

CITY OF OLNEY  
CITY COUNCIL MEETING  
MAY 14, 2012

AGENDA #1 “CALL TO ORDER” The May 14, 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. Troy Reynolds 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 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 23, 2012

4-B Approve and Authorize Payment of Accounts Payable May 15, 2012-Pooled Cash \$186,631.60, Pooled Cash Manuals \$331,975.80, Water Deposit Refunds \$1,365.89, Water Bond Reserve \$60,000, Park Lift Station \$450.00, Motor Fuel Tax \$54,547.08, IRP \$1,555.63, EDA \$21,496.59, Revolving Loan Fund \$6,246.08, Levied Funds \$17,379.42, Tourism \$8,770.90 and Christmas Light Display \$58.08

4-C Raffle License-Big Brothers/Big Sisters

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

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilman 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 “STAFF REPORTS”

8-A “City Manager - Status Report” Mr. Taylor reported that work has been completed on the Ludlow Street communications building. Barbeck Communications will now need to transfer the equipment into the new building. To date the cost of this project is \$8,205.15 which does not include \$2,400 to transfer the equipment. Mr. Taylor thanked Mike Mitchell for coordinating this project and several other employees that have helped with various aspects of the project.

City crews have now installed approximately 64 LED street lights. Only 17 lights remain to be installed. One cobra head light needs a different fitting and there are three lights near McDonalds that are on a different circuit without a shut off.

Mr. Taylor has been reviewing information provided by Mayor Lambird from Clay County concerning restaurant inspections as discussed at the last meeting. He will also be contacting Jasper County and Lawrence County for their information.

Garage doors have been installed at the Musgrove house so Park Department equipment needed to maintain Musgrove Park can be stored at that location.

City Engineer Charleston has indicated that the \$250,000 Safe Routes to School grant will be enough to complete sidewalks from the high school to the middle school and on to the elementary school.

At the last meeting the Fair Board indicated they were interested in hosting a wine tasting event at the City Park during the Fair. Mr. Taylor reviewed the City Code and reported to the Council that there is already a provision that allows the consumption of alcohol on streets, sidewalks, parking lots, Bower Park, City Park or Musgrove Park for which a Class S Special Use Permit has been issued by the City Council.

Mr. Charleston has prepared and submitted to IDOT an application and plans for the Herman Drive entrance off of Route 130. Mr. Charleston expects approval by the first of next week, and hopes to open bids for the project prior to the first meeting in June.

8-B "City Manager - KidZone Pool Request" KidZone has requested a discounted daily pool rate for their children and waive the fee for teachers attending with the children. They anticipate bringing two groups of approximately 20 school-aged children weekly. On occasion they would like to bring a younger group, but not on a weekly basis. The City has approved a discounted rate of \$1.50 per child and free entrance for the teachers for the last several years.

Councilman Foster moved to approve KidZone's request for a discounted rate of \$1.50, seconded by Councilman Brown. A majority voice vote was received.

8-C "City Clerk - Trick or Treat" This year Halloween falls on Wednesday. In the past the City has not scheduled Trick or Treat on Wednesdays because many residents attended Wednesday night church services. The annual Halloween parade will take place on Friday, October 26. Because many parents find it hard to take children Trick or Treating on a school night, it has been recommended to City Hall to schedule Trick or Treating on Saturday, October 27. It would be nice to set the Trick or Treat night now so other community events can be planned.

Councilman Foster moved to set Trick or Treat from 6:00 p.m. until 8:00 p.m. on October 27, 2012, seconded by Councilman Ferguson. A majority voice vote was received.

8-D “City Clerk- Request for City Logo Development” The City’s current logo is very old. With the creation of a new website, now might be the best time to have a new log created. The Tourism Bureau has verified that Tourism funds can be used for such a project. If it is billed through The Tourism Bureau, they would pay 15% of the cost. There is \$2,485 budgeted in Tourism Promotions that could be used for this project. The exact cost for a logo was not known. City Clerk Henton requested authorization to initiate this project.

The Council gave their verbal approval to have a city logo created.

AGENDA #9 “NEW BUSINESS”

9-A “Presentation: Northwest Municipal Conference/Fire Truck Pricing” Fire Chief Rusty Holmes invited representatives from Global Emergency Products to discuss different bidding options when purchasing a fire truck.

