

CITY OF OLNEY
CITY COUNCIL MEETING
MAY 13, 2013

AGENDA #1 “CALL TO ORDER” The May 13, 2013 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 Ray Vaughn presiding.

AGENDA #2 “PLEDGE OF ALLEGIANCE TO THE FLAG-PRAYER” Council members and visitors joined in the pledge of allegiance to the flag. Troy Reynolds led the group in a prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: John McLaughlin, Barb Thomas, Brad Brown, Bob Ferguson and Ray Vaughn. 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 April 22, 2013

4-B Approve and Authorize Payment of Accounts Payable May 14, 2013-Pooled Cash \$64,457.65, Manual Pooled Cash dated April 30, 2013 \$155,114.99, Manual Pool Cash \$146,908.97, Motor Fuel Tax \$118,514.26, Levied Insurance \$7,808.00 and Tourism \$131.27

4-C Raffle License-MS Join the Movement

4-D Raffle License-Larry Weber Benefit

4-E Raffle License-Big Brothers Big Sisters

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

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

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

AGENDA #8 “PUBLIC COMMENTS/PRESENTATIONS” Brad Cooley previously addressed the Council concerning draining problems in his backyard. City Engineer Charleston has surveyed the property and Councilman Brown has seen the problem. According to Mr. Cooley, the City allegedly built a berm adjacent to his property which is causing water to be retained on his property and is creating a health hazard. He wants the berm removed. The berm is located partially on Mr. Cooley’s property, but the majority is on the property at 1306 N. Fair. He is bringing this issue up again since there are new members on the Council.

Mayor Vaughn asked Mr. Charleston's opinion for the quickest resolution. Mr. Charleston now knows the elevation of the land and believes a ditch is a good resolution. Through research and talking to people, he discovered before the City built the sewer line, a ditch drained this area. This ditch no longer exists. According to what he has been told, drainage problems did not occur until the ditch was filled in. If a ditch is recreated, it will affect the properties of Mr. Cooley, Mrs. Ritter, Mr. Tice, Mrs. Quick and Mrs. Hubble.

Councilman Ferguson questioned if there are drainage tiles at 1306 N. Fair. Mr. Charleston indicated there are two drainage tiles at this location, one on the north of the house and one on the south.

Mr. Taylor indicated the City only has an easement for the sanitary sewer main. The City does not have the right to remove the berm because it is on private property.

Mr. Cooley commented that Code Enforcement Officer Mike Mitchell indicated Mr. Cooley could not do anything that would affect the natural flow of water. The property where the berm is located is the lowest point in the block. He does not want to push water under their house, he just wants to get water out of his yard. The property owner on the south end of the block has built up their property and caused the water to flow back to Mr. Cooley's yard.

Mayor Vaughn indicated the issue Mr. Cooley has with the property owner on the south end of the block is a civil issue out of the City's control, but based on what Mr. Taylor and Mr. Charleston are considering, maybe the property owners can be contacted and a ditch recreated to solve the problem.

Mayor Vaughn asked that the neighbors be contacted and see if a small ditch could be created to help alleviate the problem. Mr. Taylor will work on this project. Mr. Cooley was asked to contact Mr. Taylor in June to see how the project is coming along.

Brian O'Neill further discussed Mr. Cooley's drainage problem. He pointed out the government does not have a right to affect the natural flow of water, and this situation needs to be brought back to original condition.

AGENDA #9 "PRESENTATION OF ORDINANCES. RESOLUTIONS. ETC."

9-A "Discussion: Street Department Road Equipment" The Council was provided with information prepared by Mr. Sanders regarding the proposed purchase of equipment for the Street Department (asphalt zipper, vibratory roller, pulverizer, water tank and trailer), financing and cost comparisons.

Mr. Taylor discussed financing the purchase of this equipment. One form of financing could be the use of reserves. Another financing option is charging the MFT fund for man hours and hours for the use of the equipment. Money generated from MFT paid to General Corporate would pay for the equipment in approximately four to five years. It is believed there are enough funds in MFT to support this project and still carry on with ordinary operations of the MFT fund.

All of the equipment mentioned is listed as one budget item. Mayor Vaughn asked if the City would be wasting its time by buy one without buying them all. Mr. Taylor confirmed all of the pieces of equipment are needed to do the roads right.

Councilman Brown understood less personnel could be used if the requested equipment is purchased. Street Department Supervisor Marty Nuss explained the street repair crew could be run by three people. Last year six people were used because of time needed to use the outdated equipment. The requested equipment will also turn out a better product.

