

CITY OF OLNEY  
CITY COUNCIL MEETING  
OCTOBER 27, 2014

AGENDA #1 “CALL TO ORDER” The October 27, 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. Jerry Bush was not present to lead 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 13, 2014

4-B Approve and Authorize Payment of Accounts Payable October 28, 2014: Pooled Cash \$253,295.45, Pooled Cash Regular \$100.00, Manual Pooled Cash \$3,619.77, Water Deposit Refunds \$1,776.16, W. North Lift Station \$12,050.00, MFT \$212,905.24, Tourism \$3,616.69, Christmas Light Display \$2,618.87

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 Brown moved to approve the items on the consent agenda, seconded by Mayor Vaughn. 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 “Request: Olney Arts Council Use of the Olney City Park for the 41<sup>st</sup> Annual Fall Festival on September 26, 2015, and Waive Community Building Fee” The Council was provided with a letter from Fall Festival Committee Chairperson Sheila Ritter requesting the exclusive use of the Olney City Park for the Fall Festival on September 26, 2015. The letter also

requested waiving the Community Building rental fee.

Mayor Vaughn asked City Manager Taylor if he had any discussion with the Olney Arts Council (OAC) about the amount of City work that goes into the preparation of the event. Mr. Taylor had not, but indicated that the City would speak to them about the work. Mayor Vaughn then indicated that the OAC had requested advanced notice if the City would need for them to make other arrangements in regard to preparation.

Mayor Vaughn moved to approve the request for the OAC to have exclusive use of the Olney City Park for the Fall Festival on September 26, 2015, and to waive the Community Building rental fee, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-B “Discussion: Proposal to Replace Boat Slips and Walkway Between East Fork Lake Boat Ramp and Rotary Park” The Council was provided with a quote from G&H Marine in the total of \$73,250.00 to replace the boat slips and walkway between the East Fork Lake boat ramp and Rotary Park. The quote includes a boat slip that would be Americans with Disabilities Act (ADA) compliant. The quote also includes removal of the current slips. Some photos were passed around of the condition of the current boat slips.

The current boat slips are over 20 years old. Park Department Supervisor Frank Bradley handed out some photos of a dock area that was installed for Lakeside RV on East Fork Lake. Six slips were currently in place, but the proposed area would go down to five slips because of the increase in the width of the fingers. The width would be extended due to safety reasons. Instead of being three feet wide, the new fingers would be four feet wide. The ADA compliant finger would be five feet wide.

The proposed concrete tiles would be two inches thick and very durable. Mr. Bradley felt that the price quoted was reasonable. Mr. Bradley also pointed out that the quote given at the prior City Council meeting did not include an ADA compliant finger.

Mr. Bradley then handed out an estimate for a Superdeck system that could be installed by City personnel. The total project cost estimate was \$56,057.00 without the cost of shipping.

City Manager Taylor said that the funds for the project were not in the current budget, but funds could be taken from reserves. A 40% deposit would be required upfront to G&H Marine. Some of the other necessary charges could potentially go into the 2015/2016 budget.

Councilman Ferguson asked if anyone had yet spoken to the Greater Wabash Regional Planning Commission about whether or not an OSLAD grant could be available. City Manager

Taylor replied that the project was previously discussed with Greater Wabash, and the type of project did not typically favor well with OSLAD. City Engineer Charleston knew grants were offered for projects that included new ramps, but he was not sure about replacement projects.

Mr. Bradley was seeking the Council's approval of the project so the City could be placed on the contractor's quickly filling schedule. The Council recommended looking into any available grant assistance.

Councilman McLaughlin moved to approve the quote from G&H Marine in the amount of \$73,250.00, to waive formal bidding procedures, and to amend the 2014/2015 budget to include 40% of the project price by taking the funds out of reserves, seconded by Councilwoman Thomas. Councilmen Brown, Ferguson, McLaughlin, Mayor Vaughn and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

8-C "Discussion: Cats and Possible Ordinance Regarding Regulation of Number of Cats"  
The Council was provided with a proposed ordinance from 2011 that would limit the number of cats allowed on a property. Animal Control Officer Sandy Milman was in attendance to help answer any questions.

Ms. Millman reported that the number of dogs and cats collected by Animal Control had decreased in her 11 years of service. The number had decreased with the help of Shelter Friends, spaying and neutering, and public education.

The kill rate for cats was high due to the volume of cats Animal Control is responsible for. This year, 55 cats had been picked up by Animal Control while 122 cats had been brought to the Animal Control facility.

