

CITY OF OLNEY
CITY COUNCIL MEETING
NOVEMBER 13, 2012

AGENDA #1 “CALL TO ORDER” The November 13, 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. Mayor Lambird 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 October 22, 2012

4-B Approve and Authorize Payment of Accounts Payable November 14, 2012-Pooled Cash \$103,344.42, Manual Pooled Cash \$144,555.47, Water Deposit Refunds \$1,235.58, Motor Fuel Tax Fund \$74,578.04, Levied Funds \$3,618.55, Tourism \$4,218.73 and Christmas Light Display Fund \$3,867.82

4-C Raffle License-Olney Chamber of Commerce

4-D Raffle License-Olney Lions Club

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

AGENDA #6 “CONSIDERATION OF CONSENT AGENDA” Councilwoman Thomas moved to approve the consent agenda, seconded by Councilman Foster. 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 “PUBLIC COMMENTS/PRESENTATIONS”

8-A “City of Olney Failures” Brian O’Neill commented that three mayors have failed the City since he has lived here. He stated the City has gone down hill. He believed he gave the City the idea on how to pick up leaves. He also brought the problem of littering to the City’s attention, but nothing has been done. This is why the City Council has discredited the community. Mr. O’Neill stated it should not take more than two months to pass an ordinance. Mr. O’Neill has had it with the City, if laws are in place, they should be enforced. Mr. O’Neill asked Mayor Lambird to resign from public office.

AGENDA #9 “PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC.”

9-A “Resolution: Approve Re-Plat of Lot 2 in Miller Subdivision” The Council was provided with the minutes from the recent Plan Commission meeting and a proposed resolution authorizing the re-plat of Lot 2 in Miller Subdivision. The Plan Commission heard a request to re-plat Lot 2 into two lots. The Plan Commission unanimously recommended approval.

Councilman Ferguson moved to approved Resolution 2012-R-75, seconded by Councilman Brown. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-B “Ordinance: Rezone Lot 2 in Miller Subdivision from R-1 to C-2” The Plan Commission also unanimously recommended the rezoning of Lot 2 in Miller Subdivision from R-1 to C-2.

Councilman Foster moved to pass Ordinance 2012-55, 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-C “Resolution: Tax Levy” The Council was provided with a proposed resolution which determines that \$1,916,526 is the amount of money estimated to be necessary to be raised by taxation for 2012 which is a 4.99% increase over the extensions of the 2011 levy. It was necessary for the Council to establish a tentative tax levy at least 20 days prior to the adoption of the tax levy. The establishment of the tentative tax levy amount simply establishes the maximum amount of the tax levy. The maximum amount that can be set without having a truth in taxation hearing is 4.99%. The actual tax levy can be less than the tentative tax levy amount, but cannot exceed that amount.

City Treasurer Sanders explained he is waiting for the Illinois Department of Insurance to provide an actuarial report for the Fire and Police Pension funds. These reports are expected by the end of November. When this information is received, a more accurate levy can be determined for the Fire and Police Pension funds. Various levies may need to be adjusted, but the final tax levy that will be presented for approval will not increase and will likely be less.

Mr. Taylor hopes to have the tax levy ordinance approved at the December 10 meeting. The levy has to be filed with the County Clerk by the third Tuesday of December.

Councilman Ferguson asked about the accuracy of the assessed valuation. Mr. Taylor commented because of some of the construction and some abatement the levy is \$95,000,000. There will be an additional abatement because of Consolidated Grain and Barge. The levy needs to be based on the actual assessment even though part will be abated. The estimated assessed valuation could be reduced.

Councilman Foster moved to approve Resolution 2012-R-76, seconded by Councilwoman Thomas.

Councilman Ferguson asked Mr. Sanders to put together a recap of the 2012 tax levy worksheet showing how an average home would be affected by a tax levy with no increase.

Mr. Sanders commented if the information is not received by the Illinois Department of Insurance the City will be forced to estimate the tax levy for Fire and Police Pension.

