

CITY OF OLNEY
CITY COUNCIL MEETING
SEPTEMBER 26, 2011

AGENDA #1 “CALL TO ORDER” The September 26, 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. Mark 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 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 12, 2011 and Special Council Meeting on September 21, 2011

4-B Approve and Authorize Payment of Accounts Payable September 27, 2011-Pooled Cash \$69,537.88, Manual Pooled Cash \$6,984.08 and Water Deposit Refunds \$1,893.14

4-C Raffle License Application-PALS Task Force Coalition, Inc. of Richland County

4-D Raffle License Application-Fraternal Order of Eagles 2549

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 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 the June disbursement for income tax in the amount of \$54,411.08 was recently received. This distribution was almost \$9,000 more than what was received last year. Currently, the State is three months behind in income tax distribution totaling \$165,654.84.

Fire Chief Rusty Holmes has advised Mr. Taylor that the Fire Department has received word that they have been approved for a grant in the amount of \$15,000 from the Department of Natural Resources for communications which is to be used for portable radios. The total expected expenditures are \$36,000, leaving the City to pay \$21,000. The current budget includes \$6,000 for portable radios. The grant documents have not been received, but they will be presented to the Council for approval at a later date.

The S. Van Street project has been completed, and will be open to the public in a few days.

On October 2 beginning at 9:00 p.m. the Water Distribution Department will be doing hydrant flushing. The Water Plant will be changing the type of chlorine used, and residents may notice more of a chlorine odor and taste in the water which will last approximately three weeks.

Today a consultant performed an inspection on behalf of the EPA on the Route 130 Park Lift Station project. The inspection was concerning the compliance with the American Recovery and Reinvestment Act which about half of the loan was through those funds. The City will receive a report in a couple of months concerning this inspection. Additional documentation will need to be provided at a later date.

AGENDA #9 “NEW BUSINESS”

9-A “Presentation: 2010-2011 Audit” Ryan Hawkins, representing Kemper CPA Group, reviewed the 2010-2011 audit which was completed by Kemper CPA Group. Not too much has changed from the prior year. Due to federal funds that were received for the Park Lift Station a single audit was required. Mr. Hawkins reviewed Kemper’s opinion of the City and the various statements that were presented. The audit report, internal control and letters have been reviewed with City Attorney Taylor and Temporary Treasurer Peggy Eimer.

Councilman Ferguson moved to approve the 2010-2011 audit as presented, seconded by Councilwoman Thomas. Councilmen Foster, Brown, Ferguson, Mayor Lambird and Councilwoman Thomas voted yes. There were no opposing votes. The motion carried.

9-B “Discussion: Denial of Building Permit for 620 S. Linn” Ronald Cornwell has applied for a building permit to building a storage building at 620 S. Linn. The proposed location appears to be in a flood plain. Code Enforcement Officer Mike Mitchell needs certain information in order to issue a permit for construction in the flood plain. Mr. Cornwell has not yet provided this documentation to Mr. Mitchell.

Charleston Engineering has surveyed the property and determined 9' of fill is needed to meet the requirements of building in a flood plain.

Mr. Cornwell did not believe he should have to meet the standards being required based on his neighbor from across the street.

Code Enforcement Officer Mike Mitchell explained based on city flood maps, the entire property is in the flood plain area. The floor of the proposed building has to be built at least 12" above the base flood elevation. The existing house is also in the flood zone. The cost of the building dictates the requirements for building in a flood plain. The neighbor, Charles Hawes, was not required to meet the same standards be required of Mr. Cornwell because of the cost of his building and his location. The Department of Natural Resources has to give approval to building in the flood plain before the City can proceed with the building permit. Mr. Mitchell has provided Mr. Cornwell with all the information needed to make application with DNR. Mr. Mitchell explained since the City of Olney is a member of the National Flood Insurance Program

this process is required. Mr. Cornwell's building permit has not been denied, but put on hold until approval is received from DNR.

Councilman Foster told Mr. Cornwell that the City has no alternative but to abide by the National Flood Insurance requirements. Mr. Taylor agreed that this procedure must be followed.

The Council asked Mr. Mitchell to assist Mr. Cornwell with the state application.

