

CITY OF OLNEY  
CITY COUNCIL MEETING  
NOVEMBER 10, 2014

AGENDA #1 “CALL TO ORDER” The November 10, 2014 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. Don Meeks was unable to attend, so 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 October 27, 2014

4-B Approve and Authorize Payment of Accounts Payable November 11, 2014: Petty Cash \$193.08, Pooled Cash \$139,417.17, Manual Pooled Cash \$154,522.55, IRP \$1,047.00, Tourism (1) \$164.24, Tourism (2) \$28.58, Christmas Light Display \$4,067.83

4-C Raffle License-ARC Community Support Systems

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 “Ordinance: Rezone 401 N. East St. From R-2 (Single Family Residence District) to C-1 (Neighborhood Shopping District)” The Council was provided with the minutes of the Plan Commission meeting on November 3, 2014 and a proposed ordinance to rezone 401 N. East Street. Applicant Jane Graves was present to answer any questions.

The proposed rezoning to C-1 (Neighborhood Shopping District) would allow for single family residences, multi-family buildings and a number of retail and personal service businesses, such as the proposed barber shop. The C-1 zone would prohibit taverns, cocktail lounges and package liquor stores. The 401 N. East Street address would be the only C-1 zone in the block.

Mrs. Graves indicated that if approved, construction would start in the middle of 2015. The amount of time to construct would take about one to two months.

Councilman McLaughlin moved to approve Ordinance 2014-40, seconded by Councilman Brown. A majority affirmative voice vote was received with Councilman Ferguson abstaining.

8-B “Resolution: Authorize Legal Proceedings to Demolish the Buildings at 425 E. South Avenue” The Council was provided with a proposed resolution to authorize legal proceedings to demolish 425 E. South Avenue. The topic was revisited from a prior Council meeting. The resolution would begin the demolition process and would include a 15 day notice to be sent to the property owner. Code Enforcement Officer Mike Mitchell had reported to the City Manager that part of the building had been torn off, and debris was still on the property. Many problems remained with the structure.

Councilman Ferguson moved to approve 2014-R-52, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

8-C “Ordinance: Amend Section 6.04.010 (Vaccinations Against Rabies Required - Vaccination Tag) of the City of Olney Municipal Code” The Council was provided with a proposed ordinance to amend the City Code to change the rabies vaccination age from six months to four months. The ordinance change would be the same as the State Statute. The recommendation had been made from Animal Control Officer Sandy Millman.

Mayor Vaughn moved to approve Ordinance 2014-41, seconded by Councilman Brown. A majority affirmative voice vote was received.

8-D “Discussion: Support of Dodransbicentennial in 2016 and Approval of Expenditure from Tourism Budget” Mayor Vaughn told the Council that City Clerk Kelsie Sterchi was chairing the Dodransbicentennial Commission. Mayor Vaughn was also a member of the Commission. The first meeting was held on Wednesday, November 5, 2014, and the topic of a budget was raised. Mayor Vaughn asked the Council to consider a \$25,000 line item for next year’s budget. Additional funds needed could be provided for out of the Tourism Budget.

Councilman Brown asked for clarification on the breakdown of the current Tourism

Budget. Roughly \$50,000 in revenue came from hotel/motel tax net proceeds. The revenue was then budgeted for expenditures. The 2014/2015 Tourism Expenditures listed monies for the Tourism Convention Bureau, Tourism Promotion, White Squirrel Count, Fireworks Contribution, Christmas Light Display, Chamber of Commerce, Postage, Mileage & Meals and Website.

Councilman Ferguson asked if a detailed account of money spent for the celebration would be available. Mayor Vaughn and City Clerk Sterchi confirmed.

The Council was in favor to allow a \$25,000 line item in next year's budget for the Dodransbicentennial celebration.

Additionally, City Clerk Sterchi explained that the idea of a logo had been discussed by the Commission. It was decided to hold a logo contest within the community with the possibility of a monetary award. The winning logo for the Dodransbicentennial would be featured on all print for the celebration.

The prize money would need to come from the Tourism Promotion line item. City Manager Taylor had indicated that any expenditure from that line item would need the City Council's approval.

The City's newer white squirrel logo contest awarded \$500.00.

