

CITY OF OLNEY
CITY COUNCIL MEETING
MAY 9, 2011

AGENDA #1 “CALL TO ORDER” The May 9, 2011 meeting of the Olney City Council was called to order at 7:30 p.m. in the Council Chambers of the Olney City Hall located at 300 S. Whittle Avenue, Olney, Illinois, with Mayor Mark Lambird presiding.

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

AGENDA #3 “ROLL CALL” The following Council members were present: Barb Thomas, Gary Foster, Brad Brown and Mark Lambird. Bob Ferguson was absent. Also present were City Manager Randy Bukas, City Attorney Larry Taylor, City Treasurer Brad Yockey, City Engineer Roger Charleston and City Clerk Belinda Henton.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A Approve Minutes of Council Meeting on April 25, 2011

4-B Approve and Authorize Payment of Accounts Payable May 10, 2011-Pooled Cash \$71,279.34, Pooled Cash Manual Checks April 28, 2011, \$321,242.17, Pooled Cash Manual Checks April 29, 2011 \$123,812.50, Water Deposit Refunds \$1,951.00, ISO \$800.00, MFT \$76,602.21, Tourism \$4,637.50, EDA \$3,984.32, Revolving Loan Fund \$2,965.23 and Levied Insurance \$17,646.09

4-C Resolution: Kemper Letter of Engagement-Resolution 2011-R-30

4-D Raffle License Application-RMH Walk & Roll Team

4-E Raffle License Application-P.E.O.

4-F Raffle License Application-Olney Lions Club

4-G Raffle License Application-Olney FFA Alumni

4-H Raffle License Application-Amy Hancock Keck-American Cancer Society

4-I Raffle License Application-East Richland Foundation for Academic Excellence

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 Councilman Foster. A unanimous 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. Bukas reported that the Pacific Cycle roof has been completed.

The April receipts for income tax were \$59,300. Last year the City did not receive any payments in April. Thirteen payments have been received in 12 months, but 2 payments are still missing from last fiscal year.

The April receipts for January use tax were \$9,400 which was a 30.18% increase over the same period last year. These were the best receipts for April in five years.

During April the waste water treatment plant received 14.75" of rain and in March 4.85". Considering the large amount of rain, Mr. Bukas believed the areas with flooding problems in the past did quite well. This improvement was due to the opportunity that city crews took to clean ditches and culverts and the improvement to the park lift station. Infiltration and inflow still cause some problems at the waste water treatment plant.

Bid specifications were recently sent out for the purchase of a street sweeper and wood chipper. Both sets of bids will be opened on May 18.

Work has resumed on Sarah Drive, but three weeks of work have been lost due to rain.

The City Hall window project has been completed.

There were nine building permits issued in April totaling \$37,358.

Councilman Brown questioned if a standard street sweeper comes with a vacuum. Mr. Bukas explained this option is not standard nor is it included in the specifications. Next year a sewer truck with this option is being considered for purchase. It would be used to clean catch basins.

8-B "City Manager - Pool Passes" Mr. Bukas recently met with the pool manager and City Clerk and discussed how to handle pool passes. Mr. Bukas proposed implementing a punch card system and do away with the annual passes. The punch card system would eliminate personnel having to determine who is eligible to be included in a family pass. Anyone would be allowed to use the punch card. Currently, the entry fee for a child is \$2.00 and an adult \$3.50. Mr. Bukas proposed a punch card would cost \$40 for 20 punches.

Councilman Brown moved to implement the punch card system as proposed, seconded by Councilman Foster. Councilmen Foster, Brown and Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried. Ordinance 2011-20 will be prepared.

AGENDA #9 "NEW BUSINESS"

9-A "Resolution: Accept Bids for Annual MFT Maintenance Materials" Bids were opened this morning for the annual MFT maintenance program. Two bids were received for concrete with the low bid from Doll's Inc. in the amount of \$74.45 per yard. Only one bid was received for the furnishing and applying the bituminous materials and seal coat aggregate. Mr.

Charleston explained not very many bids were received on this portion of the project because the work is specialized. The bids received were approximately 5-6% under estimate. Mr. Charleston recommended approval of the low bids.

Councilman Foster moved to approve the low bids for concrete and the furnishing and applying the bituminous materials and seal coat aggregate, seconded by Councilman Brown. Councilman Brown, Mayor Lambird, Councilman Foster and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-B “Discussion: Wine License for Farmer’s Market” The Council was provided with proposed language which would create a Class W winemakers retail liquor license. Mr. Taylor explained this license would allow the sale of packaged wine at public events. All Class W liquor licenses would be approved by a majority vote of the City Council. During the term of a Class W liquor license, the Local Liquor Commissioner may approve the use of the Class W liquor licenses at specific public events for the specific dates, times and locations at which the sale of alcoholic liquor is not otherwise prohibited. A certificate of insurance showing evidence of insurance coverage will be required. The proposed fee is \$50.00 per day or \$250.00 annually.