Rob McAtee and Greg Hinkens from Global discussed an alternative way to purchase a fire truck rather than through the typical bidding process. The Northwest Municipal Conference has contracted with three different fire truck manufacturers. The Northwest Municipal Conference is a joint purchasing group for several different types of equipment. Global is one of the preferred vendors for fire trucks. The benefit of purchasing a fire truck through the Northwest Municipal Conference is a large discount from the manufacturer.

Councilman Ferguson asked what other municipalities have used this program. Mr. Hinkens indicated he would provide a reference list for the Council.

Councilman Ferguson asked what area the Northwest Municipal Conference represents. Mr. Hinkens indicated Illinois, and they are well established in northern Illinois. One of their most recent customers was the City of Decatur. The Northwest Municipal Conference charges a membership fee, but the discounts outweigh the membership fee.

Councilman Foster questioned how they receive large discounts. Mr. Hinkens explained his company has negotiated price discounts with the manufacturers. The program is similar to the state contracts through Illinois Central Management. Depending on the model purchased, a municipality can save between \$35,000 and \$40,000 or a 7-10% discount.

Councilman Brown asked if there is a time line for purchasing a fire truck. Mr. Taylor indicated there is no time line, but Mr. Hinkens informed the Council it takes six to seven months for the delivery of a fire truck.

Councilman Ferguson questioned the application for a low interest loan. Fire Chief Holmes submitted the application on April 20. It is expected to take four to six weeks for a response to the application.

9-B “Update: Rotary Park and Request to Remove Ball Diamond Fence” This item was deleted from the agenda.

9-C “Request: Class S Liquor License-The Gypsy” Bart Zuber addressed the Council concerning The Gypsy’s request for a Class S liquor license for June 9, 2012. He would like to close the 200 block of S. Whittle from 12 noon on June 9 until 12:30 a.m. on June 10 for live bands, corn hole tournament and hot dog eating contest. He has discussed his plans with the businesses in the vicinity, and they have given their approval. According to Mr. Zuber, The Gypsy has held similar events in the past with success.

Councilman Ferguson moved to approve the Class S liquor license for The Gypsy on June 9, 2012, seconded by Councilwoman Thomas. A majority voice vote was received.

9-D “Ordinance: No Parking 100 Block of N. Lincoln” The Council was provided with a memorandum and related information from Police Chief Rob Brown regarding parking on the east side of the 100 block of N. Lincoln Street. A proposed ordinance has been prepared which would prohibit parking on the east side of N. Lincoln for the first 255 feet north of Main Street. This issue arose as a result of a ticket written for no parking on the east side based on a sign located in the area and then staff was unable to find an ordinance authorizing the no parking sign.

Councilman Foster asked if the neighbors have adequate parking. Mr. Taylor indicated all the neighbors have driveways and adequate parking.

Councilman Foster moved to pass Ordinance 2012-20, seconded by Councilwoman Thomas. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

9-E “Ordinance: Prohibiting Pets at Musgrove Park Ball Diamond Complex” Mr. Taylor was asked to prepare an ordinance prohibiting pets at the Musgrove Park Ball Diamond Complex. There is a similar ordinance for the ball diamonds at the City Park.

Mayor Lambird indicated the proposed ordinance does not restrict pets in any other location of the park except the ball diamonds.

Councilman Brown expressed a concern with the signage. Mr. Taylor was not sure how to word signs, but suggested “No Pets Beyond This Point.” Councilman Brown knew there are a lot of walkers with pets that use the sidewalks around Musgrove Park.

Councilman Foster asked if a pet could be carried in the diamond area. The Council assumed all pets would be restricted in the designated area. Councilman Foster questioned if the reason for restricting pets was because of droppings.

Councilman Brown asked if this request was received from the leagues. Mayor Lambird commented this was the policy at the City Park ball diamonds. If certain types of dogs could be restricted, there would not be a problem, but it is hard to regulate only certain dogs.

Councilman Foster moved to pass the proposed ordinance.

Councilman Brown requested input from the leagues and Councilman Ferguson requested input from the public before action is taken.

Councilman Foster's motion died due to a lack of a second.

9-F "Discussion: Smoking at Musgrove Park Ball Diamond Complex" A question has been raised concerning the prohibiting of smoking at the Musgrove Ball Park Diamond Complex. Mr. Taylor wanted to solicit the Council's opinion on this matter. It was thought the leagues implement their own rules concerning smoking, but there is nothing in the City Code prohibiting smoking at the old ball park.

Councilman Ferguson recommended prohibiting smoking at the Musgrove Ball Diamond Complex.