Councilman Brown moved to allow a logo contest prize allowance of \$250.00, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-E "Discussion/Resolution: State Fire Marshal and Illinois Finance Authority No Interest Loan for Fire Truck" The Council was provided with a proposed resolution to designate sales tax as the source of funds to repay the potential loan from the Office of the State Fire Marshal and the Illinois Finance Authority, a breakdown sheet created by City Treasurer Sanders, Fire Chief Holmes' original request memo and an info sheet for the zero percent revolving loan.

Fire Chief Holmes showed a photo presentation of the truck that would be replaced if the Council approved to move forward with the loan application. The truck was about 30 years old and the third call out truck. The photos showed a small amount of rust damage, all angles of the truck and the inside of storage compartments.

Considering actual miles driven, running engine and pumping hours, mileage for the truck would be estimated near 180,000. If a replacement truck was purchased, the truck shown in the photos would be sold through GovDeals for about \$3,500.00.

The purchase of a new fire truck was not in the 2014/2015 budget, but was in the five year plan. If the Council approved the request, they would be approving the Fire Chief to apply for the loan.

Councilman McLaughlin moved to approve applying for the loan and to approve 2014-R-53, seconded by Councilwoman Thomas. Councilwoman Thomas, Councilmen Brown, Ferguson, McLaughlin and Mayor Vaughn voted yes. There were no opposing votes. The motion carried.

8-F “Discussion: Use of STU and MFT Funds for Reconstruction of Whittle Avenue from Brentwood Avenue to Illinois Route 130” The Council was provided with a cost estimate sheet for the Whittle Avenue Project and also a MFT Projections sheet. The topic had been discussed at the prior meeting on October 27, 2014. Since that meeting, City Manager Taylor and City Treasurer Sanders had met with Tom Kreke of IDOT to get clarification on how the project could be funded. The estimated cost of the Whittle Avenue project, with engineering cost, came to \$1,955,00.00. STU funds could be used for up to 80% of construction cost. The City would be responsible for a 20% match and the cost of engineering. This amount was estimated at \$508,000.00. The City’s costs could be aided by MFT funds. The City could also use general funds.

Mayor Vaughn wanted to know if the potential project could affect any economic development projects that could arise at the industrial parks. Mr. Taylor did not believe so.

Councilman Ferguson asked for a description on water and sewer availability on that area of Whittle Avenue. Mr. Taylor replied that a 12 inch water line ran to the industrial park but no sanitary sewer.

Mayor Vaughn moved to approve moving forward with changing the status of STU funds being held for the N. East Street project to the Whittle Avenue project, seconded by Councilman McLaughlin. Councilmen Brown, Ferguson, McLaughlin, Mayor Vaughn and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

8-G “Ordinance: Amend Section 13.04.020 (Deposit) and Section 13.12.120 (Limitations on Termination of Utility Service) of the City of Olney Municipal Code” The Council was provided with a proposed ordinance to amend sections 13.04.020 (Deposit) and 13.12.120 (Limitations on Termination of the Utility Service) of the City of Olney Municipal Code.

City Manager Taylor explained that a change had been made to detail that those who had water shut off due to nonpayment would be subject to have a \$125.00 deposit on their account

unless the account had not been sent a termination notice within the 24-month period immediately prior to the date of disconnection.

The ordinance would also read to change that the utility service for nonpayment of amounts of \$40.00 or less would not be subject to termination.

Councilman McLaughlin moved to approve Ordinance 2014-42, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

8-H “Ordinance: Establishing an Enterprise Zone Within the City of Olney and Authorizing the Execution of an Intergovernmental Agreement Between the City of Olney and the County of Richland” The Council was provided with a proposed ordinance to establish an Enterprise Zone within the City of Olney and an intergovernmental agreement between the City of Olney and the County of Richland.

City Manager Taylor noted a few areas of change in the proposed Enterprise Zone. He also noted that the plan was to expand eligibility to include commercial and industrial businesses with a tax abatement of 100% for five years. The proposed ordinance would also authorize the execution of the intergovernmental agreement.

Councilman Ferguson moved to approve Ordinance 2014-43, seconded by Councilwoman Thomas. Mayor Vaughn, Councilmen McLaughlin, Brown, Ferguson and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

8-I “Discussion: Proposed Water Main Projects - Use of Grants and EPA Water Revolving Loan Funds” The Council was provided with a water main projects detail sheet from City Treasurer Sanders. It was City Manager Taylor’s opinion that in regard to potential grants, the Elm Street from Whittle to Route 130 water main project would make the most sense because many residences near there met DCEO criteria.

