

**CITY OF OLNEY  
CITY COUNCIL REGULAR MEETING  
JULY 28, 2014**

**1. Call to Order** - The July 28, 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.

**2. Pledge of Allegiance to the Flag - Prayer** - Council members and visitors joined in the pledge of allegiance to the flag. Troy Reynolds led the group in a prayer.

**3. Roll Call** - The following Council members were present: John McLaughlin, Barb Thomas, Brad Brown, and Ray Vaughn. Also present were City Manager Larry Taylor, City Treasurer Chuck Sanders, City Engineer Roger Charleston and Deputy City Clerk Cindy Harlan. Councilman Bob Ferguson was absent.

**4. Presentation of Consent Agenda**

**4-A Approve Minutes of Council Meeting on July 14, 2014**

**4-B Approve and Authorize Payment of Accounts Payable July 29, 2014** - Pooled Cash \$132,449.51, Manual Pooled Cash \$86,933.31, Deposit Refunds \$2,078.80, Boone Street Grant \$60,176.26, E. Main Water Main Grant \$85,940.67, Tourism \$7,070.87, Liability \$4,700.00.

**4-C Raffle License - Richland County Homemakers Education Association**

**5. Removal of Items from Consent Agenda** - No items were requested for removal from the consent agenda.

**6. Consideration of Consent Agenda** - Councilwoman Thomas moved to approve the items on the consent agenda, seconded by Councilman McLaughlin. A majority affirmative voice vote was received to approve the consent agenda.

**7. Consideration of Items Removed From Consent Agenda** - No consideration was necessary since no items were removed from the consent agenda.

**8. Presentation of Ordinances, Resolutions, Etc.**

**8-A Resolution: Support of SWAN Grant Application** - Linda Bookwalter was present to seek the Council's support of a grant application that SWAN is submitting to DCEO for \$42,946. This grant has been received by SWAN for at least 10 years. The money is used to pay for expenses such as programs, utilities, medical costs, transportation, food, and to assist those who are being evicted, etc.

Councilman McLaughlin moved to approve Resolution No. 2014-R-42 as presented, seconded by Councilwoman Thomas. A majority affirmative voice vote was received. The motion carried.

**8-B Request: Increase No. Of Class A Liquor Licenses for Papa Mike's** - Doug Dillard was present to explain his application for a Class A Liquor License. Mr. Dillard plans to operate his business at 116 W. North Ave.

The property is zoned C-3 which is appropriate for this type of business. Mr. Taylor stated there are zoning restrictions with respect to proximity to churches. Mayor Vaughn received notification that the Free Methodist Church may own property nearby. Mayor Vaughn also believes that the building will require substantial modification. Mr. Dillard said that in the beginning the establishment will not be a full scale restaurant. Microwaves and popcorn machines will be used. A bar will have to be built and everything saved from the old location will be used at the new location. Mr. Dillard was not aware of any violations of fire codes. There are three exits in the building. Mr. Taylor confirmed that before occupancy occurs, the Code Enforcement Officer and the Fire Chief will inspect the building. A tree may have to be removed to accommodate parking.

Councilwoman Thomas expressed her hesitancy to approve this request since there was another Class A Liquor License approved in the past and that business has still not opened. Mr. Dillard assured the Council he was purchasing the building on Wednesday and the business will be opened in a timely manner.

In response to an inquiry from Mayor Vaughn, Mr. Dillard stated there was only one incident during which he was fined.

Councilman Brown moved to increase the number of Class A Liquor Licenses, seconded by Councilman McLaughlin. Councilman Brown, Mayor Vaughn and Councilman McLaughlin voted yes. Councilwoman Thomas voted no. The motion carried. Ordinance No. 2014-25 will be prepared.

**8-C Discussion: Financial Commitment for Christmas Parade** - Councilman McLaughlin advised the Council that the Olney Rotary Club has committed to taking over the duties of organizing the Christmas Parade for at least the next three years. The Rotary Club wants some type of commitment from the City that it will continue to allocate money each year to help cover the cost of sending out notices, prizes, and awards. Mr. McLaughlin is chairing the committee that is organizing the parade.

