

CITY OF OLNEY
CITY COUNCIL MEETING
AUGUST 8, 2011

AGENDA #1 “CALL TO ORDER” The August 8, 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. Jerry Bush 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 Attorney Larry Taylor, City Treasurer Brad Yockey, City Engineer Roger Charleston and City Clerk Belinda Henton.

AGENDA #4 “PUBLIC HEARING: DOLL’S ANNEXATION AGREEMENT” Mr. Taylor explained this annexation agreement is for property owned by Doll’s Inc. which is 1.47 acres and located on the south end of Whittle Avenue on the west side. The annexation agreement provides for a tax abatement of the City real estate taxes for ten years and free water and sewer taps.

No comments were heard from the public concerning the annexation agreement.

AGENDA #5 “PRESENTATION OF CONSENT AGENDA”

5-A Approve Minutes of Council Meeting on July 25, 2011 and Special Meeting on August 1, 2011

5-B Approve and Authorize Payment of Accounts Payable August 9, 2011-Pooled Cash \$162,989.83, Manual Pooled Cash \$138,936.15, Community Development Assistant Grant \$15,000, Park Lift Station \$70,499.64, Motor Fuel Tax \$6,052.98, Levied Funds \$3,334.24 and Tourism \$3,750.00

5-C Raffle License Application-LaGala, LTD

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

AGENDA #7 “CONSIDERATION OF CONSENT AGENDA” Councilman Foster moved to approve the consent agenda, seconded by Councilman Brown. A majority 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 - Project Updates” Mr. Taylor reported that MFT received \$37,482 for Illinois Jobs Now. This is the second year for receiving this additional payment.

Bids will be opened on August 17 for the remodeling of the Police Department lobby and the Ludlow Street communications tower building. Bids will be brought to the Council on August 22.

LED traffic lights will be installed by City crews in September.

The new street sweeper arrived on July 28 and is now in use. Training on the new piece of equipment was provided to the employees by Key Equipment.

TIGER funds are being investigated to fund the widening of Whittle Avenue. Mr. Charleston has contacted IDOT concerning the criteria for funding. The deadline for application for these funds is October 3. If the Council has other projects they want considered for TIGER funds, they were asked to make their wishes known.

As the final step of the S. East Street reconstruction project, traffic sensors have been installed. The street will be opened to traffic soon.

The annual oil and chip program will begin soon.

The Woodlawn, Butler, Catherine waterline project is progressing along with the Jonathan, Orchard, Willow, East sanitary sewer replacement project.

Next Monday and Tuesday most department heads will be attending NIMS 300 training at OCC.

The Council was provided with a letter from Danny Colwell, Richland County Highway Engineer, concerning the purchase of land from the City for Richland County’s wetland mitigation plan. As reported several weeks ago, Richland County will be replacing the existing Fox River bridge at Mt. Gilead Lane. Federal funds will be used, and before the Army Corps of Engineers will give Richland County a permit for construction, they must provide an approved wetland mitigation plan. The land west of the Water Plant and Fox River will provide a suitable location for developing a wetland mitigation site. Mr. Colwell requested approval from the Council to proceed on this project by having a certified appraiser prepare an appraisal for the property proposed for wetland use which is approximately 17 acres of which approximately 8 acres are farmed. After the appraisal is completed, the County will negotiate for the purchase of the land. If the entire portion of land is developed into a wetland, the additional wetland could be used to offset further project needs. Mr. Colwell suggested that future access to the wetland mitigation location be made available to the City at a cost equivalent to the expense the County incurred purchasing and developing the site.

AGENDA #10 “NEW BUSINESS”

10-A “Ordinance: Annexation Agreement-Doll’s” The annexation agreement has already been signed by Mike and Brad Doll on behalf of Doll’s Inc.

Councilman Brown moved to pass Ordinance 2011-32, seconded by Councilman Ferguson. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

10-B “Discussion: Bid for Van Street Improvements” Bids were recently opened for Van Street improvements with concrete. The only bid received was from Doll’s Inc. in the amount of \$63,302.00. Previously, the City Council rejected a bid for \$65,958.12 from Howel Paving, Inc. to asphalt the same area. There is \$60,156.00 budgeted for the project.

Councilman Foster suggested that Mr. Taylor contact Mr. Lawless to negotiate a cash payment considerably less than the bids received in exchange for the easements received from Mr. Lawless for water and sewer line projects several years ago. If nothing can be negotiated, he believed the project needs to be completed. The rest of the Council was in agreement.