There had been a recent water main break at the Walnut and Main Street intersection. A piece of the pipe from the break had been shown to Mr. Taylor and its condition was alarming. Mr. Taylor recommended moving forward to replace the water main as quickly as possible. The water main project would increase volume and fire protection would be better.

Mayor Vaughn asked if the City could handle both water main projects at the same time. City Manager Taylor replied that he would suggest working towards both projects, but both projects running at the same time would be difficult and there would be interruption in service.

Mayor Vaughn asked that grant funds be looked into. City Manager Taylor added that he

would like the Council to think about the Main Street line and borrowing from the EPA through their Clean Water Revolving Loan Fund. With the increases in debt service/capital improvement fees, there would be enough built into to the charged rates to pay for the annual principle. Mayor Vaughn noted that a large factor in the rate increase was in order to put money back into improving facilities. The Council gave a general consensus to proceed with looking into the two proposed water main projects.

8-J “Presentation: Six Month Actual-to-Budget Comparison Analysis” The Council was provided with budget detail sheets for General Corporate, Water and Sewer funds as prepared by City Treasurer Sanders. Mr. Sanders explained that because the City prepares an annual budget, he used actual numbers to base his comparisons.

Year-to-date (YTD) as of October 31, compared to the 2013/2014 budget, shows that the City is ahead. The full year budget expected to be down in total revenue compared to this time last year. Mr. Sanders felt the numbers were a good indication that the actual is on track for the budgeted amounts, if not better. Operating revenue in the general fund for 2014/2015 YTD is at \$2,862,032.00 while the operating revenue for 2013/2014 YTD was at \$2,817,980.00. Mr. Sanders indicated that timing issues and grants could affect such numbers. The City’s cash position had improved in all three funds.

Patty Zwilling, a member of the audience, asked what State guidance factors were taken into consideration for budgeting. The City Treasurer responded that each year, the Illinois Municipal League (IML) provides guidance with indications of percentage increases or decreases to anticipate for the next fiscal year. In his opinion, the IML was one of the best resources the City had when budgeting.

8-K “Resolution: Accept Quote for Fencing on Boone Street, Waive Bid Procedures & Amend Budget” City Manager Taylor told the Council that he had tried to attain proposals from two different contractors for labor, material and installation of fencing on both sides of Boone Street along the sidewalk towards the concrete channels. Fencing would also be installed on the west side of Boone Street only as far as the concrete channel goes. The quote received was in the amount of \$3,895.00. The fence would be four feet tall with a top rail and would provide some relief in concern to safety. Fences had been in that area in the past but came down due to the recent construction.

Councilman McLaughlin wondered why there was a request to waive bidding procedures. The City Manager replied that the project needed to be completed as soon as possible due to safety issues.

A member of the audience felt that the four foot height did not seem very tall. Mr. Taylor

indicated that the fencing only needed to be tall enough to prevent someone from falling or slipping into the creek. If someone wants to climb over the fencing, they would still do it even if it was higher.

Councilman Ferguson moved to approve the quote from JPS Construction Company in the amount of \$3,895.00, waive formal bidding procedures and to amend the budget for the project, seconded by Councilwoman Thomas. Councilwoman Thomas, Councilmen Brown, Ferguson and Mayor Vaughn voted yes. Councilman McLaughlin voted no. The motion carried. Resolution 2014-R-54 will be prepared.

Mayor Vaughn also mentioned that on the west end of the street before Walnut Street that the creek is very shallow and floods. He wanted to know if that was something that the City was going to address. City Engineer Charleston felt that the City crews could work on that area when they were not too busy. The removal of a tree in the area could also help with the issue.

8-L “Discussion: Tax Levy Timeframe and Special City Council Meeting” City Manager Taylor said that the State Statute indicated that the Council would need to make an initial determination regarding the tax levy at least 20 days before the Council actually adopted the tax levy. Mr. Taylor was not prepared to present anything at this meeting for the tax levy. He did anticipate having a proposed tax levy to consider during a public hearing the first meeting in December. Actual approval of the tax levy could be given at a special City Council meeting no earlier than December 15, 2014.

A special City Council meeting would be held on December 15, 2014 at 7:00 p.m. to discuss the tax levy.

