

CITY OF OLNEY
CITY COUNCIL MEETING
OCTOBER 10, 2011

AGENDA #1 “CALL TO ORDER” The October 10, 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. Brett Best 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 September 26, 2011

4-B Approve and Authorize Payment of Accounts Payable October 11, 2011-Pooled Cash \$78,543.01, Manual Pooled Cash \$214,958.46, MFT \$12,115.44, Levied Insurance \$13,854.19 and Tourism \$2,000.00

4-C Raffle License Application-Olney Central College Collision Repair

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 October MFT receipts were recently received in the amount of \$17,522. This amount was \$3,326 less than last year.

City crews began installing the LED traffic lights on October 3.

The S. Van Street improvements have been completed.

A receipt was received verifying that the pre-application for the TIGER program was received.

The roof replacement project at the East Fork pump house was completed on October 4.

The Olney Fire Department will participate in the Be Fire Smart contest to win a \$10,000 grant from Liberty Mutual. Individuals use the internet to learn about fire safety at home and then take a test to earn credit for their local fire department.

AGENDA #9 “NEW BUSINESS”

9-A “Request: Close S. Elliott Street from Elm to North Avenue” Joel Carey presented the Council with a request signed by several residents in the 200, 300 and 400 blocks of S. Elliott to temporarily close S. Elliott Street from Chestnut Street to North Avenue during the trick or treat hours of 6:00 p.m. until 8:00 p.m. on October 31, 2011. Several hundred children visit this neighborhood and the residents are concerned with safety because of the heavy vehicle traffic on Halloween night.

Mr. Carey also presented a map indicating the placement of barricades and streets to be closed. He suggested that temporary stop signs be placed on Elm Street at Elliott or police presence.

Police Chief Chaplin questioned how neighbors in the 200, 300 and 400 block of S. Elliott will leave their residences if necessary. He suggested that the neighbors monitor the barricades to allow residents to leave. Mr. Carey was agreeable and will find neighbors to help monitor the barricades. He also commented that many of the residents could travel through the alleys behind their homes. Mr. Carey hoped that this information would be published enough to allow for the public to become aware of the closures.

Councilman Foster understood the Police Chief’s concerns, but was agreeable to try this arrangement this year and see if it works.

Councilwoman Thomas suggested contacting St. Joe for parking. Mr. Carey commented that has been discussed and is a good option.

Councilman Foster moved to allow the closure of S. Elliott Street on October 31 from Chestnut Street to North Avenue as proposed, the City will furnish barricades at the locations requested with the understanding that the residents will be responsible for removing the barricades at the end of trick or treating, seconded by Councilman Brown. A majority voice vote was received.

9-B “Discussion: Leaf Burning Ban” Councilman Foster has been contacted by several residents again this year concerning the banning of leaf burning. Residents are concerned with the health hazards of burning leaves. He would like to work toward banning the burning of leaves, but a method for collecting the leaves needs to be determined.

Janet Everett pointed out within the last few months Republic Services presented a proposal for leaf pickup. Councilman Foster pointed out the draw back to their proposal was that every household would be charged for the service and all leaves had to be bagged. Some residents do not have trees or they take care of their own leaves by mulching. He did not feel charging all residents was a good option. He suggested using the recycling truck when it is not in use.

Mayor Lambird thought some of the neighboring communities contract leaf pick up. He thought this may be something that could be investigated.

Councilman Foster would like to see a leaf service offered free of charge.

Councilman Brown suggested selling biodegradable bags.

Councilman Ferguson asked where the leaves would be taken. Councilman Foster replied the leaves could be taken to the brush dump. Other alternatives would be to compost on farmland.

Several residents expressed their concern for leaf burning and the health hazards for their families.

Dave Lobacz expressed concerns with leaf banning. Because of the number of trees he has on his property, it is not practical to mulch or bag. Currently, the hours for burning are 8:00 a.m. until 3:00 p.m. He suggested that the hours be reduced. He has been told that burning leaves helps the trees to become healthier.

Another resident complained that burning hours and location are not observed by citizens and enforced by the Police Department.

Mayor Lambird asked Chief Chaplin if citations are given for leaf burning. Chief Chaplin replied that many people are not aware of the burning hours so many times residents are given warnings.

