

CITY OF OLNEY
CITY COUNCIL MEETING
SEPTEMBER 22, 2014

AGENDA #1 “CALL TO ORDER” The September 22, 2014 meeting of the Olney City Council was called to order at 7:00 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. In place of April Dailey, Steve Wingert led the group in a prayer.

AGENDA #3 “ROLL CALL” The following Council members were present: John McLaughlin, Barb Thomas, Bob Ferguson and Ray Vaughn. Also present were City Manager/City Attorney Larry Taylor, City Treasurer Chuck Sanders, City Engineer Roger Charleston and City Clerk Kelsie Sterchi. Councilman Brown entered the meeting at 7:05 p.m.

AGENDA #4 “PRESENTATION OF CONSENT AGENDA”

4-A Approve Minutes of Council Meeting from September 8, 2014

4-B Approve and Authorize Payment of Accounts Payable September 23, 2014:
Pooled Cash \$58,124.55, Manual Pooled Cash \$30,632.20, Boone Street Grant 9/15/14 \$47,525.14, Boone Street Grant 9/22/14 \$8,695.00, W. North Lift Station \$35,225.46, W. North Lift Station 9/15/14 \$13,953.00, E. Main Water Main Grant \$25,898.00, MFT \$1,535.20, Tourism \$2,200.00

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 McLaughlin moved to approve the items on the consent agenda, seconded by Mayor Vaughn. A majority affirmative voice vote was received to approve the consent agenda.

AGENDA #7 “CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA” No consideration was necessary since no items were removed from the consent agenda.

AGENDA #8 “PRESENTATION OF ORDINANCES, RESOLUTIONS, ETC.”

8-A “Request: Application to Sell in the Olney City Park” The Council was provided with Sue Barrix’s application to sell in the Olney City Park, and a copy of her related special event application.

Ms. Barrix stood before the Council and explained that the applications were in effort to raise money for funeral expenses for Matt Zwilling. Mr. Zwilling had committed suicide in August of 2014, and the family was attempting to raise funds to help cover the final expenses. In addition, the family was wanting to increase suicide awareness. The hope was that a dinner, auction and zombie walk could be held at the Olney City Park on November 8, 2014.

Mayor Vaughn asked for details on what the zombie walk was. Ms. Barrix replied that the zombie walk would be similar to a haunted trail.

City Manager Taylor explained that typical applications to sell in the park were usually submitted by farmer's markets or non-profit organizations. This request was put on the agenda because it was of a different circumstance, particularly in the case of the auction.

Mayor Vaughn indicated that he had no issue with the auction, but was more concerned with the zombie walk. Ms. Barrix explained that certain areas would be taped off and monitored during the zombie walk. Each group would be guided by a leader through the "walk" areas. There would be no dangerous activities.

City Clerk Sterchi made the Council aware that the Department Heads had submitted their approvals for the potential zombie walk. That did include an approval from Park Department Supervisor Frank Bradley.

Councilman Ferguson moved to approve the application to sell in the Olney City Park for the purpose of an auction, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

8-B "Discussion: Social Media Policy" The Council was provided with a memo from City Clerk Sterchi and copies of a proposed social media policy. City Clerk Sterchi expressed her opinion that the City was behind the times in regard to the use of social media. The concern was with how the City would be able to protect itself should Freedom of Information requests come forward requesting records of social media use. Being able to access such records would be difficult, if not impossible.

A solution for archiving such social media records was available through a company called ArchiveSocial. In addition, there was a proposed social media policy that would need to be signed by the City's social media site moderators. A listing of moderators per department or board would be kept on file. Should a moderator no longer be in service with the City, the moderator's accessibility to the social media page or site would also need to be relinquished.

The fee for ArchiveSocial's services would be \$149 per month. Information would be

archived indefinitely.

The use of social media would be for communication purposes. With the City's proposed Facebook page, privacy settings could be created so that friends or followers would not be able to make open postings on the page's wall. Alternatively, if the City made a post online, despite privacy settings, friends or followers would be able to respond to the post.

