

CITY OF OLNEY
CITY COUNCIL MEETING
APRIL 22, 2013

AGENDA #1 “CALL TO ORDER” The April 22, 2013 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. Jerry Wirth led the group in a prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: Barb Thomas, Gary Foster, Brad Brown, Bob Ferguson and Mark Lambird. Also present were City Manager Larry Taylor, City Treasurer Chuck Sanders, City Engineer Roger Charleston and City Clerk Belinda Henton.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A Approve Minutes of Council Meeting on April 8, 2013

4-B Approve and Authorize Payment of Accounts Payable April 23, 2013-Pooled Cash \$89,074.17, Water Deposit Refunds \$1,367.20, Motor Fuel Tax \$7,224.29, IRP \$1,548.28, EDA \$2,777.11, Revolving Loan Fund \$1,532.16, Levied Insurance \$18,333.74 and Tourism \$9,650.00

4-C Raffle License-Steber Family Farm Relay Team

4-D Raffle License-Elks

AGENDA #5 “REMOVAL OF ITEMS FROM CONSENT AGENDA” No items were requested for removal from the consent agenda.

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilwoman Thomas moved to approve the items on the consent agenda, seconded by Councilman Brown. A majority affirmative voice vote was received to approve the consent agenda.

AGENDA #7 “CONSIDERATION OF ITEMS REMOVED FROM” No consideration was necessary for items removed from the consent agenda.

AGENDA #8 “PUBLIC COMMENTS/PRESENTATIONS”

8-A “Farewell to Mayor” Brian O’Neill complained about littering and smoking along with several public officials and staff members. He wanted all elected officials throughout the country removed from office and replaced with people with disabilities so the country can become financially wealthy. This is the reason he is running for president of the United States. He also stated he was educated far beyond any of “you”. He then challenged the Mayor to a

boxing or wrestling match. He wanted to show him how a person with a disability is more knowledgeable than a person without a disability.

AGENDA #9 “PRESENTATION OF ORDINANCES. RESOLUTIONS. ETC.”

9-A “Discussion: Sewer Problems at 1606 E. Main Street” Mark Kapper and Sandy Hahn discussed a sewer problem that exists at Hahn’s Carpet at 1606 E. Main Street and the new bakery at 1610 E. Main. Apparently, the sewer which is believed to be orangeburg has collapsed under Main Street with the two buildings connected to the same service line. According to Mr. Kapper and Ms. Hahn, problems started after Main Street was resurfaced. The collapse appears to be about 63' out. Hahn’s Carpet has a very low volume and usually does not experience any sewer problems even though the line has probably been collapsed for several years. Once work was started on the bakery, the flow increased causing backups. The bakery hopes to be open within a month. The estimated cost for repairs is \$6,500 to \$10,000.

Mr. Kapper requested assistance in replacing the sewer line particularly since it runs under Main Street to the south driving lane.

Mr. Taylor reported the sewer line is 10 to 11 feet deep. Mr. Steber believed the sewer line has to be replaced.

Councilman Brown suggested that the two businesses get together with Mr. Taylor to figure out a cost sharing arrangement for the repair of the sewer.

9-B “Request: Class A Liquor License-Peacock Lounge, LLC” Gary Petty has submitted an Application for a Class A Liquor License for Peacock Lounge, LLC, to be located at 320 N. Walnut Street. The location is to be used for a lounge and Mr. Petty’s intends to apply for video gaming terminals. The Council was asked to increase the number of Class A liquor licenses from five to six.

Jeff Fleming, representing Gary Petty, explained his client’s application is similar to the application approved for Nikki’s Place. Mr. Petty has 30 years of experience in the game machine business. Mr. Petty wants to create a lounge with gaming terminals that will serve food and draw business into the community. He plans to hire two employees.

Councilman Ferguson questioned the status of the current liquor licenses. Mr. Taylor commented current liquor licenses expire May 14. He did not expect the Fireside to renew.

Councilwoman Thomas believed that Nikki’s Place holds a Class C license. Mr. Taylor replied Nikki’s Place actually has a Class A.

Councilman Brown moved to approve the request for a Class A liquor license for the Peacock Lounge at 320 N. Walnut Street, seconded by Mayor Lambird.

Councilman Ferguson confirmed there are currently no liquor licenses available at this time. Mr. Taylor confirmed that was correct. He anticipates at the next meeting decreasing the number of Class A licenses as a result of the Fireside closing.

