

CITY OF OLNEY
CITY COUNCIL MEETING
JUNE 13, 2011

AGENDA #1 “CALL TO ORDER” The June 13, 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. Larry Weber 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 Randy Bukas, City Attorney Larry Taylor, City Treasurer Brad Yockey, City Engineer Roger Charleston and City Clerk Belinda Henton.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

- 4-A Approve Minutes of Council Meeting on May 23, 2011
- 4-B Approve and Authorize Payment of Accounts Payable June 14, 2011-Pooled Cash \$134,907.34, Manual Checks \$121,850.85, Water Deposit Refunds \$982.96 and Motor Fuel Tax \$1,509.82
- 4-C Ordinance: Prevailing Wage-Ordinance 2011-23
- 4-D Ordinance: Authorize Sale of 402 W. Elm-Ordinance 2011-24
- 4-E Ordinance: Authorize Sale of 418 E. Monroe-Ordinance 2011-25
- 4-F Resolution: Adoption of Social Security Number Policy-Resolution 2011-R-34
- 4-G Authorize Purchase of Brick Dust at Musgrove Park Baseball Field
- 4-H Authorize Pouring Concrete Footer and Floor at Musgrove Park Baseball Field
- 4-I Authorize Bidding Musgrove Park Dugouts
- 4-J Authorize New Electric Switch at City Park
- 4-K Raffle License Application-Desk and Derrick Club of Olney
- 4-L Raffle License Application-Big Brothers/Big Sisters of Richland County

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

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilman Ferguson moved to approve the consent agenda, seconded by Councilman Brown. A unanimous 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 “STAFF REPORTS”

8-A “City Manager - Status Report” Mr. Bukas reported an annexation agreement and lease have been sent to Illini Wire Works for their property in the industrial park.

The June Motor Fuel tax receipts were \$640 less than the same period last year. The sales tax receipts for March which were received in June were up 12.54% from the same period last year. March of 2011 was one of the better Marches for several years. The year to date receipts are up 4.16%. The May receipts for telecommunications tax were up \$5,000 from the same period last year. Staff believes this figure now includes the increase in the tax from 3% to 4.5%.

Currently, the City is advertising a position in the Mechanic's Department. Electrical experience is being requested.

On Saturday, June 18 there will be a free swim day at the Musgrove Aquatic Center. Also, there will be an Olney Tiger 5k run that morning.

A public hearing has been scheduled on June 23 to close out the CDAP park lift station grant.

The wood chipper which was recently approved for purchase arrived and is being used.

Bid specifications will be sent out soon for the S. Van Street reconstruction project. Bids will be presented at the July 25 Council meeting.

New roofs have been put on at the water plant lab and chlorine room.

On April 19 samples were taken to test for radioactive materials in the drinking water. Results were well below the maximum standard.

The school district has been given a couple of annexation resolutions regarding their property on Hall Street and the bus garage on Main Street. Action will be taken at their next meeting on June 16.

During May there were 13 building permits issued; 4 for industrial, 1 new house, 4 for remodeling, 1 for a sign and 3 for fences.

Three quotes were received for the Waste Water Plant filter media. The low quote was received from All Service Contracting for \$5, 236.99.

The City Hall parking lot will be sealed on June 18 and 19 at the cost of \$2,500.

A revised drawing was received and approved for the Citizens National Bank handicap accessible entrance. The drawings were posted for viewing by the Council.

At the last meeting there was a question regarding the code prohibiting various items from being placed in a drainage ditch or at a curb. Mr. Bukas read Section 8.16.020 D of the municipal code which makes it unlawful to place leaves, grass, garbage, refuse or other debris in any drainage ditch, opening to the storm sewer or in any public street.

Brian O'Neill wanted to know what will happen to the ditches that have been filled in. Mr. Bukas indicated there are no plans for cleaning out any other ditches that have not already been cleaned out.

8-B "City Manager - Authorize Contract-ACI Commercial Roofer-Pacific Cycle Roof" Mr. Bukas reported there are approximately 19,200 square feet of flat roof that still needs to be replaced at Pacific Cycle. A.C.I. Commercial Roofers has quoted \$76,800.00 to reroof this remaining portion. This quote is less than previous repairs, but the previous repairs required the removal of mechanical equipment. The staff recommends continuing the process of putting on the membrane on this portion of the roof. Included in the current budget is \$250,000. This amount not only is for the flat roof, but also the slanted roof over the warehouse that needs to be repaired.

Councilman Foster moved to accept the quote of \$76,800 from A.C.I. Commercial Roofers to reroof 19,200 square feet of roof at Pacific Cycle, seconded by Councilman Brown. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried. Resolution 2011-R-35 will be prepared.