Troy Reynolds also voiced his opinion smoking should be prohibited.

Brian O'Neill noted the City has the power to enforce no smoking.

9-G "Resolution: Additional Signs at Musgrove Ball Park Diamonds" Previously, the Council approved advertising agreements with financial institutions, organizations and individuals for the Musgrove Ball Park Diamonds. Mr. Taylor explained an issue has been raised regarding the possibility of a sponsoring financial institution, organization or individual being able to place additional advertising signs at their respective ball diamond. One financial institution had language to that effect in their agreement with the Olney Little League. Instead of changing all of the advertising agreements, Mr. Taylor suggested approving a resolution which would establish a policy for considering proposals for additional signs, at the advertiser's expense, at agreed locations. Requests for additional signs would be approved by the Council.

Councilman Brown moved to approve Resolution 2012-R-35, seconded by Councilman Ferguson. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-H "Ordinance: Authorize Handicapped Parking at Musgrove Park Ball Diamond Complex" In order to comply with the American with Disabilities Act, a minimum of five handicapped parking spaces near the Musgrove Park Ball Diamond Complex are needed. It was decided that three should be placed on each side of the entrance to the Complex. These six parking places will be concreted to make them fully accessible. Signs will also be installed.

Councilman Ferguson moved to pass Ordinance 2012-21, seconded by Councilman Brown. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes. The motion carried.

9-I "Discussion: Swimming Pool Hours of Operation" Mr. Taylor explained a question has been raised concerning the hours of operation for the swimming pool. The Council was provided with a list of the proposed hours of operation for the general public and various programs.

Mr. Taylor also questioned the closing date of the pool. The East Richland School District starts back to school on August 15. In past years the pool has stayed open until Labor Day, but in the past couple of years it was closed earlier. The school district usually uses the pool after school opens up to Labor Day.

Councilman Brown suggested the pool should remain open until 8:00 p.m. for the general public as much as possible. It was expected the pool would see additional use since the new ball diamonds are now in the same park. Councilman Brown also suggested keeping the pool open until school starts.

The Council suggested that private parties should be booked on Fridays, Saturdays and Sundays or after 8:00 p.m. on Monday through Thursday.

9-J “Ordinance: Annexation of 424 N. Van” Earl F. Scherer and Lois J. Porter have signed a petition to annex 424 N. Van Street. This is a new home that has been recently constructed. They were required to annex in order to have city water and sewer services. All requirements have been met for the annexation of the property.

Councilman Ferguson moved to pass Ordinance 2012-22, seconded by Councilman Foster. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried.

9-K “Resolution: Support of Rt. 130 Sidewalk Under ITEP Program” A resolution of support is needed as part of the application process for the Illinois Transportation Enhancement Program Fund for sidewalks along Route 130 between Parker Street and the Wal-Mart Supercenter. The Council was provided with a proposed resolution as well as an aerial photo with the route of the sidewalk marked. The sidewalk must be located on the east side of Route 130 between Parker Street and Mack Avenue because of a water line on the west side that would be in conflict with the sidewalk after the grade is cut to construct the sidewalk at the same grade as the curb. Construction on the east side will involve some retaining walls. The deadline for this grant application is May 29, 2012. The cost of the proposed project is \$656,622.40. The grant would be an 80/20 match.

The Council was provided with an itemized list of expenses for the project. Mr. Charleston explained the sidewalk would be 7' wide from the curb of the highway toward the property lines. He also explained the need for the retaining walls. He proposed using a segmented block wall. Traffic control consists of \$108,000 for this project. It is required by IDOT because of the close proximity to the highway as protection for the workers. This project would be permitted through IDOT. IDOT will administer the grant if it is received.

Councilman Ferguson questioned if criteria for the grant could be met. Mr. Charleston explained one of the requirements is the sidewalk has to go from one place to another. This sidewalk is intended to move traffic from the college to Wal-Mart. There are a lot of walkers in this area causing safety concerns.

Councilman Brown remembered when this project was originally discussed, Wal-Mart expressed an interest in helping fund the project. If they are still interested, their contribution could be put toward the City's 20% obligation.

Mr. Taylor explained because of the location of this project, IDOT regulations will apply whether a grant is received or not.

Councilman Foster commented there are a lot of areas in the city he would prefer to spend this money, but he is concerned with the safety of the pedestrians in this area. He would like to hear from the public concerning this project. He was told there was not enough time for public input before the grant application is due.

