

CITY OF OLNEY  
CITY COUNCIL MEETING  
JULY 9, 2012

AGENDA #1 “CALL TO ORDER” The July 9, 2012 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. Jeff Bent led the group in a prayer.

As a resident of Olney, Mr. Bent thanked the Council for the new ball diamonds at Musgrove Park. He told the Council that recently his wife was not able to attend one of their son’s baseball games due to health issues. Since the new ball diamonds have WiFi, she was able to watch the game through their electronic devices. Mr. Bent did not know of any other cities of Olney’s size that offers that service. He thanked the Council for the facility and what it has meant to the Bent family.

AGENDA #3 “ROLL CALL” The following Council members were present: Barb Thomas, Gary Foster, Brad Brown and Mark Lambird. Bob Ferguson was absent. 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 June 25, 2012

4-B Approve and Authorize Payment of Accounts Payable July 10, 2012-Pooled Cash \$114,783.62, Pooled Cash Manuals \$112,926.91, Motor Fuel Tax \$9,047.87 and Tourism \$10,876.56.

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

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

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

AGENDA #8 “PUBLIC COMMENTS/PRESENTATIONS”

8-A “Expression Music Speech Illegally Twisted by Citizens” Brian O’Neill reported that he has talked to the States Attorney about The Disclosure newspaper not being truthful. Mr. O’Neill explained he has cameras around him and everything to protect him. He wants the

people to know that government does not pay for their counsel and once they are in a court with him their lives are gone.

Bill Jennings went to Mr. O'Neill's house today and wanted to know what he is going to do at the fair talent show. Mr. Jennings was concerned with what he would be wearing at this event. In Mr. O'Neill's opinion the Richland County Fair talent show was nothing but a phony and a scam. Mr. O'Neill stated that if they are going to have a real talent show, it is time to stop going to police and making phony accusations because it will only cause trouble and cost the tax payers a lot of money.

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

9-A “Resolution: Accept Bid for Herman Drive” Bids were opened on July 6 for the construction of the entrance off of Illinois Route 130 for Herman Drive which will provide access to Wease Equipment. Five bids were received. City Engineer Charleston reviewed the bids and recommended accepting the low bid from John L. Lewis Concrete Construction of Teutopolis, Illinois in the amount of \$217,957.55.

Councilman Foster moved to approved Resolution 2012-R-51, seconded by Councilman Brown. Councilmen Foster, Brown, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-B “Request: Close 500 Block of E. Chestnut During School Hours” Carol Potter from St. Joseph School requested that the 500 block of E. Chestnut be closed from 7:30 a.m. until 3:30 p.m. on all school days beginning August 15. Currently, the school closes this block in the morning and at the end of the school day. The school is responsible for setting up the barricades.

The Council did not see a problem with granting this request since there are no residents in the 500 block of E. Chestnut. If complaints are received, the Council will reconsider the matter.

Councilman Brown moved to approve the closure of the 500 block of E. Chestnut between the hours of 7:30 a.m. and 3:30 p.m. on all school days beginning August 15, seconded by Councilwoman Thomas. Councilmen Brown, Councilwoman Thomas and Councilman Foster voted yes. Mayor Lambird abstained. There were no opposing votes. The motion carried.

9-C “Discussion: Cable TV Rate Regulations” The Council was provided with a survey conducted by City Clerk Henton of basic cable rates from several surrounding communities, the number of channels offered in the basic package and if their community regulated the rate. None of the communities that were surveyed regulated the basic rate. Mr. Taylor also sent the Council information about cable regulations. Federal legislation does permit municipalities to regulate the basic cable rates. The manner of regulations have to conform with the Federal statutes and guidelines. The municipality has to be certified by the FCC to regulate rates. The City was certified to regulate rates in the early 1990's. At that time when a price increase was requested, the cable operator would submit to the City the required documentation to justify the increase. They always satisfactorily justified the rate increases.