Councilman Ferguson asked if any other gaming facilities are being considered. No one knew of any specific plans for other gaming facilities.

Councilwoman Thomas asked if this license could be approved contingent upon the approval of the video gaming terminals. Mr. Taylor replied that conditions cannot be placed on a liquor license.

Mayor Lambird asked Mr. Petty if he plans to operate a lounge if the video gaming terminals are not approved. Mr. Petty answered yes.

Mayor Lambird reported the City received over \$800 in video gaming receipts for the month of March for one establishment with five machines.

Several more local establishments are pending state approval for video gaming terminals.

Councilman Ferguson questioned what kind of improvements are planned. Mr. Petty explained the building will be totally remodeled to make it comfortable for fishermen and sportsmen.

Councilman Ferguson questioned the availability of off-street parking. Mr. Petty explained there is parking in the front, an extra parking lot north of the building and for large events there is also parking across the street. Mr. Petty explained he is not trying to compete with other clubs, but trying to make the city and state money through video gaming. His lounge will be totally different than a bar.

Councilmen Foster, Brown, Mayor Lambird and Councilwoman Thomas voted yes. Councilman Ferguson voted no. The motion carried. Ordinance 2013-12 will be prepared.

9-C “Discussion: Tourism Grant Application” This matter was tabled at the last Council meeting to give the public an opportunity to provide input regarding the proposed application process for the disbursement of tourism grant funds. Two individuals requested copies of the application, but no feedback has been received.

Councilman Foster commented that the application was written in a manner that will give the Council and staff an easy way to evaluate the event and what it could do for the City in way of tourism dollars. He believed the application was well put together.

Councilman Foster moved to approve the tourism grant application, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

9-D “Ordinance: Sale of Personal Property” The Council was provided with a proposed ordinance authorizing the sale of a 1997 Chrysler Concord which has been in the possession of the City for several years. Attempts have been made to contact the owner of record without success so it is being considered as abandoned. The condition of the vehicle is such that the logical means of disposal is recycling.

Councilman Ferguson moved to approve Ordinance 2013-13, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

9-E “Resolution: MFT Obligation Retirement” The Council was provided with a proposed MFT resolution which is a formality required by the Illinois Department of Transportation. The City Council must formally appropriate \$103,842.98 for the payment of the principal and interest on the MFT loan the City has at the First National Bank. The payment is due April 28, 2013 which will pay off the MFT loan. Money has been budgeted, but needs to be appropriated.

Councilman Brown moved to approve the MFT obligation retirement resolution, seconded by Councilman Ferguson. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

AGENDA #10 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

10-A “City Manager - Status Report” Mr. Taylor reported that Bill Jennings was in today and wanted to advise the Council that the Richland County Fair Board has scheduled a spring crash for May 11. A certificate of insurance will be provided prior to the event.

A letter was received from the Illinois EPA regarding the City’s public water system. In their evaluation they found no violations, but listed ten recommendations that vary from very expensive projects to minor improvements. Some of the recommendations are included in the upcoming budget.

City Engineer Charleston and Street Department Supervisor Nuss recently met with Al Zellmer at the firing range. They discussed the drainage problems. There is a ditch that has been filled in. The ditch can be dug out and the Street Department has pipe available which can be installed to allow water to move away from the building.

A concrete light pole was recently damaged on E. Main Street. The damage is under investigation. Work will begin tomorrow to replace the pole.

Mr. Taylor requested the Council’s advice on the placement of the new portable restroom at the City Park. A concrete pad was poured parallel to the old swimming pool bathhouse with the tongue facing the road. It was now suggested that the tongue face the bathhouse and the door of the restroom face the street with the handicap portion on the east side. This positioning would require additional concrete and sidewalk.

Councilman Foster would like to see the position changed so the tongue faces the west. This position would provide more visibility and better access for the handicap section. He also suggested a sidewalk be installed from the playground to the restroom. He understood the wheels will be removed allowing the building to be lowered for better access. Councilmen Brown and Ferguson agreed.

10-B “City Manager - Special Event Request to Close 100-200 blocks of E. Main and the 100 Block of S. Whittle on May 25, 2013” A Special Event Application has been received from the Friends of Downtown for a Junk in the Trunk Day on May 25, 2013 from 9:00 a.m. to 2:00 p.m. There will be a \$25.00 entry fee. They are requesting to close the 100 and 200 blocks of E. Main Street and the 100 block of S. Whittle Avenue.

