

CITY OF OLNEY
SPECIAL CITY COUNCIL MEETING –
PUBLIC HEARING
JANUARY 24, 2017

AGENDA #1 “CALL TO ORDER” The January 24, 2017, Special Meeting of the Olney City Council was called to order at 3:00 p.m. in the Council Chambers of the Olney City Hall located at 300 S. Whittle Avenue, Olney, Illinois, with Mayor Pro-Tem Bob Ferguson presiding.

AGENDA #2 “ROLL CALL” The following Council members were present: Les Harrison, Belinda Henton, John McLaughlin, and Bob Ferguson. Mayor Ray Vaughn was absent. Also present were City Manager Allen Barker, City Treasurer Chuck Sanders, Assistant City Treasurer Jane Guinn, Code Enforcement Officer Mike Mitchell, and City Clerk Kelsie Sterchi.

Present from the Wabash County Health Department were: Kendra Grounds (Director of Nursing), Cindy Poland (Administrator), and Marina Sample (Environmental Health Inspector).

AGENDA #3 “PUBLIC HEARING: PROPOSED FOOD ESTABLISHMENT INSPECTION PROGRAM” Council members and attendees from the public were supplied with a summary sheet provided by the Wabash County Health Department (WCHD) regarding the proposed food establishment health and sanitation inspection. Letters to local food and drink establishments had also been sent out making them aware of the proposed program and public hearing.

Councilman Ferguson began by stating that the City of Olney had been researching a food inspection program for many years. Currently, Richland County is only one of two counties in Illinois that do not have such a program. Recently, the City had been corresponding with the WCHD about the opportunity to utilize them to conduct inspections of food establishments within the City. The Councilman then opened up the floor to the WCHD representatives.

Ms. Poland is a resident of Olney, and was aware of the City’s interest in having an inspection program for food establishments. Recently, an opportunity presented itself to where Ms. Sample would be available one day each week to work with Olney establishments. If the program is something the City wishes to move forward with, the next step would be to create an ordinance outlining all of the details.

Annual fees would be charged to those establishments that are inspected based on the three levels of risk. High Risk would be charged \$300.00 per year, Medium Risk would be charged \$200.00 per year, and Low Risk would be charged \$150.00 per year. If an establishment has a violation that requires a re-inspection, additional fees of \$30.00 per hour would apply.

The WCHD would offer a free training to establishments that would be inspected so that they could have a better understanding of what would be inspected.

Once a program is in place, those with a higher risk would be sent their bill and inspected first. Then, those with medium risk would be inspected next, and low risk last.

Ms. Poland emphasized that their goal was not to shut down any businesses. In fact, they would not have that authority. Anything severe enough to warrant fines or shut down would be by authority of the City and would be dictated in the ordinance.

Noting that the proposed program was still in a preliminary stage, Councilman Ferguson wondered if Mr. Barker had given any thought to who would be overseeing the program on the City's side. Mr. Barker assumed that Code Enforcement would be the contact through the City.

Councilman Harrison wondered how often such businesses would be inspected. Ms. Sample replied that high risk establishments would typically be inspected three times per year, medium risk would be inspected once per year, and low risk would also typically be inspected once per year. Ms. Poland offered that the City may not choose to inspect low risk establishments at all.

Councilman Ferguson asked if the WCHD worked with any other counties. Ms. Poland replied that they work with Jasper County on supervising their program.

Councilman McLaughlin recalled that some events such as chowders and festivals may not be inspected. Ms. Sample indicated that any food service open for two days or more should receive an inspection.

From the audience, Brian O'Neill wondered if the City would hire a Health Enforcement Officer. Councilman Ferguson replied that the City would be looking at having the WCHD conduct the inspections, which would be most of the work. Further enforcement authority would be planned and placed into the ordinance.

City Clerk Sterchi asked if establishments that serve beverages only, such as bars, would also be inspected. Ms. Sample replied that if there is no food being handled, they would not need to inspect the establishment.