10-C “Discussion: Recycling Opt-Out Period” City Clerk Henton explained originally the City Council established last August as the opt-out period and people were told they would be able to opt-out again in August 2011. Since that time the Council offered to extend the opt-out time until March 30, 2011. Residents were then told the next opt-out opportunity would be March 2012. It was proposed that residents be allowed to opt-out at any time.

Councilman Foster moved to allow residents to opt-out of curbside recycling at any time, seconded by Councilman Brown. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes. The motion carried. Ordinance 2011-33 will be prepared.

10-D “Discussion: Musgrove Sports Complex Development” Mayor Lambird and a small group of individuals have been working on how to best utilize available space at Musgrove Park for a sports complex development. Mayor Lambird explained the City Park ball fields are reaching the end of their useful life. Large amounts of money will either need to be spent on the existing diamonds or be spent to construct new diamonds. A plan developed by Brad Doll was presented to the Council in the form of a Power Point presentation. The plan included four baseball diamonds for boys and four softball diamonds for girls. Currently, the ball leagues face a problem using their facilities at certain times of the year because of the fair.

Brad Doll, President of Olney Little League, discussed the plan and problems at the current facility. Four large diamonds and four small diamonds will be constructed west of the existing diamond and south of the pool. None of the diamonds will interfere with the Musgrove house or trees. The proposed parking lots will have an aggregate surface for now. Mr. Doll was trying to provide functional facilities for now which can be improved through the years. The economic benefit to the community with this new complex would be from the hosting of tournaments.

Councilman Ferguson questioned the parking needs. Mr. Doll estimated 150-160 parking spaces are included in the plan along with 30-40 spaces at the pool.

Councilman Brown asked about the concession/bathroom accommodations. Mr. Doll explained a one-story, split face block structure is planned which will be approximately 32'x32' and will provide for the concession stand, bathrooms, storage and lighting controls in a separate room which will be under lock.

Mr. Doll explained he has received a lot of interest from area people that can do quite a bit of the work at a lower cost, but not donated, so contractors will not have to be hired at retail price. This project would not make any sense at retail price.

Councilman Ferguson asked if the different leagues have been approached concerning this proposal. Mr. Doll indicated that the girls and Little League are in favor. The existing diamond at Musgrove Park was supposed to be used by Babe Ruth, but there are no lights. Mr. Doll has estimated the cost of lights for this field between \$70,000 and \$80,000. If lights were installed, Babe Ruth would also move from the City Park. When all the diamonds are moved from the City Park to Musgrove Park, 800 kids will be served in one spot.

The larger diamonds will have lights, but the smaller diamonds will not. Councilman Brown asked if the group has received any feedback concerning the smaller diamonds not having lights. Mr. Doll indicated there was not a problem because they will have more diamonds to use. There is more concern with the smaller kids playing late games past bedtimes. Some of the better materials could be salvaged from the existing diamonds and moved.

Mayor Lambird pointed out the current lay out of diamonds at the City Park is inefficient in terms of safety and ease of maintenance.

Mr. Doll commented if this project materializes, Little League will put into their budget a grounds keeper for the diamonds for the three to four months that they use them.

Bill Jennings, President of the Richland County Fair Board, pointed out over years there have been numerous times when relationships have not been good between the Fair Board and the ball leagues because of scheduling conflicts. The Richland County Fair has the largest grandstand in southern Illinois, but event opportunities have been missed because there is not enough parking space.

Mr. Jennings proposed for the Richland County Fair Board to take ownership of the City Park south of the White Squirrel Drive if all the ball diamonds are moved to Musgrove Park. There are a lot of facilities on the south side of White Squirrel Drive that the Fair Board has built and maintains. Once the property is transferred to the Fair Board, they would be responsible for mowing and maintaining everything on the south side. Mr. Jennings proposed paying the City \$10,000 each year for the next five years for title to the area south of White Squirrel Drive. The Fair Board can provide a greater benefit to the community by owning this portion of the City Park. Once the leagues pull out of the City Park, the Fair Board will clean up what is left.

Councilman Ferguson questioned the rumors concerning funding for local fairs and the push for regional fairs. Mr. Jennings commented there is more and more discussion for regional

fairs, but Richland County cannot be required to regionalize. Funding for county fairs in Illinois has changed considerably due to cut backs.

