

CITY OF OLNEY  
CITY COUNCIL MEETING  
MAY 26, 2015

AGENDA #1 “CALL TO ORDER” The May 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.

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 Attorney Bart Zuber, City Treasurer Chuck Sanders, and City Clerk Kelsie Sterchi. City Manager Taylor and City Engineer Charleston were absent

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

- 4-A Approve Minutes of Council Meeting on May 11, 2015
- 4-B Approve and Authorize Payment of Account Payable May 26, 2015: Pooled Cash \$96,417.24, MFT \$405.60
- 4-C Raffle License-Center Shrine Club
- 4-D Raffle License-Big Brothers Big Sisters
- 4-E Raffle License-Olney Elks
- 4-F Raffle License-Olney FFA Alumni
- 4-G Raffle License-Desk and Derrick Club of Olney

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

8-A “Re-Appointment: Kurt Ginder to Board of Appeals” Mayor Vaughn explained that Kurt Ginder’s term had been expired, and Mr. Ginder had indicated his interest in continuing to serve.

Councilwoman Henton moved to re-appoint Kurt Ginder to the Board of Appeals, seconded by Councilman Harrison. A majority affirmative voice vote was received.

8-B “Adoption of Resolution Accepting Quote for Two Riding Lawn Mowers for the Park Department and Waiving Formal Bidding Procedures” The Council was provided with a memo from Park Department Supervisor Frank Bradley, a proposed resolution to accept a quote for two riding lawn mowers, and copies of two quotes received.

The first quote received was from Schilling Brothers, Inc. of Newton, Illinois, in the amount of \$16,026.88. The second quote was from Stanley’s Mower Repair and Sales of Olney, Illinois, in the amount of \$17,119.92. Mr. Bradley did not recommend the low bid, but recommended the quote of \$17,119.92 from Stanley’s Mower Repair and Sales of Olney, Illinois, because parts and services would be local, the dealer would provide free pick up and delivery for service and repair, and replacement parts would be less expensive.

Mayor Vaughn moved to approve Mr. Bradley’s recommendation and 2015-R-28, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-C “Adoption of An Ordinance Authorizing the Sale of Items of Personal Property (Two 2008 John Deere Mowers) on GovDeals.com” The Council was provided with a memo from Park Department Supervisor Frank Bradley, and a proposed ordinance to authorize the sale of two 2008 John Deere mowers on GovDeals.com

Councilwoman Henton asked if a minimum bid was set for auction items. City Clerk Sterchi replied that typically the department supervisor was asked their opinion on a price and, if available, history of similar auctioned items could be compared.

Councilwoman Henton moved to approve Ordinance 2015-24 with a minimum bid suggested by the department supervisor, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

8-D “Adoption of An Ordinance Amending Section 5.12.070 (Restriction on Number of Licenses Authorized)” The Council was provided with a proposed resolution to amend Section 5.12.070 of the City of Olney Municipal Code.

Mayor Vaughn explained that when a liquor license was surrendered or not renewed, the Council would reduce the number of liquor licenses available to the number of active licenses. One Class D license (Knights of Columbus) and one Class A license (Peacock Lounge) were not renewed for the 2015-2016 year. The proposed ordinance showed the total number of liquor licenses to be issued by the City would be: two Class A licenses, three Class B licenses, four

Class C licenses, five Class D licenses, one Class E license, zero Class G licenses, and one Class V license.

The Council had adopted Ordinance 2015-12 in March of 2015 that provided in order for a liquor license to be renewed, the business needed to actually be open. Due to the new provision and the fact that the Peacock Lounge had not been opened, the Class A license could not be renewed. Mayor Vaughn emphasized that the provision was in no way reflective of the owner of the Peacock Lounge. When ready to show the Council that the business could be operated, the Peacock Lounge could re-apply for a liquor license.

Councilman McLaughlin moved to approve Ordinance 2015-25, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

8-E “Presentation: Summary of General, Water and Sewer Funds for Fiscal Year 2014/2015” The Council was provided with a net operating excess summary, revenue comparison, General Fund net operating excess/(deficit), Water Fund net operating excess/(deficit), and Sewer Fund net operating excess/(deficit) spreadsheets as provided by City Treasurer Sanders for 12 months ending April 30, 2015.

