

CITY OF OLNEY
CITY COUNCIL MEETING
APRIL 11, 2011

AGENDA #1 “CALL TO ORDER” The April 11, 2011 meeting of the Olney City Council was called to order at 7:30 p.m. in the Council Chambers of the Olney City Hall located at 300 S. Whittle Avenue, Olney, Illinois, with Mayor Mark Lambird presiding.

AGENDA #2 “PLEDGE OF ALLEGIANCE TO THE FLAG-PRAYER” Council members and visitors joined in the pledge of allegiance to the flag. John Monroe led the group in a prayer.

AGENDA #3 “PUBLIC HEARING: 2011/2012 FISCAL BUDGET” State statutes require a public hearing on the proposed budget which gives the public an opportunity to ask questions. Mayor Lambird asked if anyone in the audience wanted to comment on the proposed budget. No comments were received from the public.

The public hearing was closed at 7:32 p.m.

AGENDA #4 “ROLL CALL” The following Council members were present: Gary Foster, Brad Brown, Pete Weber, Bob Ferguson and Mark Lambird. Also present were City Manager Randy Bukas, City Attorney Larry Taylor, City Treasurer Brad Yockey, City Engineer Roger Charleston and City Clerk Belinda Henton.

AGENDA #5 “PRESENTATION OF CONSENT AGENDA”

5-A Approve Minutes of Council Meeting on March 28, 2011

5-B Approve and Authorize Payment of Accounts Payable April 12, 2011-Pooled Cash \$17,672.17, Manual Pooled Cash \$129,264.11, Water Deposit Refunds \$1,194.03 and Park Lift Station \$73,569.91

5-C Resolution: Accept Bid for Demolition of 309 N. Boone-Resolution 2011-R-22

5-D Application for Permit to Sell Merchandise in City Park-Farmers Market

5-E Ordinance: Declaring Surplus Property-Ordinance 2011-13

5-F Ordinance: Disposing of Florescent Light Bulbs-Ordinance 2011-14

5-G Raffle License Application-Pacific Cycle Walk & Roll Team

5-H Raffle License Application-Richland Country Club

AGENDA #6 “REMOVAL OF ITEMS FROM CONSENT AGENDA” No items were requested for removal.

AGENDA #7 “CONSIDERATION OF CONSENT AGENDA” Councilman Weber moved to approve the consent agenda, seconded by Councilman Foster. A unanimous voice vote was received.

AGENDA #8 “CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA” No consideration was necessary for items removed from the consent agenda.

AGENDA #9 “STAFF REPORTS”

9-A “City Manager - Status Report” Mr. Bukas reported that 60-70% of the Pacific Cycle roof has been completed. There are approximately four to five days of work to complete.

Two contracts have been awarded for the neighborhood revitalization project and notices to proceed have been issued. The contractor has 60 days to complete the work. A third contract is awaiting the homeowner’s signature.

April receipts for MFT were received in the amount of \$18,400 which was \$680 more than last year for the same period. The year to date receipts for MFT are \$2,900 or 1.4 % above last year. The budget projection was short approximately \$745.

The December receipts for the use tax received in March were \$3,200 more than last year. The December receipts were the best in five years.

Concerning the Miller’s Grove bike connector, one response has been received from a property owner. The property owner is asking for \$2,800 for the right of way.

The York Street storm sewer project has been completed. Work continues on Sarah Drive. Concerning the Ash, Beech and Pine Street water main project, Ash and Beech Streets have been completed, and work is progressing on Pine Street. Restoration will need to be completed on all these areas.

The second contract for work on the Water Plant clarifier has been completed. The lighting project at City Hall and all the public works facilities have been completed.

There were 16 building permits issued in March totaling \$6,052,763. Two of these building permits were industrial totaling \$5,971,000.

Concerning the Miller’s Grove bike connector, Councilman Brown questioned the status of the sign in the right of way. Mr. Bukas reported no response has been received from the owner. The City has agreed to move the sign at the City’s expense. The owner will be contacted again this week.

9-B “City Manager - Park Bench Memorials” A request has been received for the placement of a memorial park bench at Rotary Park. Mr. Bukas explained there has not been a policy set on how to handle memorials. He asked the Council for direction on how to handle such requests. Mr. Bukas recommended concrete benches set on concrete pads. Any memorial engraving should be etched in the concrete to alleviate the problem of plaques being stolen.