Mayor Vaughn asked Mr. Taylor for his recommendation. Mr. Taylor explained if the Council wants to take a serious look at improving the city streets, particularly the oil and chip streets, he believes this is a very practical and realistic way to approaching the situation.

If this equipment is purchased, City crews would prepare the street and a contractor would actually do the oil and chipping. It was believed the City can prepare the streets for a little more than \$1.02 per square yard opposed to \$3.21 per square yard if contracted. This equipment can be used on other projects, not just oil and chip.

Councilman Brown stated something different has to be done with the streets. He believed there were two options, purchase the recommended equipment or substantially contract street work. Doing what is being done is not the best strategy.

Councilwoman Thomas moved to approve.

Councilman Ferguson questioned if equipment has been identified. Mr. Nuss indicated the new equipment has been priced out. He expects to purchase a used roller and there are plenty available. The pulverizer is a small piece of equipment that is expected to cost approximately \$2,000. He is comfortable that the amount budgeted will purchase the needed equipment.

Councilman McLaughlin questioned if city crews could maintain the proposed equipment. Mr. Nuss answered the City Mechanic can maintain the equipment.

Councilman Ferguson asked for a clarification of the motion. Councilwoman Thomas clarified her motion was to approve the purchase of the asphalt zipper, vibratory roller, pulverizer, water tank and trailer as requested by the Street Department.

Mr. Taylor suggested that the motion be to proceed with the purchase by bringing back to the Council a specific quote for the roller and other items.

Councilwoman Thomas amended her motion to approve the purchase of the asphalt zipper, seconded by Councilman Ferguson.

Mayor Vaughn understood the zipper will require a large piece of equipment to haul it around. Mr. Nuss indicated the loader will be used for that purpose.

Councilman Ferguson clarified the motion is to proceed to look into the matter of purchasing the proposed equipment. Mayor Vaughn understood the motion is to give the authority to negotiate the purchase of the zipper. Mr. Taylor commented a quote has been received for the zipper in the amount of \$133,575, but it was dated August 27, 2012.

Mr. Nuss indicated an updated price could be received tomorrow. Mr. Taylor thought it would be appropriate to bring the updated quote back to the Council at the next meeting.

Councilwoman Thomas amended her motion to proceed with the investigation and come back at the next meeting with actual prices, seconded by Councilman Ferguson. Councilwoman Thomas, Councilmen Brown, Ferguson, Mayor Vaughn and Councilman McLaughlin voted yes. There were no opposing votes. The motion carried.

Councilman Ferguson questioned the financing of this equipment through MFT. Currently, there is \$195,500 budgeted for the purchase of this equipment. He clarified the proposal is to borrow money and have MFT make the payments. Mr. Sanders explained there are a couple of ways to do that. One way is to utilize General Corporate funds and use MFT funds to make annual payments back to General Corporate or funds can be borrowed from a local bank.

Councilman Ferguson pointed out if MFT funds are used to make the payments, it will take money away from other MFT projects. Mr. Sanders commented money has been budgeted for an annual payment from MFT, but there will still be funds available for other projects. More work can be done with the same amount of money if equipment is purchased instead of hiring a contractor.

Mr. Taylor commented even using some MFT funds to either reimburse General Corporate or making a payment on a loan, there is still \$25,000 left over in this fiscal year that can be set aside for the City's portion of a future STU project.

Councilman Ferguson wanted to make sure the City maximizes the use of MFT funds.

9-B "Discussion: Snorkel Truck" Fire Chief Rusty Holmes presented a Power Point presentation with pictures of a 1998 Snorkel truck that he, City Mechanic Roger Fulk and Firefighter Mike Hill went to see near Buffalo, New York in the U-Crest Fire District. Chief Holmes has been looking for a truck that will replace the department's 1968 Snorkel. The bearings on the turntable of the 1968 Snorkel are out making it unuseable. An aerial truck was located in Speedway, Indiana, but it will not be available until October or later.

Chief Holmes had a representative from Global bring a Pierce fire truck that is similar to the 1998 Snorkel for comparison purposes. Chief Holmes was able to drive and test the truck during his visit. The 1998 Snorkel was very nice and in good condition. The current Snorkel has a boom of 65' and the 1998 Snorkel has a boom of 85'. The 1998 Snorkel does not have a pump, water tank nor hoses, but the department would gain 30 years and a lot smoother operating truck. The 1998 truck has 6,400 miles and less than 1,800 actual engine hours. It can

haul eight people, has a hose bed and wench. Ultimately, Chief Holmes would like to have a truck that has a pump and tank and can pull lines off of it to fight a fire. The 1998 truck could be upgraded with a pump and tank, but it would cost \$180,000 to \$200,000. U-Crest is asking \$30,000 for this truck.

