

CITY OF OLNEY
CITY COUNCIL MEETING
MAY 28, 2013

AGENDA #1 “CALL TO ORDER” The May 28, 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. John Monroe 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 and City Clerk Belinda Henton.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A Approve Minutes of Council Meeting on May 13, 2013 and Special Council Meeting on May 17, 2013

4-B Approve and Authorize Payment of Accounts Payable May 29, 2013-Pooled Cash \$128,269.40, Motor Fuel Tax \$785.08 and Tourism \$1,200.00

4-C Raffle License-Desk and Derrick Club of Olney

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 Councilman McLaughlin. 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”

8-A “Community Neighborhood Cleanup” Mary Spillman was not available to attend and speak on this matter.

8-B “Illinois Smoke Act City of Olney Non-Compliance” Brian O’Neill complained that the buildings at Musgrove Park did not have the proper “No Smoking” signs.

Mayor Vaughn asked Mr. Taylor if the buildings were in compliance. Mr. Taylor replied they were not in compliance. Park Department Supervisor Frank Bradley commented that signs have been ordered. Each entrance to the baseball facility indicates that smoking is not allowed.

It was Mr. Bradley's opinion that signs on the buildings are redundant since signs are posted at each entrance.

Mayor Vaughn deferred this matter to Mr. Taylor.

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

9-A "Request: Sunday Sales for Class B Liquor License" Bill Riggs, Vice President and co-owner of Marilyn's Liquor Cabinet, requested the Council to consider allowing package stores to sell on Sundays. He explained there are several other communities near Olney that offer Sunday sales. He believed many potential customers are leaving Olney to make their liquor purchases on Sundays which results in lost business for him and lost revenue for the City.

Mr. Taylor described the various classes of liquor licenses. Class D (Clubs) are allowed to sell liquor on Sundays.

Councilman Brown was willing to consider Mr. Rigg's proposal and asked Mr. Taylor to draft an ordinance for consideration.

Mayor Vaughn questioned how long it has been since the liquor code has been brought up to date. Mr. Taylor replied it has been quite awhile. Changes are usually only made as requested. Mayor Vaughn has noticed some provisions are antiquated. He believed this would be a good opportunity to clean up the liquor code. He indicated this matter will be tabled until the next meeting. He was interested in hearing feedback from Mr. Taylor on how this proposed change would mesh with other necessary changes.

Councilman Ferguson asked staff to survey other communities concerning Sunday sales.

Mr. Riggs specified he was not requesting any specific hours for Sunday sales.

The Council was agreeable for Mr. Taylor to review the current code and draft an ordinance pertaining to Sunday liquor sales.

9-B "Discussion: Downtown Crosswalks" Mayor Vaughn recently met with the Low Vision Support Group. They provided him with some information and educated him on the state law as it pertains to unregulated intersections. According to state law, cars are required to stop for a person in a crosswalk in an unregulated intersection. Locally, there are people that need assistance in getting across intersections. Mayor Vaughn questioned if signage was needed at the east and west ends of downtown to alert traffic that pedestrians have the right of way. Mr. Taylor will look into this matter.

9-C "Ordinance: Reduce Number of Class A Liquor Licenses" As a result of The Fireside closing, Mr. Taylor drafted an ordinance reducing the number of Class A liquor licenses from six to five. It has been the practice of the City Council to maintain the authorized number of liquor licenses for each class to coincide with the actual number of liquor licenses issued.

Councilman Ferguson moved to pass Ordinance 2013-17, seconded by Councilman McLaughlin. Councilwoman Thomas, Councilmen Brown, Ferguson and McLaughlin voted yes. Mayor Vaughn abstained. There were no opposing votes. The motion carried.

9-D “Discussion: Street Department Road Equipment” Street Department Supervisor Marty Nuss presented a power point presentation regarding various streets that need to be improved, how the proposed street equipment would be used, the benefits of owning the equipment, MFT fund projections and financing options.

Mr. Nuss explained with the purchase of the proposed equipment, the work he summarized could be accomplished by his department and provide a better product and at less cost than contracting. The projected savings for this year was \$15,000.