If a friend or follower left an inappropriate reply, as defined in the social media policy, the City would reserve the right to remove or hide that reply from public view. In that instance, ArchieSocial would still have record of the removed reply, if needed.

Mayor Vaughn asked what social media sites would be used. City Clerk Sterchi replied that the main sites would probably be Facebook and/or YouTube at this time.

Councilman McLaughlin felt that the use of social media for the City was long overdue. Communication could easily be seen on a site such as Facebook. It seemed that more people were accessing Facebook than the newspaper. He also felt that many other towns utilized social media effectively.

City Clerk Sterchi included that the use of the social media sites would also be subject to strict guidelines of professionalism and would be for information/communication purposes only.

Mayor Vaughn asked City Manager Taylor if the existing personnel policy meshed with the proposed social media policy. Mr. Taylor replied that the proposed social media policy did not conflict with the current personnel policy. The personnel policy did not hold anything in relation to social media. The social media policy would also apply to employees that were bargaining units.

Mayor Vaughn felt that the policy would need to be signed by all personnel. Should an employee post an inappropriate reply on a City social media site, the post should be subject to the social media policy. Any post made by personnel on non-City related sites would not be subject to said policy.

The City Manager recommended that the social media policy should be adopted by ordinance and placed in the City's Code.

Councilwoman Thomas felt that the use of social media and the social media policy should be adopted.

Councilman Brown wondered how records could be accessed if the City no longer

wanted to do business with ArchiveSocial. City Clerk Sterchi replied that she would need to speak with ArchiveSocial regarding the Councilman's inquiry.

Mayor Vaughn then asked City Manager Taylor to review the current personnel policy to see where it could be updated for social media participation.

Councilman Brown asked if the social media policy would impact the bargaining unit contracts. City Manager Taylor replied that the City had the right to reserve certain policies. Individuals would voluntarily request to become a moderator.

The topic was tabled until the next City Council meeting on October 13, 2014.

8-C "Discussion: Together We Play Project" The Council was provided with a schematic of a proposed playground and a proposed restroom facility. A visual design board of playground equipment was also viewed on an easel in the Council Chambers.

Councilman McLaughlin told the Council that about a year ago, a child was left behind with a care giver at a daycare center while the rest of his classmates were taken to Musgrove Park to play. The child was handicapped and unable to safely use the playground at Musgrove Park. The situation sparked discussion on childrens' recreation. The Parks & Recreation Board wanted to propose to the Council the idea of the Together We Play Playground Project. The Together We Play Playground, located at Musgrove Park, would be accessible to children of all abilities.

The City would not need to fund the project. RCRC would fully fundraise the project. The playground would have a proposed location just south of the current playground at Musgrove Park. The playground area would have a multi-colored Pour-N-Place rubber surface. Wheelchairs and walkers would be able to maneuver well on the surface.

The playground would also include a metal slide for benefit of children with cochlear implants. There would be other sensory stations throughout the playground. Such a playground would be the only all-inclusive playground for about two and a half hours outside of the City.

The proposal included a sidewalk that would connect to the current sidewalk at the park. Fifty percent of the mulch at the existing playground, near the center portion, would need to be removed so that the Pour-N-Place would connect to the center unit of the current playground.

A restroom facility was also hoped to be created next to the playground. The ramps would be double-wide for wheelchair access. The parking lot was proposed to be extended to allow for more regular and handicapped parking spots.

The total estimated cost of the project was between \$250,000 and \$350,000. Breese, Illinois was raising \$350,000 for a similar project. RCRC has already started communicating with businesses to assess their support. RMH, Wal-Mart D.C. and area banks are in support of the project. Fundraising has already begun, but RCRC and the Parks & Recreation Board were looking for the City's support of the project.

Once funds have been fully raised, the project will begin. The funds would be donated to the City since the project would be on City property. According to the projected timeline, construction for the Together We Play Playground was hoped to begin in the Spring of 2016 with a proposed completion by Summer of 2016.