Mayor Vaughn asked Ms. Millman if the proposed ordinance would be a good idea. Ms. Millman replied that she believed the ordinance would be a good idea. Only a small amount of animals taken in by Animal Control were spayed or neutered. Ms. Millman also indicated that in the near future, Animal Control would have another building to hold animals.

Mayor Vaughn then asked Ms. Millman how she would plan to enforce the proposed ordinance, if it passed. Ms. Millman replied that the enforcement would be the same as it was for dogs. She would go to the reported property and evaluate the potential ordinance violation. However, if the cats were inside of the property, Ms. Millman would be unable to enter the property unless she was in possession of a seizure warrant.

City Manager Taylor told the Council that Ms. Millman had recommended to him that the Code be changed in regard to rabies vaccinations. The Code stated the vaccine should be given

each year to cats that were at least six months of age. Ms. Millman indicated that the State statute said that the cats should be at least four months of age. Mr. Taylor recommended the Code change, and would present an ordinance at the next City Council meeting.

Ms. Millman told the Council that she would like a ticket book similar to that of the Police Department. Mr. Taylor replied that the City would supply her with a few of those ticket books.

If cats run stray in neighborhoods, Ms. Millman does not recommend that people bring the cats to Animal Control. In the past, people who have brought cats in had lied about ownership and some peoples' missing pets had been euthanised.

Mayor Vaughn moved to approve Ordinance 2014-37, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-D "Ordinance: Authorizing Addendum to Mutual Aid Box Alarm System Agreement" The Council was provided with a proposed ordinance to include an addendum to the Mutual Aid Box Alarm System (MABAS) Agreement and also a copy of the proposed addendum.

A few of the audience members stood to leave as discussion on 8-D began. The group was making quite a bit of noise during their exit. Mayor Vaughn banged his gavel, and asked the group to tone down so the discussion could continue uninterrupted.

City Manager Taylor explained that the area that would be receiving mutual aid would not be obligated to pay for the aid until after eight hours had elapsed. Therefore, if a substantial fire occurred where assistance was needed for more than eight hours, the agreement allowed for provisions that would recover the cost. Fire Chief Rusty Holmes included that MABAS would also be an advantage if grant opportunities arose.

Councilwoman Thomas moved to approve Ordinance 2014-38, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-E "Discussion: State Fire Marshal and Illinois Finance Authority No Interest Loan for Fire Truck" The Council was provided with a memo from Fire Chief Rusty Holmes and an information sheet from the Office of the State Fire Marshal. An approved loan could potentially allow for \$350,000 to be borrowed. Fire Chief Holmes explained that while a new truck was not in desperate need at the moment, a fleet engine with 30 years of service was next on the list to be replaced.

Mayor Vaughn noticed that in budget discussions, he did not see anything in the

2014/2015 budget for the purchase of another engine. Fire Chief Holmes confirmed that the budget did not reflect such a request, but that was because he was not aware that such an opportunity for a no interest loan would arise. The application deadline was set for December 12, 2014.

City Manager Taylor noted that it appeared that part of the application would require the City to indicate a dedicated source of revenue, such as tax, as part of the application. The source of revenue would be indicative of how the City's portion of funds would be paid for. Ultimately, the City would need to adopt the authorization to sign the loan in a resolution, if the Council agreed to the Fire Chief's request. Should the loan application be denied, the City would not be obligated to purchase an engine.

Mayor Vaughn requested that Fire Chief Holmes supply photos of the engine he would like to replace. The topic would be tabled until the next City Council meeting on November 10, 2014.

8-F "Ordinance: Electronic Mail (E-Mail) Retention Policy" The Council was provided with a proposed ordinance to include an e-mail retention policy in the City Code. The policy would establish parameters in relation to e-mail and the Freedom of Information Act (FOIA).

Mayor Vaughn asked how long the retention period for e-mails was. City Manager Taylor was not sure.

Councilman McLaughlin moved to approve Ordinance 2014-39, seconded by Councilman Brown. A majority affirmative voice vote was received.

8-G "Resolution: Authorize Purchase of Salt, Waive Bid Procedures and Amend Budget" The Council was provided with a proposed resolution to authorize the purchase of salt, waive bidding procedures and to amend the budget.

Councilman Ferguson moved to approve 2014-R-49, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-H "Discussion: Road Project for Use of STU Funds" City Manager Taylor placed the item on the agenda because City Engineer Charleston had received a phone call from Tom Kreke of IDOT regarding STU funds. Mr. Kreke wanted to be sure that the N. East Street project was still the project the City wanted for use of STU funds.