City Treasurer Sanders said that last fiscal year, the City spent \$1,175 on the parade which included expenditures for cash awards, plaques, postage, and candy. This year's budget is \$1,100.

Mayor Vaughn said he was more than happy to make that commitment since the parade is enjoyed by many. As a result of City Clerk Belinda Henton's retirement, the parade planning committee lost its biggest worker.

Mayor Vaughn moved to commit \$1,100 towards the Christmas parade, seconded by Councilman Brown. Mayor Vaughn and Council members Thomas and Brown voted yes. Councilman McLaughlin abstained. The motion carried.

**8-D Resolution: Authorize Agreement for Technical Services and Assistance with Moran Economic Development for Enterprise Zone Application** - At the last Council meeting, City Manager Taylor discussed the enterprise zone application process. After the meeting, Mr. Taylor was informed that Newton and Jasper County have engaged a consultant to apply for an enterprise zone for Jasper County and that Jasper County is not interested in a joint application this year. The question this evening is whether the Council wants to proceed with an enterprise zone application this year or next year. Mr. Taylor has been in contact with one particular economic development company who

provided two proposals. One was to prepare the entire application with all data analysis and mapping with some assistance from the City. The quote was for \$36,900 plus reimbursable expenses not to exceed \$5,000. The second proposal consisted of data analysis and mapping with the City being responsible for putting the application together. This quote was for \$19,900 plus reimbursable expenses not to exceed \$3,000. The proposal provided to the Council was for Moran Economic Development to complete the entire application. Obviously, with the way the application process works, there are no guarantees of approval. However, anything done with respect to the data analysis can be updated and used in next year's application process if unsuccessful this year. There is \$15,000 budgeted this fiscal year. Ultimately, the budget will have to be amended because it was anticipated to apply next year.

The enterprise zone was originally applied for in 1986 and went into effect in 1987. The rules have changed dramatically in the last two years. Mr. Taylor stated it would take a tremendous amount of time to put the application together once the data analysis and mapping were completed. There are 10 eligibility criterion "tests" on which the application is scored. Each of the 10 categories are put into narrative form which basically tells the City's and County's story in the best light possible. Each category is worth so many points. A five member board from the Department of Commerce and Economic Opportunity (DCEO) reviews the criteria in the application and assigns points for each of the items.

Mayor Vaughn stated that the City could try to do this application on its own, but the rules have changed, the application is graded on 10 different tests for qualification purposes, and he thought it may be best to hire someone who has experience with this type of application. Mr. Taylor stated the City has to qualify in at least three of the tests and there are some tests in which the City will have a difficult problem in qualifying.

RCDC Director Courtney Yockey recommended hiring someone to prepare the application with assistance from City staff and to submit the application this year. If the application is not approved during the first round, it can be submitted again next year. Most surrounding counties are working on their applications for this year even though they may have four or five years left before their enterprise zones expire.

Mr. Taylor is attending the August 14<sup>th</sup> County Board meeting to update the County on the application process and to seek financial assistance. The City prepared and paid for the last application. The County did enter into an intergovernmental agreement because some of the property in the current enterprise zone is outside city limits. The County, East Richland school district, college district and township were also involved with respect to tax abatements.

Currently, the enterprise zone is 15 square miles with 3 dedicated to Jasper County. The City will be eligible to have 12 square miles of property in the enterprise zone. Currently, the enterprise zone consists of 6.5 square miles.

Mr. Taylor recommends having Moran Economic Development prepare the entire application. DCEO has to complete their review and scoring of the application by June 1, 2015 and the State Enterprise Board has until September 1, 2015 to approve or deny the enterprise zone application. If denied, the City would have until December 2015 to reapply.

Mr. Taylor explained the primary purpose of an enterprise zone is to provide additional benefits to industries and businesses in the enterprise zone to expand or locate in the zone. If they move into the community and do any type of construction, there are typically tax abatements available, sales tax reimbursements on any materials that are purchased, and certain other benefits that are not otherwise available.