Councilwoman Thomas questioned purchasing a leaf vacuum.

Councilman Ferguson understood that some residents just have too many trees to mulch or bag and would like to find an alternative.

The City has a vacuum which is very old. Councilman Ferguson pointed out that residents in certain areas of town could not take advantage of a leaf pick up service because of highways, ditches or the other obstructions.

Councilman Foster did not know the solution, but knows there needs to be something done to eliminate burning. He asked the staff to come up with a plan to eliminate burning.

The Council discussed alternative hours and days.

Councilman Foster asked that this matter be considered again at the next meeting and he urged the Police Department to keep a close watch on burning violations.

9-C “Resolution: Christmas Light Display” The Council was provided with a proposed resolution and if passed, would transfer the responsibility of the Christmas Light Display and parade from the Christmas Light Display committee to the City. The Christmas Light Display committee will contribute \$15,381 which is currently what is in their checking account. The

resolution also amends the budget to provide income line items for the contribution, donations received from the bucket brigade and interest along with expense line items. A separate fund would be created to keep the Christmas Light Display funds separate from General Corporate funds.

The proposed budget amendment included in the resolution does not include labor costs for putting up and taking down the display. No volunteer labor is used for installing the lights.

Councilman Foster suggested limiting the display to every other year unless the committee can come up with volunteers to assist in putting up and taking down the display. Councilman Brown agreed volunteers do need to step forward from the community to help. He suggested advertising to the public that the Christmas Light Display is looking for volunteers.

Councilman Ferguson questioned if the Christmas Light Display is taken for granted since it is displayed every year. He did not believe the display gets near the traffic it did in the beginning. A lot of city time is used putting up and taking down the display when this time could be used on other things.

Mayor Lambird did not believe people would come back if the display is not every year. He had no doubt if the public was asked to help, volunteers would come forward.

Councilman Brown moved to approve Resolution 2011-R-62, seconded by Councilman Ferguson. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes. The motion carried.

9-D “Discussion: White Squirrel Celebration” Councilman Brown requested authorization for the City crews to raise the height of the roof over the former swimming pool deck at the City Park. The roof needs to be raised approximately five feet to accommodate a band for a concert during the White Squirrel Celebration planned for June 2012. He also requested authorization to remove or relocate a tree that was planted in front of the shelter.

Councilman Ferguson requested cost estimates. Cost estimates will be obtained and it will be determined if the City crews can move the tree with available equipment. Staff will report back at the next meeting.

9-E “Resolution: Appointment of IMRF Authorized Agent” The Council was provided with a resolution changing the IMRF authorized agent. Currently, the authorized agent is Brad Yockey. The authorized agent is required to sign certain documents particularly when there are retirements. Mr. Taylor recommended naming Cindy Harlan as the authorized agent because she handles most of the IMRF issues.

Councilman Foster moved to approve Resolution 2011-R-63, seconded by Councilman Brown. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes.

9-F “Resolution: Amend Budget for Pump Repairs” A pump at the Polk Street lift station has been replaced because of a lighting strike. A quotation for \$10,918.00 was received for a

replacement pump. Insurance will pay for all but \$500 of this expense. Mr. Taylor requested that the Council approve the proposed resolution accepting the quote, waive the formal bidding requirements and amend the budget. The amendment to the budget will account for the additional expense and income for the pump.

Councilman Ferguson moved to approve Resolution 2011-R-64, seconded by Councilwoman Thomas. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

9-G “Ordinance: Amend Chapter 3.12 for Purchasing” Mr. Taylor prepared an ordinance that sets forth some basic requirements for bidding and specific authorization to waive the formal bidding requirements. There is some statutory authority to waive bidding procedures, however, Mr. Taylor believed it is wise to include that authorization in the City’s code.

Councilman Brown moved to pass Ordinance 2011-49, seconded by Councilman Foster. Councilwoman Thomas, Councilmen Foster, Brown, Ferguson and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

9-H “Resolution: ACH Agreement” The Council was provided with a proposed resolution and agreement that will allow the City to send a file to the TrustBank for the processing of water bills that customers authorize to be withdrawn from their account. This will authorize the TrustBank to process the withdrawal for the amount of a water bill from any bank account and transfer the proceeds to the City automatically. The cost to the City is \$5.00 per month rather than 25 cents per bill. The new process will save the Utility Billing Clerk from manually posting approximately 250 bills per month.