Councilman Brown questioned the portion of the proposal which states use of the Class W liquor license at specific public events for the specific dates, times and locations at which the sale of alcoholic liquor is not otherwise prohibited. Mr. Taylor explained a Class W liquor license would not be approved for locations which prohibit liquor such as the City Park and Musgrove Park. Councilman Brown questioned if “at which the sale of alcoholic liquor is not otherwise prohibited” could be struck without changing the purpose of the amendment. Mr. Taylor believed it could be struck, but liquor would still not be allowed in those specific locations which are already defined in the code or statutes.

Councilman Foster moved to approve the proposed amendment to create a Class W winemakers retail liquor license, seconded by Councilman Brown. A unanimous voice vote was received. Ordinance 2011-21 will be prepared.

9-C “Discussion: Ball Fields Agreement” At the last meeting there was some discussion as to who was responsible for improvements at the City Park and Musgrove Park. Many improvements were made by the different ball associations. Mr. Taylor drafted an agreement to be used for each league who operates from the City Park and Musgrove Park. The agreement states that the City retains ownership of all ball fields and all related improvements located in the City Park and Musgrove Park. The City will use its best efforts, in accordance with the City’s annual budget, to maintain all ball fields and all related improvements located in the City Park and Musgrove Park. The leagues may use the ball fields and related improvements for scheduled games, scheduled tournaments and practice. The leagues are required to maintain a minimum of \$1,000,000 comprehensive liability insurance.

Mr. Bukas will present the proposed agreement to the various leagues and bring this matter back to the Council.

9-D “Request: Vacation of Alley Adjoining 720 E. Butler” The Kieffer family who lives at 720 E. Butler has presented a letter requesting that the north/south alley running between Butler and Laurel be vacated for the length of their property. This same request was considered and denied in 2001. Utilities are located in the alley. The staff recommends that this alley not be vacated.

Marlin Spillman addressed the Council with his concerns for vacating the alley. Mr. Spillman noted that the Kieffers park their vehicles in the alley restricting movement through the alley. Mr. Spillman also commented he and other neighbors want the alley left open.

Councilman Foster recommended leaving the alley open since the neighbors are not in agreement with the vacation and there are utilities located in the alley.

Mr. Spillman requested that vehicles not be parked in the alley so the neighbors can use the alley. Councilman Foster agreed there was no reason for anyone to park in the alley.

Councilman Foster moved to leave the alley open for access to all tenants along the alley, seconded by Councilman Brown. Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried.

9-E “Discussion: Remodeling Police Station” With the passage of a combined dispatch agreement, Police Chief Chaplin requested that \$13,000 be allocated for equipment and needed renovations to secure the Police Department and protect the personnel that will continue to work in the building. The current dispatch room will be made into the squad room. There are plans for a phone in the lobby which will ring at the dispatch center at the Sheriff’s Department. A camera will also be installed in the lobby.

Councilman Foster moved to approve the requested expenditures for equipment and renovations to the Police Department, seconded by Councilman Brown. Councilwoman Thomas, Councilmen Foster, Brown and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

AGENDA #10 “OLD BUSINESS”

10-A “Discussion: White Squirrel Saddle Club Agreement” The Council was provided with a revised lease agreement between the City and the White Squirrel Saddle Club. Mr. Taylor drew the Council’s attention to two provisions. The premises of the lease is the arena area, but not the range house. The lease requires that the Club be responsible for electricity, water, sanitary sewer and sanitary hauling services for the arena area. The Club will be required to provide public liability insurance and property damage liability insurance for the premises being leased. If they allow special events by other organizations, they can require insurance from the other organizations to cover potential claims arising from the event.

Councilman Foster presented some written comments concerning the proposed lease. Councilman Foster wanted to make sure this lease does not limit the public’s use of the trails.

Since the White Squirrel Saddle Club purchased the arena with their own funds, Councilman Foster had no problem with them controlling its use. Mr. Taylor confirmed the lease only covers the arena area. The Club would not be responsible for utilities or insurance for the range house.

Mayor Lambird was concerned that a precedent has been set with the agreements being proposed between the ball leagues at the City Park and Musgrove Park.

The City needs to schedule activities at the range house and arena to prevent a conflict of uses since the firing range is used by several different groups.

Councilman Brown was opposed to an automatic renewal of the lease and requested that the Council approve each renewal before it is extended.

Councilman Brown's proposed change will be made, and the lease will be brought back to the Council for further consideration.