It was Richland County Development Corporation Executive Director Brandi Stennett's opinion the city meets almost all necessary criteria for the grant. She saw no reason to automatically throw out the application, but it is a very competitive grant.

A member of the audience asked if a sidewalk has been considered in front of City Park.

Brian O'Neill commented the City needs to consider an ordinance to keep wheelchairs out of the streets.

George Hostettler questioned maintenance and snow removal on the sidewalk.

Councilman Brown believed this was a worthwhile project, but asked if there were any better grants than 80/20. He was told an 80/20 grant was about the best that could be received. Mr. Taylor did not believe city crews should do the sidewalk construction on this project.

Councilman Foster moved to approve Resolution 2012-R-36, seconded by Councilman Brown. Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. Councilman Ferguson abstained. There were no opposing votes. The motion carried.

9-L "Resolution: Frontier Olney Online Application for Upgraded 1G Service Capacity" The City Council has been requested to pass a resolution of support of Frontier's application for a grant to fund an upgraded 1G service capacity for Olney. The proposed project will cost \$1,500,000. DCEO has set aside \$6,000,000 to be awarded to five communities for improving internet service. Frontier will be submitting three grant applications; one for Olney, Chatham and Carbondale.

Councilman Ferguson moved to approve Resolution 2012-R-37, seconded by Councilman Brown. A majority voice vote was received.

9-M "Discussion: OSLAD Grant-Campground Layout" City Engineer Roger Charleston prepared a preliminary campground layout for the Council's consideration. The proposed location was on both sides of the bay at the East Fork Lake boat dock area. Mr. Charleston did not have any cost estimates. Costs would depend on what type of services and facilities the Council wanted to provide.

Councilman Foster commented that initially he thought a campground would be a good venture for City, but he now believes the cost of upkeep and developing would be too expensive and city crews already have a problem keeping up property maintenance. He would prefer to spend the money fixing infrastructure within the city. He was not opposed to having a private individual develop a campground in this area.

Councilman Brown asked how an OSLAd grant works. It was explained the maximum grant would be \$400,000 with a 50/50 match. The deadline is July 30. Approval would probably not be known until October.

Councilwoman Thomas agreed with Councilman Foster.

Councilman Brown would prefer a private developer pursue this project, but he did not know the best way to get that done. He believed campers contribute to Olney's economy by frequenting restaurants and stores. Councilman Foster did not believe campers contribute much to Olney's economy.

Mayor Lambird questioned if the break-even cost had been determined. Mr. Sanders researched the cost issues, but there was not an easy answer. Campsites generally rent for \$15 to \$30 per night. The average electrical cost was not known. Councilman Ferguson suggested researching campgrounds for sale. Mr. Sanders tried that approach, but did not receive any helpful information.

Councilman Brown was interested in receiving more information before a decision is made.

Al Zellmer commented that State Park campgrounds have raised their prices. East Fork Lake is a good location. Local campgrounds are full and have waiting lists.

Richard Eckiss commented the City is not in the business of running a campground. If such a project had a positive cash flow, someone would take the City's offer to develop a campground.

Mr. Taylor commented the best solution may be to request proposals for development.

Councilman Ferguson suggested using the OSLAd grant for new playground equipment at the City Park. Councilman Foster agreed. Councilman Ferguson suggested creating a grant application for \$150,000.

Mayor Lambird pointed out work also needs to be done at the East Fork boat docks. The Council questioned which grant application would be stronger. Mr. Taylor commented that the OSLAD grant would lend itself to the playground equipment. The docks and slips would be more appropriate for a boat access grant.

Mr. Taylor pointed out that \$15,000 has been budgeted for playground equipment at the City Park. Labor could be counted toward the City's match. The Council suggested including lighting in the project. Grant approval would not be known until October.

The Council asked Mr. Taylor to put thought into how to find an investor for a campground.

9-N “Discussion: Main Street Water Line Project Estimates” City Engineer Charleston prepared a list of project estimates for the proposed Main Street water line project which would begin at Elliott Street and go east. The estimate to extend a 12" water main from Elliott Street to Jefferson Street was \$345,000, but there are no water mains to tie into at Jefferson Street. The estimate to extend a 12" water main from Elliott Street to Lincoln Street was \$440,000, but there is only an 8" water main at Lincoln Street. The estimate to extend a 12" water main from Elliott Street to Ohio Street was \$615,000. This was the best alternative because there is a 12" water main to tie into. The money appropriated for this project by the State is \$300,000. There is more than \$1,500,000 in unrestricted funds in the Water Fund.

