

CITY OF OLNEY
CITY COUNCIL MEETING
FEBRUARY 25, 2013

AGENDA #1 “CALL TO ORDER” The February 25, 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. John Monroe 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, and City Clerk Belinda Henton. City Engineer Roger Charleston was absent.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

- 4-A Approve Minutes of Council Meeting on February 11, 2013
- 4-B Approve and Authorize Payment of Accounts Payable February 26, 2013-Pooled Cash \$94,413.69
- 4-C Raffle License-Knights of Columbus
- 4-D Raffle License-Olney Quilt Guild-June 3, 2013
- 4-E Raffle License-Olney Quilt Guild-October 5, 2013

AGENDA #5 “REMOVAL OF ITEMS FROM CONSENT AGENDA” Councilman Foster requested that item 4-A Approve Minutes of Council Meeting on February 11, 2013 be removed from the consent agenda.

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilman Brown moved to approve items 4-B, 4-C, 4-D and 4-E from the consent agenda, seconded by Councilman Foster. A majority affirmative voice vote was received.

AGENDA #7 “CONSIDERATION OF ITEMS REMOVED FROM” Councilman Foster requested that the word “older” be inserted into the sentence that read: Councilman Foster thought employees should help (older) people unload their brush.

Councilman Ferguson moved to approve the City Council minutes from February 11, 2013 as amended, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

AGENDA #8 “PUBLIC COMMENTS/PRESENTATIONS”

- 8-A “RMH-IL Smoke Act Violate Government Property Rights” Brian O’Neill

complained about Richland Memorial Hospital violating city government property rights in enforcing the state's Smoke Free Illinois Act and loitering.

Mr. O'Neill stated he goes by the law. He also stated the city is a toxic waste community because you'uns (the Council) was not doing their jobs.

Mr. O'Neill pointed out the park and swimming pool are not in compliance with no smoking signs.

AGENDA #9 "PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC."

9-A "Discussion: Hours of Operation at the Brush Dump" Since Christmas the brush dump has been open and staffed on Saturdays. The last two Saturdays there have been between 35 and 40 people using the facility. Mr. Taylor questioned if hours should be extended for the upcoming months. Mr. Taylor suggested having the brush dump open and staffed three to four days a week from 10:00 a.m. until 4:00 p.m.

Councilman Foster suggested the brush dump be opened on Fridays, Saturdays and Mondays from 10:00 a.m. until 4:00 p.m. with the possibility of expanding to five to six days later.

Councilman Ferguson questioned if complaints were received about people not being able to get to the brush dump on Saturdays. City Clerk Henton commented she mostly received complaints from tree trimming businesses. Councilman Foster did not believe the City has an obligation to have the brush dump open for more than regular citizens because they are the ones paying the taxes. Some of the other Council members have had complaints from citizens concerning the brush hours.

Kevin Ahlfield questioned what it costs to have an employee staff the brush dump. Mr. Sanders estimated \$200 a day for a full time employee. Mr. Ahlfield believed motion sensing video cameras could save the City money and allow the brush dump to be open all the time.

Councilman Foster explained not only has the City experienced problems with having other items dumped than brush, but also problems with where people were dumping and setting fires.

Mr. Taylor explained there is a statutory requirement to have the brush dump staffed.

Councilman Foster moved to have the brush dump open on Fridays, Saturdays, and Mondays from 10:00 a.m. until 4:00 p.m. starting the first weekend in March, seconded by Councilwoman Thomas. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried.

9-B "Resolution: Accept Bids for MFT Concrete and Crushed Stone" MFT bids were opened today for concrete and crushed stone. One bid was received for concrete which was

from Doll's Inc. for \$83.00 per cubic yard and three bids were received for crushed stone with the low bid received from Charles Heuerman for \$15.50 per ton. Mr. Taylor recommended accepting all low bids. The approval of these bids will enable the Street Department to make concrete repairs on Jonathan Drive, Sterchi Drive, Bradley Drive, Gregory Drive, Imperial Drive and Sarah Drive.

