

CITY OF OLNEY  
CITY COUNCIL MEETING  
JANUARY 26, 2015

AGENDA #1 “CALL TO ORDER” The January 26, 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. Jerry Bush 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 January 12, 2015

4-B Approve and Authorize Payment of Accounts Payable January 27, 2015: Pooled Cash \$65,044.88, Manual Pooled Cash \$122,620.88, Christmas Light Display \$1,533.07, 175<sup>th</sup> Anniversary \$1,250.00, Tourism \$5,000.00, Worker’s Compensation \$5,575.00, Unemployment \$1,248.44, Liability Insurance \$38,987.26, E. Main Water Main Grant \$20,008.00, W. North Lift Station \$211,273.29

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 Councilwoman Thomas . 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.

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

8-A “Tourism Grant Application: White Squirrel Cruisers Car Club 28<sup>th</sup> Annual Car Show” The Council was provided with a Tourism Grant Application from the White Squirrel Cruisers Car Club, Inc., and a copy of the Tourism Grant General Information.

City Clerk Sterchi told the Council that this was the third year that the White Squirrel Cruisers had applied for a Tourism Grant. In years past, the White Squirrel Cruisers had submitted their Event Summaries within the required 60 days following the event. The application seemed to meet the evaluation criteria, and the Tourism Promotion line item had a balance of \$9,058.63. Robin Haerr was present to represent the White Squirrel Cruisers.

Looking at the application, Mayor Vaughn noticed that in 2014, the Cruisers received a \$2,000.00 grant from the City. Comparing the income and expenses, the Cruisers made approximately \$800.00 on the event. Based on these facts, the Mayor wondered how much of the City's money would be necessary for the event. Mr. Haerr replied that the grant money allowed them to better advertise the event. If the grant money was not approved, the Cruisers would still hold the car show, but would need to scour for more sponsorships. Mr. Haerr wanted the Council to keep in mind that the group was a not-for-profit organization. Any surplus in funds went back into the community. In the past, the Cruisers helped with the D.A.R.E. program, Christmas Kids and scholarships through Olney Central College.

In 2014, 85 vehicles were entered in the car show despite the rainy weather. To Mr. Haerr, this suggested that the broader advertisement was beneficial if that many cars still made it to the show on such a rainy day.

Councilman McLaughlin moved to approve the \$2,000.00 Tourism Grant request for the White Squirrel Cruisers 28<sup>th</sup> Annual Car Show, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

8-B "Request: EFL Bassmasters Tournaments at East Fork Lake" This topic had been introduced at the January 12, 2015, City Council meeting, but was tabled in order to receive more information from the Department of Natural Resources (DNR). For this meeting, the Council was provided with a memo from City Clerk Sterchi summarizing a conversation with Mike Hooe (DNR), the East Fork Lake Sport Fish Overview 2015 report by Mike Hooe, the East Fork Lake Bassmasters' history of similar events dating back to 2011, and a copy of the documentation provided at the January 12 meeting.

The fishing population at East Fork Lake was improving slightly since the 2009 restrictions had been put into place. While Mr. Hooe did not recommend eliminating the restrictions altogether, he did indicate that it would be up to the City to allow any exemptions.

Steve Francis, a representative of the East Fork Bassmasters, was present to answer any questions. Mr. Francis told the Council that his group helped to assess the situation in 2009 that helped to create the restrictions. At that time, as many as 165 tournaments were being held at East Fork Lake, and the fish population was suffering.

Mayor Vaughn had received comments from some community members about the request. Some of the community was concerned about the number of fish that could be taken from tournaments. The creel limit is six fish per person per day. The Bassmasters limit theirs to five fish per boat. Mr. Francis specified that during tournaments, the Bassmasters only focus on Bass fish, caught fish were held in a live well, and after the weigh-in, those fish were released back into the waters.

Councilman Ferguson moved to approve the East Fork Bassmasters' request to have seven tournaments on East Fork Lake, to host a Memorial Tournament that would include 60 boats, and to hold one eight hour tournament in June, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

8-C "Ordinance: Sale of Personal Property on GovDeals.com - Police Department" The Council was provided with a proposed ordinance to authorize the sale of items of personal property from the Police Department, and an Order of Disposition of Evidence that had been filed through the court.. The items included a variety of clothing, accessories and electronics obtained as evidence.