The Council felt that S. Whittle Avenue would be more cost effective and of higher priority than N. East Street. Conditions had improved on N. East Street within the past five

years.

Three years of STU funds had already been accumulated. STU funds could also be advanced. Mr. Charleston estimated that eight to ten years of funds could be advanced.

If STU funds are used for the S. Whittle Avenue project, the N. East Street project could still be completed, but would need to use MFT funds instead.

Mr. Kreke would need to be updated that the S. Whittle Avenue project was desired for use of the STU funds. A city-state agreement would also need to be set in place.

Mayor Vaughn requested that the change from N. East Street to S. Whittle Avenue for use of STU funds be placed on the next agenda for an official vote.

8-I “Resolution: Amend Budget for Full Cost of Enterprise Zone” The Council was provided with a proposed resolution to amend the budget to \$41,900.00 for the Enterprise Zone Consultant line item. When the Council approved the agreement with Moran Economic Development, the budget was not amended. Fifteen thousand dollars had been budgeted for the 2014/2015 fiscal year with the intention of spending some during 2014/2015 and some during 2015/2016. Since the City was applying in 2014, the full cost would fall into the 2014/2015 fiscal year. Richland County may consider helping financially.

Mayor Vaughn moved to approve 2014-R-50, seconded by Councilman Ferguson. Councilmen Brown, Ferguson, McLaughlin, Mayor Vaughn and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

8-J “Discussion: Water Shut-Off Procedures” The current policy for water shut-off due to non-payment stated that if a resident’s water had been shut off, the resident would be required to pay the full balance, a \$25.00 service fee and an amount on deposit. If a resident had at least \$125.00 on their account for deposit, a \$10.00 supplemental deposit would be required. If a resident did not have \$125.00 on their account for deposit, the resident would also need to pay a deposit amount to comply with the regular utility deposit amount of \$125.00.

Councilman McLaughlin felt that the potential of a resident needing to pay an additional \$125.00 to restore water service seemed burdensome. The Councilman suggested waiving the \$125.00 if a resident was on shut off for the first time in “x” amount of time. Within a said time frame, if the resident were to be disconnected again due to non-payment, then they should be subject to the \$125.00. Councilman McLaughlin’s suggestion would still include the \$125.00 deposit requirement to set up initial service.

Mayor Vaughn was concerned with changing a system that was working for a very special case type of scenario.

Utility Billing Clerk Lori Zimmerle commented that if a resident had been shut off, and they felt the need to dispute any of the fees, the resident would have the option to speak with a supervisor regarding the issue. In that case, Mrs. Zimmerle is able to provide a history listing to whomever the resident would be speaking with. City Manager Taylor or City Treasurer Sanders would have the authority to waive fees at their discretion.

The question then arose as to if someone's history reflected that they had not been shut off in "x" amount of months, but had been consistently late in making payments, if that would contribute to or against good history. Councilman McLaughlin felt that if payments had been made prior to shut-off, the customer should not be considered "late" in regard to credit.

Mayor Vaughn felt that if the system was tinkered with in the way that Councilman McLaughlin was suggesting, the amount of shut offs per month would not greatly change. The Mayor did not want to make the process more difficult for the staff or the community.

Councilman McLaughlin replied that he was on the City Council to do what was best for the residents and not necessarily the City government.

Councilman Ferguson included that a system was already in place where a fee could be objected. The selected supervisor would have the option to waive the fee at that time, without needing to further complicate the system.

Councilwoman Thomas thought the discussion was a great way to bring the ACH (Automatic Clearing House) payment option into play. The automatic payments would eliminate the late or disconnected issue. Councilman Brown suggested providing an incentive for residents to sign up for the ACH program.

In addition, if a resident had a \$25.00 balance or less on their account, they would be exempt from shut off. Since water and sewer rates have risen since the \$25.00 threshold was established, it was suggested that the threshold be raised to \$35.00. Mrs. Zimmerle mentioned that on the most recent shut off list of 40 people, a \$35.00 threshold would have removed about six people from the list. The \$35.00 threshold would have also eliminated quite a few termination notices from being sent. After a bit of discussion, the Council thought a \$40.00 threshold would be more appropriate.

Councilman Brown was interested in bringing down the number of delinquent accounts and was curious how that could be done. The Councilman wanted to see the City become similar

to Illinois Gas with their payment schedule allowing another month. Mayor Vaughn felt that if residents were allowed an extra month, the amount of termination notices would only double. If some people knew they could go an extra month without needing to pay, they would.

Councilman Brown then suggested that if a home owner (not renter) had 24 months of no termination notice being sent, then they should not need to pay the potential \$125.00 deposit amount included in the fees to restore service.