Councilman Brown moved to express the City's support for the Together We Play Playground Project, seconded by Councilman Ferguson. A majority affirmative voice vote was received.

8-D "Discussion/Resolutions: New Heating/Air Conditioning Units for North Side of City Hall and Rebate Through Energy Now Program; Resolution Amending Budget; Resolution Accepting Quote and Waiving Formal Bid Procedures" The Council was provided with a proposed resolution to accept new heating and air conditioning units at City Hall, and a proposed resolution to accept the quote from Read's Heating, Air Conditioning and Refrigeration, Inc., and to waive formal bidding procedures.

At the prior Council meeting on September 8, 2014, the Council had approved the idea to amend the budget, waive formal bidding procedures, and install new heating and air conditioning units for the north side of City Hall. The approvals were based on substantial rebates that were available.

City Manager Taylor made the Council aware that after the September 8 meeting, he found out that the City was not eligible for the rebate on the gas furnace because the gas provider was Illinois Gas Company. The City would still be eligible for the \$500 rebate on electric. Mr. Taylor recommended not approving the resolutions. Should the Council want to proceed with the project, bids could be solicited for similar equipment or the project could wait until the next fiscal year.

There was no way of knowing if the current rebates would be available in the future or if new rebates would be available.

Mayor Vaughn expressed concern with soliciting bids since Read's quote had been released to the public. Councilman Brown agreed, and indicated he would like to discuss the project during the next budget.

Councilman Brown moved to rescind the actions for the new units as made by the Council at the September 8 meeting and to deny the proposed resolutions, seconded by Councilman McLaughlin. Councilmen Ferguson, McLaughlin, Brown, Mayor Vaughn and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried._____

8-E “Discussion: Proposed Landscape Waste Facility Fees” The Council was provided with information on proposed landscape waste facility fees. Based on discussion at the September 8, 2014 City Council meeting, City Manager Taylor had changed the fee structure to a two tier system. Non-residents would be charged \$5.00 per use of the landscape waste facility, and landscape contractors would be charged \$10.00 per use of the landscape waste facility.

Some evidence of residency would need to be provided for those within the Olney City limits. Residents would not be charged a fee for use. Those details would be discussed further.

Cash and checks could be accepted at the facility. Fees could also be paid upfront at City Hall.

Mr. Taylor will present an ordinance at the October 13, 2014 meeting for the Council to formally approve.

8-F “Discussion: Development of East Fork Lake” The Council was provided with an aerial map of East Fork Lake that also showed land owned by the City. Mayor Vaughn requested that this topic be placed on the agenda. The Mayor was interested in exploring the possibility of having the City receive financial benefits from East Fork Lake.

On the east side of the lake, the City owns about nine acres. On the west side, the City owns Rotary Park and an adjoining property.

Councilman McLaughlin asked what was located in the north section of Bird Haven. City Manager Taylor replied that nothing was located in that section. The area was only to be maintained as a conservancy area. No road led to the north section.

At the Rotary Park area, the Mayor wanted to discuss the possibility of developing the area. The City could develop it, or the area could be leased in order to let another individual or company develop the area. The Mayor suggested ideas such as boat rentals, food sales, gas sales and a campground. Gassman Campground is located nearby, but no spots are available as the lots are rented year round. Lakeside RV Campground is located near the spillway, but the Mayor was again not aware of the ability of weekend campers being able to camp there.

The City is responsible for the entire shore of East Fork Lake, but the lake generated no income other than the sale of boat licenses and the treatment of water.

Councilman McLaughlin wondered if the City owned the portion of East Fork Lake that set east of St. Marie Road. The City Manager indicated the City did own that portion. Accessing the area is difficult for the public. There is a nearby creek that if the water was high enough, would allow access to the portion east of St. Marie Road. However, it had been reported that someone had been knocking down trees to block access through the creek.