The Treasurer told the Council that he listed only operating revenue which would exclude items such as grants, donations and loans. In revenue, the actual amount for 2014/2015 showed (\$191,466.00) under budget from all three funds. The cause for being under budget was primarily due to receiving lower sales tax and telecommunications tax revenues than what had been budgeted. In the Water Fund, the (\$114,745.00) was utility revenue that indicated less water was sold than anticipated. The Sewer Fund was slightly favorable by \$2,197.00.

Operating disbursements came in (\$558,453.00) less than budget. Of that, Mr. Sanders explained that the largest item had to do with personnel costs of around \$202,000.00. He also noted that legal expenses, joint dispatch, and sidewalk repairs/maintenance also contributed to that lesser amount.

Mayor Vaughn asked Mr. Sanders to give his opinion on what he projected the City’s financial situation to look like in the future based on what he was seeing in the revenues and expenses. Mr. Sanders replied that the revenue in the General Fund was somewhat flat, and that he did not anticipate any significant movement in revenue. He also felt that the Water and Sewer Fund revenues could increase slightly in expectation of the rate increases. Not including discretionary disbursements, overall disbursements seemed to be rising faster than the revenue.

8-F “Adoption of Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code” The Council was provided with a proposed Illinois

Department of Transportation (IDOT) resolution, and a list of roads to be oiled and chipped in the City over the summer.

City Engineer Charleston and Street Department Supervisor Tom Umfleet helped to prepare the proposed resolution that IDOT required to appropriate necessary money for the summer road maintenance program. The road maintenance program would consist of the oil and chip program, concrete for repairs to concrete streets, and patch.

Mr. Sanders told the Council that the first category of street listings were streets planned to be tilled with the zipper, and then shaped and sealed. The sealing work would be contracted. A larger front end loader would be rented by the City in effort to better handle the zipper. The second category of street listings were streets planned to be only sealed.

The program estimate came in at \$150,000.00. The appropriation would need approval from the Council as it would require an amendment to the budget. The 2015/2016 budget listed \$140,000.00 for the street maintenance program. Mr. Taylor had told Mr. Sanders that he would propose to increase the amount to \$150,000.00 in the budget by transferring \$10,000.00 from the Whittle Avenue Project line item.

Councilman McLaughlin remembered City Engineer Charleston providing a three year plan for street maintenance. He wondered if the proposed streets fell in line with Mr. Charleston's plan. Mayor Vaughn was not sure, but commented that he would also be interested in seeing the three year plan. Mr. Sanders added that the streets were chosen by Mr. Umfleet and Mr. Charleston on a most-needed basis.

Councilman Harrison wanted to clarify that none of the listed streets would be part of any other upcoming projects that would require additional resurfacing. Mr. Sanders felt that such considerations were taken during the selection.

Councilman Ferguson moved to approve the 2015 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-G "Adoption of Resolution Amending the City of Olney Annual Budget for Fiscal Year 2015-2016 for the MFT Road Maintenance Program" The Council was provided with a proposed resolution to transfer \$10,000.00 from the Whittle Avenue Project line item to the Maintenance of Streets line item.

Councilman Harrison moved to approve 2015-R-29, seconded by Councilman McLaughlin. Councilwoman Henton, Councilmen McLaughlin, Ferguson, Harrison, and Mayor Vaughn voted yes. There were no opposing votes. The motion carried.

8-H “Adoption of An Ordinance Authorizing the Issuance of Up to \$775,000 Water Works Revenue bonds of the City of Olney, Richland County, Illinois, for the Purpose of Defraying the Cost of Acquiring, Constructing and Installing Improvements to Its Waterworks Facilities” The Council was provided with a proposed preliminary ordinance required to move forward with the W. Main Street water main replacement.

Mr. Sanders told the Council that once approved, the ordinance would need to be published in the Olney Daily Mail. If a petition was submitted with 10% of registered City voters listed within 30 days of the publication, the topic would be brought to referendum. If no petition was submitted, the final ordinance would be presented to the Council for approval.