Councilman Brown moved to approve Resolution 2011-R-65, seconded by Councilman Foster. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-I “Resolution: Authorizing DNR Grant for Fire Department Communications” The Olney Fire Department has received a grant for \$15,000 to fund a portion of the cost of Fire Department communications equipment. The City’s match is approximately \$21,346. The proposed resolution authorizes the Fire Chief to sign the grant agreement. The resolution also amends the budget by adding line items for the grant revenue and for expenses of \$15,500. The current budget includes \$1,500 for portable radios and \$4,500 for mobile radios. These line items will be used for the additional costs of the radio equipment. Permanent employees and health insurance can be amended to offset the cost of the equipment.

Councilman Brown asked if all items included in the grant were planned to be purchased in the future. Mr. Taylor answered yes, and some are already in the budget. Some equipment will be needed in the near future due to narrow banding.

Councilman Brown moved to approve Resolution 2011-R-66, seconded by Councilman Foster. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes. The motion carried.

9-J “Presentation: MFT Audit Report No. 72” The Council was provided with a copy of the MFT audit for calendar year 2010. The audit report indicates that the MFT fund will need to be reimbursed approximately \$440.00 from General Corporate for concrete expenses. This reimbursement was included in the accounts payable.

Councilman Ferguson moved to accept the MFT audit as presented, seconded by Councilman Brown. A majority voice vote was received.

9-K “Resolution: Support of U.S. Route 50 4-Lane” Mayor Lambird reported that recently the Route 50 Coalition made a trip to Springfield and spoke with the new Secretary of Transportation in Illinois. Counties along Route 50 are being asked to pass a resolution showing their support of the 4-lane project. A similar resolution is also being drawn up for passage by the state legislature which will be forwarded to the federal government.

The Route 50 4-lane project is ongoing. Currently, design work and engineering are being done. In about 18 months design work will be completed for a section of Route 50 between Lawrenceville and Olney and work can begin when funds are available.

Councilman Foster moved to approve Resolution 2011-R-67, seconded by Councilman Brown. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

AGENDA #10 “OLD BUSINESS”

10-A “Discussion: Reimbursements of Expenses for Water Service Lines” Mr. Taylor prepared a memo summarizing the expenses that have been incurred by several property owners on Lee Avenue and Stanley Drive for water service line repairs. There are some bills that are included that the City invoiced that have not been paid.

Mr. Taylor explained the City is basically reimbursing the residents for expenses incurred between the main and their property line.

Mr. Taylor suggested utilizing existing line items to make reimbursements, but some line items may need to be adjusted later.

Councilman Foster moved to make the proposed reimbursements to the residents, seconded by Councilman Brown. Councilwoman Thomas, Councilmen Foster, Brown, Ferguson and Mayor Lambird voted yes. There were no opposing votes. The motion carried.

10-B “Discussion: Reduction of Speed Limit on N. Silver Street” Police Chief Chaplin has gathered information from Police Department reports, neighborhood residents and citizens concerning the reduction of speed from 30 mph to 25 mph on Silver Street between Locust Street and Mack Avenue. Between 35 and 40 letters were directly mailed to residents in the vicinity of the proposed change of which 13 replied. Fifty-five percent of the 13 residents that replied agreed with lowering the speed limit and 45% opposed the lower speed limit. Some of the surveys returned indicated they felt the present speed limit is not being enforced and enforcement needs to be stepped up. Chief Chaplin will be stepping up enforcement in that area.

Chief Chaplin recommended doing a traffic and speed study on Silver Street. Councilman Foster believe the appropriate time to complete such studies would be when the ball diamonds are completed and in use. He also believed increased enforcement would make a difference.

The Council was agreeable to conduct a traffic and speed study when Musgrove Park is being more fully utilized.

10-C “Resolution: Accepting Contract for the Extension of the East Fork Lake Boat Ramp” The Council was given a bid proposal from Luttrell Backhoe & Hauling, Inc. in the amount of \$15,000 to provide all the necessary equipment, materials and personnel to construct a 10" thick, crushed stone base for the concrete canvas at the East Fork boat ramp and an additional \$3,550.00 to provide underwater divers to assist in the installation and placement of the concrete canvas. The total bid proposal was for \$18,550. Including the cost of the concrete canvas, the total cost of the ramp extension will be \$25,250. There was \$16,000 allocated in the grant for this portion of the project. Mr. Taylor proposed increasing the boat dock and ramp line item from \$48,000 to \$55,000.