Councilman McLaughlin moved to approve Ordinance 2015-05, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

8-D "Ordinance: Sale of Personal Property to Scrap Daddy, Inc. - Sewer Department" The Council was provided with a proposed ordinance to authorize the sale of items of personal property from the Sewer Department to Scrap Daddy, Inc. The items included old signs, a parts washer, blow line piping and miscellaneous pumps.

Councilman Ferguson moved to approve Ordinance 2015-06, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

8-E "Resolution: Fund Appropriation Section 12-00081-00-SW - Safe Routes to School" The Council was provided with a proposed resolution (Addendum #2) for a fund appropriation of \$35,000.00 for the Safe Routes to School program, a copy of the Local Agency Agreement for Federal Participation, and a copy of Addendum #3 that established certain reporting requirements.

The Safe Routes to School sidewalk would run north on Van Street from the Middle School, then east onto Hall Street where it would run south on Holly Road to the Elementary School. The State bid letting was believed to be set for March 6, 2015. The early part of May was estimated for a start date for the project.

Mayor Vaughn asked how quickly the proposed water main project on Hall Street would need to begin to avoid conflict with the sidewalk project. City Engineer Charleston felt that the water main project should start during the mid part of May. Mr. Charleston also noted that due to the sidewalk construction, there would be no need for seeding or shaping. The proposed water line would be installed behind where the sidewalks would be laid.

Councilman McLaughlin moved to approve 2015-R-04, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

8-F “Authorization: Preparation of Plans for 12-Inch Water Main on Hall Street to Holly Road Prior to Construction of Safe Routes to School Sidewalk” Because of the Safe Routes to School sidewalk project, it made sense to go ahead with the 12-inch water main project, as both projects would be in the same area.

Mayor Vaughn moved to approve the authorization to prepare plans for a 12-inch water main on Hall Street to Holly Road, seconded by Councilman Brown. A majority affirmative voice vote was received.

8-G “Request: Reduced Rate at Swimming Pool for TRIO Upward Bound Program” The Council was provided with a copy of an e-mail from Jennifer Jennings requesting four dates for the TRIO Upward Bound program to receive a discounted rate of \$1.50 per student at the swimming pool.

Councilman Ferguson moved to approve the discounted rate of \$1.50 for four dates at the swimming pool to the TRIO Upward Bound program, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-H “Resolution: Amend 2014-2015 Budget for 175<sup>th</sup> Celebration and Authorize Expenditure of \$25,000 Out of General Fund” The Council was provided with a proposed resolution to amend the 2014-2015 budget for the 175<sup>th</sup> celebration that would authorize the expenditure of \$25,000.00 out of the General Fund.

Due to impending expenses through the end of the fiscal year, it was suggested that some money be transferred to the Tourism line item. For simplicity purposes, it seemed to make more sense to transfer the full amount instead of in increments.

Councilman McLaughlin moved to approve 2015-R-05, seconded by Councilman Brown. A majority affirmative voice vote was received.

8-I “Request: Use of Building and Firing Range for Conceal Carry Classes by IECC” The Council was provided with a letter from Bryan Hart, Illinois Eastern Community Colleges (IECC) Concealed Carry Coordinator, requesting use of the firing range for Concealed Carry College Courses, and a proposed Affiliation Agreement.

At the January 12, 2015 City Council meeting, approval had been given for Ben Bauman to teach two Concealed Carry classes at the firing range. IECC requested to use both the building and the range for its classes. The request was for 16 hour courses that would be on a Friday evening between 6:00 p.m. and 10:00 p.m., and also Saturday from 8:00 a.m. until 4:00 p.m. IECC would use the firing range one weekend per month, at most, and would pay \$100.00 per 16 hour course taught.

If the Council wanted to agree to the use of the firing range, City Manager Taylor wanted to know how often they would want to approve such requests given the other activities that currently take place there such as Police Department, Sheriff Department, Gun Club and Saddle Club use.

Mayor Vaughn expressed his concern for those who reside near the firing range. The Mayor could hear gun shots from the range at his home. He would like to restrict the number of weekends per year where shooting was involved, giving priority first to the Police Department, then the Sheriff’s Department, and then the Gun Club. The primary purpose of the firing range was for the use of the Police and Sheriff’s Departments. The Mayor felt the departments were getting pushed out of their own facility.

Councilman McLaughlin suggested allowing IECC to use the range once per semester, or three times per year.

There was no Affiliation Agreement signed with Mr. Bauman, but Mr. Taylor indicated that one could be prepared.