Councilman Ferguson asked how much the Fire and Police Pension increased this year. Mr. Sanders replied the funds increased substantially. The Fire and Police Pension funds are actuarially under funded, but they have several years to attain full funding status.

Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried.

9-D "Resolution: Purchase of Security Camera System for Musgrove Park" The Council was provided with a proposed resolution authorizing the purchase of a security camera system for Musgrove Park from an online provider. The original price was \$2,399.99, but the City was able to obtain a 5% discount making the purchase price \$2,279.99. A City employee will be able to install the system. The Olney Little League is willing to contribute \$2,000. Mr. Taylor suggested that Contingencies be used for the remaining \$279.99. The proposed resolution amends the Contingencies and Donations line items, adds a line item for the security camera system and waives the bidding procedures.

Councilman Ferguson moved to approve Resolution 2012-R-77, seconded by Councilman Brown. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

9-E "Discussion: Purchase of Advertisement on the Community Link Map" The Olney Chamber of Commerce is in the process of having a new city/county map printed. Community Link printed the map several years ago and the supply of these maps is now exhausted. This project is funded by the sale of advertising by Community Link. The Olney Chamber of Commerce does not receive any revenue from this project, but the community receives free maps.

Community Link approached the City to purchase an advertisement. The price of a standard panel advertisement which is 3.167" x 2.333" is \$445. An online hyperlink is \$25 and ad design is \$25. City Clerk Henton asked The Tourism Bureau if this could be considered as a tourism item which they would pay a portion through state grant money. Their opinion was it is not tourism related because the City does not distribute the maps at least 50 miles away in mass quantities.

Councilman Foster did not believe the City benefits from the advertising. No action was taken by the Council.

9-F “Ordinance: Closing Hours for City Park” A proposed ordinance was prepared to establish the closing hours for the Olney City Park. There has been a sign posted for a long time indicating that the park closes at 11:00 p.m.; however, there is nothing in the Code reflecting this fact. Because of the recent vandalism and the installation of the new LED Christmas Light Display, it has become necessary to close the City Park, except during weekdays working hours when the Ludlow Street entrance to the City Park will be open. The proposed ordinance includes some language giving the Park Supervisor authority to close the City Park by using barricades and signs. Violators may be cited for entering the City Park after hours.

Councilman Ferguson question if this proposed ordinance is only for the City Park. Mr. Taylor commented nothing is spelled out for Musgrove Park concerning closing hours, but an additional ordinance could be proposed for Musgrove Park if the Council so desires. There are already closing hour provisions in the Code for Miller’s Grove and Rotary Park.

Councilman Ferguson asked if special provisions need to be made for campers at the City Park. Mr. Taylor proposed adding language closing hours apply except authorized campers or with special permission granted by the Mayor or City Manager of the City for special events.

Councilman Ferguson moved to pass Ordinance 2012-56 with the proposed amendment, seconded by Councilman Brown. A majority voice vote was received.

9-G “Ordinance: Permit Fee for Video Gaming Terminals” Previously, the City Council passed an ordinance amending the City Code to authorize video gaming terminals in liquor establishments. The state statutes permit a municipality to impose a \$25 fee for each video gaming terminal. The proposed ordinance establishes such a fee. Currently, the City charges \$100 for coin operated amusement devices, but the City receives no other revenue from these devices. A percentage of the revenue from the video gaming terminals will be paid to the City.

The proposed ordinance does not address what will be done with the permit fee and the tax revenue that will be generated by the video gaming terminals. This is something the Council can consider and add to the Code later. Funds could be used for economic development, funding part of the cost of food inspections, equipment or countless other items or projects.

Mayor Lambird questioned when this revenue will be realized. Mr. Taylor explained the state is currently in the process of investigating businesses where terminals will be located, but it may be a while before they are placed locally. Mr. Taylor advised it would be wise to have an ordinance in place before the video terminals are installed.