Councilman Foster was agreeable with concrete benches, but he also had no problem with a steel constructed bench set in concrete.

The Council agreed the City should accommodate memorials, but should not be responsible for replacement. The staff will work with donors on the placement of their memorials.

AGENDA #10 “NEW BUSINESS”

10-A “Discussion: Fees” The Council was provided with a current fee schedule and recommended changes. The changes consist of increased building permit fees, variance fees, flushing of laterals and televising of laterals.

Councilman Brown requested this matter be tabled until the next meeting to allow for input.

10-B “Resolution: Appropriation of Motor Fuel Tax Funds for Maintenance of Streets” The Council was provided with a proposed MFT resolution for maintenance of streets and a list of streets selected for repair. Mr. Charleston explained the resolution would appropriate \$115,400 from MFT funds. Approximately \$15,000 would be used for patching, \$65,000 for oil and chip and \$35,000 for concrete replacement. There is also approximately \$23,000 which can be carried over from last year for concrete work.

Councilman Brown asked about the Locust Street work. Mr. Bukas explained a culvert will be installed on Locust Street, it will be covered with shavings and oiled and chipped if there is enough money left from the program.

Councilman Ferguson moved to approve the MFT resolution appropriating \$115,400 for the annual maintenance of streets, seconded by Councilman Brown.

Councilman Weber commented that the area around Prairie Farms needs more than oil and chip work. Mr. Charleston agreed and commented that he has talked to the Street Department Supervisor about possibly doing something later this summer. He did not know what the Street Department Supervisor is considering, but sealing the street will not improve the surface. Alternatives would be to mil and resurface. Councilman Weber did not want to waste money on sealing.

A unanimous voice vote was received.

AGENDA #11 “OLD BUSINESS”

11-A “Ordinance: Approving the Tax Increment Redevelopment Plan and Project for the State Route 130 Corridor Redevelopment Project Area” Councilman Weber moved to pass Ordinance 2011-15, seconded by Councilman Foster. Councilmen Weber, Ferguson, Mayor Lambird, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried.

11-B “Ordinance: Designating the State Route 130 Corridor Redevelopment Project Area”

Councilman Foster moved to pass Ordinance 2011-16, seconded by Councilman Weber. Councilman Ferguson, Mayor Lambird, Councilmen Foster, Brown and Weber voted yes. There were no opposing votes. The motion carried.

11-C “Ordinance: Adopting Tax Increment Financing for the State Route 130 Corridor Redevelopment Project Area” Councilman Foster moved to pass Ordinance 2011-17, seconded by Councilman Ferguson. Mayor Lambird, Councilmen Foster, Brown, Weber and Ferguson voted yes. There were no opposing votes. The motion carried.

11-D “Resolution: Intergovernmental Agreement for Joint Emergency Dispatch System” The Council was provided with a proposed intergovernmental agreement for joint dispatch which has been developed within the last two weeks. Previously, the City Council sent an agreement to the County for their consideration. That agreement provided for the 911 Board to be the agency to operate the joint dispatch center. The County forwarded that agreement to the 911 Board, but they declined to be the agency to oversee the joint dispatch center. Mr. Taylor was requested to then prepare an agreement based on the JEDS (Joint Emergency Dispatch System) model which the Council has previously considered.

Mr. Taylor reviewed the JEDS agreement. This agreement provides for a five-member governing board; two members would be appointed by the City Council, two members appointed by the County Board and the fifth member would be appointed by a majority of the four representatives. The fifth member will also serve as the board chair and will only vote on a tie. This agreement will be between the City and County, and the 911 Board will not be a party to the agreement.

Mr. Taylor explained funding for the joint dispatch center. The Council will contribute funds received from Richland Memorial Hospital, Inc., and the City and County will be responsible for the remaining operating budget and expenses on an equal basis. The agreement provides for three dispatching stations located at the Richland County Sheriff’s Department. The agreement does not dictate the number of telecommunicators needed. The JEDS Board will determine staffing needs. The Richland County Sheriff will oversee the day to day operations of the dispatch center. The agreement also has protocol to handle complaints.