8-C "City Manager - Small Blessings Pool Request" Small Blessings Christian Child Development Center requested a discounted rate for the Musgrove Aquatic Center for their children that attend their day care center. In the past they have been granted a discounted admission of \$1.50 for the children and teachers for free.

Councilman Ferguson moved to approve the Small Blessing's request, seconded by Councilwoman Thomas. A majority voice vote was received.

8-D "City Manager - ARC Day Camp Pool Request" ARC Community Support Systems requested that the admission fees be waived for 19 campers and 7 adults who plan to attend the pool during their annual day camp on June 23. This request has been approved for the last several years.

Councilwoman Thomas moved to approve ARC's request, seconded by Councilman Foster. A unanimous voice vote was received.

AGENDA #9 "NEW BUSINESS"

9-A "Request: Special Use Permit Class S Liquor License-Gypsy" Brock Zerkle addressed the Council and requested the granting of a Class S liquor license for the Gypsy on August 13. They will have a couple of bands playing in front of the Gypsy. Whittle Avenue will be blocked off from Market Street to 209 S. Whittle.

Police Chief Chaplin suggested that they get people back inside as early as possible.

Councilman Brown moved to approve the Class S liquor license for the Gypsy on August 13, 2011, seconded by Councilman Ferguson. A unanimous voice vote was received.

9-B “Discussion: Recreational Fires” Police Chief Chaplin reported during the last four weeks the Police Department has received approximately five complaints concerning illegal burning involving recreational fires. Chief Chaplin explained some residents with breathing problems are bothered with these fires. Currently, recreational fires are not permitted, but it has been common practice for residents to call in plans for a recreational fire to the Fire Department. Chief Chaplin believes recreational fire may be getting out of control. His department cannot tell someone they cannot have a recreational fire because they live near someone with a breathing problem and allow others to have a fire.

Councilman Foster asked if the recreational fire complaints had been called in. Chief Chaplin answered no, he did not believe everyone knows when they have a recreational fire that they need to call the Fire Department. The fires were unattended.

Scott Brooks was present and told the Council that he had received a complaint from his neighbor concerning a recreational fire. He was burning leaves and sticks from the trees in his yard. He did not believe he should have to load these materials onto his trailer and take them to the brush dump. He would not intentionally cause a problem for his neighbors.

Kate Patterson commented that if persons are not allowed in smoke in public places, they should not be allowed to burn. She did believe that leaf burning and recreational fires are two separate issues.

Councilman Foster objected to banning recreational fire, but believed leaf burning should be eliminated.

Mr. Brooks questioned if Councilman Foster proposed putting a limit on the number of recreational fires to be allowed. Councilman Foster did not believe it should be limited to a certain number of fires per year.

Mayor Lambird believed there was the same amount of air pollution from recreational fires as from wood burning stoves and fireplaces, and unless these types of fires are banned, recreational fires should not be banned.

Councilman Ferguson pointed out consideration has to be given to the fact that the City burns leaves and wood at the brush dump and the neighbors in that area are affected.

Councilman Foster suggested that residents contact the Police Department and Fire Department to advise them when and where a recreational fire will occur. Residents should be advised they need to be present during the fire.

Mayor Lambird suggested telling people when they should not burn and enforce a burning ban when circumstances are not favorable for burning.

Councilman Brown was not sure if it would be practical to receive all the calls for recreational fires.

Councilman Foster suggested that a proposed ordinance be drafted to be considered at a later meeting.

Mr. Brooks was asked by the Police Department to have his recreational fire extinguished by 7:00 p.m. Mr. Brooks was in favor of calling in recreational fires and all fires should be manned and then extinguished, but was opposed to the 7:00 p.m. time limit. Councilman Foster did not have a problem with Mr. Brook's proposal.

AGENDA #10 "OLD BUSINESS"

10-A "Discussion: Extension of Republic Services Franchise Agreement" Mr. Bukas explained there are four issues before the Council concerning sanitary hauling. Republic has requested to extend their contract for three additional years. With the new contract residents would receive 2, 96-gallon totes to utilize. They have also quoted a price for leaf pickup during the months of September, October, November and December for \$2.75 per household and recycling for \$2.00 per household if it is mandatory and \$2.50 if an opt-in program is utilized. Notice was received by Republic that their fee will increase 2.8% according to the December 2010 CPI as allowed by contract.

Councilman Foster suggested that the contract be extended and go with totes. Councilman Brown asked if recycling or leaf collection could be added at any point. Mr. Bukas replied it could be added later, but the price may vary from what has already been quoted.

Councilwoman Thomas question what would happen to the City's truck and trailer if recycling were contracted to Republic. Mr. Bukas explained the truck and trailer could always be utilized in another department, the question was what to do with the bins.

Councilman Brown commented he was not in favor of changing recycling at this time.