Mayor Vaughn made the decision that the deposit amount and threshold should be discussed further at the next Council meeting. For the October 27 meeting, he suggested to first make a decision on ACH incentive.

Mayor Vaughn moved to allow a \$10.00 credit to be applied to a customer's account after six months of ACH participation for those customers who would sign up for ACH on or after October 28, 2014, seconded by Councilman McLaughlin. 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 reported that \$134,892.48 in income tax receipts was still needed from the State. The funds should be in by the end of the year.

The Enterprise Zone Public Hearing was scheduled for October 28, 2014 at 7:00 p.m. at City Hall. City Manager Taylor would have a proposed map, and the Enterprise Zone Committee would be able to answer any questions regarding the map at that time. Olney Township, ERCU #1 and IECC had approved the required tax abatement resolutions. The proposed ordinance and intergovernmental agreement would be considered by the City Council at the next meeting.

City Engineer Charleston reported that services were being tied to the new water main on Main Street. Once the services were tied, the contractor would then patch up any concrete that had been taken out. The entire project should be finished by Thanksgiving.

The North Avenue lift station project is complete. There had been a problem with one pump that had not been wired properly. Seeding and reshaping work is all that remains to be done.

Fencing on Boone Street and the culvert at Boone Street were in process. That work was not part of the contract.

The bike path would be complete in November. Because the beans had been harvested

from the nearby field, the City could complete the work without disruption.

9-B "Summary of M.D.A. Solicitation at N. East and Main Street Intersection on Friday, October 17, 2014" Fire Chief Holmes reported that the Fire Department raised about \$3,056.00 for the M.D.A. Their collection goal was \$1,000.00. The Fire Chief thanked the Council for the opportunity to collect funds at the N. East and Main Street intersection.

The Fire Chief also wanted to extend special thanks to the Police Department for their assistance, Family Video and Pizza Hut for allowing them to park their trucks in their parking lots, the Olney Daily Mail for the excerpt of advertisement, Freedom 92.9 for airing some interviews, and the John Benton Family.

The money raised would stay in Richland County to help those affected with Muscular Dystrophy.

9-C "Summary of Municipal Clerks of Illinois Training Institute in Springfield, Illinois" The Council was provided with a memo from City Clerk Kelsie Sterchi that gave a summary of her experience at the Municipal Clerks of Illinois Training Institute. City Clerk Sterchi thanked the Council for allowing her to attend her first year of the Municipal Clerks of Illinois Institute. She stated that she gained much information from her first year of the conference. After two more years of the conference, she would graduate from the Institute, but would still have the option to gain continuing education through the Academy.

Mayor Vaughn gave an update from Belinda Henton that he received about the squirrel corn giveaway in October. Mrs. Henton had told the Mayor that 16,000 pounds of squirrel corn had been given away. The squirrel corn that residents take is directly related to the squirrel population of the town. If more residents set up feeding stations, we would see more white squirrels.

Councilman McLaughlin also mentioned that the Parks & Recreation Board would be holding a public hearing on November 12, 2014 at 6:30 p.m. in City Hall. Councilwoman Thomas included that survey forms would be available around town where citizens could provide their input on what they would like to see in Olney.

#### AGENDA #10 "PUBLIC COMMENTS/PRESENTATIONS"

10-A "I Don't Embrace Failures. I Embrace Successful Conclusions That Value All Life" Brian O'Neill, 818 E. Main, believed there had been much failure in the community. He also noted that Frank Bradley was not the only one who was "not doing his job." Every ordinance in the Code needed to be amended to reflect the minimum ordinance violation fee of \$75.00.

Mr. O'Neill had also been supervising Kieffer Brothers Construction with their work on Main Street, he knew more than City Engineer Charleston, and many things needed to be fixed.

Mr. O'Neill then wanted to make a special note that Councilman McLaughlin and Mayor Vaughn were also not doing their jobs.

AGENDA #11 “CLOSED SESSION: SALE PRICE OF REAL PROPERTY; APPOINTMENT, EMPLOYMENT AND PERFORMANCE OF SPECIFIC EMPLOYEES” Councilman McLaughlin moved to adjourn to closed session to discuss the sale price of real property, and appointment, employment and compensation of specific employees, 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 9:07 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman Brown moved to enter back into open session, seconded by Councilman McLaughlin . A majority affirmative voice vote was received. Open session resumed at 10:04 p.m. No action was taken as a result of closed session.

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

The meeting adjourned at 10:05p.m.

Kelsie J. Sterchi  
City Clerk