City Mechanic Roger Fulk told the Council he believed this truck has been well-taken care of and is an excellent truck. Chief Holmes did suggest that the back tires be replaced. In Chief Holmes' opinion the front tires are good for a while. Chief Holmes also noticed there was a little rust on the exhaust, but he was not concerned.

Councilman McLaughlin questioned how long this truck will last. Chief Holmes explained Snorkel quit producing the Snorkel products in 2000. There are still parts and pieces available. As long as parts are available, this truck should last for 15 to 20 years. In the future, Chief Holmes would like to take steps to get something different, but at this time he would like to get the current Snorkel replaced.

Councilman Ferguson questioned the cost to repair the old Snorkel. Chief Holmes indicated \$28,000. Chief Holmes felt confident he could get the 1998 truck for less than \$30,000.

Mayor Vaughan asked if this Snorkel would fit in their existing building. Chief Holmes answered yes it would fit.

Councilwoman Thomas questioned the cost of the tires. Chief Holmes estimated \$3,600 to replace the tires.

Chief Holmes asked for approval to negotiate a price for the truck. Mr. Taylor commented that \$90,000 has been budgeted for the purchase of a ladder truck.

Chief Holmes explained the Insurance Services Office (ISO) will be coming to the fire station on June 6. They are the organization that helps determine the fire service rating. He has talked to the person that will be coming to Olney and told him the situation with the Snorkel. Initially, Olney would take a hit because ISO requires the department to have an aerial device available because of the size of buildings in Olney.

Mayor Vaughn asked Mr. Taylor's recommendation. It made more sense to Mr. Taylor to spend \$30,000 to get a newer piece of equipment that is similar to what is currently owned instead of spending \$28,000 or more to repair the old equipment.

Councilman Ferguson questioned if there is any resale value in the old Snorkel. Chief Holmes did not expect too much resale value, but it is hard to say. Councilman Ferguson questioned the resale value of the 1998 truck in a couple of years. Chief Holmes would not expect the entire purchase price if sold in a couple of years.

Mayor Vaughn questioned the maintenance of a Snorkel truck. He assumed the expense would be in replacing the hydraulics. Chief Holmes explained the hydraulics are replaced as needed. Primarily maintenance consists of oil changes and repairs as needed. His budget for truck maintenance for the entire department is approximately \$3,000 to \$3,500 annually. As the trucks get older, maintenance costs increase.

Councilman Brown moved to authorize Chief Holmes to enter into negotiations for the purchase of the 1998 Snorkel truck and bring the negotiated price back to the Council at the next meeting, seconded by Councilman McLaughlin. Councilmen Brown, Ferguson, Mayor Vaughn, Councilman McLaughlin and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-C “Discussion: Little League Request for City Assistance in Cost to Clean Restrooms”
Mr. Taylor received a request from the Olney Little League requesting the City to pay one-half of the cost of cleaning and providing supplies for the restrooms, collecting plastic recycling bins, emptying trash containers and picking up litter at the Musgrove Park Ball Diamond Complex. Olney Little League has contracted with ARC Community Support Systems for the service at a cost of \$630 per month for the months of May, June and July.

Historically the City has provided the maintenance of the ball diamonds as well as maintaining the restrooms and taking care of the trash. When the Little League approached the Council with the plan to develop the Musgrove Ball Diamond Complex, there was discussion concerning maintenance items around the diamonds. Little League and Brad Doll indicated they would include a grounds keeper in their budget to do the work around the ball diamonds such as lining and dragging the diamonds and trash. The City continues to do this work.

Councilman Brown asked if Little League started doing the lining of the fields. Park Supervisor Frank Bradley answered no, the City has always done that work. Mr. Taylor explained the City basically has one full-time employee that is devoted to diamond maintenance.

Councilman Ferguson questioned if Mr. Bradley has found ARC’s work satisfactory. Mr. Bradley had no complaints with ARC. He clarified ARC only works at the ball diamonds on Mondays and Thursdays, and his department cleans all other days.

Councilman McLaughlin moved to approve the payment of \$945, seconded by Councilman Brown.

Mr. Taylor suggested that Contingencies be used for this expenditure since nothing has been budgeted.

Councilman McLaughlin amended his motion to approve the payment of \$945 and amend Contingencies, seconded by Councilman Brown. Councilmen Ferguson, McLaughlin and Brown voted yes. Mayor Vaughn and Councilwoman Thomas voted no. The motion carried. Resolution 2013-R-25 will be prepared.