Mr. Taylor explained all full-time telecommunicators of the City would be offered full-time employment by the County. If they accept employment, they would be non-probationary employees of the County. The County has a collective bargaining agreement with their telecommunicators. According to the proposed agreement, it is the intention of the parties previous City employees would not lose salary as a result of changing employment from the City to the County. Their compensation is protected, but is contingent upon future collective bargaining contracts.

Police Chief Chaplin, Assistant Police Chief Brown and Tina Allen visited Mattoon to discuss their combined dispatch center. Mattoon indicated they go through part-time employees like water. Councilman Foster ventured to say the same would happen here if part-time employees are used to staff the dispatch center. He also felt they will not be able to staff the

combined dispatch center with less than ten people and the savings will be negligible. Councilman Foster questioned the benefit of combined dispatch. He feared the City will end up with less service than what is currently offered and may find more unknown expenses after the departments are combined which would possibly end up costing more in the long run.

Councilman Ferguson asked Mr. Bukas and Mr. Taylor's opinion. Mr. Bukas commented that since the agreement is between the City and County and not 911, he assumed 911 calls would not be dispatched by this dispatch center, so they would have to have their own dispatchers. Mr. Bukas preferred the JEDS agreement because each party has equal representation. He also believes our current system is very efficient. He agreed with Councilman Foster and was not sure what kind of savings can be realized in the long run.

Councilman Weber clarified that in the future the 911 Board could contract 911 services from the JEDS Board which would show a savings. Mr. Bukas agreed this would be possible. Mr. Bukas pointed out that the 911 Board still owes the City for dispatching services for the past year. An amended invoice was mailed to them.

Councilman Weber attended the meeting when 911 turned down the proposed agreement. The 911 Board believes their duty is to take care of 911. Unfortunately, Councilman Weber disagreed because dispatching and 911 are one in the same because you cannot have one without the other. He found it ironic that 911 is putting in a new computer control, top of the line, 911 dispatch system, but they say they want nothing to do with dispatch.

Councilman Brown moved to approve Resolution 2011-R-23 and the proposed agreement as presented.

Mr. Bukas pointed out that the 911 Board recently voted to move the PSAP from the Olney Police Department to the new county detention center whether the dispatch is ready to move or not. Mr. Bukas did not know who will be available to answer phones. Police Chief Chaplin commented at this time it is questionable whether the Sheriff will have enough County dispatchers to run the system without City personnel. From now on there will only be one PSAP. If the City continues to run their own dispatch, it would not include 911 calls because of the equipment being moved. The City will have to invest in \$14,000-\$20,000 of equipment if 911 calls are not handled because part of the City's equipment belongs to 911.

Councilmen Foster and Weber voted no. Councilmen Brown, Ferguson and Mayor Lambird voted yes. The motion carried.

11-E "Discussion: 2011/2012 Budgets" Mr. Bukas reviewed the revenue and expense totals for the major funds.

The Council discussed when the swimming pool will close this year. Mr. Bukas proposed keeping the pool open until August 7, and school starts on August 17. Councilman Brown suggested closing the pool one week later. Mr. Bukas explained there is a problem finding

enough lifeguards to man the pool when it stays open longer. Mr. Bukas reported the net cost to operate the pool for two weeks if approximately \$11,596.

At this time there was no proposal to increase pool fees, but Mr. Bukas would like to bring this matter back to the Council for discussion. He would like to consider a punch card system instead of annual passes.

The Council will discuss the closing date and fees at a later time.

AGENDA #12 “Public Comments/Presentations”

12-A “City Council Policies” Brian O’Neill discussed the problem with people carrying open containers from taverns out to the sidewalks. He questioned who is responsible for enforcement.

Mayor Lambird reported that two tickets are pending for open containers outside an establishment so the City does enforce this ordinance and issues tickets for violations.

Larry Dickerson addressed the Council concerning the safety of sidewalks for disabled citizens. Mr. Bukas explained sidewalks are evaluated based upon their condition. Ramps are installed on sidewalks when that portion of the sidewalk is improved.

AGENDA #13 “REPORT FROM THE MAYOR”

13-A “Appointments to Various Boards and Commissions” Mayor Lambird recommended reappointment of Mike Winter and Amber Jared to the Plan Commission.