Mrs. Patterson urged the City to consider a "pay as you go" garbage program. Due to recycling, 19 tons of trash has been kept out of the landfill. She felt 96 gallon containers for garbage was too large. She believed the "pay as you go" plan would reward people for recycling.

Mr. Bukas explained Republic cannot offer a smaller container. The Council has the option not to extend the contract and renegotiate the contract.

Councilwoman Thomas asked if Republic is contracted for recycling, could the truck and trailer that are used for recycling be used for leaf pick up at no charge to the residents. Mr. Bukas was not sure of the cost, but routes would have to be set up.

If Republic were contracted for leaf pickup, it would be mandatory for everyone during the months of September, October and November and leaves would have to be bagged. Councilman Foster was not in favor of leaf pickup.

Mr. Bukas commented that recycling is working smoothly.

Regarding Republic's 2.8% increase to the sanitary hauling fee, staff proposed that the cost to residents be increased from \$6.88 to \$7.00. This fee would become effective June 1, 2011.

Mr. Taylor suggested if the Council wants to pursue a contract extension, he will revise the contract and bring it back to the Council for approval.

Councilman Brown moved to increase the sanitary hauling fee to \$7.00 effective June 1, 2011, seconded by Councilman Ferguson. Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. Mayor Lambird voted no. The motion carried. Ordinance 2011-26 will be prepared.

10-B "Discussion: Cruelty to Animals" Councilman Foster reported a group of residents concerned with cruelty to animals has met to further discuss this matter. They had no proposal to present, but would like to discuss the issue. If an agreement can be reached for a proposed ordinance, Councilman Foster suggested the proposed ordinance be posted on the City's website for review prior to the next meeting.

Animal Control Officer Sandy Millman addressed the Council and provided them with a picture of a pen that was being used for several dogs. She told the Council that people are buying the smallest pens they can get so the dogs do not have to be tethered. State statutes do not regulate pen size. Ms. Millman stated she is not issuing tickets for tethering, but giving people time to comply with the new tethering ordinance which went into effect June 1, 2011. Councilman Ferguson commented he thought the six-month waiting period included in the ordinance was for compliance.

Ms. Millman suggested registering dogs and cats.

Susie Bromm did not believe a cruelty to animal ordinance would be considered over regulating. She did not understand why anyone would object to the human care for animals. If the Council had seen everything Animal Control has seen, they would vote for a cruelty to animal ordinance.

The Council directed Councilman Foster to work with Mr. Taylor on a proposed cruelty to animals ordinance. The proposed ordinance will then be posted on the City website for the public and Council's review. Mayor Lambird encouraged the public to review and contact the Council with concerns and comments.

AGENDA #11 "Public Comments/Presentations" George Hostettler asked if a propane or natural gas generator has been considered for the Ludlow radio tower.

AGENDA #12 “REPORT FROM THE MAYOR” Mayor Lambird suggested that a list of community service projects be posted on the City’s website. The list would need to be developed and updated regularly. This matter will be investigated.

Mayor Lambird congratulated Steve Patterson on the success of the downtown farmers’ market. The market is bringing people downtown on Saturday mornings.

AGENDA #13 “REPORTS FROM CITY COUNCIL MEMBERS” Councilman Foster reported on progress being made by the JEDS Board. The Board recently voted to work with eight full-time and four part-time dispatchers. Another option was ten full-time dispatchers, but not as much money could be saved. Councilman Foster was concerned with keeping part-time dispatchers working the hours they are needed. The next meeting is June 17.

Councilman Ferguson has received several complaints about the landscaping in the City’s parks. Volunteers would be appreciated for pulling weeds.

AGENDA #14 “CLOSED SESSION: COLLECTIVE NEGOTIATING MATTERS AND SETTING THE PRICE FOR THE SALE OR LEASE OF CITY-OWNED PROPERTY”

Councilman Foster moved to adjourn to closed session to discuss collective negotiating matters and setting the price for the sale or lease of city-owned property, seconded by Councilman Brown. A unanimous voice vote was received.

Councilmen Foster, Brown and Ferguson, Councilwoman Thomas, Mayor Lambird, City Manager Bukas, City Attorney Taylor and City Clerk Henton left the Council Chambers at 8:45 p.m.

AGENDA #15 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman Brown moved to enter back into open session, seconded by Councilwoman Thomas. A unanimous voice vote was received. Open session resumed at 9:36 p.m.

AGENDA #16 “ACTION ON CLOSED SESSION” No action was taken as a result of the closed session.

Mayor Lambird suggested that the Council serve hot dogs during the band concert in the City Park on July 4. This could be in conjunction with Leon Stallard from Edward Jones serving lemonade.

AGENDA #17 “ADJOURN” Councilman Foster moved to adjourn, seconded by Councilman Brown. A unanimous voice vote was received.

The meeting of the City Council adjourned at 9:38 p.m.

Belinda C. Henton
City Clerk