9-D “Discussion: Attendance at City Council Meetings by Phone or Electronic Means”

The Council was provided with a copy of a memorandum Mr. Taylor prepared on December 15, 2006 regarding amendments that would permit the City Council to authorize a Council member to attend a Council meeting by telephone or other electronic means. This option would only be available if the Council member could not physically attend a meeting because of employment or official business of the City, illness or has a family or other emergency. Mr. Taylor explained under certain circumstances it would be helpful to have this provision. Mr. Taylor questioned if the Council was interested in pursuing this matter.

The Council was in agreement for Mr. Taylor to draft an electronic attendance ordinance for consideration at the next meeting.

9-E “Resolution: Accept Quotation for Purchase of Riding Mowers” The Council was provided with a memorandum from Frank Bradley regarding the purchase of two John Deere riding mowers and two quotes he received. The quotes are below budget. The low bid was received from McLean Implements, Inc. from Albion, Illinois in the amount of \$14,600 for both mowers. These two mowers would replace two older mowers.

Councilman Ferguson moved to approve Resolution 2013-R-26, seconded by Councilman Brown. Mayor Vaughn, Councilman McLaughlin, Councilwoman Thomas, Councilmen Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

9-F “Resolution: Accept Quotation for Purchase of Two ½ Ton Trucks” The Council was provided with a memorandum from Mr. Bradley regarding the price for two ½ ton pickup trucks. One of the trucks is for the Water Plant and the other is for the Park Department. Currently, there is \$17,000 budgeted in each department. The state bid through Bob Riding in Taylorville, Illinois is \$16,705 per truck. Eagleson Automotive Center, Inc. in Olney submitted a quote for \$21,114.86.

At the end of the last budget year, the Council approved the purchase of a pickup truck. Councilman Brown questioned where that truck is being used. Mr. Taylor indicated that truck was a 1 ton truck for the Street Department intended to be used to tow the proposed road equipment.

Councilman Brown asked the importance of these two trucks. Mr. Bradley explained he does not have enough pickup trucks in the Park Department to get the crews where they need to be. The new truck at the Water Plant will replace a 1994 Ford F150 with 124,496 miles. This truck is used every day and he expects to start having trouble with it truck if the constant use is continued. He intends to transfer this 1994 truck to the Park Department where it will only be used five months out of the year. He also explained the Ram Charger in the Park Department cannot transport a crew and equipment like a pickup. The other vehicle is a Nissan that cannot pull a trailer.

Councilman Brown questioned how many additional trucks will be purchased during this fiscal year. Mr. Taylor commented the Sewer Department has budgeted for a 3/4 ton truck. Mr. Sanders confirmed there are no other trucks besides the Water Plant, Park Department and Sewer Department. The budget does include the purchase of a squad car and a used car for the Police Chief.

The Ram Charger and Nissan truck mentioned by Mr. Bradley are proposed to be sold through GovDeals.com.

Councilman Brown preferred postponing the vote to purchase these trucks for a meeting or two until the Council figures out how to exactly handle the overall budget. He believes something will have to come out somewhere and one or more of these trucks may be a start.

Mr. Bradley explained the quotes are good for a while, but it takes approximately three months to receive a vehicle from the state bid if ordered now. It will take longer than three months if the purchase is delayed. Mr. Bradley stressed these trucks are needed now.

Mayor Vaughn questioned how many trucks the Park Department has in its fleet. Mr. Bradley indicated three, 1/2 tons and one, 3/4 ton.

Councilman Ferguson questioned if the new Mayor and Councilman have been provided with an equipment list. He thought that would be helpful for them to see. Even though it sounds like a lot of vehicles to be replaced, Councilman Ferguson did believe they need to be replaced.

The Council agreed to postpone this matter for two weeks. This will give the Council time to get a list of vehicles so the new Council members can have a better understanding.

9-G “Resolution: Accept Quotation for Purchase of One 3/4 Ton Truck” Sewer Department Supervisor Tony Steber has received a quote for the state bid of \$18,865 for a 2013 Ford Super Duty F250. He also received two quotes from Eagleson Automotive Center Inc. in Olney. One quote was for \$20,299.41 for a 2013 Chevrolet Silverado 2500 and the second bid was for \$20,966.14 for the same make and model with a trailer towing package with integrated trailer brake control. The purpose of this truck is pulling a trailer with the skid steer. Mr. Taylor commented the local bid was only approximately \$2,000 more than the state bid. The current budget includes \$25,000 for this purchase.