Councilman Foster moved to approve the low bid from Charles Heuerman for crushed stone and Doll's Inc. for concrete, seconded by Councilman Ferguson. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

9-C "Resolution: Support of Planning for Park and Recreation" Jan Nation with the Illinois Department of Natural Resources has suggested that the City Council adopt the proposed resolution in anticipation of the development of a Park and Recreation Master Plan and the submission of a grant application.

Councilwoman Thomas moved to approve Resolution 2013-R-08, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

9-D "Ordinance: Approving the Transfer of the Cable Franchise" The City has received a letter from New Wave Communications requesting the approval of the acquisition of New Wave by Rural Broadband Investments, LLC. This is required because of the franchise agreement. The Council was provided with a proposed ordinance, press release, letter from New Wave Communications and Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise and supporting documents.

Mr. Taylor explained this is only a transfer to a holding company, and will not change the local operation.

Councilman Foster moved to pass Ordinance 2013-09, seconded by Councilman Brown. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-E "Discussion: Debt Service for North Avenue Pumping Station Loan" City Treasurer Sanders prepared a summary of the current debt service charge that is applied to all sewer bills. In June 2013, the City of Olney will pay off one loan from the EPA. The Park Lift Station Project is the only outstanding loan. After paying off the loan in June, the City could reduce the debt service charge. Mr. Sanders presented several options regarding the debt service charge in light of the possible loan from EPA or a local bank for the North Avenue Sewage Pumping Station project. Several financing scenarios were included for 20 years, 15 years and 10 years. All options result in a net reduction in the debt service charge.

Councilman Ferguson questioned if EPA would finance a low interest loan for 10 years. Mr. Sanders believed they would.

Councilman Foster preferred to keep debt service charge as low as possible and questioned if there are any other large sewer projects that will be needed in next the 10-20 years. Mr. Sanders did not remember any large sewer projects included in the 5-year plan.

9-F “Discussion: Summer Recreation Fees” The Olney Swim Team will be holding their sign ups for their summer swim program in March and have asked the City to consider the summer recreation fees so they can include sign ups for the City’s competitive swimming lessons at the same time.

Mr. Taylor commented that the Swim Team participates in both sessions of the summer recreation program. Currently, the fee for both sessions is \$60 for a youth that lives inside city limits and \$110 for a youth outside city limits. Additional children from the same family are \$10 less.

Mr. Sanders believed the City is covering the cost of the recreational instructors with the current fees.

Councilman Foster moved to not make any changes to the summer recreation fees, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

AGENDA #11 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

10-A “City Manager - Status Report” Mr. Taylor reported that the downed trees and poles along the road at the firing range have been cleaned up along with the brush pile near the White Squirrel Saddle Club arena.

Mr. Taylor also reported that the new playground equipment for the City Park has been received and will be installed this spring before the end of the fiscal year.

Councilman Foster inquired if the City has paid the White Squirrel Saddle Club for the expenses they incurred in 2010. Mr. Taylor and City Clerk Henton confirmed the City has still not received any receipts from the White Squirrel Club.

Councilman Foster inquired if the drainage problem at the firing range has been resolved. Mr. Taylor and Mr. Mitchell have looked at the situation, but Mr. Charleston needs to also be consulted on a suitable solution.

Kevin Ahlfield addressed the Council concerning the City’s policy for replacing sewer laterals. It was his opinion the sewer policy should be similar to the recently approved water service line policy. He told the Council that his house at 429 S. Morgan has never had a sewer tap.

Councilman Foster questioned the City’s cost if a sewer lateral policy were approved.

Mr. Taylor explained currently the property owner is responsible for their sewer laterals to the main, and this seems to be standard among other communities. Water is treated differently because there are water meters and curb stops that are part of the system.