Mayor Lambird commented the Musgrove Sports Complex and the expansion of activities by the Richland County Fair will draw more people into the community, but there is no guarantee of the impact to the community like new restaurants and motels, but if nothing is done, he can guarantee nothing like that will happen.

Mr. Doll estimated the cost for the project to be \$530,000 to \$540,000 which does not include lighting for the existing Babe Ruth diamond. This cost can be decreased with volunteer help. If this project were completely contracted, Mr. Doll estimated the project to cost between \$700,000 and \$900,000.

Councilman Brown asked how much money can be saved due to more efficient lights. This savings was unknown, but it would be more efficient than what is being used now.

Mr. Doll commented that the leagues will step up and take care of ancillary or cosmetic items like sun screens at the new diamonds.

Concerning the funding for this project, Mayor Lambird proposed selling the undeveloped portion of the Roadmaster property which is located north of Pacific Cycle. He believes this is the least valuable piece of economic development property considering the City owns two other sites along Route 50 which have good access. He also proposed selling the south portion of the City Park to the Richland County Fair Board. The City should be able to acquire approximately \$275,000 from the sale of these properties which is approximately one-half of the cost of the proposed project. For the balance of the project, the City will have to rely on community efforts by the Richland County Recreation Council, volunteer labor and construction management.

Mayor Lambird discussed the time line for this project. He would like for the project to start September 2011. Mr. Doll explained dirt work and seeding in the fall will be important for the diamonds to be used next year. Fencing and electrical service can be done in the fall. Everything should be completed by summer 2012.

Councilman Brown questioned the procedures for selling the land. Mr. Taylor explained there are two ways. One way would be by sealed bid. The other method allows for the sale of real estate after an appraisal is secured and made available to the public, then the property can be sold at auction for at least 80% of fair market value. A 4/5 vote is required by the Council to sell the property.

Councilman Ferguson questioned selling the park property when the Fair Board holds a lease on the property. Mr. Taylor will have to look at the lease to verify when the lease expires. Conditions can be placed on the sale of the property, and the City does not have to accept the highest bid.

Mayor Lambird questioned if money should be spent on new ball diamonds with community involvement or spend money on the old diamonds and still have substandard facilities.

Mike DeMeyer has never seen a sales presentation from a Mayor as good as Mayor Lambird presented, but he did not appreciate it. He did not understand spending \$550,000 in this economy when people are hurting because the kids are not suffering on the existing fields. The Babe Ruth field at Musgrove Park cannot even be used because it is overgrown. Spending \$550,000 on new ball fields did not make sense to him. After the land is sold, he asked where the rest of the funding will come from. Mayor Lambird replied the community will help fund this project. So far \$60,000 has been pledged and the project was not announced until this evening.

Mr. DeMeyer believed everybody was pushing the project for their own gain, Mr. Doll's company will make money on work to be done and the Fair Board wants to receive cheap land. Mr. DeMeyer did not believe eight new fields were needed. He asked if there was any guarantee after the Fair Board purchases the property that they will continue having fairs. Mayor Lambird explained the property will revert to the City if the Fair Board does not continue to hold fairs.

Mayor Lambird told Mr. DeMeyer he can question the motives of the proposal, but do not question the people that are involved with the project. Mr. DeMeyer told the Mayor he was not just laying the project out, but he was definitely selling the project. Mayor Lambird agreed he was in favor of the project because it was the most effective use of City money.

Mr. DeMeyer questioned if the land that is being sold is generating income. He was told it was being farmed and generating income. Mr. DeMeyer believed this information should be laid out. Mr. DeMeyer did not see that this project was feasible at all. Mayor Lambird told Mr. DeMeyer he sees the project differently.

Dave Weiler commented that the Carrie Winter Trust has donated money to the leagues that will now be wasted when the fields are moved. He wanted to verify that the boys and girls will be treated equally. They have experienced conflicts in the past. He was assured there will be two small diamonds for the boys and two large diamonds for the girls. He did not see how this project will be done in a year's time with community help. Mr. Doll could not guarantee all the work would be completed by volunteers. Mr. Weiler believed the boys and girls should be combined into one organization so everyone is equal. Mr. Doll thought that was a good point, and this project would be a step in the right direction to get the two sides working together.

John McLaughlin believed this project was a once in a life time opportunity. He is confident the community can raise the needed money. This project will affect the lives of kids and businesses in the future. He has faith that this community will step up with volunteers and donations. He believed this proposal is better than putting a patch on a problem.

