

CITY OF OLNEY
CITY COUNCIL MEETING
JUNE 27, 2011

AGENDA #1 “CALL TO ORDER” The June 27, 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. Mark Lambird 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 June 13, 2011

4-B Approve and Authorize Payment of Accounts Payable June 28, 2011-Pooled Cash \$68,543.05

4-C Resolution: 2010/2011 Budget Cleanup-Resolution 2011-R-36

4-D Resolution: Accept Bid for Materials for Woodlawn Watermain Replacement Project-Resolution 2011-R-37

4-E Resolution: Authorizing Execution of Agreement for Use of Ball Fields-Richland County Men’s Softball-Resolution 2011-R-38

4-F Raffle License Application-Olney Quilt Guild

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

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

8-A “City Manager - Status Report” One house in the revitalization program has been completed and Greater Wabash Regional Planning Commission has issued a notice to proceed for the second house. A fifth house is currently under review to determine eligibility. All five houses should be completed by early fall.

The brick dust for Musgrove Park baseball field arrived.

Concerning the Miller's Grove bike connector, Mr. Bukas recently met with John Reed from Weber Medical Clinic to discuss the acquisition of right of way. Mr. Reed requested that the City install a culvert between the two driveways in exchange for the right of way.

New switches for the major league field at the City Park have been installed. The pole and lights on the Babe Ruth field have also been installed. There are a number of lights burnt out on the Babe Ruth field and a special man lift is needed. If the weather permits, Electron Electric might be able to replace the lights this week. The right field corner wires have been melted so they also need to be replaced.

The LED traffic lights should arrive this week.

One more section of Sarah needs to be poured to complete this project. Once Sarah Drive is completed, the Street Department will work on sidewalks and a couple of small areas on Meadowview Drive before the S. East Street project begins.

Bids will be opened on July 6 and brought to the Council on July 11 for the S. Van Street improvements.

Currently, the bucket truck is out of commission. Estimates are being obtained for the necessary repairs.

The current budget includes \$8,500 to have the spur drive at the Waste Water Treatment Plant rehabilitated which is done once every ten years. After inspection it has been discovered that the worm gear that propels the drive is bad. Next week City crews will see if they can fix the gear. If City crews can fix the gear, it will cost approximately \$7,091 for the parts. If crews cannot fix the gear, it will be sent off with the spur drive for repairs which will cost approximately \$23,000 to rehabilitate the drive and repair the gear.

Councilman Brown questioned the cost to install the culvert for Weber Medical Clinic. At this time Mr. Bukas did not know the cost. He anticipated City crews would install the culvert after the sidewalk is completed.

8-B "City Treasurer - Financial Report" Mr. Yockey presented his monthly financial report. As of May 31, the total revenues minus expenses for General Corporate was \$(90,706.70) compared to a year ago of \$(66,267.22). Mr. Yockey pointed out it is normal to have more expenditures made during the first two months of fiscal year due to summer projects.

The total revenues minus expenses for the Water Fund was \$(1,065.91) compared to a year ago of \$3,286.31.

The total revenues minus expenses for the Sewer Fund was \$(14,880.43) compared to a year ago of \$(43,189.96).

Mr. Yockey noted some items of interest. As of June 23, 2011, the total sales and use tax was \$272,994.30 as compared to the same time last year of \$258,275.41.

Income tax receipts have not been received since April 20, 2011.

Telecommunications tax as of June 23, 2011 was \$26,274.82 compared to last year of \$21,223.24.

The Council also received a spreadsheet detailing General Corporate, Water and Sewer year to date revenues and expenses compared to last year.

Councilman Foster asked for a break down on an expense in the Recreation Department for \$6,270 for a 65' pole and fixtures and \$2,758 for the installation of a 65' pole and lights. Mr. Yockey did not have the break down of this bill available.

Councilman Foster also asked about an Ameren expense for \$1,133 for the Babe Ruth concession stand. Mr. Yockey verified this was a one month bill.