Once the City becomes certified by the FCC, notice needs to be given to the cable company. The cable company would provide the required information to justify their rates. The Council can choose to become certified, but Mr. Taylor pointed out the rates of Media Com and Charter in the surrounding areas are comparable to the New Wave rates.

Councilman Foster was satisfied that New Wave's rates were comparable.

9-D "Ordinance: Renewal of Cable Franchise" Councilman Foster moved to pass Ordinance 2012-36, seconded by Councilman Brown. Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried.

9-E "Discussion: Payment of \$952.65 for Sand for White Squirrel Saddle Club Arena" Prior to the Council meeting, Mr. Taylor provided the Council with information concerning the \$952.65 spent for sand that was used in the White Squirrel Saddle Club arena. The Council approved an expenditure of \$6,600 for gravel for roads, but \$952.65 was used to purchase sand for the arena. The sand has not been paid by the City nor the saddle club. Mr. Taylor questioned whether the Council wants to pay for the sand or require the saddle club to pay.

Councilman Foster believes the saddle club over stepped their bounds by approving the purchase of sand for the arena when their request to the Council was for gravel for the road.

Councilman Foster stated he believed most of the people that will benefit from the use of the arena live in the county. There are trails in that area, but the citizens of Olney will not benefit that much from the facility even though the City is putting money into the project. There has also been discussion about a parking lot for people using the trails. If the Council decides to install this parking lot, that \$952 of gravel could have been used on the parking lot.

Councilman Brown questioned where the City stands with the project and what is the next expense expected. Mr. Taylor commented there are some dead trees that have blown over that the saddle club would like to have cleaned up. There are also some flooding issues with the gun range building, but Mr. Taylor had no answers to the flooding issues.

Councilman Brown asked if anything has been budgeted this year for their project. Mr. Taylor answered no.

Councilman Foster pointed out there is a possibility that the gun range will have to be moved. He believed there will be continuing problems with scheduling and conflict between the gun range and the arena. If the gun range has to be moved, the City will incur additional expenses.

Councilwoman Thomas stated the Council approved \$6,600 for rock, and if not all of the gravel was needed, that should have been considered a savings, not something that had to be spent. If they wanted something else, they should have come to the Council and asked to revise their request. She was not in favor of the City paying for the sand.

A majority vote would be required to authorize the payment for the sand. The Council took no action.

9-F “Request: Class S Liquor License-The Fireside” The Fireside submitted a special use permit for a Class S liquor license for July 27 and 28 for their annual beach bash. They also requested permission to close Whittle Avenue in front of The Fireside from 6:00 p.m. on July 27 through 3:00 a.m. on July 29.

Representatives from the Fireside explained a DJ will be on the street on July 27 and a band on July 28. The Fireside will provide security, insurance coverage and clean up. No glass containers will be allowed on the street. The Gypsy and Ophelia’s Cup customers will have access to these establishments along with parking. Drinking will only be allowed within the barricaded area.

Councilman Brown moved to approve The Fireside’s requests, seconded by Councilwoman Thomas. A majority voice vote was received.

9-G “Discussion: Deadline for Logo Contest” City Clerk Henton reported the logo contest which is being conducted originally had a deadline of August 31. Since the last meeting it was discovered that the construction of the website cannot begin until a logo is chosen. After some discussion, the Council decided to shorten the deadline for the logo contest to August 15.

#### AGENDA #10 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

10-A “City Manager - Status Report” Mr. Taylor received a letter from the Richland County Highway Department indicating the property near the Water Plant which they had suggested as use for their wetlands mitigation will not be suitable.

Mr. Taylor reported that Key Equipment will have a used leaf vacuum available for inspection on July 23. The City Mechanic will evaluate the equipment during the day and it will be available for the Council to also look at it that evening. The sale representative will be able to leave the leaf vacuum if the Council decides they want to purchase it for the leaf pick up program.

Councilman Brown questioned if the Richland County Highway Department project will take place. Mr. Taylor believed the project will move forward, but they will use credits from another wetland mitigation area which is in Lawrence County.