Mr. Charleston explained if the main is extended to Ohio Street, the water flow will be increased tremendously along with the benefits of greater fire protection.

Mr. Taylor explained the City needs to submit information about this project to DCEO for approval.

Councilman Brown moved to authorize the use of the \$300,000 state grant for the extension of the Main Street water line from Elliott Street to Ohio Street, seconded by Councilman Foster. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried. Resolution 2012-R-38 will be prepared.

9-O “Resolution: Authorize Purchase of Skid Steer and Waive the Formal Bidding Procedures” Tony Steber has tried to get information from several vendors regarding the purchase of a skid steer loader over the last several months. Only one vendor, Erb Equipment Company out of Mt. Vernon, responded with any kind of information. Mr. Steber received two quotations for a skid steer loader, one new for \$40,980 and one used for \$34,272.00. Other than the 129 hours on the used skid steer, they are basically the same. The staff’s recommendation was to purchase the 2010 skid steer from Erb Equipment Company for \$34,272 and waive the formal bidding procedures.

Councilman Brown moved to approve Resolution 2012-R-39, seconded by Councilwoman Thomas. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes. The motion carried.

9-P “Discussion: Require Training for Licensees and Employees of Liquor Licensees” The issue of training liquor licensee employees has been raised several times over the last couple of years. The State Liquor Control Commission sponsors the BASSET (Beverage Alcohol Sellers and Servers Education and Training) program. They recommend voluntary participation in the program. More than 150 communities and counties have established specific training requirements as a condition for employment in a liquor-serving establishment. The training requirements could be the BASSET program or a similar program provided by professionals in the local community. Mr. Taylor questioned if the Council was interested in requiring such training.

Councilman Brown thought training participation could be voluntary. The rest of the Council did not believe employees would participate if it were voluntary. Mayor Lambird commented that some establishments do not do a good job at controlling their establishments and following the law.

Councilwoman Thomas questioned how this would be monitored. Mayor Lambird explained a certificate would be issued to employees who complete the training. Training would be provided without a charge.

Councilman Foster wanted more details to know how many hours would be involved in taking the classes and where they would be offered. Mayor Lambird believed it would involve 1 to 1 ½ hours and would cover underage drinking, fake identities and rules and regulations on how much should be served. Mayor Lambird will contact Bea Gardner for more details. He understood grant funds were available to provide training classes.

9-Q “Resolution: MFT Appropriations for Street Purposes” The Council was provided with a proposed resolution in the amount of \$120,000 for the annual MFT appropriation for the oil and chip program and the materials for the repair of concrete streets and patching mix.

Councilman Ferguson moved to approve the proposed resolution for maintenance of streets using \$120,000 of MFT funds, seconded by Councilwoman Thomas. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried.

9-R “Ordinance: Sale of Personal Property-Trash Pumps” The Council was provided with a proposed ordinance authorizing the sale of two trash pumps from the Water Distribution Department on Govdeals.com.

Councilman Brown moved to approve Ordinance 2012-23, seconded by Councilwoman Thomas. A majority voice vote was received.

9-S “Ordinance: 2% Retirement Increase for Non-Bargaining Unit IMRF Employees” The Council was provided with a proposed ordinance which allows individuals eligible to retire with at least 25 years of service to receive a 2% increase to their base wage when they submit an irrevocable letter of retirement setting the date of retirement. This retirement date can be no more than 48 months in advance. This proposal is identical to the provision in the IBEW collective bargaining agreement.

Councilman Foster moved to pass Ordinance 2012-24, seconded by Councilman Ferguson. Councilwoman Thomas, Councilmen Foster, Brown, Ferguson and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

#### AGENDA #10 “OLD BUSINESS”

10-A “Resolution: Accept Bids for Miscellaneous Concrete” The Council was provided with a proposed resolution accepting concrete bids. At the last meeting the Council expressed a concern about delivery delays. Mr. Taylor discussed this matter with Terry Schrey. Mr. Schrey

assured him this matter will be addressed, but stressed it was important that supervisors allow sufficient notice to schedule a delivery and complete information on how much is needed and when it is needed.

Councilman Ferguson moved to approve Resolution 2012-R-40, seconded by Councilman Brown. A majority voice vote was received.