Councilman Foster also questioned a \$1,300 expense for bleach. He was informed this was a chemical used to treat the pool water.

Councilman Ferguson also requested a break down of the pole expense.

AGENDA #9 “NEW BUSINESS”

9-A “Ordinance: Annexation of 5.43 Acres Belonging to Consolidated Grain and Barge Co.” The proposed ordinance annexes the railroad owned by Consolidated Grain and Barge Co. which was not annexed previously with their property.

Councilman Ferguson moved to pass Ordinance 2011-27, seconded by Councilman Brown. A majority voice vote was received.

AGENDA #10 “OLD BUSINESS”

10-A “Ordinance: Recreational Fires” The Council was provided with a proposed ordinance amending opening burning regarding recreational fires. Mr. Taylor reviewed the proposed changes. The proposed ordinance requires prior notification of a recreational fire to the Fire Department and only sticks, limbs, logs or charcoal can be burned. Burning will not be allowed during high winds. Fires cannot exceed an area dimension of 6' by 6' and the height of the flames cannot exceed 5'. Someone has to be present during a recreational fire. A water source must be available, and the fire fully extinguished before the site is left.

Councilman Brown asked the Fire Chief's opinion of the proposed ordinance especially the requirement of prior notification for a recreational fire. Mr. Bukas commented the Fire Chief was in agreement with the proposed ordinance. Police Chief Chaplin commented the Police

Department gets some of the calls now, and during the past two weeks they have received eight requests for recreational fires.

Councilman Brown questioned the need for prior notification. Mr. Taylor commented that generally the residents have been advised to call the Fire Department, the proposed ordinance just has a few more requirements.

Mary Spillman asked who will be responsible for checking if a recreational fire is legitimate and only burning wood. Mr. Taylor advised residents should call the Fire Department or Police Department for potential violations.

Councilwoman Thomas has received comments from several elderly residents that only burn limbs after a storm as a way to clean up their yard. She asked if the City is still picking up limbs. Mr. Bukas answered yes, after a storm for a given period of time.

Brian O'Neill was allowed to comment that some people burn tire and wires which violate EPA standards.

Councilman Foster moved to pass the proposed recreational fire ordinance. The motion died due to a lack of a second.

Councilman Brown expressed a concern that prior notification of a recreational fire would cause a burden for the Fire Department.

Councilman Foster commented that prior notification would actually be a benefit so the Fire and Police Departments would know when and where residents are burning. When Councilman Foster was the Fire Chief, these calls were not a burden.

Councilman Foster pointed out if the proposed ordinance is not passed, it will be illegal to burn anything but leaves.

Councilman Brown moved to pass the proposed ordinance eliminating the requirement for prior notification, seconded by Councilman Foster. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. Ordinance 2011-28 will be prepared.

10-B "Ordinance: Cruelty to Animals" After the last meeting, proposed changes to the cruelty to animals ordinance was posted on the City's website. Councilman Foster explained the reason for the proposed ordinance is to simplify the Animal Control Officer's job. The state statutes are not specific as to what is considered cruelty to animals. Councilman Foster believed there were too many variables, and if Animal Control is being given a job to do, the City should make it as explicit as possible.

Councilman Brown proposed assigning a police officer to work with the Animal Control Officer to identify problems and see how the process works.

Animal Control Officer Sandy Millman explained the difference between allowing a resident to turn over a dog because of a violation versus writing a ticket. If an owner is charged, the dog has to sit at the shelter without care until the case goes to court.

It was Councilman Ferguson's opinion that if people are never fined, they will continue their same behavior.

Mary Spillman commented that many people in her district have bought dog pens since they can no longer tether their dogs. Now the City is coming along and requiring bigger pens.

Councilman Foster commented if the Council does not say what size a pen is required, more people will have pens that may not be large enough to accommodate their dogs.

Councilman Brown wants to give the system a chance to work between the Police Department and Animal Control. The Council will follow the progress and see what happens and where the sticking points are and then address these problems. He believed it would be best to work together. The Council agreed with the proposal to work together with Animal Control.