A press release was issued today concerning the brush dump. Beginning July 10 through July 13, the brush dump will be open from 1:00 p.m. until 2:30 p.m. The brush dump will be supervised. Mr. Taylor was not comfortable leaving it open without supervision because of the dry conditions.

Mr. Charleston has completed a cost estimate for the Safe Routes to School project. Mr. Charleston estimated the project to cost \$255,790, but this estimate does not include engineering.

The City was approved to receive \$250,000 for this project. The cost estimate will provide a 5' sidewalk from the high school to the middle school and on to the elementary school.

Councilman Brown questioned the next step for the storm sewer project on Locust Street by the ambulance barn. Mr. Taylor replied the storm sewer will be extended to Sycamore Street and will be done later this summer, probably in August. Councilman Brown questioned if millings will be placed on the top of the storm sewer that has already been installed. Mr. Taylor did not expect additional work on the storm sewer which has already been installed.

Mayor Lambird noted there was a nice crowd to welcome the Sea 2 Shining Sea bicycle riders to Richland County. One of the riders told Mayor Lambird Olney had the best reception for the group than any other location.

Mayor Lambird questioned the progress on the energy efficiency survey. Mr. Taylor has not heard from them since the last Council meeting.

Mayor Lambird asked if there was an estimated start time for the Boone Street project. Mr. Charleston advised preliminary work is being done. All of the design has been completed, but some of the preliminary work may affect the design. He estimated another month.

Mayor Lambird has continued to try and contact the Lawrenceville National Guard to determine if they are interested in helping the City construct a shooting range. So far he has been unsuccessful to contact the commander.

Mayor Lambird congratulated the boys baseball tournament which brought a lot of people to town.

Councilman Foster has received questions from citizens wondering when the City might go back to the Eastgate Subdivision to fix water drainage problems. Mr. Taylor was not sure what can be done unless major storm sewer work is planned. A major project will have to be budgeted. He will discuss this matter with Mr. Charleston.

Mr. Charleston confirmed there are no storm sewers in this area. To be completed correctly, a lot of problems need to be considered. It will be an extensive project. Councilman Foster wanted to consider this project when discussing next year's budget.

The Council was provided with preliminary cost estimates to replace the water salesmen. The cost is approximately \$4,100 for a machine that will accept bills instead of just quarters. Mayor Lambird has received a lot of complaints about the machines not working properly and people are going other places to purchase water. Mr. Sanders reported during April, May and June, \$3,700 was generated from the water salesmen compared to \$1,286 last year.

Councilwoman Thomas has received complaints the water salesmen are difficult to use because of the couplings.

Councilman Brown questioned if the City has always had two locations. He suggested building one nice facility instead of trying to keep two locations operational. Mayor Lambird suggested a plan be put together. He also suggested increasing the water rate to defray the cost of upgraded equipment. Police Chief Brown suggested a more secure building if the water salesman is going to be put in a secluded area. The water salesman at the City Park is broken into routinely.

AGENDA #11 “CLOSED SESSION: COMPENSATION OF SPECIFIC EMPLOYEES”

Councilman Foster moved to adjourn to closed session to discuss compensation of specific employees, seconded by Councilman Brown. A majority voice vote was received.

Councilmen Foster, Brown, Councilwoman Thomas, Mayor Lambird, City Manager Taylor, City Treasurer Sanders and City Clerk Henton left the Council Chambers at 8:19 p.m.

AGENDA #12 “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 8:49 p.m.

AGENDA #13 “ACTION ON CLOSED SESSION”

13-A “Ordinance: Establishing Salaries and Wages” Councilman Foster moved to pass Ordinance 2012-37, seconded by Councilwoman Thomas. A majority voice vote was received.

AGENDA #14 “ADJOURN” Councilman Foster moved to adjourn, seconded by Councilman Brown. A majority voice vote was received.

The meeting of the City Council adjourned at 8:50 p.m.

Belinda C. Henton  
City Clerk