

CITY OF OLNEY  
CITY COUNCIL MEETING  
AUGUST 26, 2013

AGENDA #1 “CALL TO ORDER” The August 26, 2013 meeting of the Olney City Council was called to order at 7:00 p.m. in the Council Chambers of the Olney City Hall located at 300 S. Whittle Avenue, Olney, Illinois, with Mayor Ray Vaughn presiding.

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

AGENDA #3 “ROLL CALL” The following Council members were present: John McLaughlin, Barb Thomas, Brad Brown, Bob Ferguson and Ray Vaughn. Also present were City Manager 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 August 12, 2013

4-B Approve and Authorize Payment of Accounts Payable August 27, 2013-Pooled Cash \$197,991.57, Manual Pooled Cash \$4,437.44, Water Deposit Refunds \$2,013.48, Park Lift Station \$3,750.00 and Boone Street Grant \$4,000.00

4-C Raffle License-St. Joseph Church

4-D Raffle License-Olney Public Library

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

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilman McLaughlin 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 THE CONSENT AGENDA” No consideration was necessary for items removed from the consent agenda.

AGENDA #8 “PUBLIC COMMENTS/PRESENTATIONS”

8-A “Mayor’s Comments About People With Disabilities and Ability to be Employed” Brian O’Neill told Mayor Vaughn he owed everyone an apology for his discriminating statement when he told the citizens they should be proud about the fact that the City is providing work for the handicapped workers that process the recycling because they cannot get other jobs. Mr. O’Neill then talked about his affordable health care plan when he runs for president.

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

9-A “Discussion: Accept Audit” Ryan Hawkins from Kemper CPA Group presented the 2012/2013 audit report at the last meeting. Mr. Taylor recommended the Council make a motion to accept the audit as prepared by Kemper CPA Group.

Councilman Vaughn moved to accept the 2012/2013 audit report, seconded by Councilman Ferguson. Councilwoman Thomas, Councilmen Brown, Ferguson, Mayor Vaughn and Councilman McLaughlin voted yes. There were no opposing votes. The motion carried.

9-B “Resolution: Amend Budget for Musgrove Park Storm Water Detention Project” At the last meeting the Council discussed the storm water detention project at Musgrove Park. Mr. Taylor explained nothing was budgeted for this project, but \$50,000 was budgeted for the Van Sandt water detention project. Ultimately, the VanSandt storm water detention will need to be created, but the Musgrove Park detention project is of prime importance at this time.

The Council was provided with a proposed resolution amending the budget by transferring \$50,000 from the VanSandt Water Retention line item to the Musgrove Park Detention line item.

Mr. Charleston was hopeful the project will cost less than the proposed \$50,000.

Mayor Vaughn questioned the time frame for this project. Mr. Charleston plans to bid this project as soon as possible and present the bid results at the next Council meeting.

Mayor Vaughn suggested that the farmer who is growing alfalfa at Musgrove Park be notified so he can be given an opportunity to cut the alfalfa one more time before the project begins. Mr. Charleston foresees the project beginning approximately five to six days after the bids are opened.

Councilman Ferguson moved to approve Resolution 2013-R-46, seconded by Councilman McLaughlin. A majority voice vote was received.

9-C “Discussion: Use of Firing Range and Building for Concealed Carry Training” As a result of the recently passed concealed carry law, the City will likely be asked to give permission to use the firing range and building for the required 16-hour classroom training and shooting because there are very few suitable facilities in the area. Mr. Taylor pointed out the City has not established any regulations concerning the use of the building and range, but typically they have required insurance be provided by the groups that have used the facility.

Mr. Taylor pointed out the City owns the firing range and building. The electric bill for the firing range and building is paid by the White Squirrel Saddle Club in lieu of paying rent for the use of the arena and right to rent campsites in that area. The City has not charged for the use of the firing range or the building in the past; however, the saddle club believes they should be compensated for the cost of additional electricity if it is used by others.