Mr. DeMeyer believed the \$550,000 being proposed for this project could be better spent on other deserving projects.

Mr. DeMeyer was concerned that not all the issues are being addressed because they want to vote on this issue in two weeks. The exact cost of upgrading the existing fields is not even known. Mayor Lambird explained even if the fields are brought up to standards, they are still laid out incorrectly and there is no way to fix that problem unless the configurations are completely changed.

Brian O'Neill questioned how they will get the community to support this project when they will not even support animal control.

Councilman Ferguson left the Council Chambers at 8:56 p.m.

Mr. O'Neill also pointed out \$550,000 is a lot of money when there are other problems that need attention such as flooding. People do not even volunteer to pull weeds out of the sidewalk so why would they volunteer to construct ball diamonds.

George Hostettler pointed out the lighted ball diamond at Rotary Park which is not even being used.

Councilman Ferguson returned to the Council Chambers at 8:57 p.m.

Andy Julian believed there is an opportunity to bring other towns into Olney to play all star events with a new location. Because of the fair, the current facilities miss out on these opportunities. He also believed any time you invest in kids you cannot go wrong. He felt the proposed complex was a good investment.

Dave Weiler had not heard anything about this project until day. He suggested that the public be advised before the Council makes a decision in two weeks.

Councilwoman Thomas moved to recess, seconded by Councilman Foster. A majority vote was received. The Council recessed at 9:01 p.m. and returned into open session at 9:10 p.m.

Councilman Ferguson strongly recommended that the groups involved in this project get together to determine answers to some of the questions that were asked tonight. Mayor Lambird commented that someone is spearheading the fund raising efforts and he believes about \$100,000 has been secured. One community group has pledged \$15,000 for naming rights of one of the small fields. Another individual will give \$15,000 to kick off the campaign. Other trusts will be approached to donate.

Mayor Lambird suggested scheduling a meeting next week to address concerns.

Councilman Foster believed the Council needs more time to hear from the community and consider all the alternatives. He was concerned about the investment needed when there are so many capital improvement items facing the Council. If there is overwhelming support in the community, he will be glad to listen with an open mind.

Councilman Ferguson believed the Council needs to hear from the public before a decision is made. He wants as much input from the public as possible to make an informed decision.

Mayor Lambird suggested a special Council meeting on August 15, 2011 at 7:00 p.m.

Councilman Ferguson clarified that the proposed sale of property to the Fair Board does not include the Fair Board office or barns. Mayor Lambird verified that was correct.

Councilman Foster moved to set a special Council meeting to discuss Musgrove Park on Monday, August 15, 2011 at 7:00 p.m., seconded by Councilman Brown. A majority voice vote was received.

10-E "Discussion: Authorize Disposal of Trees at Firing Range" Al Zellmer had Hancock Logging clear the horse paths of the trees that fell during the recent storms. One or more of the 4-H clubs have asked if they can cut the tree tops and sell the wood for a fund raiser with the funds going to the Fair Board to be used for the replacement of the grandstand roof.

Councilman Ferguson questioned if the trees were just moved off trails or was actual logging taking place. Mr. Taylor was not sure, but will find out.

Councilman Ferguson moved to allow the 4-H clubs to cut up the downed trees and sell as a fund raiser, seconded by Councilwoman Thomas. A majority voice vote was received. Ordinance 2011-34 will be prepared.

AGENDA #11 "OLD BUSINESS"

11-A "Ordinance: Authorize the Sale of 418 E. Monroe" One bid was received for the sale of 418 E. Monroe in the amount of \$500.00 from Marion (Candie) Messenger. She owns adjoining property.

Councilman Brown moved to pass Ordinance 2011-35, seconded by Councilman Foster. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

11-B "Ordinance: Authorize the Sale of 402 W. Elm" One bid was received for the sale of 408 W. Elm in the amount of \$350.00 from Loren Simen. Mr. Simen also owns adjoining property.

Councilman Brown moved to pass Ordinance 2011-36, seconded by Councilwoman Thomas. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes. The motion carried.