Councilman Brown suggested delaying any action on the purchase of this truck.

Councilman McLaughlin questioned if any of the departments share trucks. It was explained typically the trucks are not shared, but vehicles are moved around among the departments once a department no longer has a need for a vehicle. Councilman Ferguson questioned if there are trucks sitting that are not being used. The department heads present indicated there is not a surplus of vehicles not being used.

9-H “Ordinance: Sale of Personal Property” The Council received a proposed ordinance with two exhibits detailing items that are being authorized for sale. Exhibit 1 lists items proposed to be sold at auction through GovDeals.com and Exhibit 2 are items to be sold as scrap at Scrap Daddy. If the Council is interested in passing this ordinance, Mr. Taylor suggested deleting the 1993 Nissan and 1990 Dodge Ram Charger. Mr. Bradley suggested leaving the Ram Charger on the list, but agreed the Nissan truck should not be sold until a decision is made on the purchase of a truck for the Park Department. The 2006 Ford Crown Victoria is an old squad car that is unuseable. The 1993 Ford F800 flusher truck has already been replaced.

Councilman McLaughlin moved to pass Ordinance 2013-16 with the deletion of the 1993 Nissan truck, seconded by Councilman Brown. Councilman McLaughlin, Councilwoman Thomas, Councilmen Brown, Ferguson and Mayor Vaughn voted yes. There were no opposing votes. The motion carried.

9-I “Appoint JEDS Board Representative” The City has two representatives on the five member JEDS Board, Gary Foster and Police Chief Kevin Paddock. As a result of the election, Mr. Taylor asked the Council if they would like to appoint a replacement for Gary Foster.

Mayor Vaughn suggested Councilman McLaughlin as the second City representative on the JEDS Board. Councilman McLaughlin commented he has a good working and personal relationship with Sheriff Hires and thinks he can work well and mends some fence between the City and County.

Councilman Brown moved to appoint Councilman McLaughlin to the JEDS Board, seconded by Mayor Vaughn. Councilwoman Thomas, Councilmen Brown, Ferguson, Mayor Vaughn and Councilman McLaughlin voted yes. There were no opposing votes. The motion carried.

9-J “Resolution: Appoint City Treasurer” Mr. Taylor explained by statute the terms of the City Treasurer and City Clerk run concurrently with the term of the Mayor. The Council was provided with a resolution recommending Chuck Sanders be appointed as the City Treasurer with the term beginning May 1, 2013 and ending April 30, 2017.

Councilman Ferguson moved to approve Resolution 2013-R-27, seconded by Councilman McLaughlin. Councilmen Brown, Ferguson, Mayor Vaughn, Councilman McLaughlin and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-K “Resolution: Appoint City Clerk” The Council was also given a proposed resolution recommending Belinda Henton be appointed as the City Clerk with the term beginning May 1, 2013 and ending April 30, 2017.

Councilwoman Thomas moved to approve Resolution 2013-R-28, seconded by Councilman Ferguson. Councilman Ferguson, Mayor Vaughn, Councilman McLaughlin,

Councilwoman Thomas and Councilman Brown voted yes. There were no opposing votes. The motion carried.

AGENDA #10 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

10-A “City Manager - Status Report” Mr. Taylor reported the City is required to provide a water quality report for the Water Plant. This report has been posted on the City’s website and there will be a notice on the water bill that this report is posted on the website. By doing this, the cost of publication has been avoided. This savings has been made possible by the new website.

Mr. Taylor noted that the fourth Monday in May is Memorial Day so the next Council meeting will be on Tuesday, May 28.

Mayor Vaughn asked the Council to consider a discussion amending the Council meeting times to make it earlier in the evening.

AGENDA #11 “APPOINTMENT AND EMPLOYMENT OF SPECIFIC EMPLOYEES AND ACQUISITION OF REAL PROPERTY” Councilman Brown moved to adjourn to closed session to discuss the appointment and employment of specific employees and acquisition of real property, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

Councilmen McLaughlin, Brown, Ferguson, Councilwoman Thomas, Mayor Vaughn, City Manager Taylor, City Treasurer Sanders and City Clerk Henton left the Council Chambers at 8:50 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman McLaughlin moved to enter back into open session, seconded by Councilwoman Thomas. A majority affirmative voice vote was received. Open session resumed at 9:32 p.m.

AGENDA #13 “ACTION ON CLOSED SESSION” No action was taken as a result of the closed session.

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

The meeting of the City Council adjourned at 9:32 p.m.

Belinda C. Henton
City Clerk