Mr. Taylor noted that one of the major issues regarding the use of any facility, and especially the firing range, is the potential liability. Currently, the City requires a minimum of

\$1,000,000 of liability insurance for special events which can be increased to \$2,000,000 for more hazardous events. The White Squirrel Saddle Club, Richland County Farm and Fair Association and the Olney Gun Club are required to have \$1,000,000 of liability insurance coverage pursuant to their respective leases or agreements. The issue of the amount of insurance that should be required by the City for the use of the firing range needs to be addressed prior to allowing other organizations or individuals to use the facilities.

Lynn Ernst, representing the Olney Gun Club, discussed the concealed carry training class his club will be hosting for their members. The training will consist of two days with a total of 16 hours including classroom and shooting. The cost for each student will be \$250.

The Olney Gun Club has used the firing range for many years. They submitted an annual schedule for range use. Mr. Ernst commented the gun club is in favor of contributing toward the electric bill, but he believed it would be wise for the City to decide on the rental fee. Currently, the saddle club receives and pays the electric bill for the firing range building.

The Council questioned if City officers will be doing the training. Police Chief Paddock discouraged the use of a City officer as a trainer for these classes because of budgeting and liability issues.

Mayor Vaughn commented the liability issue with groups and individuals using the firing range is a concern. The City has a tremendous amount of liability with various activities. He questioned when was the last time the liability issue was evaluated. Mr. Taylor explained this matter was discussed a couple of years ago when the liability insurance changed companies. There is a meeting scheduled for September 3 with the liability insurance broker to discuss marketing strategy. The liability issue could be discussed at that time.

Zach Holder expressed concern with shooting events becoming an every weekend event at the firing range. Mr. Taylor explained there is nothing in the Olney Gun Club's agreement or any rules or regulations that restrict the number of times the firing range can be used.

Mayor Vaughn questioned who allows the use of this facility. Mr. Taylor answered since this facility is city-owned, the City allows and schedules events at this location. Since this facility is the responsibility of the City, Mayor Vaughn believed there should be black and white rules concerning the use of the facility.

Mayor Vaughn believed more information is needed before a decision is made.

Mr. Ernst believed a \$10 per day fee would be understandable for the use of the firing range building, but he wanted it noted if the building is unlocked only for the use of the restrooms, a daily fee should not be charged.

Councilman Ferguson agreed if any fee is charged for the use of the firing range building, it should be set and charged by the City. The White Squirrel Saddle Club could be reimbursed for electricity based on usage.

9-D “Resolution: Authorize Engineering Agreement with Charleston Engineering, Inc. for North Street Pumping Station Project” The Council was provided with an engineering agreement which is required by the Illinois Environmental Protection Agency as a part of the requirements for the IEPA loan. The agreement is basically a standard EPA engineering form. Mr. Taylor recommended approval of the engineering agreement. Once this resolution is approved, the engineering agreement will be forwarded to the IEPA as part of the loan packet.

Councilman McLaughlin questioned the various engineering fees. Mr. Charleston explained the fee schedule and the different types of engineering.

Councilman McLaughlin moved to approve Resolution 2013-R-47, seconded by Mayor Vaughn. Councilman Ferguson, Mayor Vaughn, Councilman McLaughlin, Councilwoman Thomas and Councilman Brown voted yes. There were no opposing votes. The motion carried.

9-E “Discussion: MFT Road Maintenance Program Update” Mr. Taylor advised that the Street Department has used the asphalt zipper and other equipment to grind and shape and then Mt. Carmel Stabilization applied oil and chip to a portion of Kitchell Avenue, York Street, Boone Street, Baird Street, Monroe Street, Locust Street, E. North Avenue and Mack Avenue. Plans are now being made to do the same thing to portions of Glenwood Street, Morgan Street and Grant Street. There are also hopes to install storm sewer in two blocks of Eastgate Street, grind and reshape the street and have Mt. Carmel Stabilization apply oil and chip. In order to do all of the work mentioned, the MFT fund will be over spent from what was originally proposed. This additional work has been made possible by Mt. Carmel Stabilization being able to schedule an additional day in September for oiling and chipping.