11-C “Discussion: Combined Dispatch” Mr. Taylor reported there are some issues for the Council to consider in respect to combined dispatch. Discussions have been ongoing regarding negotiations between the FOP and Richland County concerning collective bargaining issues related to the City telecommunicators’ move to the Richland County combined dispatch center. Some time ago the City and County entered into an agreement establishing a JEDS Board which will provide some oversight with respect to the dispatch center. Because of some provisions in the JEDS Board agreement regarding staffing and policies, there are questions as to whether the JEDS Board should be a signatory to a collective bargaining agreement with Richland County. There has been an indication from FOP members, if the JEDS Board is required as a signatory, any collective bargaining agreement amendment will not be approved by FOP. To resolve this situation the JEDS Board agreement could be amended to remove or modify some of the language in respect to the authority of the JEDS Board or the City could do something completely different like contracting for service with no JEDS Board and no input from the City. The Council needs to decide what kind of relationship they want with Richland County.

Transfer of equipment and employees is scheduled for August 9, but there is no agreement between Richland County and the FOP in regards to accepting the employees. One of the reasons for that agreement is to preserve the City employees’ current salaries instead of causing a potential loss.

Mayor Lambird believed it was important for the City to keep its input on how dispatch is run. Another concern he had was the City telecommunicators should be unharmed in terms of pay. It appears all of these matters are in jeopardy.

Councilman Foster agreed with Mayor Lambird’s comments. The reality of what he thought would happen is happening. All input will be lost if the union does not accept the City telecommunicators under the terms of the JEDS agreement. The Sheriff has made statements that he is done negotiating. In Councilman Foster’s opinion, the Sheriff is not acting in good faith in the negotiations. He is fearful when the City telecommunicators are transferred to the County they will be pushed out by any means possible. He was also concerned that the Sheriff sees the City as a cash cow and wants the City’s funding, but he does not want the City to have any input on how the dispatch center is run.

Councilman Foster commented that by moving the dispatch center, City dispatchers will not be able to personally communicate with the City officers in the station. Currently, dispatchers assist officers with various duties when officers bring in suspects or conduct interviews. With the new arrangement, the officers will be by themselves at the police station. He believes this arrangement will set the police department back 50 years. He would support whatever can be done to put a stop to combined dispatch. He believes once the employees are moved over to the County, all bargaining power will be lost.

Councilman Foster understood that the Sheriff will offer employment to City dispatchers at the bottom of the County pay scale if an agreement cannot be made.

Even though 911 is only going to fund one PSAP, Councilman Foster proposed that the City keep their dispatchers for city calls only, not 911. All 911 calls would go to the County and they would either transfer to the calls to the City or dispatch the entity needed. The County is responsible for dispatching 911.

Mayor Lambird questioned if the City will have the necessary equipment needed to dispatch once the County moves into the new dispatch center. Police Chief Chaplin explained the City will have the ability to talk to City officers through the City base, but the department will lose the computer-aided dispatch system and the records management system. Chief Chaplin estimated it would cost \$10,000 to \$12,000 annually to support the CAD software. The City already pays for the records management system.

Mayor Lambird questioned what is required to break the contract. Mr. Taylor commented a majority vote would be required to terminate the contract.

Councilman Brown questioned the City's staffing levels. Chief Chaplin reported there are currently three City dispatchers. He would want to go back to five. It is possible less dispatchers would be needed if the City is not responsible for 911 calls.

If City dispatchers are not transferred over to the County on August 9, the Sheriff will have to hire additional dispatchers.

The States Attorney is on vacation this week and the Sheriff is not in town.

One option would be to allow the telecommunicators to go over to the County, but stay on the City payroll. Councilman Ferguson questioned what would happen within a week from now if the City withdraws from the contract. Mr. Taylor questioned what equipment will be moved that may need to be brought back. Chief Chaplin explained the understanding is that the City will supply one radio console to support the third position. That will leave the City with one radio console.

Mayor Lambird moved to recess, seconded by Councilwoman Thomas. A majority voice vote was received. The Council recessed at 9:48 p.m. and returned back into open session at 9:55 p.m.

Councilman Foster moved to stop the move and keep the telecommunicators as non-911 dispatchers working for City and proceed to purchase a CAD system and data base software, seconded by Councilwoman Thomas.

Mayor Lambird received a text message from the Sheriff and would like to have the opportunity to talk to him before this matter is voted on. He requested that this matter be tabled until after the closed session.

Mayor Lambird moved to table Councilman Foster's motion until after closed session, seconded by Councilman Brown. A majority voice vote was received.

11-D "Discussion: Advertising of City Manager and City Treasurer Positions" The Council was provided with a proposed advertisement for the position of City Manager. Councilman Foster and Councilwoman Thomas also had proposed language to be used to advertise for City Treasurer.

