

CITY OF OLNEY
CITY COUNCIL MEETING
JANUARY 10, 2011

AGENDA #1 “CALL TO ORDER” The January 10, 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. Mayor Lambird led the group in a prayer.

AGENDA #3 “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 Engineer Roger Charleston, City Treasurer Brad Yockey and City Clerk Belinda Henton.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A Approve Minutes of Council Meeting on December 10, 2010

4-B Approve and Authorize Payment of Accounts Payable December 23, 2010-Pooled Cash \$29,655.62, Approve and Authorize Payment of Accounts Payable January 11, 2011-Pooled Cash \$73,801.07, Manual Pooled Cash, \$204,013.17, Water Deposit Refunds \$1,393.77, Park Lift Station \$30,984.00, Motor Fuel Tax \$40,194.00 and Levied Insurance \$275,298.00.

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

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilman Brown moved to approve the consent agenda, seconded by Councilman Foster. A unanimous voice vote was received.

AGENDA #7 “CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA” No consideration was necessary since nothing was removed from the consent agenda.

AGENDA #8 “STAFF REPORTS”

8-A “City Manager - Status Report” The Council was provided with a proposed ordinance authorizing the sale of surplus property from the Wastewater Treatment Plant which consisted of used cast iron pipe, valves and pumps. Mr. Bukas proposed that the scrap metal be recycled at Environmental Recycling in Clay City, Illinois.

Councilman Foster asked if the recycling center on W. Lafayette was still in business. Mr. Bukas was not sure, but indicated that Public Works employees called various recycling centers for the best price. They determined Clay City was the best price for the distance that needed to be traveled.

Councilman Foster moved to pass Ordinance 2011-01, seconded by Councilman Weber. A unanimous voice vote was received.

The Council was sent a memo from Mr. Bukas requesting feedback regarding the new CGI video which will be placed on the City's website. The City will be obligated to leave the video on the website for two years. The video is sponsored through the purchase of ads from CGI which are displayed around the video.

Mr. Bukas reviewed the actions that the state recently took regarding various tax increases. State Representative David Reis assured Mr. Bukas that municipalities will not be gaining revenue by the changes, but will not be losing revenue either.

The TIF redevelopment plan has been prepared and is available for public inspection. A public hearing will be held on March 28, 2011 prior to the Council meeting.

An income tax payment of \$63,900 was received in December. At this time four payment are still owed to the city by the state. For this fiscal year, income tax receipts are down \$45,000 from last year.

The December receipts for September sales tax were \$633 high than last year. Year to date receipts are 4.27% higher.

The December receipts for the telecommunications tax were down \$912 for the same period last year, and the year to date is down \$12,900.

The December receipts for the use tax were up \$1,800 from the same period last year, and the year to date is up \$3,000.

Mr. Bukas recently met with Al Zellmer from the White Squirrel Saddle Club. The club has done water and sanitary sewer work at the firing range. They have incurred approximately \$2,500 of expenses on these improvements. The club has inquired if the City would be willing to split the cost. The Council had no comment.

The dry pumps and progressive cavity pumps have been installed.

Three areas were being considered for a storm water grant application with the Department of Commerce and Economic Opportunities, but not enough response was received to qualify. Since the last Council meeting surveys were sent to residents between Boone Street and the former Illinois Central Railroad tracks. It appears this area will qualify. This grant is a 75/25 match. Consideration is being given to extend the concrete bottom channel from Boone Street to Morgan Street and then possibly to the railroad right of way. Consideration is also being given to replace the culvert under Fair Street and remove the culvert on the Housing Authority property. A public hearing for this application is scheduled for January 24 prior to the Council meeting. Cost estimates are being put together.

A couple of meetings ago there was a question about the proposed LED traffic lights. City crews are going to install the new lights. There was a question whether to install a countdown with audible beeps. The cost has not been determined. This portion of the project would have to be contracted. Costs estimates will be available at the next meeting.

The Ash, Beech, and Pine Street water main project has been completed, except the old main needs to be abandoned, a couple of main connections need to be made and some dirt work will be completed when the weather permits.

During December there were 3 building permits issued for a value of \$49,000. For the year there were 115 permits issued which was 3 more than last year. Total construction was down \$620,000 from last year. Industrial construction was down \$1,660,000, but last year CGB had a project of \$1,800,000. Commercial construction was up \$677,817 and new housing was up \$100,000.

8-B "City Treasurer - Northside Subdivision Street Light" Mr. Yockey was absent.

8-C "City Attorney - Regulating Trailer Parks" At the last Council meeting there was a question concerning the City's authority in respect to mobile home parks. Mr. Taylor reported that the state licenses mobile home parks. There is statutory authority within the mobile home park act that also permits municipalities to license mobile home parks. The license fee limit is \$50.00. The City is limited in respect to regulating the mobile homes themselves because they are regulated under HUD. Currently, the city code provides for licensing mobile home parks and the establishment of new parks in reference to their layout. Mr. Taylor did not believe mobile homes have been licensed within the City.

Councilman Foster questioned if the City could regulate life and safety issues along with property maintenance codes on trailers. Mr. Taylor answered only to the extent of the HUD regulations. The code does require two fire extinguishers in each mobile home which can be enforced by the City or Fire Marshall. If windows are out, the trailer is considered vacant and abandoned and would have to be repaired or removed.

If licenses were issued for mobile home parks, Mayor Lambird questioned what would happen if a license was not granted. Mr. Taylor explained if there was a violation of the code causing the license not to be issued, the City could seek closure.