A decision is needed from the Council whether the equipment is going to be purchased so an appropriate MFT Appropriation Resolution can be approved to either incorporate the use of MFT funds to reimburse the General Corporate fund for some of the labor and equipment costs for preparing the streets for the application of oil and chip or incorporate the contracting of the preparation of the streets.

Mayor Vaughn questioned Mr. Nuss’ personal experiences with the type of equipment which is being proposed. Mr. Nuss explained he supervised this type of work while he was in Iowa.

Mayor Vaughn questioned if the Street Department crew has the ability to do the work. Mr. Nuss explained the provider of the equipment offers training. When the zipper was demonstrated, the Street Department crews actually operated the equipment. Mr. Nuss was confident within a week his crew will be professionals for this type of work.

Mr. Nuss commented that the 5-year plan includes the purchase of a pulvimixer for the cost of \$500,000. The proposed asphalt zipper would take the place of the pulvimixer and save the City a lot of money. Materials ripped up with the zipper can be redistributed to create a better base. The down fall is preparing the roads and having to wait for the contractor to oil and chip.

Councilman McLaughlin noted that the City has taken a long time to put Monroe Street back into shape after the water line project. He asked if the proposed equipment will allow streets to be completed more efficiently and timely. Mr. Nuss explained that is what this whole process is about, making their work more efficient and less costly. Last year it took six employees to run the street repair equipment, but it will only take three employees to operate the new equipment. Mr. Nuss expected to complete two blocks per day. If the equipment is approved for purchase, it will take approximately one month to arrive. He hopes there is still time available to schedule a contractor for the oil and chip work.

Mayor Vaughn questioned the use of MFT funds. Mr. Taylor explained the City has the ability to reimburse the General Corporate fund for labor and equipment costs through MFT.

Costs will be based on formulas that are used by IDOT. It was proposed to use money reimbursed from MFT to pay for the equipment. An IDOT resolution needs to be approved to appropriate a certain amount of money for equipment and labor.

Mayor Vaughn asked Mr. Taylor for his recommendation. Mr. Taylor commented he saw the demonstration of the asphalt zipper and has also heard good comments from other townships that have used this equipment. It appears the asphalt zipper will be a piece of equipment that would do a good job tearing up and reshaping roads. It will also address smaller projects at any time it is needed at a lower cost. Mr. Nuss has also found a lower cost for the purchase of the asphalt zipper and pulverizer.

Mr. Taylor provided the Council with a proposed resolution authorizing the purchase of an asphalt zipper AZ500B with a dual axle trailer, grind box, 300 gallon water system, wireless remote and quick connect/side shift/tilt for \$133,575, vibratory roller for approximately \$50,000, pulverizer for approximately \$2,750, water tank and related equipment for approximately \$1,500, trailer and retrofitting costs of approximately \$3,500. The budgeted amount for this equipment is \$195,500. It appears more work can be done for the same amount of money if this equipment is purchased rather than contracting the work. Mr. Taylor also saw advantages of owning the equipment.

Councilman Brown questioned if the City used to do its own oil and chip work. Mr. Taylor indicated this was correct. The City owns a very old pulvimixer. The asphalt zipper tears up the road surfaces much finer and consistently than the pulvimixer. The pulvimixer makes it harder to grade the streets for a smooth finish.

Mr. Nuss commented the City has an oil truck, but not a chip spreader. A chip spreader can be purchased in the future, but they are expensive. Spreading rock was very inefficient and wasteful when the City did its own oil and chip work.

Mr. Nuss commented that the normal window of opportunity for oil and chipping is July, August and September. He did not know if the City can get on a contractor's schedule because this work still has to be bid. There are other things that can be done before the oil and chip work.

Councilman McLaughlin believes the City needs to have a discussion concerning long term road repairs. He asked if Mr. Nuss has a long term plan. Mr. Nuss commented there are 22 streets on the list that need repairs. These repairs will be completed this year and next. Money is the only thing stopping this process. With new equipment he anticipates being able to resurface every oil and chip street within seven to eight years.

Mayor Vaughn commented the City is getting further behind on road maintenance. With the proper equipment and the know how, the City will be able to get more bang for the buck. By the end of summer the City will have an experienced crew. He is ready to move forward.