10-C "Ordinance: Stop Sign - North Plum Street" Police Chief Chaplin received a request for stop signs at the corner of Plum and Pine. The neighbors were polled and everyone was in favor of stop signs. There have been no accidents at this intersection since 2005. Chief Chaplin recommended Plum stop for Pine.

Councilman Ferguson moved to pass Ordinance 2011-29, seconded by Councilman Brown. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

AGENDA #11 "Public Comments/Presentations"

11-A "Brian O'Neill-Property Damage and Littering" Brian O'Neill commented on people that are staying out late, damaging property and littering. He stated the Police Department is not making any arrests, and he threatened a major law suit.

George Hostettler complained that the gutters on Lathrop Street have become filled in due to years of oil and chipping. He thought it was time that something needs to be done expect oil and chip.

Jeff Fleming, representing Chris Anderson from Olney Computers at 123 S. East Street, expressed a concern with the closing of S. East Street for approximately three weeks for road improvements beginning July 11. Mr. Fleming stated Olney Computers and the hearing aid business will be blocked from any access to their businesses which will be an extreme inconvenience. Mr. Fleming asked for the Council's view on this situation.

Councilman Brown suggested that the project be delayed until after the next Council meeting and asked the City Manager to look for alternatives for closing the street.

Mr. Bukas explained city crews will be used for this improvement project. He felt the project would be completed in less than three weeks, but it will depend on how many concrete forms are available. Mr. Bukas will work on a time line and various scenarios for the Council's review. He hoped to have this project completed before school starts.

The Council was in agreement to delay the start of the project until they are presented with various scenarios concerning the closing of the street.

Mr. Fleming asked that the businesses be included in the process of determining when the street will be closed.

Elizabeth Craig informed the Council that the Immanuel United Methodist Church cleaned up Musgrove Park last weekend. She noted that the light on the Musgrove Park sign needs repaired.

Mr. Yockey provided the Council with the breakdown they requested on the pole and light discussed earlier in the meeting. He also clarified that the Ameren bill for the Babe Ruth concession stand is also for the lighting of the diamond.

AGENDA #12 "REPORT FROM THE MAYOR" Mayor Lambird thanked the Immanuel United Methodist Church for the clean up work they did at Musgrove Park this past weekend.

Mayor Lambird has received comments about the amount of time customers have to pay their city utility bill. He was amazed customers only have ten days to pay their bills. He questioned if the short period of time between bills being due and late notices being sent out was costing the City extra postage expense. Councilman Brown agreed and asked the staff to look at billing alternatives for lengthening the due date.

AGENDA #13 "REPORTS FROM CITY COUNCIL MEMBERS" The Council members had no further reports.

AGENDA #14 "CLOSED SESSION: COLLECTIVE NEGOTIATING MATTERS, COMPENSATION FOR CERTAIN CLASSES OF EMPLOYEES AND ACQUISITION OF REAL PROPERTY" Councilman Brown moved to adjourn to closed session to discuss collective negotiating matters, compensation for certain classes of employees, and acquisition of real property, seconded by Councilwoman Thomas. A majority 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 8:55 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 majority voice vote was received. Open session resumed at 9:47 p.m.

AGENDA #16 “ACTION ON CLOSED SESSION” Councilman Foster moved to approve the proposed three-year IBEW contract, seconded by Councilman Ferguson. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes. Resolution 2011-R-39 will be prepared.

Councilman Brown requested that the Council discuss fencing options for the Boone Street culvert which was recently installed. Originally, fencing was included in the bid, but then removed by the Council. The Council discussed whether it should be engineered and the need for cost estimates.

Currently, weeds are growing on the top portion of the culvert. The Council discussed ground cover that would not have to be maintained. The Council asked for recommendations or suggestions for this problem.

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

The meeting of the City Council adjourned at 9:53 p.m.

Belinda C. Henton
City Clerk