Mr. Taylor also questioned how and where the Council wanted to advertise for these positions. In the past the City has advertised for a City Manager on the Illinois Municipal League's website, International City/County Management Association website and newsletter and the Olney Daily Mail. Mr. Taylor did not know the cost.

Councilwoman Thomas reported that she and Councilman Foster have determined a full-time City Treasurer is needed. Councilman Foster recommended advertising for the City Treasurer in the same places Mr. Taylor detailed.

Mayor Lambird considered advertising in a military publication for the City Manager position, but was unsuccessful in finding out how to publish an ad with any of these publications.

Councilman Foster read the proposed advertisement for City Treasurer. The Council discussed language changes. It was suggested that the advertisement for City Manager in the Olney Daily Mail be condensed to save money. The deadline date for both positions will be September 16, 2011.

11-E "Resolution: Authorizing Execution to Terminate Grant Agreement for Convenience" The Council was provided with an agreement from EDA in which the City would agree to terminate the grant agreement. As a part of that agreement the City would receive \$126,464 which is 50% of what EDA has determined as the eligible expenses for the East Industrial Park project. Mr. Taylor was not sure when payment could be expected, but he understood EDA is trying to get this matter resolved. This money has not been budgeted, and a portion of it will go back to the CDAP fund.

Councilman Ferguson moved to approve Resolution 2011-R-45, seconded by Councilman Brown. A majority voice vote was received.

AGENDA #12 "PUBLIC COMMENTS/PRESENTATIONS" Brian O'Neill discussed his opinion of joint dispatch.

A gentlemen from the public asked if a picture of the proposed Musgrove Sports Complex could be put in the Olney Daily Mail so the public can see the proposal. Mayor Lambird hoped the Olney Daily Mail would publish the drawing.

The Council was asked if signs could be put up at the entrances to the city recognizing the girls softball team for winning the state tournament. The Council agreed to look into this possibility and also suggested that the Babe Ruth team be recognized because they also won at state.

AGENDA #13 “REPORT FROM THE MAYOR”

13-A “Ordinance Sweeps” Mayor Lambird wanted to move forward with a plan involving Mike Mitchell and the Police Department where once every two weeks a day is set aside to look for violations and then take action if necessary. Councilman Foster would also like to see animal control issues enforced by the Police Department.

Mayor Lambird reported that a group of citizens will be attending the August 22 meeting concerning the streets in Eastgate Subdivision. Mr. Charleston has been asked to put some information together along with cost estimates to have these streets repaired.

Councilman Foster wants to see future road projects stay in that subdivision until the streets are up to standard before moving to another area.

Mayor Lambird has talked to Mr. Taylor about providing CPR and first aid training to employees this winter.

Mayor Lambird called the Council’s attention to the fact that this is Mr. Yockey’s last Council meeting. He thanked him for everything he has done for the City.

AGENDA #14 “REPORTS FROM CITY COUNCIL MEMBERS” The Council members had nothing additional to report.

AGENDA #15 “CLOSED SESSION: APPOINTMENT AND COMPENSATION OF SPECIFIC EMPLOYEES” Councilman Foster moved to adjourn to closed session to discuss the appointment and compensation of specific employees, seconded by Councilman Brown. A majority voice vote was received.

Councilmen Foster, Brown and Ferguson, Councilwoman Thomas, Mayor Lambird, City Attorney Taylor and City Clerk Henton left the Council Chambers at 10:21 p.m.

AGENDA #14 “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 voice vote was received. Open session resumed at 11:42 p.m.

AGENDA #15 “ACTION ON CLOSED SESSION” Councilman Ferguson moved to designate the acting City Manger, Larry Taylor, as an authorized signer on the City’s bank accounts, seconded by Councilman Brown. A majority voice vote was received.

Councilman Foster moved to take his motion made prior to the closed session up from the table, seconded by Councilwoman Thomas. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

Councilman Ferguson questioned what happens if the City employees go over to the County to work and the City continues to pay them. Mr. Taylor explained the City would continue to pay the City employees until a solution is worked out with FOP. If nothing can be worked out, the employees can be pulled back. There was still the question of equipment.

Chief Chaplin explained if consideration is being given to moving back to the Police Department, the lobby remodeling project will need to be placed on hold. It will be difficult to supervise and schedule three dispatchers which are located at the County.