Luttrell Backhoe & Hauling, Inc. is approved to do IDOT work up to \$500,000.

Councilman Brown moved to a accept the bid proposal and amend the budget as recommended, seconded by Councilman Ferguson. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried. Resolution 2011-R-68 will be prepared.

10-D “Discussion: Disposal of Storage Building” Ray Schneider indicated that the Men’s Softball League is not interested in the recycling shed at this time because the construction of the Musgrove Ball Diamond Complex will result in sufficient space for them to store their limited amount of equipment.

Brad Doll with the Olney Little League indicated that the league was interested in the recycling shed. Their intention would be to relocate the shed to the south end of Musgrove Ball Diamond Complex for equipment storage for the four small diamonds.

Brandy Shouse with the Tiger Sharks indicated that the swim team would be interested in using the shed for the storage of equipment and could be placed near their other storage shed at the pool.

Mayor Lambird asked if the shed that was moved to the Public Works Center is being used. The department heads in attendance thought the shed was empty and not being used.

Councilman Ferguson moved to give one of the sheds to Olney Little League and the other to the Tiger Sharks, seconded by Councilwoman Thomas. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes.

AGENDA #11 “PUBLIC COMMENTS/PRESENTATIONS” George Hostettler reported that the brush dump is a mess and asked if the professional tree services are charged to use the dump. Mr. Hostettler was told no one is charged.

AGENDA #12 “REPORT FROM THE MAYOR” Mayor Lambird reported that today he and Mr. Taylor met with representatives from Comcast and New Wave. New Wave is in the process of purchasing Comcast in this area. Mayor Lambird was excited about the potential for improved service. New Wave will be offering bundled services for television, internet and phone. At the next meeting the Council will be asked to approve the assignment of the franchise from Comcast to New Wave. New Wave hopes to begin offering services to the community by next spring.

Mayor Lambird reported that grass is growing at the Musgrove Park ball fields. He understood that a footer has been poured for the concession stand, and the floor will be poured soon. He thought that RCRC is just a few thousand dollars from their 75% goal, and the 75% goal should be achieved tomorrow. Once this goal is reached, work will proceed rapidly.

Tomorrow the East Fork boat ramp project will start. This will be the first time that concrete canvas has been installed in Illinois and the midwest, and it has never been used in this type of application. The concrete canvas will be deployed on Thursday.

12-A “Appointment to Various Boards and Commissions” No appointments were made.

AGENDA #13 “REPORTS FROM CITY COUNCIL MEMBERS” Councilman Foster noticed that the recycling men have to step very high to get up on the recycling trailer. He suggested that steps be welded to the trailer to make it easier and safer to access.

Mayor Lambird congratulated the Olney Rural King for purchasing the old Wal-Mart building.

Councilman Brown asked if there is a master electrical plan for the City Park. The Council questioned if Code Enforcement Officer Mike Mitchell could complete such a plan. It was not believed such a plan exists, but Mr. Taylor will talk to Mr. Mitchell about preparing a plan.

Councilman Ferguson commented that there are no speed limit signs posted on Linn Street north of Main Street. He asked that this matter be checked.

AGENDA #14 “CLOSED SESSION: APPOINTMENT AND COMPENSATION OF SPECIFIC EMPLOYEES, PROBABLE OR IMMINENT LITIGATION” Councilman Foster moved to adjourn to closed session to discuss the appointment, compensation and performance of specific employees and probable or imminent litigation, 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 9:00 p.m.

AGENDA #16 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman Foster moved to enter back into open session, seconded by Councilman Brown. A majority voice vote was received. Open session resumed at 11:26 p.m.

AGENDA #17 “ACTION ON CLOSED SESSION” Councilman Foster moved to amend the City Code by removing the Assistant Police Chief position as of December 2 and add a sergeant

position, seconded by Councilman Brown. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried. Ordinance 2011-50 will be prepared.

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

The meeting of the City Council adjourned at 11:28 p.m.

Belinda C. Henton
City Clerk