Mayor Vaughn moved to approve Resolution 2013-R-30, seconded by Councilman Brown. Councilmen Brown, Ferguson, Mayor Vaughn, Councilman McLaughlin and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-E “Resolution: MFT Maintenance of Streets for 2013” Two resolutions were prepared for Council consideration relating to the MFT road maintenance program for the summer. Both resolutions are proposing to prepare and oil and chip approximately 27,457 square yards consisting of 8 streets of varying widths and lengths as described in the resolution. The resolution for \$135,000 is for the appropriation of funds for the preparation of the roads by the City. The resolution for \$150,000 is for the appropriation of funds for the preparation of the roads by a contractor. After the appropriate resolution is approved, the resolution along with the 1st Revised Municipal Estimate of Maintenance of Costs and the list of streets will be sent for approval to IDOT. Bids will be solicited and after the award of the bids, the road work can begin.

Based on the Council approving Resolution 2013-R-30 for the purchase of the street repair equipment, Mr. Taylor indicated the resolution for \$135,000 was the appropriate resolution to approve.

Mr. Sanders questioned if the Council wished to purchase the street equipment using General Corporate funds and reimburse through MFT. Reimbursement could be accomplished within four to five years. He believed using General Corporate funds would be the most efficient way to finance the equipment purchase. The Council agreed to purchase the equipment through General Corporate with reimbursement from MFT.

Councilman McLaughlin moved to approve the IDOT resolution for Maintenance of Streets in the amount of \$135,000, seconded by Councilwoman Thomas. Councilman Ferguson, Mayor Vaughn, Councilman McLaughlin, Councilwoman Thomas and Councilman Brown voted yes. There were no opposing votes. The motion carried.

9-F “Resolution: Accept Quotation for Purchase of Two ½ Ton Trucks” This matter was discussed at the last meeting, but the decision was postponed to allow the Council more time for consideration. The Council was provided with a proposed resolution authorizing the purchase of two, ½ ton trucks. One truck would be used at the Water Plant and one truck at the Park Department. Currently, there is \$17,000 budgeted for each truck. The total price for each truck through the state bid is \$16,705. The quote from Eagleson Automotive Center was \$21,114.86. Mr. Taylor recommended approval of the resolution accepting the state bid from Bob Ridings Fleet Sales Program in Taylorville, Illinois.

The Council was also given a list of all City vehicles and equipment by department with pertinent information provided such as year, mileage and condition.

Councilman Ferguson moved to approve Resolution 2013-R-31, seconded by Mayor Vaughn. Mayor Vaughn, Councilwoman Thomas, Councilmen Brown and Ferguson voted yes. Councilman McLaughlin voted no. The motion carried.

9-G “Resolution: Accept Quotation for Purchase of One 3/4 Ton Truck” The matter was also considered at the last meeting, but the decision was postponed to allow the Council more time for consideration. The 3/4 ton truck would be used at the Sewer Department and would be used to transport the skid steer in addition to other uses. The current budget includes \$25,000 for this purchase. The issue is whether to buy locally and spend almost \$2,000 more than the state bid. Eagleson Automotive Center, Inc. provided two quotes; one for \$20,299.41 for a basic 2013 Chevrolet Silverado 2500 and \$20,966.41 for the same truck with the trailer towing package with integrated trailer brake control. Warranty and any other work on these trucks could be serviced locally. The state bid from Ridings Fleet Sales Program in Taylorville, Illinois is for a 2013 Ford Super Duty F250 for \$18,865.00.

McLaughlin commented when he was elected, he took a tour of the Sewer Plant. He was shown a giant sink hole caused by a broken air pipe which is wasting electricity. He believed money could be better spent on making repairs before purchasing a new truck.

Mr. Taylor explained the turbo blowers project is included in the budget and plans are being developed. Councilman McLaughlin indicated he would vote for the purchase of a new truck once this problem is fixed. Mr. Taylor commented this has been a problem for some time and is getting worse.

Mayor Vaughn questioned if this truck is an immediate need or just a want. Mr. Taylor commented the air leak is the most important issue at the Sewer Plant. Repairing this problem will save a lot of electrical costs and get rid of some hazards.