Mr. Sanders provided the Council with a spreadsheet detailing MFT and STU funds. Mr. Taylor reviewed the spreadsheets that were presented.

Mayor Vaughn asked if is typical for the City to budget street repairs solely from MFT funds. Mr. Taylor explained a lot of street repairs come from MFT, but not all. MFT funds have to be used for street related projects. When STU funds are used, there are usually additional construction requirements and only certain roads qualify for STU funds. MFT funds can be used to match the STU funds. The City receives approximately \$72,000 annually in STU funds.

Mr. Taylor reported that the City has indicated to IDOT that STU funds are going to be used for a N. East Street improvement project. STU projects are 80/20, but this match does not include engineering. The N. East Street project is not expected to start until 2015 if finances are available.

Mayor Vaughn asked if there was a master list of streets anticipated for repairs in future years. Mr. Taylor indicated to a degree there is a list. This year’s list of streets needing repairs was approximately 25 to 28 streets long, but not all streets could be included. The list will need to be reviewed and updated. Mayor Vaughn did not want to bump someone off of the list just because someone else comes to a meeting and complains about their street. A master list would

provide a process by which a street can be added or bumped up as necessary. This list could also be shared with the public.

The Council will be provided with an IDOT resolution amending the MFT allocation after the final expenditure is known.

Councilman Ferguson asked for feedback from Mt. Carmel Stabilization as to how Olney's program is working compared to other communities.

Bryce Fehrenbacher requested that trees be cut back from the street on N. Ohio and S. Jasper.

#### AGENDA #10 "REPORTS FROM ELECTED AND APPOINTED OFFICIALS"

10-A "City Manager - Status Report" Mr. Taylor received a phone call from Republic Services, and they were requesting permission to begin their daily routes this week as early as 3:00 a.m. to avoid as much of the heat as possible. Keeping their trucks off of the streets during the hottest part of the day will also help the streets.

Trash service will be delayed by one day all of next week due to the Labor Day holiday.

An urban forest program will be presented at the Olney Public Library on August 27 from 6:30 p.m. until 8:30 p.m. It will be presented by the Southern Illinois University Community Forestry Outreach and is open to the public.

Several months ago LaGala provided funds to the Friends of Downtown for a downtown speaker system. The City was asked to help install the system. Many hours and the use of the bucket truck were donated to this project. Jon Wright has contacted the City again requesting the use of bucket truck and operator to make a repair in the system. He estimates the repair will take between 45 minutes to 4 hours. Mr. Wright has volunteers who are willing to make the repairs if the bucket truck can be used. Mr. Taylor preferred that city crews operate the bucket truck without volunteers. The City is going to be liable for whoever is in the truck. Councilman Ferguson commented since the City helped install the system, they should help maintain the system. Mayor Vaughn was not in favor of allowing someone else to use equipment.

Mayor Vaughn requested a brief description of the use tax and corporate replacement tax. Mr. Taylor explained these two taxes. The City controls the percentage of the hotel/motel tax and telecommunications tax.

AGENDA #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 Councilman McLaughlin. A majority affirmative voice vote was received.

Councilmen McLaughlin, Brown, Ferguson, Councilwoman Thomas, Mayor Vaughn, City Manager Taylor, City Treasurer Sanders and City Clerk Henton left the Council Chambers at 8:09 p.m.

AGENDA #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 9:30 p.m.

AGENDA #13 “ACTION ON CLOSED SESSION” No action was taken as a result of the closed session.

AGENDA #14 “ADJOURN” Councilman McLaughlin moved to adjourn, seconded by Mayor Vaughn. A majority affirmative voice vote was received.

The meeting of the City Council adjourned at 9:30 p.m.

Belinda C. Henton  
City Clerk