Councilman McLaughlin moved to allow IECC to use the firing range one time per semester, or three times per year, for Concealed Carry College Courses, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

8-J “Discussion: National League of Cities Service Line Warranty Program” The Council was provided with a copy for National League of Cities (NLC) Service Line Warranty Program Highlights, NLC Service Line Warranty Program Benefits, copies of an NLC Service Line Warranty Program Powerpoint presentation, and a proposed Sewer and Water Line Marketing License Agreement Between the City of Olney and Utility Service Partners Private Label, Inc.

While other companies offered such service line warranties, Utility Service Partners was endorsed by the NLC. The warranty program is only marketed in areas where they have an agreement with a city to advertise. The purpose of the program is to provide a form of insurance for residential customers on water and sewer lines. The program would cover the expense from lines inside of the house to the curb box for water, and would cover the expense from lines inside of the house to the main for sewer. There would be additional allowances for street excavations, sidewalk cutting, etc. The price for the coverage would be \$5.75 per month for water and \$7.75 per month for sewer.

Utility Service Partners would only market by mail; not door to door. They would use the City's name and logo because there would also be a licensing agreement for three years. The City would receive a royalty of \$.50 per warranty per month. The City would have no expense in the marketing of the program.

Mayor Vaughn felt that if Utility Service Partners were endorsed by the NLC, that the company seemed like a legitimate choice for the City to recommend. Councilman McLaughlin felt that if the company used the City's name and logo, citizens could be easily confused. Additionally, if any problems arose, City Hall would more than likely be receiving phone calls for situations in which they have no involvement.

City Manager Taylor noted that the license agreement dictated that use of the City's name and logo on letterhead, bills and marketing materials would be subject to the City's prior review and approval.

If a resident was part of the warranty program and had an issue, they would call a toll free number. From there, a licensed plumber would be dispatched. The plumber would call the resident within an hour to be on site within 24 hours. Councilman McLaughlin wondered if the resident had any issues with the plumber, if the City's reputation would be on the line. Mr. Taylor replied that if there was a clear breach of the agreement, the City could terminate. Mayor Vaughn added that the agreement read that Utility Service Partners indemnified the City from all claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorney's fees and court costs.

Because of the current state of the sewer and water lines that ran through the City, Mayor Vaughn was interested in endorsing the program. In older parts of town, homeowners could see thousands of dollars in repairs for old lines for which the City would not be responsible.

Councilman Ferguson wondered what Utility Service Partners would do if it was determined that the line had no problem, and the problem was actually inside of the home. At that point, a lawn would be torn apart and much time spent on searching. Would the resident be

responsible for those costs at that time? Mayor Vaughn thought it would be wise to have a representative from Utility Service Partners come to give more detail.

The topic was tabled for future consideration.

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 indicated that he had received information from Ameren indicating that they would be performing upgrades to electrical service by replacing meters. The process would take about 10-15 minutes, and there would be a brief interruption in electric service. The upgrade would begin in Spring of this year. Residents would receive more information from Ameren in the near future.

On January 22, 2015, the Council and supervisors began their process of prioritizing different projects and needs for the new fiscal year. A list was created for the Council and supervisors to vote on projects and needs they felt were important. A few items that had received multiple votes were: replacement of the Lake Patrol boat, replacement of two zero-turn mowers in the Park Department, the purchase of a loader, looking into a new Water Plant, the purchase of a rescue heavy hydraulic system for the Fire Department, implementation of a residential rental property inspection program, painting the Washington Street water tower, the purchase of a new leaf vacuum machine, the purchase of a striper, repair and remodeling of City Hall, and industrial park improvements and infrastructure.

9-B “Parks & Recreation Board - Recommendation Regarding Pickleball Courts”

Councilman McLaughlin and Councilwoman Thomas are both on the Parks & Recreation Board. Councilman McLaughlin reported that the local pickleball group had been attending Parks & Recreation Board meetings, and the Parks & Recreation Board wanted to make a formal recommendation to the Council to create a temporary pickleball court on one of the tennis courts at the Olney City Park.

Jim Pottorff, ambassador for the USA Pickleball Association, was present to speak on the topic. Mr. Pottorff handed out some photos to the Council. The local pickleball group had over 100 players that played twice per week. The first photo showed the pickleball group enjoying their games on the tennis courts over the summer

Mr. Pottorff handed out another photo. The second photo showed how the tennis courts were converted into pickleball courts each time the group went out to play. The set up and tear down took about an hour. Four pickleball courts could be created on one tennis court.

