

CITY OF OLNEY
CITY COUNCIL MEETING
NOVEMBER 14, 2011

AGENDA #1 “CALL TO ORDER” The November 14, 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. John Monroe 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 Attorney Larry Taylor, City Engineer Roger Charleston and City Clerk Belinda Henton.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A Approve Minutes of the Council Meeting on October 24, 2011, Special Council Meeting on November 2, 2011 and Special Council Meeting on November 3, 2011

4-B Approve and Authorize Payment of Accounts Payable November 15, 2011-Pooled Cash \$253,593.06, Manual Pooled Cash \$182,509.91, Water Deposit Refunds \$2,726.44, Motor Fuel Tax \$120,381.79, Tourism \$2,661.51, Levied Insurance \$3,084.62 and Christmas Light Display \$37.85

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 - Project Update” Mr. Taylor reported that the old service docks at East Fork Lake are being dismantled and moved to the Water Plant. Portions of the old docks will be relocated to Borah Lake and Vernor Lake.

Additional concrete cloth has been ordered to finish the Boone Street channel. This project will be completed when the weather permits.

The Eastgate storm sewer project is ongoing. The storm sewer has been installed and city crews will continue to work on inlets and the street as soon as the weather permits.

Materials for the Locust Street storm sewer project have been ordered. It will be started when the Eastgate project is completed.

The City Engineer is finishing up easements and plans for the Porter Street ditch and culvert project.

The Pacific Cycle roof project has been completed.

AGENDA #9 “NEW BUSINESS”

9-A “Discussion: Insurance Proposals” The City’s liability insurance coverage with the Illinois Municipal League Risk Management Association expires on December 31, 2011. Bids were sought for general liability insurance, public officials bonds, portable/mobile equipment, property/contents and worker’s compensation. The Council was provided with insurance proposals received from various companies, a summary of the proposals and the history of the City’s insurance claims.

Councilman Foster noted an exclusion for liability for the dam until acceptance of the dam recommendations are met. He asked if any of these problems have been addressed. Mr. Taylor explained the City is getting ready to address these problems. Mike Bridges from Charleston Engineering has been working with Frank Bradley concerning seepage at East Fork Lake. They have determined a method to address that problem. They have also contracted with a drilling company to do some soil borings. Trees will have to be removed to do this work. The work will be done during the next fiscal year along with two other issues that relate to the back side of the East Fork Lake dam.

Representatives from IMLRMA, Arthur J. Gallagher & Co. and Blank’s Insurance addressed the Council concerning their individual proposals.

The submitted insurance proposals are good for 60 days. The Council will continue to review the proposals and discuss at the next meeting.

9-B “Resolution: PALS Task Force” The PALS Task Force requested Mayor Lambird to pass a resolution of support that they can use in securing funding.

Councilman Foster moved to approve Resolution 2011-R-76, seconded by Councilwoman Thomas. A majority voice vote was received.

9-C “Ordinance: Amend Sanitary Franchise Agreement” The Council was provided with a proposed ordinance amending the sanitary hauling franchise agreement. This amendment was initiated when Republic Services proposed providing 96-gallon waste carts to all residents in exchange for a three-year extension to their current contract. This agreement was prepared in July and forwarded to Republic for review. Recently, Republic contacted City Hall announcing that the carts will arrive soon. Republic was informed the City never received a response from them concerning the proposed amendment nor had it been submitted to the Council for action.

The proposed agreement also provides for an annual curbside city-wide cleanup for residential customers. Republic has indicated they are in agreement with the proposed amendments.

City Clerk Henton submitted a memo to the Council concerning questions that have been posed to City Hall concerning the use of the 96-gallon waste carts.

Camelia Kessel, presenting Republic, was present. The Council provided Mrs. Kessel with the memo and requested that Republic provide the Council with a written response to these questions.

9-D “Discussion: Scheduling of the Firing Range and Horse Arena” Mr. Taylor explained this item was placed on the agenda due to issues that have occurred during the past several weeks in the area of the firing range and horse arena. There have been different groups at the location at the same time, but because of the different types of use, issues have been raised.

The various organizations and groups using the firing range and horse arena have been asked to reserve the facilities for their use. The City has had very good cooperation from some organizations, but there needs to be cooperation from all individuals using the facilities or serious problems and issues concerning safety will arise.