Mayor Vaughn asked if the Parks & Recreation Board would be willing to take on the plans for developing East Fork Lake. Councilman McLaughlin felt that the plan for development should be included in the Parks & Recreation Board's Comprehensive Plan, but due to the current project list, felt that the details of the development should be handled by another organization.

Mayor Vaughn asked Councilman Ferguson if he would be interested in working on a committee to help develop East Fork Lake. Councilman Ferguson replied that he would be interested in working with the Mayor on such a project.

At mention of the Parks & Recreation Board, Councilman McLaughlin wanted to mention that the Board was going to be holding a public forum to generate ideas. Forms would be submitted to the Board from individuals wishing to be heard at the forum. The Councilman would provide the exact date in the near future.

Two members of the City Council are also members of the Parks & Recreation Board. Mayor Vaughn was concerned with any potential OMA problem if additional Council members attended the Board's meeting and participated in discussion. Because the meeting is open to the public, would be advertised and published with recorded minutes, City Manager Taylor did not feel there would be a problem.

Councilman McLaughlin suggested listing the meeting as a Parks & Recreation Board/City Council Meeting. Mr. Taylor also felt that would be a good idea.

8-G "Discussion: Prioritization of Projects/Applying for Grants" The Council was provided with a list of projects created by City Manager Taylor. Mayor Vaughn, City Manager Taylor and City Treasurer Sanders attended an economic development strategy meeting with the Greater Wabash Regional Plan Commission. Available grants were discussed. As a result of the meeting, Mayor Vaughn had requested a list of projects.

On the project list, the 12 inch water main on Main Street from Walnut Street to Illinois Route 130 would be of the highest priority. The City would likely go through the CDAP. A survey would need to be conducted to determine low to moderate income benefit. There could be some benefit to the north due to the way the waterlines were situated. City Engineer

Charleston believed CDAP match was 70/30.

Number six on the list was a Housing Rehabilitation Grant. City Manager Taylor indicated that a rehabilitation grant would require a City-wide survey and then a certain area would be chosen. The grant process would need to begin this Fall with the survey. The homes would need to be owner occupied. Mayor Vaughn recommended that input should be received from Build Community.

The seventh item on the list was the widening and resurfacing of Whittle Avenue from the railroad overpass to Illinois Route 130. This project would be mainly handled through the Illinois Department of Transportation (IDOT). City Manager Taylor did find out that the project could use STU funds in conjunction with MFT funds. The City could borrow ahead on STU funds.

IDOT had also indicated that they would complete the intersection design study of Whittle Avenue and Illinois Route 130. The process would take about two years. The City would plan to go out for bids in April of 2016. City Engineer Charleston anticipated the cost of the project to be around \$1.7 million. After TARP funds and the draw ahead of STU funds, the City would still be obligated to pay \$700,000. Mr. Charleston had also been trying to receive highway safety funds. The City would not be eligible for those funds unless a fatal accident occurred at the intersection.

The City had previously thought about using STU funds on N. East Street. City Manager Taylor felt that the use of the funds on Whittle Avenue would be more appropriate.

AGENDA #9 "REPORTS FROM ELECTED AND APPOINTED OFFICIALS."

9-A "City Manager - Status Report" The Council was provided with a Status Report from City Manager Taylor. Mr. Taylor reported that salt was received mid-September. The City currently held about 100 tons of salt. Room was still available for an additional 75 tons of salt. Purchasing any additional salt would require amending the budget. Last Winter, the City used about 150 tons of salt. Another harsh Winter was expected for 2014. The Council agreed that if additional salt was needed, that they would authorize amending the budget to make the purchases.

Mr. Taylor had also received information from IDOT that the requested change to the Safe Routes to School program was approved. The original plan was to have sidewalk going from the high school, to the middle school, and to the elementary school. Costs seemed to continuously increase. The City then sent a request to the State to amend the plan and concentrate on the area between the middle school and the elementary school. Word was received that the \$250,000 grant would still be available to do the reduced scope of work.