Councilman Weber clarified that the City could make an ordinance as simple as requiring a state license to obtain a city license. If the state license is not current, the City could issue a fine until the owner fixes whatever caused the state license not be to be issued or require the park to be closed. Mr. Taylor commented the City code does not include such language, but it could be added.

Councilman Weber was not interested in the City policing the parks, but was interested in an ordinance requiring a state license.

Councilman Weber asked Mr. Taylor to investigate what ordinances other cities have to regulate mobile home parks.

Councilman Foster made a request to address the street light for Northside Subdivision. He was contacted by Garry Ryker and personally visited the area. The area is very dark. This matter has gone on for quite a while and nothing has been resolved. Councilman Foster proposed that Norris Electric install a street light at the intersection of Heather Lane and Taylor Lakeside Drive. The pole and light will be leased from Norris Electric. Councilman Foster felt it was ridiculous that it has taken this long to have a light installed. He did not know what caused a hold up by the Treasurer.

Councilman Foster moved to lease a pole and light from Norris Electric at the corner of Heather Lane and Taylor Lakeside Drive, seconded by Councilman Ferguson. A unanimous voice vote was received.

AGENDA #9 “NEW BUSINESS” There was no new business.

AGENDA #10 “OLD BUSINESS”

10-A “Discussion: Recycling Opt-Out for 632 W. Butler, 1002 Hedgerow, 300 S. Richland, 2205 Birch, 1302 Shurron, 2105 Redbud, 1119 E. Elm, 1009 Beech-Apt B, 515 W. Elm, 202 E. Franklin, 1035 W. St. John, 802 W. Bryant, 208 S. Baltimore, 126 S. Washington, 2102 Redbud, 729 E. Laurel, 2006 Eastgate, 312 N. Silver, 213 E. Porter, 409 W. South, 343 E. Baird, 403 W. St. John, 624 N. East, 944 S. Saratoga, 115 S. Holly, 1307 E. Hall and 406 W. Locust-Apt. B” Councilman Foster moved to allow the people that requested to opt-out of the curbside recycling program to do so and anyone else to opt-out through March 1.

Councilman Foster felt the Council messed up when they implemented the opt-out option instead of an opt-in option. He apologized to the city employees that work at the counter that took all the calls and beating up caused by this process.

Councilman Brown commented the Council never intended to trap people into the program, and he was not against allowing the list of people out of the program. He assumed there would be more people wanting to opt-out when they receive their first bill which includes the recycling charge.

Councilman Foster amended his motion to allow opting out through March 31. Councilman Weber seconded the motion.

Mayor Lambird believed in future years the opt-out period should be from March 1 through March 31 for budgetary purposes.

Mr. Bukas commented residents will be required to return their recycling bins when opting out.

Councilman Ferguson, Mayor Lambird, Councilmen Foster, Brown and Weber voted yes. There were no opposing votes. The motion carried.

10-B “Discussion: Liquor Licenses” After the last meeting, all Class A liquor license holders were mailed a letter from Mr. Taylor and a copy of the proposed ordinance amending the liquor code. No replies were received.

Councilman Foster moved to pass Ordinance 2011-02, seconded by Councilman Ferguson.

Councilman Brown wanted to see the 75% requirement lowered.

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

AGENDA #11 “Public Comments/Presentations”

11-A “Separation of Powers, Duties and Functions to Amend Animal Control Ordinances” Brian O’Neill wanted the Mayor to go on record and state whose job it is to enforce animal control ordinances, the animal control officers, police chief or the police officers. Mayor Lambird indicated it is the responsibility of all of them. Mayor Lambird clarified at the last meeting he indicated that the police department was not equipped to take in dogs.

Mr. O’Neill went on to discuss cats running at large and enforcement.

AGENDA #12 “REPORT FROM THE MAYOR”

12-A “Report on Meeting with County Officials on Combined Dispatch” This matter was not discussed.

Mayor Lambird encouraged everyone to attend the FFA breakfast on January 15 at the East Richland High School.

AGENDA #13 “REPORTS FROM CITY COUNCIL MEMBERS” Councilman Foster has received complaints about the water salesman at Bower Park and the City Park. They have complained they get wet when filling their tanks due to the apparatus that is on the hose which prevents contamination. Councilman Foster was informed the hook up used by Jasper County is not messy. He asked staff to check with Jasper County about their setup.

13-A “Councilman Foster-Report on Animal Control Meeting” Councilman Foster recently meet with Richland County Board member Melinda Hunt, States Attorney David Hyde and Animal Control Officer Sandy Millman. He questioned whether there would be any complications with the Animal Control enforcing the City ordinances. From what he understood, there should not be a problem.

There is a real problem with the cats running at large that still needs to be addressed. He was not concerned with the number of cats that homeowners have if they are in cages. He is more concerned with the cats running at large.

He will be meeting with the Animal Control Officer at the animal control office in the near future. From what he understands, the animal shelter is very restricted in space and not able to take several cats or dogs and keep them for the required time. He would like to see if there is a way the size can be increased, possibly through public donations and City and County contributions.

13-B "Councilman Foster-Limitation on Number of Cats" This item was not discussed.

13-C "Councilman Foster-Cruelty to Animals" This item was not discussed.

AGENDA #14 "ADJOURN" Councilman Brown moved to adjourn, seconded by Councilman Weber. A unanimous voice vote was received.

The meeting of the City Council adjourned at 8:13 p.m.

Belinda C. Henton
City Clerk