Councilman Foster moved to approve the reappointment of Mike Winter and Amber Jared to the Plan Commission, seconded by Councilman Brown. A unanimous voice vote was received.

Mayor Lambird recommended the reappointment of Belinda Henton to the Police Pension Board.

Councilman Brown moved to approve the reappointment of Belinda Henton to the Police Pension Board, seconded by Councilman Ferguson. A unanimous voice vote was received.

Mayor Lambird recommended the reappointment of Bob Foerster and Chris Hursta to the Board of Fire and Police Commission.

Councilman Brown moved to approve the reappointment of Bob Foerster and Christ Hursta to the Board of Fire and Police Commission, seconded by Councilman Ferguson. A unanimous voice vote was received.

AGENDA #14 “REPORTS FROM CITY COUNCIL MEMBERS”

14-A “Cruelty to Animals” At Councilman Foster’s request, Mr. Taylor drafted an ordinance with requirements for shelters, exercise areas and prohibiting cruelty to dogs and cats. Councilman Foster was in favor of the proposed ordinance, but suggested elaboration concerning pen sizes. The proposed ordinance requires at least 100 square feet per dog. Councilman Foster suggested two dogs could be housed in a 100 square foot pen if they were 35 pounds or less or one dog larger than 35 pounds per 100 square feet. Additional dogs would require the pen size to be increased by 50%. Animal Control has not been provided with a draft of this ordinance. Councilman Foster wanted the Council to review the proposed ordinance before it was forwarded to them.

Councilman Weber wanted Animal Control’s input because the public feels the City has unnecessarily burdened the Animal Control Officer with past ordinances even though the Animal Control Officer has stated these ordinances have made her job easier.

The proposed ordinance restricts certain categories of dogs and cats that are not acclimated to the temperatures prevalent in the city from being kept in outdoor facilities. Councilman Brown felt this provision would be very hard to determine. Councilman Foster commented that there are standards the local veterinarians would have to make this determination or the determination could be left up to the Animal Control Officer. Councilman Brown was concerned with people not knowing if their animal is acclimated to the weather.

The Council requested that the Animal Control Officer be present at the next meeting to voice her comments.

Susie Bromm questioned if the proposed ordinance provides for litters of puppies when regulating pen size. The Council agreed provisions need to be made for a litter of puppies.

A revised ordinance will be forwarded to Animal Control and the Council will further discuss this matter at the next meeting.

Councilman Brown questioned the condition of the wiring at the City Park ball diamonds. Mr. Bukas reported there are three diamonds that the electricity is shorting out. Costs for underground services are being investigated. When the cost is estimated, it will be brought back to the Council.

Councilman Foster received a call from a resident complaining about the drainage in the alley south of the high school parking lot between Lincoln and Jefferson. City workers told the resident that the property belongs to the high school, but the resident believes this is a city problem. Councilman Foster requested that this matter be investigated and corrected.

AGENDA #15 “CLOSED SESSION: COLLECTIVE NEGOTIATING MATTERS; COMPENSATION OF SPECIFIC EMPLOYEES AND REVIEW OF CLOSED SESSION MINUTES” Councilman Brown moved to adjourn to closed session to discuss collective negotiating matters, compensation of specific employees and review of closed session minutes, seconded by Councilman Weber. A unanimous voice vote was received.

Councilmen Foster, Brown, Weber, Ferguson, Mayor Lambird, City Manager Bukas, City Attorney Taylor and City Clerk Henton left the Council Chambers at 8:42 p.m.

AGENDA #16 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman Weber moved to enter back into open session, seconded by Councilman Brown. A unanimous voice vote was received. Open session resumed at 9:39 p.m.

AGENDA #17 “ACTION ON CLOSED SESSION”

17-A “Resolution: Authorize Release of Closed Session Minutes” Councilman Ferguson moved to approve Resolution 2011-R-24, seconded by Councilman Brown. A unanimous voice vote was received.

17-B “Resolution: Authorize Destruction of Audio Recordings” Councilman Ferguson moved to approve Resolution 2011-R-25, seconded by Councilman Foster. A unanimous voice vote was received.

AGENDA #18 “ADJOURN” Councilman Weber moved to adjourn, seconded by Councilman Brown. A unanimous voice vote was received.

The meeting of the City Council adjourned at 9:41 p.m.

Belinda C. Henton
City Clerk