Jeff Fleming, representing the Olney Gun Club, explained their main concern is safety. Some incidents that have occurred over the last couple of months have become a concern. Mr. Fleming detailed an incident with the Sheriff’s Department using the firing range during a time they have reserved and were confronted by campers at the horse arena. A portion of the horse arena is down range from the firing range. He did not believe the people using the horse arena while the firing range is being used understand the potential danger and that is what concerns the Gun Club. The Gun Club does provide a schedule of shoots to the City and saddle club. There needs to be an arrangement for scheduling through City Hall. When the gun range is in use, no one else should be using the area. When someone wants to use either area, they need to call City Hall and make sure it is available.

Councilwoman Thomas asked why the White Squirrel Saddle Club has not finalized the proposed lease that was prepared. Mr. Taylor is not sure why. He had an appointment with someone today to discuss these issues, but the meeting was cancelled due to the weather.

Councilwoman Thomas asked if the camping area is available for anyone to use at any time. Mr. Taylor did not know what arrangements have been made. Councilman Ferguson pointed out the Council did not approve a camping area. He also questioned if water and electric have been provided to the camp sites. Mayor Lambird understood the saddle club was running electricity to the camp sites. Councilman Ferguson asked how much the City will collect for the camp sites.

Mayor Lambird questioned if a sign could be posted indicating the area is closed when it is in use by the Gun Club.

Councilman Foster wanted to consider the cost of moving the firing range to the Fire Department’s training center on S. Whittle Avenue. Mayor Lambird indicated there is an NRA grant for up to \$25,000 which would have to be matched by the City with \$25,000. The relocation will be investigated.

The Council was in agreement for Mr. Taylor to send a letter to all the parties who use the firing range and horse arena areas indicating they need to schedule all events with City Hall prior to their events. Mr. Taylor pointed out that scheduling is addressed in the proposed saddle club lease. Mr. Taylor also believed the area of the lease needs to be expanded due to the addition of the camping area.

9-E “Discussion: Contract for Electric Rates” The Council was provided with information concerning a contract for electrical rates from Ameren Energy Marketing. The City has been contacted by Ameren and another independent energy management company requesting that the City consider entering into a one, two or three-year contract for electricity.

The preliminary information from both providers indicate that there could be some significant savings for the city facilities. The shorter the term, the more savings; however, there is a risk of escalating prices after the end of the contract.

This issue is different from the aggregation of electricity which would have to be passed by referendum. After the passage of a referendum, the City could enter into an agreement for aggregation so the residential customers could receive lower electrical rates.

Mr. Taylor believed there was enough savings to justify entering into a contract. The contract could be bid or negotiated with Ameren or management companies, but the management companies charge a fee.

The Council agreed for Mr. Taylor to negotiate a contract with Ameren Energy Marketing. Mr. Taylor will begin the process and analyze the City’s actual costs to see where savings can be found.

Mayor Lambird asked about the time line for putting aggregation on the ballot next year. Mr. Taylor will investigate the savings through aggregation and time line.

9-F “Resolution: Grant Agreement for Boone Street Drainage Project Area” The City recently received the grant agreement from the Illinois Department of Commerce and Economic Opportunity for storm water work in the Boone Street area in the amount of \$294,945. The City will be obligated to spend \$92,750. The current budget includes \$75,000 for Boone Street storm water improvements, but some of that money has been used for the concrete cloth project in that area. Mr. Taylor did not anticipate this project starting until the next fiscal year. The project deadline is September 30, 2013.

Councilman Ferguson moved to approved Resolution 2011-R-77, seconded by Councilman Foster. A majority voice vote was received.

9-G “Resolution: Management Agreement with Greater Wabash” The Council was provided with a copy of a management agreement between the City and Greater Wabash Regional Planning Commission. Mr. Taylor explained the proposed agreement is a standard management agreement and is in the amount not to exceed \$16,695 for administration of the Boone Street drainage project grant.

Councilman Foster moved to approve Resolution 2011-R-78, seconded by Councilman Ferguson. A majority voice vote was received.

9-H “Ordinance: Amend City Code - Bad Checks” The Council was provided with a proposed ordinance which would amend two sections in the Code concerning the charge for bad checks. Recently the City authorized the use of electronic payments. This amendment will add language to allow a fee for returned checks or electronic payments.

