

CITY OF OLNEY  
CITY COUNCIL MEETING  
MARCH 12, 2012

AGENDA #1 “CALL TO ORDER” The March 12, 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.

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 Attorney/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 the Council Meeting on February 27, 2012

4-B Approve and Authorize Payment of Accounts Payable March 13, 2012-Pooled Cash \$135,733.33, Water Deposit Refunds \$1,285.03, Manual Pooled Cash \$305.32, Motor Fuel Tax \$4,468.19, Tourism \$2,381.66 and Christmas Light Display \$1,253.84

4-C Ordinance: Sale of Personal Property from Park Department-Ordinance 2012-08

4-D Raffle License-First National Bank in Olney

4-E Raffle License-Knights of Columbus

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 - Project Update” Mr. Taylor reported that Electron Electric is installing disconnects on Main Street to enable city crews to shut off power to the lights when they need to work on them.

Hella North America, Inc. from Flora, Illinois provided a sample LED light fixture. Hella is involved in manufacturing these lights in Flora. The demo light was a 68 watt. The City of Flora uses this type of light on a couple of their streets. Prior to the Council meeting, Hella demonstrated to the staff how their light can be installed into Olney’s existing fixtures. This

type of conversion is being considered for the rebate program on the 81 city-owned street lights which are on Main Street and Whittle Avenue.

The Council was recently provided with a Treasurer's report. Mr. Taylor commented that the state income tax is currently four payments behind totaling \$263,542.

8-B "City Manager - Request IDOT Traffic Study for S. Route 130" Mr. Taylor recently met with representatives of the Richland County Farm Bureau. They are requesting that the City submit a letter to the Illinois Department of Transportation requesting a traffic study on Illinois Route 130 from U.S. 50 south to approximately Radio Tower Lane. This would include the area around Consolidated Grain and the intersection at Whittle Avenue. The hope is that IDOT will reduce the speed limit to perhaps 45 miles per hour after an evaluation of the traffic study. Since the highway is inside the City limits, IDOT requires a letter from the City to initiate the traffic study. The City does not have the authority to establish a speed limit on a state highway.

The Council was in agreement to request the traffic study on Route 130 from US 50 to Radio Tower Lane.

Councilman Foster asked about the traffic study the Police Department was going to do on N. Silver Street. Mr. Taylor reported that the Police Chief Chaplin did conduct one traffic study himself and planned to have another one conducted during the ball season.

#### AGENDA #9 "NEW BUSINESS"

9-A "Ordinance: Placement of a Manufactured Home" The Plan Commission recently heard a request from George and Sheila Herman for the placement of a manufactured home at 4123 N. Cottage Hill Road. No objections were heard from the public. The Plan Commission unanimously recommended approval for the placement of the manufactured home. The Council was provided with the minutes of the Plan Commission meeting and a proposed ordinance approving the placement of the manufactured home.

Councilman Ferguson asked Mr. Herman if the proposed manufactured home is new. Mr. Herman verified that it was new, and will replace an existing manufactured home.

Councilman Ferguson moved to pass Ordinance 2012-09, seconded by Councilwoman Thomas. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-B "Resolution: Engineering Agreement for Boone Street Drainage Project" The Council was provided with an engineering agreement which is a standard agreement for a grant through the Department of Commerce and Economic Opportunity and is required for Roger Charleston to proceed with the development of the plans for the Boone Street drainage project. Attached to the agreement was the scope of work and payment schedule. Mr. Taylor recommended approval of the agreement.

Councilman Foster moved to approve Resolution 2012-R-11, seconded by Councilman Ferguson. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes.

9-C “Ordinance: Sale of Rail, Ties and Other Railroad Materials” Specifications for the sale of the rail, ties and other metal components on the railroad right of way between Whittle Avenue and Big Creek, which is approximately 4,000 feet and owned by the City, were sent out to two contractors which expressed interest. A lump sum bid was requested for the purchase of the items along with a time frame for the completion of the project. The bid specifications also required the successful bidder to submit a check in the amount of 10% of the bid as a deposit to guarantee the satisfactory removal of the items purchased by the time frame specified by the bid. This project will not cost the City, and the successful bidder will be required to remove all vegetation and rails.

The Council was provided with copies of the two bids received. Smith Trucking & Excavating of Centralia, Illinois bid \$13,125 and SI Promotions Flora, Inc. (Scrap Daddy) of Flora, Illinois bid \$16,795.00. Mr. Taylor recommended approval of the bid from Scrap Daddy. An ordinance, purchase agreement and a bill of sale will be prepared upon approval by the Council.