The Council was agreeable with this request.

Councilman Foster believed it would be a good idea to drain the Washington Street water tower for cleaning and inspection.

Councilman Foster thanked everyone for the opportunity to work with the Council.

Councilwoman Thomas thanked Councilman Foster and Mayor Lambird for their hard work and dedication to the City. She enjoyed working with both of them.

Councilman Brown agreed with what Councilwoman Thomas said.

Councilman Ferguson wished Councilman Foster and Mayor Lambird the very best.

Mayor Lambird understood that late last week construction began on the revitalization of the Richland County Mall. The City has worked very hard on this project and everyone should be very proud of that accomplishment.

Mayor Lambird commented it has been a pleasure to work with the Council and staff. He enjoyed his time as Mayor very much. He believed a lot of good things have been accomplished. He will look back at this time with a great deal of pride. He wished the new Mayor and Council all the best and they will be in his prayers every day.

AGENDA #11 “2013/2014 BUDGET DISCUSSIONS”

11-A “Discussion: Recycling Program” City Treasurer Sanders prepared a summary of three different proposals for recycling with suggested monthly fees. He also prepared a summary of his findings regarding the recycling bins. He also surveyed other communities concerning recycling. Mr. Sanders reviewed all of this information with the Council.

He did not find a suitable recycling bin with a lid. He also researched the possibility of using bags for additional recycling. Secure Processors will accept clear recyclable plastic bags,

but asked that the metal ties not be used to close the bags. Mr. Sanders found suitable plastic bags at Rural King.

Mr. Sanders also contacted neighboring communities about recycling. Carbondale is the only city that provides curbside recycling services. They provide weekly service using the same bins Olney uses and charge \$2.90 per month, but the service is mandatory. Robinson has mandatory bi-weekly recycling service through Republic Services for \$9.00 which includes trash and recycling.

Councilman Foster liked the idea of bags instead of purchasing additional containers. He preferred recycling weekly with two alternating crews of two part-time employees and recommended keeping the fee at \$3.50 per month.

Councilman Foster asked Mr. Nuss if he has trouble keeping the recycling positions filled. Mr. Nuss replied he has more problems keeping qualified workers.

Mr. Sanders noted past discussions about the size of the current recycling truck and trailer. There are plans to switch the 3/4 ton truck for a 1/2 ton in the Street Department.

Brandi McKinney commented she would like to see weekly recycling. She believed people have dropped out of the program because it was not weekly. There may be less missed stops if the workers become more familiar with the routes by running them each week. She believed the service should be mandatory. Kate Patterson agreed with Mrs. McKinney.

Councilman Foster understood the desire for mandatory service, but the cost may be a burden for some. Councilwoman Thomas did not agree with mandatory recycling, but liked the idea of weekly service.

Councilman Foster moved to approve that recycling be changed to weekly service with two alternating crews of two part-time employees and keep the fee at \$3.50 per month, seconded by Councilman Ferguson. A majority affirmative voice vote was received. Ordinance 2013-14 will be prepared.

11-B "Resolution: Adopt 2013/2014 Budget" Councilman Brown commented the proposed General Corporate budget has a \$500,000 deficit. His idea was to pull some of the bigger purchases from the budget and discuss their purchase at a later time.

Councilman Brown moved to remove from the General Corporate proposed budget the snorkel for \$90,000, Van Sandt water retention for \$50,000, Pacific Cycle roof for \$215,000 and street repair equipment for \$195,500. The motion died due to a lack of a second.

Councilman Foster commented if the streets are ever going to improve, the City needs to have the proper equipment. He believed resources are being wasted if the streets are not fixed properly. He also believed a used ladder truck would be a good investment for the Fire

Department. Currently, the snorkel truck is not operable and equipment is needed to protect downtown and industrial buildings.

Councilman Ferguson expressed concern with increasing personnel in the Water Distribution Department. Mr. Taylor explained there will be an employee retire from the department in approximately 18 months. Hiring an additional person now would allow for that person to be trained before the retirement takes place. Councilman Ferguson asked if there was any way to approve the budget with the additional person, but not to replace the individual that retires in 2015. Mayor Lambird commented that would be a Council decision at that time.

Councilman Brown asked the effect on the budget for an additional employee. Mr. Sanders replied the budget could be lowered by \$47,000 if an additional employee is not hired.