The Parks & Recreation Board is working on a Comprehensive Plan. The ultimate vision would be to have separate pickleball courts somewhere in town. Such a vision could take a few years to complete. In the meantime, Mr. Pottorff was interested in converting one of the six tennis courts at the Olney City Park into a pickleball court.

Mr. Pottorff then handed out another photo of the condition of the tennis courts. Problems with the courts were evident. Mr. Pottorff asked to convert the eastern court on the north side, as it had the least amount of damage.

Anticipating the Council's question on cost, Mr. Pottorff then handed out an estimated cost buildup to convert one tennis court into four pickleball courts. The numbers were based on the Terre Haute Pickleball Association's conversion of three tennis courts in 2008. The paint costs had been updated to current price. The estimated total would be \$3,207.48. Councilwoman Thomas asked if Mr. Pottorff's pickleball group would be paying for the conversion. Mr. Pottorff indicated that they could easily hold a fundraiser for the funds.

Councilman McLaughlin reminded the Council that the Parks & Recreation Board had voted to recommend approval for the City to allow a temporary conversion of one tennis court for one to two years. In the Comprehensive Plan, the Board felt that permanent courts could go elsewhere. As a sidenote, the Councilman mentioned that Escalade Sports had just purchased the pickleball brand.

Councilman Ferguson asked if other tennis court locations had been explored. Mr. Pottorff said that the northwest corner of the Country Club's courts could be used, but the rest of the courts were too downhill with too much break up. The Middle School's tennis courts were in poor shape. The High School's tennis courts were in good shape, but had no night lighting available.

Councilman McLaughlin also reported that the Tennis Association and tennis coaches had attended Parks & Recreation Board meetings to voice their opposition to a conversion of one of the tennis courts. The tennis group felt that if lines were painted, it would affect their ability to host and play tournaments at the City courts.

Mayor Vaughn was not in favor of building new, permanent pickleball courts. He felt that the tennis and pickleball groups should be able to share the facility. He was wary to make a decision this evening without hearing from the tennis group. The Mayor wondered if the tennis groups should be notified before making a decision.

Councilman Brown reminded the Mayor that the Parks & Recreation Board had been dealing with the issue between the two groups at several of their meetings with lengthy discussions.

The tennis courts at the City Park clearly needed resurfacing. The two groups were passionate and could provide help with the resurfacing. Additionally, Mayor Vaughn did not want to see the pickleball group put over \$3,000.00 into converting a court unless the courts were resurfaced.

The south courts had just been resurfaced a few years ago at a cost around \$25,000.00.

Councilman McLaughlin noted that even though the courts were originally designed as “tennis courts,” they were still City owned property. If pickleball was this popular with residents of the City, they should have a place to play.

Councilman Brown moved to approve the Parks & Recreation Board’s recommendation to convert the northwest tennis court at the Olney City Park into a pickleball court at their own expense, seconded by Councilman McLaughlin. Councilwoman Thomas, Councilmen Brown, Ferguson and McLaughlin voted yes. Mayor Vaughn voted no. The motion carried.

#### AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

##### 10-A”Wireless Surveillance Camera System Installed on Main Streets at the Intersection of Walnut, Fair and North Streets Will Reduce Crime: 1) Reckless Operation of Vehicles 2) Pedestrians Walking in Crosswalks with Pedestrian Lights or Otherwise 3) Vehicles Continuing to Stop and Remain in Crosswalks 4) Pedestrian Signs and Traffic Lights Don’t Work, Etc”

Brian O’Neill, 818 E. Main, told the Council how he had almost been hit twice by vehicles recently. He felt he could sue the City because the police were not doing their jobs, as no drivers were ticketed. Mr. O’Neill also said that he had seen Park Department/Water Plant Supervisor Frank Bradley violate vehicle laws. He told Mr. Bradley that he was lucky he did not have his iPad to video the violation. Ultimately, Mr. O’Neill felt that a green arrow light should be installed at the intersection of Fair and Main Streets, or cameras should be installed to document the violations.

#### 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 Mayor Vaughn. 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 8:22 p.m.

AGENDA #12 “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 Mayor Vaughn. A majority affirmative voice vote was received. Open session resumed at 10:33 p.m.

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

The meeting adjourned at 10:33 p.m.

Kelsie J. Sterchi  
City Clerk