Mayor Vaughn clarified that even though the ordinance was for issuance of bonds, the City would not actually be issuing any bonds. The ordinance was a requirement so that funds could be borrowed.

Councilwoman Henton moved to approve Ordinance 2015-26, seconded by Councilman Ferguson. Councilmen McLaughlin, Ferguson, Harrison, Mayor Vaughn, and Councilwoman Henton voted yes. There were no opposing votes. The motion carried.

8-I “Establish Date for Public Hearing on Amendment to Annexation Agreement with William F. And Anna Mae Barber” Mayor Vaughn explained that the Barbers’ property is located east of downtown, and was annexed as part of the original plan to develop the East Industrial Park. The plan maintained that any annexed properties would eventually receive water and sewer services. The Barbers’ property was still without City water and sewer services. The City was asked to extend the annexation agreement for another 10 years in order for the property to attain water and sewer services in the future. By establishing a date for a public hearing, and publishing the public notice of the hearing, the City could continue with extending the annexation agreement. The agreement could be extended for the 10 years, or until the Barbers were able to hook on to City water and sewer.

Councilman Ferguson moved to publish notice of a public hearing and to hold the public hearing at the June 22, 2015, City Council meeting, seconded by Mayor Vaughn. Councilmen Ferguson, Harrison, McLaughlin, Mayor Vaughn, and Councilwoman Henton voted yes. There were no opposing votes. The motion carried.

8-J “Adoption of Resolution Accepting Quote for Pump for Cypress Lift Station from Straeffler Pump and Supply and Waiving Formal Bidding Procedures” The City was provided with a proposed resolution to accept a quote for a pump for the Cypress lift station that would also waive formal bidding procedures.

Mr. Sanders told the Council that of the lift station replacements anticipated for the fiscal year, the Cypress lift station renovations were of the highest priority. Chief Operator Jeff Lathrop had obtained the quotes for the pump replacement. The project had \$19,000.00 budgeted, and the quote came in at \$14,540.00. There could be additional costs for electrical work that would be dependent upon the condition of the pump’s wiring. Even if the extra work was necessary, it was not expected that the total project cost would exceed \$19,000.00.

Mayor Vaughn was aware that the pump had been experiencing issues for quite some time. He had heard that the line was not big enough. Mr. Sanders replied that it was his understanding that the line was on the smaller side, but the pump replacement would provide substantial improvement.

City Attorney Zuber noted a typographical error in the proposed resolution. City Clerk Sterchi would make the correction.

Mayor Vaughn moved to approve 2015-R-30, seconded by Councilman Ferguson. Mayor Vaughn, Councilmen Harrison, McLaughlin, Ferguson, and Councilwoman Henton voted yes. There were no opposing votes. The motion carried.

#### 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. Sanders told the Council that Republic Services would be replacing a majority of blue trash containers this week. The replacement containers would be of the same gallon size, but may be shorter and sturdier. Mayor Vaughn also gave a reminder that trash pick up would be a day behind schedule due to the Memorial Day holiday.

Mr. Sanders also reported that the Hall Street water line was set to be completed this week with weather permitting. Mr. Taylor had told Mr. Sanders that the Safe Routes to School sidewalk project was expected to begin the following week. Councilman Ferguson noticed that Kieffer Brothers’ bid had been rejected. Mr. Sanders and Mayor Vaughn told of how a form had not been submitted regarding DBE participation.

Mayor Vaughn then asked if Mr. Sanders had heard any updates on the State’s budget process. Mr. Sanders had not.

9-B “Parks & Recreation Board - Recommendation of Two Pieces of Playground Equipment to Be Placed in Musgrove Park Near the Baseball Fields as Donated By an Anonymous Donor, and Recommend Naming the Trails North of East Fork Lake Dam as East Fork Trails” Parks & Recreation Board member Drew Holdren handed the Council a Project Evaluation Checklist, a satellite image of a portion of Musgrove Park, and information on Hercules Playground Climbers.

