supplemental Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code” The Council was provided with a letter from City Manager Taylor to Tom Kreke and a proposed resolution for maintenance of streets and highways by municipality under the Illinois Highway Code.

The maintenance of streets in 2014 required more Bituminous Patch Mix than anticipated as a result of the harsh winter weather. The additional expense came in the amount of \$10,000.00.

Mayor Vaughn moved to approve the First Supplemental Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-H “Resolution: Authorizing Mortgage Subordination Agreement with First Financial Bank NA” The Council was provided with a proposed resolution to execute a Mortgage Subordination Agreement between the City and First Financial Bank NA, and Aaron and Julie Wease. The Council was also provided with a copy of the proposed Mortgage Subordination Agreement.

City Manager Taylor explained that the agreement had been reviewed and approved by First Financial Bank. Originally, the City had obtained a mortgage when it conveyed the property to Aaron and Julie Wease. Because of the desire to refinance the loan, the bank had asked the City to subordinate its interest so it has the first lien on one or two loans that would not exceed \$565,000.00.

As time goes on, Aaron and Julie Wease will owe less money. They would only be required to make payment if they do not comply with the terms of the note.

Councilman McLaughlin moved to approve 2015-R-03, seconded by Councilman Brown. A majority affirmative voice vote was received with Councilman Ferguson abstaining. The motion carried.

8-I “Request: Use of Gun Range for Conceal Carry Training by Ben Bauman” The Council was provided with a letter from Ben Bauman requesting the use of the Gun Range for Concealed Carry training, a copy of Mr. Bauman’s certificate of liability insurance, and excerpts from past minutes where Concealed Carry training courses were discussed.

City Manager Taylor explained that Mr. Bauman was requesting to use the Gun Range only once or twice. Dates had not been set for the trainings, dependent upon availability of the gun range. Looking at the letter, Mr. Taylor noted that Mr. Bauman was extremely experienced and qualified.

Councilman McLaughlin expressed his favor of the request. To date, interested individuals needed to go outside of Richland County to obtain such training.

Councilman Brown asked if Mr. Bauman’s insurance met the City’s requirements. Mr. Taylor indicated that the insurance met the standards, and that he was satisfied with the insurance.

Councilman McLaughlin moved to approve Mr. Bauman’s request to use the Gun Range for Concealed Carry training, subject to Gun Range availability, seconded by Councilwoman Thomas. A majority affirmative voice vote was received with Mayor Vaughn abstaining. The motion carried.

8-J “Ordinance; Annexation of 101 E. Brentwood Avenue” The Council was provided with a proposed ordinance to annex 101 E. Brentwood Avenue, and a Petition for Annexation of Territory Contiguous to the City of Olney, Illinois.

Procedures had been followed per State statute. The City already maintains E. Brentwood Avenue, and the properties do have City water and sewer. Jean Travers’ purpose in requesting the annexation was the desire for trash collection service at the City rate.

Councilman McLaughlin moved to approve Ordinance 2015-04, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

AGENDA #9 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS.”

9-A “City Manager - Status Report” The Council was provided with a Status Report from City Manager Taylor. Mr. Taylor reminded the Council that a Special City Council Meeting had been scheduled at the Fire Station on Thursday, January 22 at 6:30 p.m. for the purpose of holding a budget planning session. Additionally, the Council should have received a memo asking for a list of top five projects that would be due by January 16.

The Enterprise Zone application was submitted on December 30, 2014. The DCEO would have until the end of June to score the applications. A five member board would then be created to review the applications and make the final decisions. That board would have until the end of September to make their decisions.

Fencing had also been installed along the concrete channel and sidewalks west of Boone Street.

Councilman McLaughlin asked for an update on the culvert replacement at Sycamore Street. Mr. Taylor replied that City would be replacing the culvert as soon as possible.

Councilman McLaughlin moved to take a five minute break, seconded by Councilwoman Thomas. A majority affirmative voice vote was received. The meeting went to break at 7:28 p.m.

Councilman McLaughlin moved to continue the Council meeting, seconded by Councilwoman Thomas. A majority affirmative voice vote was received. Open session resumed at 7:32 p.m.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A”Thanks Corrupt Mayor Ray Vaughn and Entire Olney City Council-Now You Will All Pay at the Hands of Your Own Born Destroying This Nutty City-Yes It’s Far More Better Than 2003. The Ferguson St. Louis Protest Official Will Begin” Mayor Vaughn summarized the rules of decorum for City Council meetings. Mayor Vaughn then asked Brian O’Neill if he understood the rules. Mr. O’Neill immediately asked the Mayor if he was referring to the rules he had been “violating all along,” and told the Mayor that he needed to understand the rules.

Mayor Vaughn asked Mr. O’Neill if the listed topic was what he intended to speak on at this evening’s meeting. Mr. O’Neill confirmed that was the topic he submitted. Mayor Vaughn reminded Mr. O’Neill that there would be no slanderous or impertinent remarks. With that in mind, the Mayor wondered how Mr. O’Neill’s topic meshed with the rules. Mr. O’Neill felt that nothing was slanderous, his government allowed him rights, and stated that he could not be arrested. Mr. O’Neill also felt that many of his rights had been violated.

Mayor Vaughn told Mr. O'Neill that he would be permitted to speak if his topics were pertinent to City Council business and if the topics were not abusive or otherwise disruptive to the meeting. The Mayor allowed Mr. O'Neill to speak for two minutes.

Mr. O'Neill stood and told the Council that commercial areas had no noise ordinances. He also told the Council that he had been illegally removed from City Council meetings on two occasions. He then reported that false phone calls were being made to the police and false charges had been made against him. Mr. O'Neill will continue to video tape what he can as evidence.

AGENDA #11 “CLOSED SESSION: SALE PRICE OF REAL PROPERTY; ACQUISITION OF REAL PROPERTY, APPOINTMENT, EMPLOYMENT AND PERFORMANCE OF SPECIFIC EMPLOYEES; AND COLLECTIVE NEGOTIATING MATTERS” Councilman McLaughlin moved to adjourn to closed session to discuss the sale price of real property, acquisition of real property, appointment, employment and compensation of specific employees, and collective negotiating matters, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

Councilmen Brown, Ferguson, McLaughlin, Councilwoman Thomas, Mayor Vaughn, City Manager Taylor, City Treasurer Sanders and City Clerk Sterchi left the Council Chambers at 7:39 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Mayor Vaughn moved to enter back into open session, seconded by Councilman McLaughlin. A majority affirmative voice vote was received. Open session resumed at 8:43 p.m.

A potential ordinance regarding water service and annexation was briefly mentioned.

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

The meeting adjourned at 8:43 p.m.

Kelsie J. Sterchi
City Clerk