There is approximately 1,525 feet of rail that remains on the Pacific Cycle property that is also owned by the City. Pacific Cycle has no problem if the City has the rail removed. This rail was not included in the original specifications. Mr. Taylor proposed working with the successful bidder to arrive at a mutually agreeable purchase price for the additional rail, ties and other metal components on the Pacific Cycle property.

Councilman Foster suggested approving the high bid that was submitted and negotiate with both bidders the sale of the additional 1,525 feet of rail.

Councilwoman Thomas questioned the wording in the SI Promotions Flora, Inc. bid. Mr. Booth stated the “maximum bid” for the sale of rail. She questioned if the City could receive less than bid. Mr. Taylor will verify this information.

Councilman Foster moved to accept the bid from SI Promotions Flora, Inc. in the amount of \$16,795.00 for the sale of rail, ties and other metal components on the railroad right of way between Whittle Avenue and Big Creek which is owned by the City, seconded by Councilwoman Thomas. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried. Ordinance 2012-10 will be prepared.

Councilman Ferguson suggested that Mr. Taylor negotiate with Calvin Booth from SI Promotions Flora, Inc. for the sale and removal of the additional 1,525 feet of rail. The Council was in agreement.

9-D “Discussion: Purchase of ADA Equipment for Swimming Pool” Due to changes in the ADA requirements, the swimming pool is now required to provide two means of accessible ingress and egress. One means of access needs to be a lift. Mr. Bradley has researched 300 and 450 pound lifts. Two quotes were received for each type. The lowest quote for a 300 pound lift was \$5,812 and for a 450 pound lift was \$6,306.00. This purchase will require an amendment to this year’s budget. Mr. Taylor commented \$9,950 was not spent from the East Fork Lake Dock Walkway line item. He suggested reducing this line item by \$6,306.00 and create a swimming pool lift line item.

The second means of access could be a rail which is being investigated. The zero depth entry no longer satisfies ADA requirements. Mr. Bradley is trying to resolve some engineering issues with the installation of a railing. Specific information on a rail will be provided at the next meeting. This portion of the project will have to be done in the next fiscal year.

The City did receive an ADA request for a railing, but two types of access are required.

Councilman Ferguson asked where the lift will be located. Mr. Bradley indicated on the south side of pool, and he recommended a portable lift that can be moved during swim meets.

Councilman Ferguson asked if a 450 pound lift is necessary. The Council felt it would be better. Mr. Bradley indicated 450 pounds is the biggest lift made.

Councilman Foster moved to authorize the purchase of a 450 pound swimming pool lift from Lincoln Equipment, Inc. of Noblesville, Indiana in the amount of \$6,306.00 and amend the budget by reducing the East Fork Lake Dock Walkway line item by this amount and create a Swimming Pool Lift line item, seconded by Councilman Brown. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried. Resolution 2012-R-12 will be prepared.

#### AGENDA #10 “OLD BUSINESS”

10-A “Discussion: Concession Stand” A meeting was recently held with representatives of the Olney Little League, Girl’s Softball and Councilman Foster. Mr. Taylor revised the proposed concession stand lease incorporating their suggested changes. One of their recommendations was to change the 48-hour notice to a 24-hour notice for other league sponsored athletic events to have the concession stand open. Also, Little League will pay \$300 on the 1<sup>st</sup> of May, June and July which will include the cost of electrical service. Mr. Taylor recommended that the lease include an annual termination clause in the event the Council determines that a different approach needs to be taken regarding the management of the concession stand.

The Council was also provided with an agreement regarding use of the ball fields in Musgrove Park.

Councilman Foster commented that he brought up the issue of going out for bids for leasing of the concession stand, but after meeting with members of Olney Little League and Girls' Softball, he believes it will be in the best interest of keeping prices reasonable to lease the concession stand to Olney Little League.

Councilman Foster moved to enter into the proposed agreement with Olney League for the concession stand, seconded by Councilman Brown. Councilwoman Thomas, Councilmen Foster, Brown, Ferguson and Mayor Lambird voted yes. There were no opposing votes. The motion carried. Resolution 2012-R-13 will be prepared.

#### AGENDA #11 "PUBLIC COMMENTS/PRESENTATIONS"

11-A "County, City and Government Leadership" Brian O'Neill stated he was the only person that attends all the City Council meetings and County Board meetings. Mr. O'Neill complained about the County keeping all of the safety tax money for themselves. He believed the tax payers' money is being wasted, and the County Board is not doing their job.

11-B "Request for Signage for Alley" Mary Spillman requested that a "No Outlet" sign be installed on the south end of the north/south alley running parallel to Mill Street between Butler Street and Laurel Street. Mrs. Spillman explained the north end of this alley does not go through and people turn around in her yard.

The Council was willing to approve the installation of "No Outlet" sign.