In order to have a March letting, all paperwork would need to be completed by November. Construction could begin mid-May. The project total would be about \$300,000.

Some easements and temporary construction permits would need to be attained. There were a few driveways on Hall Street that would need to be corrected to comply with the 2% grade.

City Manager Taylor will have the Safe Routes to School program placed on the agenda for October 13, 2014 for the Council to take official action.

Mayor Vaughn asked for a report on any current demolitions. Two demolitions are in process, and another will be presented to the Council at the next meeting. On the two current demolitions, the defendants have been served. The demolition on W. St. John Street has been set for a hearing in mid-October.

Code Enforcement Officer Mike Mitchell had been working on several demolitions, and had recently posted a notice on E. Lafayette Street. Since the posting, the individual had come in to City Hall to apply for a demolition permit. The structure is expected to come down within 60 days. A portion of Cherry Street School had also been demolished.

City Engineer Charleston told the Council that the Boone Street project was completed, and the final paperwork was being processed through the Greater Wabash Regional Plan Commission. Mayor Vaughn mentioned that he was concerned with a brick wall that was located between Boone and Fair Streets. Mr. Charleston replied that the wall was never included as part of the project. The wall would more than likely fall into the creek.

The Mayor asked if the City had the ability to take care of the issue without going through the State. Mr. Charleston said that the project would not go through the state. The Mayor asked Mr. Charleston to look into the situation to see what could be done.

Mr. Taylor continued to report that the second installment of real estate taxes had been received. An Enterprise Zone Committee meeting had also taken place on September 18, 2014. Topics of discussion included the boundary, eligibility and tax abatement formula. Some additional information would be provided to the taxing bodies that could be used within their boards on the benefits of the tax abatement, process and Enterprise Zone.

In conjunction with the social media policy, Mr. Taylor was hoping to establish a policy having to do with e-mail retention. Any communications with the City would need to be recorded under the FOIA. Mr. Taylor hoped to have that ready for review at the next meeting.

AGENDA #10 “PUBLIC COMMENTS/PRESENTATIONS”

10-A “Olney Daily Mail Newspaper Greatly Disrespectful and Enjoys Covering Up Elected Officials and Citizen Hate Against People with Disabilities.” Brian O’Neill, 818 E. Main Street, expressed his opinion that the Olney Daily Mail did not care about the City or the greater community. He hoped the Olney Daily Mail had enough respect for the community to get information in the newspaper to tell citizens to come to City Hall for the City Council meetings.

In reference to the proposed medical marijuana facility, Mr. O’Neill felt that the jobs available would only be for higher class individuals. Therefore, the available jobs would not benefit our community. He thought the medical marijuana company would bring in its own employees.

To finish, Mr. O’Neill claimed that government officials were forcing people onto government assistance. It was time to let people like Mr. O’Neill off of the system.

AGENDA #11 “CLOSED SESSION: SALE PRICE OF REAL PROPERTY; APPOINTMENT, EMPLOYMENT AND PERFORMANCE OF SPECIFIC EMPLOYEES” Councilman McLaughlin moved to adjourn to closed session to discuss the sale price of real property, and appointment, employment and compensation of specific employees, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

Councilmen Brown, Ferguson, McLaughlin, Councilwoman Thomas, Mayor Vaughn, City Manager Taylor, City Treasurer Sanders and City Clerk Sterchi left the Council Chambers at 8:28 p.m.

AGENDA #12 “RECONVENE OPEN SESSION” Upon the return of those who were in closed session to the Council Chambers, Councilman McLaughlin moved to enter back into open session, seconded by Councilwoman Thomas. A majority affirmative voice vote was received. Open session resumed at 9:20 p.m. No action was taken as a result of closed session.

AGENDA #13 “ADJOURN” Councilman McLaughlin moved to adjourn, seconded by Councilwoman Thomas. A majority affirmative voice vote was received.

The meeting adjourned at 9:20 p.m.

Kelsie J. Sterchi
City Clerk