10-B “Resolution: Adopting the Richland County Multi-Hazard Mitigation Plan” At the last meeting the Council was requested to adopt the Richland County Multi-Hazard Mitigation Plan. The Council requested to see the final draft before approval was given. A drafted plan was received with a list of changes proposed. The final plan was not available. The County Board has not yet adopted the plan, but further consideration will be given at their June meeting.

Councilman Foster asked Mr. Taylor if he saw any problems with the plan. Mr. Taylor commented much of the plan is boilerplate. Some minor changes have been made to reflect name changes.

Councilman Foster moved to approve Resolution 2012-R-41.

Councilman Brown suggested waiting for the County Board’s approval.

Councilman Ferguson seconded Councilman Foster’s motion. Councilman Brown voted no. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. The motion carried.

10-C “Discussion/Resolution: White Squirrel Saddle Club Lease” The Council was provided with a proposed resolution and lease between the White Squirrel Saddle Club and the City of Olney. The White Squirrel Saddle Club has already signed the lease. The Council was also provided with a drawing prepared by Mike Mitchell indicating improvements on the property and a calendar of reservations made for the gun range.

At the last meeting the Council discussed the issue of sand being billed to the City that was used in the arena. The recap of the last Council meeting in the Olney Daily Mail reported this matter. Mr. Zellmer commented that some of the things that were in the newspaper hurt his feelings. Mr. Zellmer wanted to make the saddle club’s position very clear. From this day forward they would like to have a single point of contact with someone named by the Council to alleviate misunderstandings.

Mr. Zellmer recounted that in 1998 the Council voted to support an equestrian center at Musgrove Park based on the fact that Alvin Musgove gave his property to the City. Mr. Zellmer had several meetings with the past two City Managers. Mr. Zellmer has his minutes from these meetings documenting what was promised to the White Squirrel Saddle Club. Originally, the saddle club was told they would be able to lease the firing range area for \$1 per year and the City would maintain the property. The saddle club has spent more than \$25,000 on this property

including the arena. This organization relies on fund raisers in the community to do things, but when they get bad publicity it becomes hard to raise money.

Mr. Zellmer met with Mr. Bukas when he became City Manager. They discussed what had been promised to the saddle club. According to Mr. Zellmer, Mr. Bukas said whatever promises have been made will be kept. No one has told Mr. Zellmer that the agreement had changed.

Mr. Zellmer explained that the sand issue at the arena was a misunderstanding. He explained the “city’s contractor,” Jim Urfer, came up to him and said he had used up all the gravel where it was intended to be placed, but there was money left over, and asked if they needed anything else. Mr. Zellmer explained the saddle club was going to hire him to put sand in the arena. According to Mr. Zellmer, Mr. Urfer said that should be all right. Mr. Zellmer told Mr. Urfer if that would not cause a problem with the City. According to Mr. Zellmer, Mr. Urfer’s answer was it should not. Mr. Zellmer commented maybe he should have called, but he wanted to give the Council an example of calling. Mr. Zellmer was told by Brad Doll that the saddle club could have some of the lighting poles from the old ball diamonds. Mr. Taylor told Mr. Zellmer that those poles were not Mr. Doll’s to give away. Mr. Zellmer then talked to Mayor Lambird who told him there should be some extra poles. Mr. Zellmer then finds out that Bill Jennings is in charge and he said no one is taking anything. This is the reason Mr. Zellmer asked for a single point of contact.

Mr. Zellmer told the Council that Alvin Musgrove hosted a trail ride to raise money to help defray expenses for the swimming pool. Mr. Musgrove raised \$5,000, but the City refused his money. Mr. Zellmer insisted this was in the minutes. Councilman Foster asked to see the minutes. These minutes were not presented during the meeting.

While reviewing City Council minutes, Councilman Foster read that Mr. Zellmer was asked to run all purchases through the City Manager. The City Manager would make all the needed purchases. Mr. Zellmer agreed that was correct, and the saddle club has never been reimbursed for expenses they paid. A bill was turned into Mayor Lambird, City Hall and City Manager Bukas. Mr. Zellmer had an email from Mr. Bukas that the Council authorized the purchases. Mr. Zellmer has been trying to collect for this bill for 1 ½ years.

Councilman Foster noted there was a lot of confusion regarding the campsites and the running of water lines and electrical lines. He did not remember authorizing any of these improvements. At one meeting Councilman Foster understood Mr. Zellmer to say that Mike Mitchell authorized these improvements, but then Councilman Foster was told that was not factual. Mr. Zellmer told Councilman Foster he understood wrong. Mr. Zellmer clarified he called Mike Mitchell and asked him to come out to the site when the work was being done.