Vanessa Bourgeois has entered into a lease agreement with Wayne Pitts for a community garden at 300 N. Silver. Her organization will provide the required liability insurance, but she will need water for the garden. Mr. Pitts indicated to her that there are existing water lines on the property. She asked if the City could install a water hydrant for this project. Her organization was willing to buy the hydrant.

The Council was in agreement to have the Water Distribution Department install a water hydrant for the community garden project.

#### AGENDA #12 "REPORT FROM THE MAYOR"

12-A "Appointment to Various Boards and Commissions" Mayor Lambird had no appointments to recommend.

#### AGENDA #13 "REPORTS FROM CITY COUNCIL MEMBERS"

13-A "Councilman Foster - Picking Up After Pets" Councilman Foster has been contacted by residents regarding people who walk their dogs in Musgrove Park and do not pick up after them. Due to increased use of Musgrove Park, Councilman Foster questioned how to address this problem. He believed this problem also occurs in other areas of the city. The Council discussed requiring dog owners to carry their own bags so they can pick up after their

pets, but questioned how this would be enforced. Councilman Foster suggested installing a dispenser for dog litter bags at the park before an ordinance is passed.

The Council would like to hear from the public about this issue. Staff will look into the cost of the dispensers.

Councilman Brown pointed out there are no trash cans along the east/west sidewalk between Silver Street and East Street in Musgrove Park. Park Supervisor Frank Bradley explained it would be hard to dump a trash can in the middle of that area. He suggested trash cans on the sidewalk at the corner of Silver Street and East Street.

Councilman Foster would like to look into developing a dog park possibly on the south side of Miller's Grove.

Councilwoman Thomas asked about the status of a sidewalk she had spoken to Mr. Taylor about at Eastgate and Van. Mr. Taylor reported the sidewalk will be repaired to ADA standards. Tony Steber commented his department will be making the repair as soon as possible.

Councilwoman Thomas inquired if there is anything in place for safety training for employees. Mr. Taylor explained IMLRMA has conducted several safety training sessions with employees and there are videos available that can be utilized by the various departments. The use of videos is being encouraged. Mayor Lambird suggested that all employees be trained in first aid and CPR.

Councilman Ferguson asked staff to look at their needs which could be considered for an Illinois Department of Natural Resources Open Space Land Acquisition and Development (OSLAD) grant. Brandi Stennett commented grant applications for OSLAD are due July 1.

Mayor Lambird announced the Farmers Market will start on May 5.

#### AGENDA #14 "2012/2013 BUDGET DISCUSSIONS"

14-A "Water, Sewer and Tourism" The Council received proposed budgets for Water, Sewer and Tourism departments in their packets as well as some supporting documentation relating to some proposed changes in restricted funds.

City Treasurer Sanders reviewed the proposed budgets for water, sewer and tourism through a power point presentation. In reference to revenues, Mr. Sanders explained in general the staff had approached next year's budget by looking at this year's estimates and keeping next year's revenue flat.

Councilman Foster questioned the increase in the Maintenance Drive & Grounds line item in the Water Plant budget. Mr. Bradley explained there is a landscaped area west of the lab that is sliding down the hill. Mr. Bradley has plans of building a retaining wall to maintain the soil in that area.

Councilman Foster questioned the increase for part-time employees and inter-department labor costs in the Water Distribution Department. Mr. Taylor explained these expenses relate to a water line project which this department will be doing a majority of the work. The inter-department labor costs relate to the use of Street Department labor on this project.

Councilman Foster questioned the location of water line project. Mr. Taylor reported the water line project will take place on Monroe Street between Whittle Avenue and East Street.

Money is being put aside for the painting of the Washington Street water tower. Mayor Lambird asked when will enough money be saved to paint the water tower. The savings so far is not close to the cost for painting even though the exact cost has not been determined.

Mr. Sanders reported that the proposed 2012/2013 net result for Water Operations was \$4,812 surplus.

Mr. Sanders explained the Water EPA Reserve account has a balance of \$9,287, but \$42,287 is required. Mr. Taylor explained the EPA loan required \$4,220 to be set aside into a reserve account for a 10-year period. This amount was set aside for 2 years, but has not been for the past 8 years. Since the water bonds have been paid off for several years, it is not necessary to restrict money in the Water Bond Principal and Interest account nor the Water Bond Reserve account. Mr. Sanders proposed transferring \$33,000 from the Water EPA Principal and Interest account to the Water EPA Reserve account. Also, \$40,000 could be used from the Water Bond Principal and Interest account to repair the East Fork dam, \$6,000 for the purchase of radios for the water tower and put \$29,000 in reserve for the painting of the Washington Street water tower. An additional \$131,000 needs to also be put in reserves for the painting of the Washington Street water from the Water Bond Reserve account.