Mr. Taylor suggested using \$20,000 from the contingency fund to help pay for this expense. He would prefer to have the City Council amend the budget after he has the opportunity to talk to the County Board.

Mayor Vaughn moved to approve Resolution 2014-R-43 to enter into an agreement with Moran Economic Development to complete the entire application, seconded by Councilwoman Thomas. Mayor Vaughn, Council members McLaughlin, Thomas, and Brown voted yes. The motion carried.

**8-E Resolution: Authorize Legal Proceedings to Demolish the Building at 631 W. Butler St.** - City Manager Taylor presented a resolution to authorize legal proceedings to demolish the building at 631 W. Butler Street. The owner will be given not less than 15 days written notice to demolish or repair the building and if the owner fails to comply, legal proceedings will follow. The house is vacant at this time.

Councilman Brown moved to approve Resolution 2014-R-44 as presented, seconded by Councilwoman Thomas. A majority affirmative voice vote was received to approve the resolution.

**8-F Discussion: Talking Pedestrian Signals** - City Manager Taylor informed the Council that he has been trying to get information on the different types of signals available for persons with disabilities. Georgetown, Illinois, has a talking signal, but no information has been made available on what exactly it has. City Engineer Charleston contacted someone from IDOT about the standards on this type of signal. The IDOT representative expressed concern with the age of the City's traffic signals and if they would be compatible with some of the equipment that would be needed to be installed for this purpose. Contact has also been made with a company that deals with these types of signals. No response has been received to date. Mr. Taylor is trying to get a ball park figure on the cost without having to prepare specifications. There is money budgeted for this project, but without going out for bids, we don't know if it is enough money.

Mayor Vaughn asked if the City was committed to putting this type of signal at the intersection of Main and Fair Streets. Mr. Taylor explained that is the intersection suggested by James Middle Calf representing the Low Vision Support Group. Hopefully, with information supplied by IDOT, an electrical contractor will be able to provide a cost estimate on this project without having to prepare specifications.

Mr. Middle Calf believes there are grants available for this type of project. He advised the Lions Club will host fund raisers if money is needed.

**8-G Request: Permission to Use Fireworks at High School Football Games** - City Manager Taylor referenced a letter provided by Mike Lambird on behalf of the Olney Tiger Football Program to use consumer grade fireworks at home varsity football games. There are certain categories of

fireworks and consumer grade has a smaller shell than the fireworks used in the fireworks display on July 4th.

Councilman McLaughlin brought up the fact that the letter says a trained firefighter will be lighting the fireworks. Fire Chief Rusty Holmes stated there have been conversations to that effect, but he is not sure whether the site will be appropriate. He believes the Council should investigate the request further. He is concerned with the fact that a nursing home, Burgin Manor, is close to the proposed area. He believes that some type of permitting system should be put into place with specific questions being asked with guidelines to follow.

Mayor Vaughn stated there are a lot of unanswered questions at this point. He also has concerns with the neighborhood and the fact there are already games on Friday nights and the fireworks take it to another level. If this request is approved, will more requests come from junior pro, baseball games, and other high school activities. He's not closing the door to approval, but has questions. Councilman Brown is fine with the idea, but agreed there were questions that need to be answered and wanted to work with the group to find out the best way to do this. Councilwoman Thomas suggested tabling this request until the next meeting so Mike Lambird can be in attendance to address neighborhood responses and concerns raised by the Fire Chief.

A member of the audience expressed concern how the fireworks would affect the residents at Burgin Manor. Mayor Vaughn asked Mr. Taylor to advise Mr. Lambird of the Council's questions and concerns.

## **9. Reports from Elected and Appointed Officials**

**9-A City Manager - Status Report** - City Manager Taylor said bids are being sought for the shoreline protection project at East Fork Lake involving riprap and bedding materials. Bids will be opened on Monday, August 11, at 11:00 a.m. This project is funded primarily by the Illinois EPA.