Councilman Ferguson pointed out the requested truck will be used to pull the skid steer which is used for concrete work. The Council allowed the Sewer Plant to purchase the skid steer and gave the department the responsibility of the sidewalk work.

Mr. Nuss commented with exception of the Police Department and the Fire Department, there are approximately 45 vehicles. Of the 45 vehicles, there are only 7 that do not need to be replaced immediately. Not including the backhoes and tractors, 9 vehicles cost \$100,000 or more. With a 15-year replacement plan, replacing 3 vehicles a year only keeps even without improving the general condition of the fleet.

Mayor Vaughn was impressed that the City has not over spent on vehicles in any of the departments. He believed the mechanic has done a good job at extending the life of these vehicles. A vehicle is needed to get the skid steer from location to location.

Councilman Ferguson moved to purchase a 2013 Chevrolet Silverado 2500 with trailer towing package and integrated trailer brake control from Eagleson Automotive Center, Inc. in Olney, Illinois in the amount of \$20,966.41 and waive the bidding procedures, seconded by Councilwoman Thomas. Councilman McLaughlin voted no. Councilwoman Thomas, Councilmen Brown, Ferguson and Mayor Vaughn voted yes. The motion carried. Resolution 2013-R-32 will be prepared.

Mayor Vaughn commented in the past he has done work for Eagleson and did not want to appear he was doing them a favor, but by abstaining the motion would have failed.

Mayor Vaughn indicated he did not want to spend much money on lettering this new truck. Mr. Nuss commented the City logo costs \$180.

9-H “Appointments to Various Boards and Commissions” Mayor Vaughn explained there are several vacancies and expired terms on several boards and commissions. He recommended reappointing Wesley Tolliver (2012-2016) and Steve Eichhorst (2013-2017) and appointing Pat Everett (2013-2017) to the Planning Commission; reappoint Rob McClain (2012-2017) and Scott Jones (2010-2015) and appoint Pat Everett (2013-2018) to the Board of Appeals; reappoint Belinda Henton (2012-2015) to the Fire Pension Board; reappoint Belinda Henton (2012-2014) and Rick Runyon (2013-2015) to the Police Pension Board; reappoint Jason Kern (2012-2015), Sarah Britton (2012-2015), Tim Han (2012-2015), Charles Roberts (2013-2016), Mary K. Kocher (2013-2016) and appoint Brittany Bass as a replacement for Judy Smith as of July (2013-2016) to the Library Board and appoint Terry Conour (2013-2015) and Julie Herring (2013-2016) to the Board of Fire and Police Commission.

Councilman McLaughlin moved to approve Mayor Vaughn’s recommendations for appointments and reappointments to the various boards and commission, seconded by Councilman Brown. A majority affirmative voice vote was received.

9-I “Resolution: Selection of a Mayor Pro-Tem” Mr. Taylor explained it is time for the Council to select a Mayor Pro-Tem in accordance with the City Code. The Mayor Pro-Tem is the member of the Council that is designated to serve as the presiding officer at Council meetings in the absence of the Mayor. Councilman Ferguson has been the Mayor Pro-Tem for several years.

Mayor Vaughn moved to select Councilman Ferguson as the Mayor Pro-Tem, seconded by Councilman Brown. A majority affirmative voice vote was received. Resolution 2013-R-33 will be prepared.

9-J “Ordinance: Attendance at City Council Meetings by Phone or Electronic Means” The Council was provided with a proposed ordinance which incorporates rules for the attendance of a City Council meeting by phone or other electronic means. This ordinance is similar to a model ordinance prepared by the Illinois Municipal League and is written in accordance with the state statute.

Councilwoman Thomas originally thought electronic attendance was a good thing, but after further thought she believed it was the elected officials’ duty to attend the meetings or they should not have run for office. She saw no reason matters could not be postponed until enough members were present.

Mayor Vaughn believed electronic attendance was a good idea. There are so many requirements placed on members. Because Council members are willing to serve the City, they

are usually also willing to serve in other capacities. A perfect example for the need of electronic attendance was for the purchase of the fire truck. Procedurally, four members needed to be available for a special meeting. He did not want to conduct major business through the phone, but to cover situations where being physically present is not possible. There are some businesses that regularly conduct their meetings by video. He agreed electronic attendance should be done in extraordinary circumstances or an emergency. He also did not believe the Council will use this process as a way to bypass anyone, but to have a better discussion.