AGENDA #10 "OLD BUSINESS"

10-A "Discussion: White Squirrel Saddle Club Arena Project" Al Zellmer, representing the White Squirrel Saddle Club, addressed the Council concerning their request for gravel for the arena project. Mr. Zellmer detailed that he was contacted by the Mayor asking how much was needed to complete the arena project. At that time it was estimated they still needed \$14,301 for the project. This information was given to Mayor Lambird. Mayor Lambird then asked the minimum amount needed. Mr. Zellmer indicated they needed \$6,600 for gravel. Mr. Zellmer received a call from Mayor Lambird saying the \$6,600 was in the budget for the project. In June Mr. Zellmer requested to purchase the gravel and found out nothing was included in the budget for this expenditure.

Councilman Foster asked where the gravel will be placed. Mr. Zellmer explained the gravel will be placed on the road and for parking. Mr. Taylor has reviewed the budget and did not believe there was anything in the budget for the arena project.

Councilman Brown believed the arena was a good project. Councilman Foster asked if there was a project which had money left over. Mr. Taylor explained the S. Van Street project had approximately \$60,000 budgeted, but only \$35,000 was spent.

Councilman Brown moved to amend the budget and allow the White Squirrel Saddle Club to spend \$6,600 for gravel for the arena project, seconded by Councilman Foster. Councilmen Brown, Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. There were no opposing votes. The motion carried. Resolution 2011-R-57A will be prepared.

Mr. Zellmer will contact Jim Urfer, who has the City contract for CA6, concerning this purchase.

10-B "Discussion: Disposal of Storage Building" Mr. Taylor contacted Ray Schneider from the Men's Softball League concerning the recycling storage building. Mr. Schneider indicated they are 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 Olney Little League indicated that the league was interested in the recycling shed for the storage of equipment for the four small diamonds on the south side of the park. They would be interested in relocating the shed near that area. Contact could not be made with Tiger Shark representative Brandy Shouse prior to this meeting. Mr. Taylor asked that this item be tabled until he was able to talk to Mrs. Shouse.

10-C “Discussion: Maintenance of Water Service Lines” Mr. Taylor researched how other communities handle the maintenance of water service lines. The general practice appeared to be that other cities assume the responsibility for repairing and maintaining the water service lines from the main to the property line or curb stop, but it varies from city to city.

Mr. Taylor did explain that the developers of new subdivisions often tap the main and extend the service lines to the lots to prevent future road cuts.

It was Councilman Brown’s opinion that the City should be responsible for the service lines to the property line. He understood the budget may have to be adjusted if this policy is changed.

Councilman Foster believed the Council would need to stipulate the length of a service line to a property line that the City will maintain.

Mayor Lambird believes the City should also include the maintenance of sewer laterals to the property lines.

Councilman Foster feels like the City should handle the liability for the property owners on Stanley Drive because that subdivision was accepted with substandard installation that did not meet the code. The City needs to make some adjustment for these residents who have experienced problems. Mayor Lambird suggested that they be rebated their expenses through their water bill.

The residents preferred that they be reimbursed for expenses, and the City make the repairs in the future.

Councilman Thomas preferred that the residents be reimbursed for expenses.

Mayor Lambird pointed out there were people in the past with this same problem that have not been reimbursed.

The Council asked Mr. Taylor to come up with a plan for the residents and propose changes to the City Code which would address the City assuming responsibility for service lines.

Mr. Taylor suggested that the residents present him with copies of bills incurred for labor and materials. He will try to determine what costs are related to maintaining the service lines in the right of way.

10-D “Resolution: Police Department Improvements” The Council was provided with a memo from Police Chief Chaplin regarding work which should be done at the Police Department building resulting from combined dispatch. The remodeling of the lobby and video system are necessary for safety and security reasons. The computer server, firewall, video system and answering system have already been installed and expenses charged to regular line items which will eventually cause them to be over budget. The remodeling of the lobby was bid at \$6,835. If the Council agrees to these improvements, it was suggested that the budget be amended by

adding a Police Department Improvements capital line item in the amount of \$17,000. This amendment can be offset with excess funds budgeted for health insurance.

Councilman Foster moved to approve a resolution amending the budget by adding a line item for Police Department Improvements for \$17,000 and reducing Health Insurance by the same amount and accepting the bid for \$6,835 from Illini Builders for the remodeling of the Police Department lobby, seconded by Councilman Brown. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas, Councilmen Foster and Brown voted yes. There were no opposing votes. The motion carried. Resolution 2011-R-58 will be prepared.