Councilman Foster moved to pass Ordinance 2012-57, seconded by Councilman Brown. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes.

There were no opposing votes. The motion carried.

9-H “Resolution: Accept Quote for Vac Truck” Sewer Department Supervisor Tony Steber received a quote for a used flusher/vac truck from Key Equipment which is substantially less than a new truck. A new unit would cost between \$217,976 and \$227,550. The quote for the used truck is \$140,695 for a 2000 International 4900 chassis with 2000 Vactor 2103. There is \$218,000 budgeted for this purchase. Mr. Steber recommended painting and lettering the truck before it is put in service. The approximate cost for painting is \$6,500.

Councilman Foster questioned the use of the truck. Mr. Steber explained the truck flushes and vacuums. This truck will provide services of two different trucks. It was hard for Mr. Steber to say how many hours this truck will be used in a year, but he had hopes it would last for approximately 20 years. The current truck is a 1993.

Councilman Foster moved to approve Resolution 2012-R-78, 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-I “Discussion: Boone Street Drainage Project Cost Estimates” Mr. Charleston provided information regarding four different cost estimates for varying scopes of work for the Boone Street drainage project. Before the project progresses the Council needs to make a decision regarding how much of the project they want to do based on the cost estimates. Once a decision is made, the project can proceed by acquiring the necessary easements.

Mr. Taylor provided a memo to the Council detailing each of the four options. The cost estimates ranged from \$902,205 to \$392,612, but do not include engineering costs.. The Council was also provided with a high water elevation comparison spreadsheet prepared by Mr. Charleston. Mr. Charleston explained the differences between the four options. Mr. Charleston suggested option 2 or 4.

The Council questioned if city crews could complete some of the work to reduce the cost. Mr. Charleston did not believe there is much that could be completed by city crews.

Councilman Foster preferred option 4 for \$392,612. Councilman Ferguson commented the estimated cost is \$5,000 over what is budgeted. It was pointed out this project will not take place until next budget year. This project has been budgeted at \$387,695 with \$294,945 coming from a grant through the Illinois Department of Commerce and Economic Opportunity.

Councilman Foster moved to pursue option 4 for the Boone Street drainage project, seconded by Councilman Brown. A majority voice vote was received.

9-J “Discussion: Road Projects for STU Funding” Tom Kreke with the Illinois Department of Transportation has indicated that IDOT needs the City to indicate what project the

City would like to do, if any, under the STU program during the next five-year cycle. IDOT needs to know by the end of November to put it into their schedule.

Mr. Charleston provided cost estimates for improving Holly Road from Hall Street to 250 feet south of Gadde Bridge Lane and N. East Street from Hall Street to Mack Avenue.

The City is allotted approximately \$72,000 per year. STU funds can only be used on certain streets.

Mayor Lambird questioned improving East Street north of Main. Mr. Charleston did not believe this area would be eligible for STU because of the small scope of the project.

Councilman Foster questioned improving Walnut Street. He would like to see a cost estimate for this project.

Mr. Taylor pointed out that there will not be enough STU funds built up to do the Holly Road and East Street projects until 2016, but it is possible to draw ahead on the STU allocations. STU projects are a 70/30 match. The City would be responsible for 30% of the project plus engineering costs. The City's portion could be paid by MFT funds or General Corporate.

Councilman Brown believed the Holly Street project was cost prohibitive, but it needs the City's attention. Mr. Charleston explained the base can be stabilized and leave it with an oil and chip surface. If the surface is widened, it will be more expensive because ditches will have to be moved. A turn lane was discussed. Mayor Lambird commented the school district is willing to work with the City if the road can be expanded to the west. Mr. Charleston suggested a road with that much traffic should have a surface width of 24 foot and another 11 feet would be needed for a turning lane.

Councilman Foster agreed Holly Road needs attention, but being able to afford this project is another thing.