AGENDA #11 "Public Comments/Presentations"

11-A "RCRC Blues Festival" Rob McClain, representing the Richland County Recreational Council, reported that RCRC, in conjunction with the Knights of Columbus, are making plans for their third annual Blues Fest on September 10. A special event application has been submitted requesting that the 500 block of S. Whittle Avenue be closed from 12 noon until 11:00 p.m. The event will be from 4:00 p.m. until 10:30 p.m. The Knights of Columbus will be requesting a Class S liquor license for the event.

Police Chief Chaplin commented that the only problems they have with these types of events where alcohol is served are sometimes the participants take the alcohol outside the boundary of the event, and getting the customers to go back inside when the event is over.

Councilman Foster moved to approve the special event permit, seconded by Councilman Brown. A unanimous voice vote was received.

AGENDA #12 "REPORT FROM THE MAYOR"

12-A "Appointments to Various Boards and Commissions" Mayor Lambird recommended reappointing Sarah Britton to the Library Board.

Councilman Brown moved to approve the reappointment of Sarah Britton to the Library Board, seconded by Councilwoman Thomas. Councilman Brown, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes.

12-B "Discussion: Emergency Communications and Warnings" Mayor Lambird reported that estimates have been received for improvements to the Ludlow radio tower building and equipment. The estimate for a block building was \$11,510, generator was between \$4,000 and \$5,250 and \$2,400 to transfer the equipment to the new building.

Mayor Lambird questioned if there was an understanding why the sirens did not function during a recent storm. Police Chief Chaplin explained the municipal repeater located at the Police Department failed. The repeater was checked by a technician and he could not say why it went off and then came back on. The repeater is used for municipal communications.

Mayor Lambird questioned if the County has been approached concerning the cost to upgrade the Ludlow radio tower. Chief Chaplin answered no. Mayor Lambird suggested that the County be contacted.

Mr. Bukas reported staff has been looking into moving the municipal frequency from the Ludlow tower to the Police Department and using the Police Department tower as a backup location for the fire. The Police Department has an emergency generator in the case of an emergency.

Because of the height of the Ludlow radio tower, Mayor Lambird suggested that this location be improved. This situation has been put off for two years, and he did not think it would wait any longer.

Chief Chaplin was asked to explain how the siren system is supposed to work. Chief Chaplin explained the telecommunicators activate a button on their console to sound the sirens based on procedures and weather reports. At this time the Police Department is the only location which is responsible for sounding the sirens. Chief Chaplin is investigating a second repeater or way to activate the sirens from another location in the case of an emergency.

With the combined dispatch at the Sheriff's Department, the switch for the sirens will go to the new center with the dispatch console, but the municipal repeater will still be at the Police Department.

Councilman Foster moved to authorize negotiations with the County concerning shared costs for a block building, purchase of a generator and the transferring of equipment to the new building and authorize the City to pay one-half of these costs.

Councilwoman Thomas questioned from where this expenditure would be authorized. It was suggested from reserves or contingencies. She and Councilman Foster preferred contingencies.

Councilwoman Thomas seconded Councilman Foster's motion.

Chief Chaplin asked if the Council wanted him to contact any other agencies. Councilman Foster answered yes, the County, 911 and the ambulance. Mr. Bukas suggested not authorizing 50% from the City until negotiations with the other entities. Council Foster agreed to negotiate, but did not want to spend more than 50% of the total cost.

A unanimous voice vote was approved. Resolutions 2011-R-31 will be prepared.

12-C “Discussion: Restaurant Inspections” Mayor Lambird has been talking to the Clay County Health Department and other health departments regarding the possibility of beginning a restaurant inspection program in the City of Olney. Olney is one of the very few communities in Illinois that has no formal inspection of restaurants. He will discuss this program with more details at the next meeting.

Brian O’Neill stated his opinion of the importance of the emergency communications systems.

Mayor Lambird reported during the last large rain, water did not get into any of the homes on N. Boone Street.

AGENDA #13 “REPORTS FROM CITY COUNCIL MEMBERS” No further reports were presented by the Council members.

AGENDA #14 “CLOSED SESSION: COLLECTIVE NEGOTIATING MATTERS” Councilman Brown moved to adjourn to closed session to discuss collective negotiating matters, seconded by Councilman Foster. A unanimous voice vote was received.

Councilmen Foster and Brown, Councilwoman Thomas, Mayor Lambird, City Manager Bukas, City Attorney Taylor and City Clerk Henton left the Council Chambers at 8:28 p.m.

AGENDA #15 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman Brown moved to enter back into open session, seconded by Councilwoman Thomas. A unanimous voice vote was received. Open session resumed at 9:02 p.m.

AGENDA #16 “ACTION ON CLOSED SESSION” No action was taken as a result of the closed session.

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

The meeting of the City Council adjourned at 9:03 p.m.

Belinda C. Henton
City Clerk