According to Mr. Zellmer, he had Roger Charleston prepare a drawing with water and electrical improvements, and everyone approved the plan. Councilman Foster stated he never saw such a drawing. No one else on the Council remembered seeing the drawing. This was

Councilman Foster's point, many of the improvements have been made without the Council's approval or knowing where and how the lines would be run.

Councilman Foster commented he would have preferred to see a plan of what was proposed and then the Council could have given their approval. Councilman Foster stated that is the way the City operates on all other projects. Mr. Zellmer understood that but, he has discussed some of this stuff and gotten no where and sometimes they try to get things done.

Mr. Zellmer did not understand why the saddle club has to make a reservation to use the facility when it is supposed to be open to the public. Mr. Zellmer thought a good way to resolve this problem was for the City to pay the saddle club for the improvements they have made and take the area back and then the City can do what they please.

Councilman Ferguson questioned if the saddle club wants exclusive rights to use the area. Mr. Zellmer answered they have never asked for that. Councilman Foster explained there are several groups that use the gun range and reservations are necessary for the safety of everyone.

Mr. Zellmer discussed problems the saddle club has had in the past with the Olney Gun Club. Mr. Zellmer stated that saddle club will never be there when the gun club is there. He does not want a hate match between the saddle club and the gun club.

Mr. Zellmer asked if anything is being done to move the gun range.

Richard Eckiss accused Councilman Foster of trying to confuse Mr. Zellmer by asking too many questions. In Mr. Eckiss' opinion Councilman Foster should have presented his questions to Mr. Zellmer prior to the meeting. It was his opinion the Council needs to appoint someone to take care of the saddle club.

Mr. Zellmer stated he has received many promises that have never been considered such as the road going down to the range house. Also, water gets into the building. He has been told the situation is being reviewed, but nothing has been done. He also had a meeting with Frank Bradley about getting the grass mowed. The saddle club had to buy a bush hog to take care of the grass because the City has never mowed.

Councilman Foster is proud of what the saddle club has done in this area, and he wants them to be successful and use the facility all they want, but he wants them to coordinate scheduled events with the City Clerk. Councilman Foster understood the part that is open to the public are the trails, but the area leased by the saddle club is under their control.

Councilman Foster stated if Mr. Zellmer would have asked the City Manager about purchasing the extra sand, there would have not been a problem. Mr. Zellmer stated he did not order sand, it was authorized by Mr. Urfer. Mr. Zellmer asked if Councilman Foster would feel better if the saddle club paid the \$952 for the sand. He said the saddle club would happily pay for the sand. Councilman Foster was upset with the saddle club doing things and then wanting

the Council to accept what was done. Mr. Zellmer wanted someone to be appointed to be in charge of this project. Councilman Foster explained the City Manger is in charge.

Mr. Zellmer told the Council that Mr. Taylor has been the best friend to the saddle club because he has gone out of his way to communicate with them.

Councilman Foster apologized for communication problems in the past. He went on to say he wants their club to do well and enjoy what they are doing. The City will help all they can, but there is a way to do things. He asked the saddle club to follow the Council's directions. Mr. Zellmer said he did not have a problem following rules.

Since Mr. Zellmer has found out things have changed from what was originally promised, they will operate under that premise. Councilman Foster asked Mr. Zellmer to find what was promised to them in the minutes.

Mr. Zellmer reviewed incidents leading up to the saddle club using the firing range area. Mr. Zellmer alleged no one ever mentioned that the Olney Gun Club used the facility or has concerns with the saddle club using the area. Mr. Zellmer did not find out about the Olney Gun Club's use of the firing range until City Clerk Henton sent him a schedule for the firing range.

Councilman Foster wanted to proceed forward with all communications going through the City Manager for authorization of everything. All scheduling will go through the City Clerk.

Councilman Foster moved to approve Resolution 2012-R-42 which is the lease between the City of Olney and the White Squirrel Saddle Club, seconded by Councilwoman Thomas.

Shelby Holder complained about people sneaking into the gun range and shooting. Councilman Foster told Mrs. Holder to call the Police Department when this happens. Mrs. Holder asked who has time to babysit the shooting range.