Mr. Holdren explained that the Project Evaluation Checklist gave a detail on the proposed addition of two pieces of playground equipment at Musgrove Park. The playground equipment was proposed to be installed near a pavilion by the ball diamonds. The Olney Little League would sponsor the project with the financial help of an anonymous donor. The Park Department Supervisor did have concern with the additional cost of mulch. The donor indicated that he would cover any cost difference for the mulch. The City would provide continuing maintenance for the play area. The Parks & Recreation Board asked for the Council’s blessing on the project so the equipment could be ordered.

Councilman McLaughlin pointed out that the proposed area for the playground equipment currently held a tree that children have been climbing. Mr. Holdren added that in the future, the Parks & Recreation Board was hoping to propose demolition of the Musgrove House to create a picnic area with a grove of nut trees for the squirrels. They estimated about \$50,000.00 in costs to make the Musgrove House properly usable.

Councilwoman Henton asked if the pieces of equipment would be purchased through the City’s normal vendors. She wanted to be sure that the equipment was of the City’s safety standards. Mr. Holdren responded that the pieces were industrial, and had been researched by ex-Councilman Brad Brown. Park Department Supervisor Frank Bradley was also aware of the proposed equipment.

Councilman McLaughlin moved to approve the recommendation to place two pieces of playground equipment at Musgrove Park near the ballfields as contributed by the Olney Little League and an anonymous donor, seconded by Councilman Harrison. A majority affirmative voice vote was received.

Mr. Holdren went on to explain the Parks & Recreation Board’s second recommendation. Since the last Council meeting, the Parks & Recreation Board had asked for the public’s input via Facebook on potential names for the trails north of the East Fork Lake Dam. The only recommendation received was to name the area East Fork Trails. Additionally, it seemed that much of the public was unaware that the trails existed.

Councilman McLaughlin moved to name the trails north of the East Fork Lake Dam as East Fork Trails, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Brian O’Neill” Brian O’Neill, 818 E. Main, handed the council a copy a portion of Title 2 of the City of Olney Municipal Code with Section 2.04.240 (Rules of decorum) highlighted. Mr. O’Neill then told the Council that Mayor Vaughn had made a fool of himself at the last meeting when he placed a trash can on the table for Mr. O’Neill to view. He also felt that he forced City Hall to place an additional trash can in the Council Chambers.

Mr. O’Neill then began to quote a portion of Section 2.04.240 that detailed rules of decorum. He felt that the City should have fined itself for not having sufficient trash containers available. Mr. O’Neill then recommended to have recycling cans available for recyclables.

AGENDA #11 “CLOSED SESSION: DISCUSSION OF CITY MANAGER APPLICANTS; 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 City Manager applicants, sale price of real property, acquisition of real property, appointment, employment and performance of specific employees, and collective negotiating matters, seconded by Councilwoman Henton. A majority affirmative voice vote was received.

Councilmen Harrison, McLaughlin, Ferguson, Councilwoman Henton, Mayor Vaughn, City Attorney Zuber, City Treasurer Sanders and City Clerk Sterchi left the Council Chambers at 7:45 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 9:14 p.m.

Councilwoman Henton asked if it would be possible for Animal Control to come and give the Council a report of their policies and procedures. Mayor Vaughn responded that Animal Control had made a presentation about six months ago. It seemed that Animal Control was controlling less animals than the Council originally thought.

The City contributes \$20,000.00 toward Animal Control, and the County was requesting more funds from the City. Councilman Henton wondered who set the rules and procedures for

Animal Control. She was concerned with the enforcement of stray cats. In addition to concern of the squirrel population, the Councilwoman had been receiving complaints from citizens. Some of the additional complaints were in regard to the cats attacking their area birds or sitting on their vehicles. Councilman Ferguson agreed that Animal Control should provide more frequent updates.

Councilwoman Henton then asked if members of the public who wished to speak during Public Comments/Presentations needed to have their names listed. It was her preference to see names not included. Mayor Vaughn answered that while not required by the City Code, he was not in opposition of having names listed at this time.

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

The meeting adjourned at 9:20 p.m.

Kelsie J. Sterchi  
City Clerk