9-K "Discussion: Electric Aggregation-Type of Energy (Green or Traditional) and Administrative Fee" The electric aggregation referendum passed during the recent election. The Council now needs to determine in the near future whether the City wants 100% renewable energy, traditional energy or a mixture. Mr. Taylor will be reviewing the Plan of Operation and Governance. Two public hearings need to be scheduled regarding the Plan of Operation and Governance. Two notices have to be published in the newspaper within two weeks concerning the public hearings. Mr. Taylor asked the Council when they wanted to schedule the hearings. A quorum of the Council needs to be present. Mr. Taylor suggested scheduling one of the public hearings during the November 26 Council meeting and the other public hearing could be earlier that day or a different day. Good Energy prefers the public hearings to take place before the bid specification are distributed. The Council suggested November 26 at 6:30 p.m. and 7:30 p.m.

Concerning the type of energy, Mr. Taylor explained a majority of municipalities have elected to go with 100% green energy. Councilman Foster suggested traditional energy. Councilman Brown assumed there was a cost difference between traditional and green energy. Mr. Taylor commented green energy is slightly higher. Councilman Brown believed the residents should receive the best value. The Council agreed on traditional energy.

The Council also needed to decide if they wanted to include an administrative fee in the energy rate. Mr. Taylor explained typically municipalities assess a 1/10 cent administrative fee per kilowatt hour. Money received from this administrative fee can be designed for a specific purpose or put into the General Corporate fund.

Councilman Foster asked how much the 1/10 cent will total. The revenue will be determined by the number of kilowatt hours, but at this time no one knows how many residents will opt-out of the program. Good Energy estimated the administrative revenue to be between \$30,000 and \$40,000 per year. The Council needs to make a decision by the next meeting. Mr. Taylor and Mr. Sanders will try to estimate this revenue based on a typical residential bill.

AGENDA #10 “REPORTS FROM ELECTED AND APPOINTED OFFICIALS”

10-A “City Manager - Status Report” Mr. Taylor reported that employees are in the process of picking up leaves, but due to the quantity of leaves, weather and equipment break downs, the crews are running behind.

A meeting has been scheduled at City Hall for November 29 at 5:30 with various governmental bodies, athletic organizations and other groups to discuss the property located at the City Park that may be available for use as a result of the development of the Musgrove Park Sports Complex.

The Monroe Street water main project is proceeding. The water main has been installed and operating permits have been received. Crews are now tying in service lines.

The decorative lights at the City Park are now operational.

The most recent repairs to the Pacific Cycle roof have been completed.

Mayor Lambird commented the lights at the City Park look tremendous. He thanked Mr. Bradley and the Park Department for the work that has been done.

Councilman Foster thanked the residents for their patience with the leaf pickup program. He has received a few comments from people that have enjoyed the fresh air outside this fall without leaf smoke. Hopefully, the leaf program will work better next year.

Councilman Foster noticed there still is not a sign at Musgrove Park indicating no

bicycles, no dogs and no smoking. He wanted to make sure a sign had not been forgotten.

Councilman Foster also noticed the purchase of tools in the accounts payables and wondered if these purchases are being inventoried. Mr. Sanders indicated the inventory is being kept up to date.

Councilwoman Thomas questioned if the hours at the brush dump will continue. Mr. Taylor indicated the brush dump is going to be kept open, but he hoped to reduce the hours during the winter months. He did not believe it was practical to have it open all the time.

AGENDA #11. “CLOSED SESSION: APPOINTMENT, EMPLOYMENT AND PERFORMANCE OF SPECIFIC EMPLOYEES AND SETTING PRICE FOR SALE OR LEASE OF PROPERTY” Councilman Foster moved to adjourn to closed session to discuss appointment, employment and performance of specific employees and setting price for sale or lease of property, 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 8:49 p.m.

AGENDA #12. “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilwoman Thomas moved to enter back into open session, seconded by Councilman Brown. A majority voice vote was received. Open session resumed at 10:42 p.m.

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

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

The meeting of the City Council adjourned at 10:43 p.m.

Belinda C. Henton
City Clerk