8-M “Discussion/Possible Resolution: Leaf Pickup Program/Proposed Purchase of New Leaf Vacuum Machine” Problems had arisen with both of the City’s leaf collecting machines. Parts had been ordered for the newer machine and should arrive later in the week. The older machine would need to be taken completely apart and some equipment would need to be cut through in order to be taken apart. City crews were currently using a loader with a rake to pick up the leaves.

City Manager Taylor told the Council that a new piece of leaf collection equipment could be purchased for \$24,900.00 and could be available to the City by the end of the week. The purchase of such equipment was not budgeted for the 2014/2015 fiscal year. There was not enough in contingency funds to cover the purchase.

Councilman Brown felt that the leaf collection program would continue to be very expensive and time consuming. He would not support another leaf vacuum machine purchase

until it could be budgeted for the next fiscal year. Councilman Ferguson wondered if a moratorium could be given to allow burning of leaves to take place until the leaf collection program could be straightened out. Mayor Vaughn mentioned that winter was setting in. Waiting two weeks to have the leaf collection program back up and running could provide major problems.

Other communities conducted leaf collection programs. Councilman Ferguson heard that Flora had contracted out their leaf collection services. Councilman McLaughlin wanted to see how other communities ran their programs. Mayor Vaughn felt that two crews would need to work around the clock during the high volume times in October.

Mr. Taylor felt that the problem with lifting the leaf burning ban would be having the public upset by the smoke and also trying to properly publicize the restrictions. Councilman Ferguson did not think that lifting the ban would be a perfect solution, but he did not see any other choice. Councilwoman Thomas suggested lifting the ban for the remainder of 2014 and to allow burning between the hours of 9:00 a.m. until 3:00 p.m.

Mayor Vaughn moved to allow City Manager Taylor to waive the leaf burning ban at his discretion, if needed, through the end of November, seconded by Councilman Brown. A majority affirmative voice vote was received with Councilman McLaughlin voting no.

#### 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 reported that due to the timing of the boat slips and walkway project, it was impossible to get any OSLAD or boat access grants. The City budgeted 40% of the cost and will include the remainder in the next fiscal year. If anyone wanted to help fund the project, monies could be accepted, but the project must be done.

The shoreline protection project was completed as planned. Mr. Taylor met with a representative from the EPA during his inspection. There remains about \$7,680.00 left in the grant funds. There could be one or two possibilities of spending the remaining monies without incurring cost to the City other than labor costs. Riprap could be used to fill voids. Flowable fill could also be used with extra cement. City Engineer Charleston had not yet been able to speak with the EPA to discuss the possibility of flowable fill.

City Engineer Charleston had spoken with the contractor on the E. Main Street water main project. Main Street from East Street to downtown will be in as good condition as possible for the upcoming Christmas Parade.

Patty Zwilling was aware that some businesses were not yet tied in to the new line. She

wondered if their connection would be an expense to the businesses. Mr. Charleston replied that the tie on would not be at any cost. Approximately 75 accounts needed services reconnected. Those charges were bid into the project.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “America the Fool - No Change in the U.S. Congress, Just Increasing Debt and Continuing Handouts Until No More. Ask Your Self Where Will You Be? \_\_\_\_\_” Brian O’Neill, 818 E. Main, expressed his opinion that America is a fool. As president, he would work with the Senate and Congress to fix the Social Security Program so that citizens can come off of the program. He felt that the government would put people on the street quickly. Under Mr. O’Neill’s program, people with disabilities and soldiers would be employable. Mr. O’Neill used to work on a base and on an aircraft. Until we the people woke up, we would be fools.

AGENDA #11 “CLOSED SESSION: SALE PRICE OF REAL PROPERTY; APPOINTMENT, EMPLOYMENT AND PERFORMANCE OF SPECIFIC EMPLOYEES AND REVIEW OF CLOSED SESSION MINUTES” Councilman McLaughlin moved to adjourn to closed session to discuss the sale price of real property, and appointment, employment and compensation of specific employees and review of closed session minutes, 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 8:49 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 Councilwoman Thomas. A majority affirmative voice vote was received. Open session resumed at 9:16 p.m.

12-A “Resolution: Release Closed Session Minutes” This item was removed from the agenda.

12-B “Resolution: Authorize Destruction of Audio Recording of Closed Session Minutes” This item was removed from the agenda.

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

The meeting adjourned at 9:16 p.m.

Kelsie J. Sterchi

City Clerk