As a result of the weather last winter, the City has no salt in storage. The City went through the usual procedure of going through the State bidding process for salt for this winter, however, no bids were received for the City. Olney is not the only community in this situation. The State requested that another requisition be submitted with a deadline of last Friday in an effort to go out for bids again for the communities that did not receive any bids. Last Friday a phone call was received from Midwest Salt from Batavia, Illinois. They offered to provide salt at \$119 per ton with no minimum or maximum quantities to be delivered by September 30th. Other vendors were contacted about supplying salt for the City, however, either no response was received or the companies would not quote. There is \$11,700 budgeted for salt. Bids received through the State bidding process ranged from \$70 to \$140 per ton. Today, Mr. Taylor committed to 84 tons of salt from Midwest Salt which is under the \$10,000 amount he is authorized to purchase. The City can purchase up to 93 tons if approved at the next Council meeting. The City has to pay for the salt in advance and the payment will be run through the accounts payable on August 12, 2014. If the Council is interested in purchasing an additional nine tons, the check for \$11,067 can be approved at the next meeting, as well as a resolution authorizing the purchase.

Since the City did not receive a bid for 150 ton from the State's first round of bidding, it was decided not to participate in the second round of bidding for 175 ton since the City would be obligated to purchase 100% of that amount at whatever price was bid or risk again not receiving any bids. It is estimated that 100 ton can be stored on site. Last year, the City bought 126 ton, but had some left over from the prior year that was used as well.

Mayor Vaughn moved to authorize the purchase of 84 ton of salt from Midwest Salt, seconded by Councilman Brown. A majority affirmative voice vote was received to approve the purchase.

Musgrove Aquatic Center will be closing on Sunday, August 10, since school starts that week. The pool will be available to the school district for two weeks and then closed for the season thereafter.

The traffic signals at Main and East Streets are not working as usual. It is believed an electrical storm caused the problem. The left signal for turning north is malfunctioning by continuing to tell the system there is a car waiting to turn which is preventing westbound traffic from proceeding. The turn signals were disabled until the cause can be determined and an estimate is provided on the cost to repair.

City crews are preparing the roads for the oil and chip program to begin the week of August 11th. The contractor has installed the culverts on the Holly Road project.

City Manager Taylor presented information for the Council to consider on landscape waste facility fees. It has been suggested that fees be charged for usage of the facility to help offset labor and equipment expenses to maintain the facility. Non-residents and landscape contractors would be charged a fee to use the facility based on the amount of waste. The last paragraph of the proposal provides for the staff at the facility the ability to take checks or money orders in the correct amount. No fee is being proposed for residents. City Hall will issue a free residential permit to residents who request one. The suggested fees for non-residents with less than 2 cu. yds. is \$5.00 and more than 2 cu. yds. is \$10.00. The suggested fees for a landscape contractor with less than 8 cu. yds. is \$20.00 and more than 8 cu. yds. is \$40.00. The intent is to make whatever decision the Council makes practical and efficient to administer.

Mayor Vaughn suggested that the employees manning the facility take a poll to determine how many people outside city limits are using the facility and document the volume of waste.

It appears that the detention pond on Silver is working well and there were no water problems on Boone Street during the heavy rains that were experienced over the weekend.

## **10. Public Comments/Presentations**

**10-A Mayor and City Council Fired Up on Medical Purpose Weed - Supporting Free Disability Highs at Taxpayers' Expense, Etc.** - Brian James O'Neill II reported he has epilepsy and takes medication. He was forced to be on SSI and has never drank, smoked and was raised properly. Medicare and medicaid will not pay for medical marijuana and so the end result is that taxpayers will be responsible because once money is deposited to someone's account, it can be used to buy marijuana. Mr. O'Neill fears marijuana usage will become recreational.

Councilman McLaughlin clarified that at the last Council meeting, no facility was approved. The Council members just basically told RCDC the City would support its efforts of looking into the idea. Mayor Vaughn stated that RCDC is trying to keep up with economic development opportunities in the state of Illinois.