Councilman Brown moved to pass Ordinance 2013-18, seconded by Councilman McLaughlin. Councilman Ferguson, Mayor Vaughn, Councilmen McLaughlin and Brown voted yes. Councilwoman Thomas voted no. The motion carried.

AGENDA #10 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

10-A “City Manager - Status Report” Mr. Taylor received an inquiry whether the City would consider leasing space on one or more water towers for the placement of cellular equipment. Mr. Taylor provided the Council with information he received. The towers of interest were the Washington Street water tower and the water tower in Northside Subdivision. Mr. Taylor did not believe the amount of space needed for a tower on wheels would be available at the Washington Street water tower. He also questioned the weight of the equipment on the towers.

Mayor Vaughn questioned the terms of lease. Mr. Taylor replied basically a 15-year lease, 5 years with 2 automatic 5-year renewals. Typically the lease amount would escalate. The annual lease amount has not been discussed.

The Council directed Mr. Taylor to further research this matter.

Mr. Taylor has recently received information from IEPA concerning a Priority Lake & Watershed Implementation Program grant opportunity for up to \$40,000. No match is required by the City, but applications with in-kind services are looked upon more favorably. One area that was mentioned for this grant was erosion control at Rotary Park.

The Council was in favor and are looking into this grant further. Mr. Taylor will explore the possibilities and get a specific deadline date for the grant.

10-B “Mayor - Review/Discussion of Mayor/Council Salaries” Mayor Vaughn has been provided with a salary survey of area communities for the positions of Mayor and Council/Board. The salaries for these positions cannot be changed while in office. He asked if the Council desired to review the salaries.

Mayor Vaughn is volunteering to return 10% of his salary in the form of a donation. During the month of June he is willing to pay the first month of recycling for the first 30 residents that sign up for new recycling service.

Mayor Vaughn recently met with Secure Processors and toured their facility. He was impressed with their service. Secure Processors is a subsidiary of Clay County Rehabilitation. They employ about 50 consumers. These consumers have developmental disabilities that keep them out of the traditional workforce. They process the recycling that is brought into their facility and do a good job. Approximately 50 tons of recycling materials are processed each month. Mayor Vaughn is anxious for the City to support this program and hopes more people will decide to participate in the City's recycling program.

The salary survey will be provided to the Council members for their consideration.

10-C "Mayor - City Council Meeting Times" The Council discussed changing the start time for their meetings.

Councilman Brown moved to set the Council meeting time for 7:00 p.m. beginning June 10, seconded by Councilman McLaughlin. A majority affirmative voice vote was received. Ordinance 2013-19 will be prepared.

10-D "City Clerk - Set Date for Trick or Treat" City Clerk Henton requested that the Council consider setting a night for trick or treat. She has already received some calls questioning if a date has been set. The Halloween parade is planned for Friday, October 25 and Halloween is the following Thursday. Since Halloween fell on a Wednesday last year, trick or treat was scheduled for Saturday, October 27. Many compliments were received from parents and school personnel that trick or treat was not held on a school night.

Councilman McLaughlin moved to set trick or treat for Thursday, October 31, seconded by Councilman Brown. A majority affirmative voice vote was received.

Mayor Vaughn received a call concerning lights being left on at the old ball diamonds. It was questioned who is responsible for the lights. Mr. Taylor noted that the Richland County Fair Board leases everything within the track railing. Mr. Taylor will research if the electric service for these lights has been switched over to the Fair Board.

AGENDA #11 "CLOSED SESSION: ACQUISITION OF REAL PROPERTY" Councilman Brown moved to adjourn to closed session to discuss the acquisition of real property, seconded by Mayor Vaughn. 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 9:00 p.m.

AGENDA #12 "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 affirmative voice vote was received. Open session resumed at 10:00 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 Councilwoman Thomas. A majority affirmative voice vote was received.

The meeting of the City Council adjourned at 10:01 p.m.

Belinda C. Henton
City Clerk