Mr. Zellmer pointed out the area can be locked up to keep unauthorized people out. Mr. Zellmer knows there are a lot of people using this area behind the dam to fish and party. Three security lights have been shot out along with a shot to the building. Mr. Zellmer will lock the gate and bring a key to the City.

Councilman Ferguson disagreed with locking the facility. Councilman Foster was not opposed to locking the facility. Mr. Zellmer understood only the Police Department, Sheriff Department, Sheriff Posse, White Squirrel Saddle Club and 4-H were authorized users. Councilwoman Thomas questioned how the Olney Gun Club is to get into the facility. Mr. Zellmer explained one of the gates have a wheel lock where everyone has that combination to enter. Mr. Zellmer is trying to find a locksmith that can provide two locks that use the same combination for both gates, otherwise a padlock will have to be used on the east gate.

A majority voice vote was received.

Mayor Lambird asked Mr. Taylor who should be a contact person for the saddle club. Mr. Zellmer preferred City Manager Taylor. The Council agreed.

Mr. Taylor will look into the saddle club bill which has not been paid.

Aaron Mowrer designed the trail at the gun range. He had an idea of clearing an area in the trees outside the gate for day riders and hikers. Maps of the trails could also be provided. Mr. Mowrer asked if a proposal should be presented to the Council. The Council indicated they would like to see what is planned.

The Council received Mr. Zellmer's commitment from this day forward to talk to City Manager Taylor.

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

11-A "Separation of Church and State and Free Speech" Brian O'Neill commented that individuals in the community are making false police reports. He stated no one will tell him where he can sing or dance. They cannot do anything to him.

11-B "Low Vision Support Group Concerns" The group of people that came to discuss concerns of the Low Vision Support Group left earlier in the meeting. Mayor Lambird reminded staff there is a Low Vision Support Group meeting on May 16 at the Sunshine Village. Their attendance was encouraged.

George Hostettler reported people attending ball games at Musgrove Park are parking on Silver Street. It was believed there was not enough parking inside Musgrove Park. Councilman Foster suggested consideration for additional parking south of the Musgrove's driveway.

AGENDA #12 "REPORT FROM THE MAYOR" Mayor Lambird had nothing further to report.

AGENDA #13 "REPORTS FROM CITY COUNCIL MEMBERS" Councilman Foster read in the newspaper that Darrell Snively is conducting tennis classes at the City Park. Mr. Snively does charge for the lessons. Councilman Foster questioned if this has been approved.

Councilman Ferguson explained several years ago the City used to offer tennis lessons through the summer recreation program, but City Manager Dave Berry and Park Department Supervisor Mike Belcher turned the program over to Mr. Snively.

Mr. Taylor explained there are no written agreements between the City and Mr. Snively. Mr. Taylor believed an agreement similar to the athletic field agreements should be entered into with Mr. Snively to make sure there is insurance coverage for his activities.

Councilman Foster has received complaints about damage to the ground resulting from the flushing of hydrants. He believed the Water Distribution Department needs to do something to prevent damage the next time they flush hydrants. He suggested using a 45-degree adaptor to

direct the water to the road or put down a sheet of plywood. Mr. Taylor indicated there is a diffuser that can be used to affect the flow of water.

Councilman Foster asked if further information has been received concerning improvements that can be made to the median on E. Main at the U.S. 50 intersection. Mr. Charleston has not received a reply from IDOT. Councilman Foster has been approached by a local businessman interested in adopting that area to plant flowers and shrubs with a sign indicating the area is cared for by his business. Councilman Foster asked that this project be investigated and a plan developed.

AGENDA #15 “CLOSED SESSION: APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE AND PERFORMANCE OF SPECIFIC EMPLOYEES” Councilman Foster moved to adjourn to closed session to discuss appointment, employment, compensation, discipline and performance of specific employees, seconded by Councilman Brown. A majority voice vote was received.

Councilmen Foster, Brown, Ferguson, Councilwoman Thomas, Mayor Lambird, City Manager Taylor, City Treasurer Sanders and City Clerk Henton left the Council Chambers at 10:15 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 10:50 p.m.

AGENDA #17 “ACTION ON CLOSED SESSION”

16-A “Resolution: Designating Acting City Manager” Councilman Ferguson moved to approve Resolution 2012-R-43 designating Mike Mitchell as Acting City Manager, seconded by Councilman Brown. A majority voice vote was received.

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

The meeting of the City Council adjourned at 10:51 p.m.

Belinda C. Henton  
City Clerk