Councilman Brown moved to pass Ordinance 2011-53, seconded by Councilwoman Thomas. A majority voice vote was received.

9-I “Ordinance: Sale of Personal Property” The Council was provided with a proposed ordinance authorizing the sale of two vehicles and parts from the traffic lights which are recently converted to LED.

Councilman Brown moved to pass Ordinance 2011-54, seconded by Councilman Ferguson. A majority voice vote was received.

AGENDA #10 “OLD BUSINESS”

10-A “Discussion: Trees on Whittle Avenue” The Council was provided with survey responses received from property owners and tenants concerning their opinions of the disposition of the Bradford pear trees in the downtown area. Survey letters were sent to property owners and tenants adjoining each remaining tree.

Mayor Lambird attended a Friends of Downtown meeting. This group was in favor of removing the trees, but Mayor Lambird indicated not everyone attends these meetings.

The Council discussed the results of the survey and questioned potential damage to the sidewalks if the trees were removed. It was suggested that the Illinois Department of Natural Resources be contacted concerning alternative trees for replacement.

AGENDA #11 “PUBLIC COMMENTS/PRESENTATIONS”

11-A “Discussion: Condition of Brentwood” Oscar Eck addressed the Council concerning the condition of Brentwood resulting from truck traffic on the truck route. Mr. Eck lives at the corner of Brentwood and Mapledale which is a truck route. He advised he has an ongoing problem with trucks driving down in the ditch and damaging his culvert.

Mr. Taylor was requested to investigate a solution to Mr. Eck’s problem and report back at the next meeting.

Brian O’Neill advised the Council that he helped with the Christmas Light Display on the recent work day. Mayor Lambird told Mr. O’Neill he appreciated his help.

AGENDA #12 “REPORT FROM THE MAYOR”

12-A “Appointment to Various Boards and Commissions” Mayor Lambird recommended appointing Charles Sanders as the new treasurer.

Councilman Foster moved to appoint Charles Sanders as the City Treasurer, seconded by Councilwoman Thomas. A majority voice vote was received.

Mayor Lambird recommended appointing Rob Brown to the JEDS Board replacing Rick Chaplin due to his retirement.

Councilman Ferguson moved to appoint Rob Brown to the JEDS Board, seconded by Councilwoman Thomas. A majority voice vote was received.

AGENDA #13 “REPORTS FROM CITY COUNCIL MEMBERS” Councilman Foster noted maintenance issues in the Community Building at the City Park that need to be addressed. The heaving of the concrete has caused floor tile to come loose. He received a recommendation from a contractor to remove the tile and epoxy the cracks. He believed the concrete problem may have been the cause from the down spouts not draining properly. Complaints were also received about the toilets leaking and stained ceiling tile. Councilman Foster believed the roof needs to be inspected.

AGENDA #14 “CLOSED SESSION: APPOINTMENT, COMPENSATION AND PERFORMANCE OF SPECIFIC EMPLOYEES” Councilman Foster moved to adjourn to closed session to discuss the appointment, compensation and performance of specific employees, seconded by Councilman Brown. A majority voice vote was received.

Councilmen Foster, Brown and Ferguson, Councilwoman Thomas, Mayor Lambird, City Attorney Taylor and City Clerk Henton left the Council Chambers at 8:47 p.m.

AGENDA #16 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman Ferguson moved to enter back into open session, seconded by Councilman Brown. A majority voice vote was received. Open session resumed at 10:45 p.m.

AGENDA #17 “ACTION ON CLOSED SESSION”

Councilman Foster moved to approve Resolution 2011-R-79, an employment agreement between the City of Olney and Charles Sanders, seconded by Councilman Ferguson. Councilwoman Thomas, Councilmen Foster, Brown, Ferguson and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

Councilman Ferguson moved to pass Ordinance 2011-55, establishing wages for full time employees, seconded by Councilman Foster. A majority voice vote was received.

Councilman Brown moved to pass Ordinance 2011-56, repealing the position of Public Works Coordinator from the City Code, seconded by Councilwoman Thomas. A majority voice vote was received.

Councilman Foster moved to pay Peggy Eimer a \$1,500 bonus for additional duties she has performed in the absence of a Treasurer, seconded by Councilman Ferguson. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried.

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

The meeting of the City Council adjourned at 10:49 p.m.

Belinda C. Henton
City Clerk