Mr. Taylor was provided with a copy of the proposed County FOP agreement.

Councilman Ferguson questioned what will happen if the City dispatchers stay at the Police Department. Chief Chaplin explained the Sheriff will be forced to hire additional dispatchers. Mayor Lambird said the Sheriff agreed not to hire anyone if City dispatchers transferred over to the County on August 9.

There was no prediction on how long it will take to settle the FOP agreement.

Marge Lenear questioned if the telecommunicators go to the County, who will be responsible for scheduling, policies and procedures. Mr. Taylor commented this would need to be discussed.

The Council questioned why the equipment had to be moved tomorrow. It was explained the City had no input, it was scheduled by the 911 Board.

Even though the FOP agreement does not mention the JEDS Board, there is still a JEDS agreement with the County. The JEDS Board has the authority to change the lead agency and provides protection to the telecommunicators if the lead agency is changed. The JEDS Board is the only way the City will be allowed to have input into combined dispatch.

The Council asked what happens if the Council takes no action tonight. Mr. Taylor commented if the telecommunicators go over to the County dispatch center, they have not been offered a job. If jobs are offered, it has to be offered under the existing contract which will be at Step II. The agreement which says City telecommunicators can keep their existing salary is with the County. The County is to make a good faith effort to protect their salaries, but the County is still negotiating an amendment with FOP.

Mayor Lambird left the Council Chamber at 12:10 a.m.

Mr. Taylor reviewed the telecommunicators contract and did not see anything saying where the telecommunicator had to work being City employees.

Mayor Lambird returned to the Council Chambers at 12:11 a.m.

If the telecommunicators go over to the County on August 9, Chief Chaplin asked if the telecommunicators will be under his supervision.

Mayor Lambird stated this situation is unacceptable that the parties involved cannot get together. If there is a problem, the voters need to know that the Sheriff is not doing his duty. This is a discussion that should have taken place three months ago. On the date this change is happening there are no answers to these questions. He did not know where things went wrong, but they really went wrong somewhere.

Depending on the final outcome of the County's FOP contract, there may be a conflict between the JEDS Board agreement and the County's FOP agreement.

Mayor Lambird questioned if Mr. Taylor can find out by next Monday if they intend to strip the JEDS Board of all of their authority and the City's input. Mr. Taylor will discuss that matter with John Weathers at FOP.

Mayor Lambird asked Chief Chaplin if his department can operate efficiently if the contract is terminated. Chief Chaplin did not know about efficiently, but the department can operate. Mayor Lambird does not want the telecommunicators to lose any money, but believes it is far too dangerous to back out of the agreement at this time because of 911. If the City does not combine with the County, the County will have to operate with only four telecommunicators.

Chief Chaplin pointed out that the JEDS Board has requested that policies and procedures be set so there will be some structure for combined dispatch, but this had not been done.

The Council discussed the possibility of cancelling the move for August 9. There may be some costs associated with the cancellation.

Mr. Taylor posed the question of combining the telecommunicators and keeping the City employees on the City payroll until an agreement has been reached with David Hyde. Both Mr. Hyde and the Sheriff were agreeable with this proposal.

Councilman Foster moved to amend his original motion to state the City of Olney is going to withdraw from the contract for combined dispatch and give the County notice to look for personnel to fill the dispatching positions. City telecommunicators can stay at the county dispatch center, if the County will allow, for 60 days to allow time to train new employees, seconded by Councilwoman Thomas.

Councilman Ferguson questioned the requirement to terminate the agreement. Mr. Taylor explained there are two provisions, one requires 30 days notice only if the corporate authorities fail or refuse to pay the cost for combined dispatch. The other provision requires 180 days written notice to terminate participation in the agreement before the termination date of the agreement. Mr. Taylor pointed out the agreement has been signed, but nothing has been implemented.

A majority voice vote was received to amend Councilman Foster's main motion.

Councilman Ferguson Mayor Lambird and Councilman Brown voted no and Councilwoman Thomas and Councilman Foster voted yes to Councilman Foster's amended motion. The motion failed.

Mayor Lambird requested that this issue be placed on the August 15 special meeting agenda.

AGENDA #16 "ADJOURN" Councilman Brown moved to adjourn, seconded by Councilwoman Thomas. A majority voice vote was received.

The meeting of the City Council adjourned at 12:55 a.m.

Belinda C. Henton
City Clerk