Cecil Vaughn, retired from the Illinois Department of Corrections, worked with those in the substance abuse program who had epilepsy and used marijuana to try to control seizures. Then they were busted for using and selling the drug. He is fearful that marijuana will end up at the high school and elementary schools. He said there are enough dirt bags in Richland County that go to Wal-Mart and buy \$400 of merchandise on their link card, sell for \$200 and then go to the liquor store and to their pushers. The state's money is already wasted on drugs.

Beverly McDowell, representing several people, voiced her opinion that for the last few years the City has been going in the wrong direction to build the tax base. Pornography is sold in Olney, the number of establishments selling liquor has increased, alcohol is sold on Sundays and there are more gambling establishments. She fears that medical marijuana will send the wrong message to our children and that legalized prostitution will be next. She read excerpts from publications prepared by two respected Christian organizations whose goals are to keep God in America. Statistics were provided on the damaging effects of marijuana on adolescents and adults and addiction issues.

Mrs. McDowell also commented on the number of houses with trash and junk surrounding them, specifically on Butler St. Mayor Vaughn pointed out the resolution passed earlier in the meeting addressed the demolition of a house on Butler St.

Debra Vaughn, a retired nurse, asked if the Council wants Olney to become like Chicago. She has a little girl who she doesn't want to be shot at in the streets. She has rheumatoid arthritis and has had people approach her to get medical marijuana and then sell it to them. She has seen marijuana used in pill form and it never helped anyone. She believes all that will come from legalized marijuana is more trash and gangs. Her brother was involved in drugs and marijuana usage led to meth and other stuff.

Drue Elliott, a retired Marine, has seen the effects of marijuana on the front lines and it cost people their lives. It is the same as alcohol impaired drivers.

Mayor Vaughn emphasized this is a pilot program and there is no guarantee that a facility will be approved in any district. Just because a facility is located in Olney doesn't mean that anything is sold in the community.

Mary Spillman asked if the facility is built in the County will it be a County decision as to whether the facility is built or not. Mayor Vaughn again stressed that all the Council has done at this point is support the economic benefit of having a processing facility in the community. Mrs. Spillman said many people come from Chicago to Richland County already because our county has the best welfare system in the state.

Chris Jennette, minister at Calvary Baptist Church, expressed the disappointment he felt when he learned of the Council's support of trying to attract a medical purpose cannabis facility. He believes there are already drugs available to comfort those in pain in their last moments. When he moved to

Olney he was glad to see that alcohol isn't sold in stores and then it was approved for alcohol to be sold on Sundays. He believes things like this are always promoted under the guise of creating more jobs and helping the community. Mr. Jennette read several scripture passages and warned the Council not to be motivated by economic potential or the love of money.

Mayor Vaughn commented he has lived in this town his entire life and has witnessed economic prosperity to depression. The community needs jobs or churches wouldn't exist. Olney is located in the worst part of the state for economic development and he feels it is important to work with RCDC to bring jobs to this community that are legal and sanctioned by the state. This is no different than a pharmaceutical company wanting to locate in our community. All the Council has done at this point is endorsed the willingness of Olney as a progressive town to look at jobs at some point in the future. Right now, it is not known whether someone will even want to locate in Olney.

Logan Ashworth asked how many jobs medical marijuana would create and asked how many jobs are lost because crime in the area has risen. No company is going to turn away because of lower crime. Companies with jobs will turn away if our town is not controlled. Drugs make people dependent on things and they can't hold jobs.

**11. Closed Session: Sale Price of Real Property** - Councilman Brown moved to adjourn to closed session to discuss the sale price of real property, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

Council members Brown, McLaughlin, Thomas, Mayor Vaughn, City Manager Taylor, City Treasurer Sanders and Deputy City Clerk Harlan left the Council Chambers at 8:52 p.m.

**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 9:35 p.m.

With respect to tax revenue, City Treasurer Sanders reported that the State still seems to be optimistic that the income percentages originally projected will be accomplished.

**13. Adjourn** - Councilman McLaughlin moved to adjourn, seconded by Mayor Vaughn. A majority affirmative voice vote was received. The meeting adjourned at 9:36 p.m.

Cindy L. Harlan  
Deputy City Clerk