Councilman Brown moved to remove the additional employee from the 2013-2014 Water Distribution budget, second by Councilman Ferguson. Councilmen Brown, Ferguson and Foster voted yes. Mayor Lambird and Councilwoman Thomas voted no. The motion carried.

Mayor Lambird moved to lower the amount budgeted for a school car from \$22,000 to \$15,000 and use the \$7,000 to help fund the County's Emergency Management which is under new leadership by Kevin Parker, seconded by Councilwoman Thomas.

Councilman Foster pointed out the County has the use of public safety tax money unlike the City. The public safety tax money is used for emergency management as well as for salaries in the Sheriff's Department and many other things.

Mayor Lambird commented if something bad happens, the City has more resources than any other agency in the county. He believed this donation, and knowing Kevin Parker, the City can have something better than what they have had. Mayor Lambird thought the City and County are completely and totally unprepared for a disaster.

Councilman Foster commented that he was not saying that emergency management is not needed, and he knows Mr. Parker will make some great changes, but the County has access to plenty of money through the public safety tax.

Mayor Lambird thought the City should always do more when they have the opportunity.

Councilman Ferguson questioned if Mayor Lambird knew how the money will be used. Mayor Lambird replied he thinks it would be up to Mr. Parker with the County Board's approval. This will be a one time deal and he was not even certain it would be spent. At least the County will know the City wants to be a partner.

Councilman Ferguson, Mayor Lambird, Councilwoman Thomas and Councilmen Foster voted yes. Councilman Brown voted no. The motion carried.

Councilman Ferguson moved to adopt the 2013-2014 fiscal year budget as amended, Resolution 2013-R-21, seconded by Councilwoman Thomas. Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Ferguson voted yes. Councilman Brown voted no. The motion carried.

11-C “Resolution: Health Insurance Premium Allocations for Non-Bargaining Employees” The Council was provided with a proposed resolution which established the amount of health insurance premiums to be allocated between the City and non-bargaining employees. The resolution maintains the current allocations with the City paying 100% of the health insurance premium for single coverage and 65% of the total health insurance premium for any of the employee/dependent coverages with the employees paying the remaining 35%.

Councilman Foster moved to approved Resolution 2013-R-22, seconded by Councilman Ferguson. Councilwoman Thomas, Councilmen Foster, Brown, Ferguson and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

11-D “Resolution: Restricting Funds for Capital Expenditures in the Water Fund” The Council was presented with a proposed resolution authoring the transfer of \$100,000 from the Water fund to the Water Capital Improvement fund which will ultimately be used to help pay for the painting of the Washington Street water tower. This transaction was budgeted, but because of the amount involved it must be approved by the Council.

Councilwoman Thomas moved to approved Resolution 2013-R-23, seconded by Councilman Foster. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

AGENDA #12 “COLLECTIVE NEGOTIATING MATTERS, APPOINTMENT AND EMPLOYMENT OF SPECIFIC EMPLOYEES AND SALARY SCHEDULES FOR ONE OR MORE CLASSES OF EMPLOYEES” Councilman Foster moved to adjourn to closed session to discuss collective negotiating matters, appointment and employment of specific employees and salary schedules for one or more classes of employees, seconded by Councilwoman Brown. A majority affirmative voice vote was received.

Councilmen Foster, Brown, Ferguson, Councilwoman Thomas, Mayor Lambird, City Manager Taylor, City Treasurer Sanders and City Clerk Henton left the Council Chambers at 8:53 p.m.

AGENDA #13 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman Foster moved to enter back into open session, seconded by Councilwoman Thomas. A majority affirmative voice vote was received. Open session resumed at 9:33 p.m.

AGENDA #14 “ACTION ON CLOSED SESSION” Councilman Foster moved to pass Ordinance 2013-15, seconded by Councilwoman Thomas. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

Councilman Foster moved to authorize the execution of the agreement between the City of Olney and the International Association of Fire Fighters Local 4301, seconded by Councilman Ferguson. Councilwoman Thomas, Councilmen Foster, Ferguson and Mayor Lambird voted yes. Councilman Brown voted no. The motion carried. Resolution 2013-R-24 will be prepared.

AGENDA #15 "ADJOURN" Councilman Foster moved to adjourn, seconded by Councilman Brown. A majority affirmative voice vote was received.

The meeting of the City Council adjourned at 9:34 p.m.

Belinda C. Henton
City Clerk