10-E “Resolution: Amend Budget for Pole Barn Materials” The Council was provided with a memo from Public Works Coordinator Frank Bradley and a proposed resolution regarding the material that needs to be purchased for the rebuilding of the pole barn that was taken down at Musgrove Park and is to be rebuilt south of the gas island at the Public Works Center.

Mr. Taylor recommended amending the budget by creating a new capital improvement line item in the amount of \$11,000 and also amend the capital improvements line item for the Van Street project by reducing that budget amount from \$60,156 to \$35,000.

Councilman Foster moved to approve Resolution 2011-R-59, seconded by Councilwoman Thomas. Mayor Lambird, Councilwoman Thomas, Councilmen Foster, Brown and Ferguson voted yes. There were no opposing votes. The motion carried.

10-F “Discussion: East Fork Lake Ramp and Boat Service Docks Grant” Mr. Taylor provided the Council with a memo regarding the East Fork Lake boat ramps and docks. Plans are being made to use concrete canvas rather than pour concrete in order to save a substantial amount of money. Mr. Charleston has been in contact with a contractor that might be willing to do the work with the concrete canvas, but he has some concerns. A dive team has been located that is interested in doing the project. Now it is a matter of getting a contractor and divers at the same time. Work will continue to secure both a contractor and dive team.

The deadline for this grant is December 31, 2011. If an extension is needed, a request needs to be made by mid-October.

More definite scheduling plans should be determined later this week.

10-G “Discussion: Musgrove Park Ball Diamonds Complex Project Update” Mayor Lambird reported that RCRC is getting very close to having 75% of the private funds raised. Rob McClain believed the 75% would be accomplished by the end of the week. RCRC will provide the City a letter when 75% has been pledged. Mayor Lambird asked the Council if they would be willing to accept a letter from RCRC concerning the commitment of 75% of the funds.

Councilman Foster asked if RCRC has signed pledges. Mayor Lambird answered yes.

Mr. Taylor requested the Council approve a resolution indicating the intent of the Council to accept a letter from RCRC without any other documentation.

Councilman Foster moved to accept a letter from RCRC as evidence that they have received pledges for at least 75% of their commitment for funds for the Musgrove Park Ball Diamond Complex, seconded by Councilwoman Thomas.

Dave Weiler asked if the 75% is pledges only. Mayor Lambird commented some money has been donated, but not all. Mayor Lambird has great faith the money will be given that has been pledged.

Mr. Taylor clarified that the \$300,000 that the City budgeted will be spent as costs are incurred once a letter is received from RCRC stating they have raised at least 75% of their commitment.

Councilwoman Thomas, Councilmen Foster, Brown, Ferguson and Mayor Lambird voted yes. There were no opposing votes. The motion carried. Resolution 2011-R-60 will be prepared.

Mayor Lambird reported that the seeding took place last weekend and grass has started to grow. The seed was given at cost. So far there has been \$55,000 of improvements done at the cost of \$16,000. He thanked everyone that has donated their time and effort.

AGENDA #11 “PUBLIC COMMENTS/PRESENTATIONS” No comments were received from the public.

AGENDA #12 “REPORT FROM THE MAYOR” Mayor Lambird proclaimed the week of September 19-25, 2011 as Gold Star Mothers Week.

Troy Reynolds from the Silver Street Pentecostal Church made a request to the Mayor to reduce the speed limit near the 700 block of N. Silver from 30 mph to 25 mph. Chief Chaplin was asked to investigate the area between Locust Street and Mack Avenue and present the Council with his speed limit recommendation.

AGENDA #13 “REPORTS FROM CITY COUNCIL MEMBERS” The Council had nothing further to report.

AGENDA #14 “CLOSED SESSION: APPOINTMENT AND COMPENSATION OF SPECIFIC EMPLOYEES” Councilwoman Thomas moved to adjourn to closed session to discuss the appointment and compensation 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 8:46 p.m.

AGENDA #15 “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 10:56 p.m.

AGENDA #16 “ACTION ON CLOSED SESSION” Councilman Foster moved to give the two telecommunicators being transferred to the County \$1,500 each as payment in kind for their service to the City to help with the lost they will experience in salary as County employees, seconded by Councilman Ferguson. Councilman Ferguson, Mayor Lambird, Councilwoman Thomas and Councilman Foster voted yes. Councilman Brown voted no. The motion carried. Resolution 2011-R-61 will be prepared.

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

The meeting of the City Council adjourned at 10:57 p.m.

Belinda C. Henton
City Clerk