Mr. Taylor explained there was \$25,000 budgeted last year for the painting of the water tower, but it was never transferred into a reserve account. The Council was provided with two resolutions to correct these issues with Water and Sewer. Mr. Taylor hopes to have a broad capital improvement repair and replacement fund that will have money placed into it for specific projects. This plan will eliminate several small accounts.

Councilman Brown knew the Council authorized money to be put aside for the purchase of a new fire truck. He questioned if that money was properly set aside. Mr. Taylor commented he and Mr. Sanders have not looked at that particular question yet, but the same type of problem exists in the Sewer fund.

Mr. Sanders proposed establishing a restricted fund for the purchase of a generator for the Sewer Department in the amount of \$50,000 and \$110,000 for a flusher/vac truck.

Mr. Sanders reviewed the Water Plant and Water Distribution Capital Improvements 2012/2013 Budget Source and Use of Funds worksheet he prepared.

Councilman Ferguson questioned the total reserves in the Water fund. Mr. Taylor reported there are approximately \$1,590,000 in the Water fund reserves.

Mr. Sanders reported the projected net result for the Sewer fund for 2011/2012 is a surplus of \$218,801 which includes the \$160,000 being set side for the generator and flusher/vac truck. The projected net result for 2012/2013 is a surplus of \$3,201.

Mr. Taylor commented in approximately 18 months the EPA loan will be paid off which will free up approximately \$87,000 a year.

Councilman Ferguson questioned if water or sewer rates are proposed for increases. Mr. Taylor commented no increases are proposed.

Mr. Sanders reviewed the proposed budget for the Tourism fund. Councilman Brown questioned what expenses were included in the Tourism Convention Bureau Cont. line item. City Clerk Henton explained this expense includes the membership dues for The Tourism Bureau IllinoisSouth, advertising in the annual guides, advertising in the quarterly Tourism Times and participating in several cooperative advertising opportunities.

Councilman Brown questioned if additional money budgeted for the squirrel count would make a difference. City Clerk Henton did not think additional money would improve the squirrel count.

Councilman Ferguson noted the contribution to the Chamber was decreased by \$2,000.

City Clerk Henton pointed out the new line item for a website. At the work session in January, the Council commented they felt the City's website was becoming stale. She was contacted by a company that provides content management which would allow the website to be updated and changed in-house. A proposal and quote were given to the Council for their consideration. Tourism funds can be used to build a new website if the emphasis is on tourism, and The Tourism Bureau can actually help pay for 15% of the cost. This website provider could also provide the capability to prepare electronic newsletters.

14-B "Resolution: Restrict Funds in Water" Mr. Taylor suggested the approval of a resolution taking money from a restricted account that is no longer necessary because the series of water bonds have been paid off and placing \$60,000 in a capital improvement, repair and replacement account designated for the painting of a water tower. The \$60,000 is budgeted in this year's budget to be set aside in reserves.

The Council tabled this resolution pending the approval of the budget.

14-C "Resolution: Amend Budget and Restrict Funds in Sewer" Mr. Taylor suggested the approval of a resolution that transfers \$110,000 budgeted in this year's budget as Equipment Replacement to a Capital Improvements, Repair and Replacement account designated for a flusher/vac truck. The resolution also uses some money left over in this year's budget to place \$50,000 in the same account to be designated for a generator that is needed at the Sewer Plant. In the 2010/2011 fiscal year budget, there was budgeted \$10,000 for Equipment Replacement that was never transferred to an Equipment Replacement account.

The Council tabled this resolution pending the approval of the budget.

AGENDA #15 “CLOSED SESSION: SALE PRICE OF REAL PROPERTY AND COLLECTIVE NEGOTIATING MATTERS” Councilman Brown moved to adjourn to closed session to discuss the sale price of real property and collective negotiating matters, seconded by Councilwoman Thomas. A majority voice vote was received.

Councilmen Foster, Brown and Ferguson, Councilwoman Thomas, Mayor Lambird, City Attorney/City Manager Taylor and City Clerk Henton left the Council Chambers at 9:20 p.m.

AGENDA #16 “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 10:28 p.m.

AGENDA #17 “ACTION ON CLOSED SESSION” No action was taken as a result of the closed session.

At the last meeting the Council discussed the possibility of installing wireless internet at the City Park, but there were concerns with the problems that may be created. Councilman Brown commented there are a lot of other towns providing this service. The Council agreed and asked staff to pursue wireless internet at the City Park in the area of White Squirrel Circle. It was suggested the service would only be available during daylight hours with the use of a timer.

AGENDA #18 “ADJOURN” Councilwoman Thomas moved to adjourn, seconded by Councilman Brown. A majority voice vote was received.

The meeting of the City Council adjourned at 10:32 p.m.

Belinda C. Henton  
City Clerk