Mr. Taylor commented sewer taps are made by a licensed plumber.

It was Mr. Ahlfield's opinion if the City controls the right of way, the property owner should not be responsible for service lines until after the right of way. He explained someone is wanting to buy this house, but not without knowing about the sewer service.

In respect to the water policy, Councilman Foster explained the City is not responsible for installing new service lines, it is only responsible for repairs between the main and the curb stop.

The nearest sewer main is in the middle of North Avenue. Mr. Ahlfield did not believe he should be responsible for cutting into the street to extend sewer service to his house. He stated the house has no sewer system.

Mr. Taylor commented the Council can change the policy, but it is not common practice for cities to be responsible for extending sewer laterals from the main for property owners. Councilman Ferguson would like to see what other communities do.

Councilman Brown questioned how many houses within the city limits do not have sewer service. Mr. Taylor estimated 25 to 30. Councilman Brown commented on a long term it may be in the City's best interest to work with homeowners to obtain sewer service.

It was Councilman Ferguson's opinion the City needs to work with homeowners to develop empty lots and neighborhoods in the older areas of town.

Councilman Foster asked if demolished homes can reuse existing sewer lines. Mr. Taylor stated an existing tap can be used if the sewer lines are suitable.

Mayor Lambird suggested getting a price.

Councilman Brown suggested talking with Mr. Ahlfield to work out arrangements for getting sewer to this house.

Councilman Foster noted bad potholes in the 700 block of E. Locust.

Councilman Foster asked if the cost evaluation for recycling has been completed. Mr. Sanders has spent some time evaluating the recycling program and plans to review what he put together with Mr. Taylor tomorrow.

Councilwoman Thomas questioned why no one will put barricades in the empty lot at 211 E. Main. She questioned if the City would be liability if someone were hurt. Mr. Taylor answered the property owner would be liable in case of an accident.

Councilwoman Thomas asked the name of the property owner. Mr. Taylor answered Tom Fehrenbacher. She asked his reason why he refuses to put barricades on the property. Mr. Taylor has not spoken to Mr. Fehrenbacher, but Mr. Mitchell has discussed the matter with him. Mr. Taylor cannot say his specific reason.

Councilwoman Thomas questioned what the code requires. She thought the lot should be level without things sticking out of the concrete. She did not understand what the problem is with that situation. It has been discussed at various times about having ordinances on the books and not being enforced.

Councilman Ferguson indicated that Morgan Fehrenbacher was in the audience. Ms. Fehrenbacher did not want to address this issue because she is not the property owner. She thought Mr. Fehrenbacher was told by Mike Mitchell he did not have to remove the concrete.

Councilman Foster would be interested in finding out from Mr. Mitchell why something has not been done. He believed there should be a reasonable attempt to keep people from walking through this empty lot.

Councilman Ferguson asked if people are using this lot as a passageway. Councilman Thomas did not know, but she was concerned people could walk through this area and fall. She commented if the Council is not concerned with safety, maybe it is not an issue.

Councilman Ferguson commented the property does not have much commercial value, but it would possibly have a value to the community if it were used as a walk through for people parking behind the buildings on the south side of Main Street. If the owner does not have an intended use for the property, maybe it could be donated to the City and be used as a walk through.

Councilman Foster believed the empty lot was a safety hazard and a liability to the property owner.

AGENDA #12 “COLLECTIVE NEGOTIATING MATTERS AND APPOINTMENT OR EMPLOYMENT OF SPECIFIC EMPLOYEES” Councilman Brown moved to adjourn to closed session to discuss collective negotiating matters and appointment or employment of specific employees, seconded by Councilwoman Thomas. 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 8:28 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Council Foster moved to enter back into open session, seconded by Councilwoman Thomas. A majority affirmative voice vote was received. Open session resumed at 9:46 p.m.

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

AGENDA #14 “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 9:46 p.m.

Belinda C. Henton
City Clerk