Councilman McLaughlin was aware that some restaurants were already being inspected by other entities. Ms. Sample was familiar with the fact that often chain restaurants and grocery stores have their own inspectors. That does not impair Wabash County inspections in addition to those that may already be conducted. Ms. Poland added that some schools are inspected by the Clay County Health Department. Wabash Valley has no issue with that kind of inspector.

Penny Densmore, owner of the Olde Tyme Steakhouse, told the representatives of her restaurant history in Olney. Because her establishments have not been inspected per such guidelines, she was worried that she may not know what to expect in respect to an inspection, and also felt that some of the terms listed on the inspection form were not very clear. Ms. Sample indicated that the inspection sheet provided only a brief synopsis of the inspection

because there was not enough room on the form to add anything more specific. She continued that the Sanitation Code can provide more detailed definitions.

Councilwoman Henton wondered if such term definitions would be covered in the training session. Ms. Sample replied that definitions would be covered.

Councilman Ferguson pointed out that the City had no intent of making money off of the inspections. The City's goal was to have a better environment for the public and to offer additional protection from potential food borne illnesses.

Councilwoman Henton wondered what would require a re-inspection to be scheduled. Ms. Sample replied that oftentimes, violations are corrected the day of the inspection. Some issues such as pest problems would require a follow up.

Stacey Dunlap, owner of Hovey's Diner, had heard that the Health Department/Health Office in town had not been approached to conduct such an inspection program. Councilman Ferguson did not believe they were qualified to perform such inspections. Ms. Poland indicated that the facility that Mrs. Dunlap was referencing was not a certified health department, and could not conduct such inspections.

Mike Hahn, owner of Sub Fast/Pizza Fast asked if he could have a copy of the 45-point inspection checklist. Mr. Barker told that he could make some copies following the hearing. Mrs. Densmore also noted that the list could be found online.

Councilman McLaughlin asked those in attendance if they could provide more of their thoughts and comments on the proposed program. Mr. Hahn felt it was difficult to comment without it appearing that there was something to hide. Michelle Brooks, owner of Daylight Donuts, felt that the program would be just another headache and additional expense.

Councilman Harrison felt that what may be asked of food establishments in Olney would be no more than what the other counties in the State of Illinois are doing. He felt that at this day in age, most people would want to have their food inspected.

Mrs. Densmore voiced concern about the inspections possibly taking place during peak hours. Ms. Sample indicated that the inspections are not always done at peak hours, but they should be conducted during a time where preparation and serving can be appropriately observed. Mrs. Densmore hoped for at least 15 minutes of notice.

Councilman Ferguson wondered when an ordinance could be prepared, and when such a program could begin. Mr. Barker replied that he hoped to have something in place by the end of February.

Julie Hill, owner of Ginger Ale's, wondered how notification of violations would be handled. Councilman McLaughlin replied that different options were being considered. Ms. Poland told that Wabash Valley posts results on their website. Result posting locations would

also be subject to City ordinance. Some places outside of Wabash County also have results posted in their windows.

If there was an objection to a violation, Mrs. Hill wondered what the process would be for an appeal. Ms. Sample replied that would be dictated by City ordinance. In her 18 years of experience, Ms. Sample had only one instance where an appeal was sought.

Mr. Barker wondered what scoring number would constitute as passing. Ms. Sample replied that scores can often be misleading. For example, an establishment could receive a score of 89 out of 100, but the violations may not have been that critical; just more smaller violations. She advised that people not get too wrapped up in the score itself.

Councilwoman Henton recalled hearing that the scoring process could change in 2018. Ms. Sample confirmed, stating that the inspection forms would be changing, and would go strictly to a Pass, Fail, or Pass With Conditions scoring. The new system for scoring would be in effect starting in July of 2018.

Mrs. Densmore was aware of many fraternal organizations that serve food only once or twice per week. Ms. Sample indicated that they would also need to be inspected.

Representing the Petroleum Club, Laney Dunahee asked if businesses are always charged the inspection fees. Ms. Poland confirmed, but noted that the Olney fees would be somewhat higher because the WCHD services are not supported by any Olney taxes.

Mr. Barker asked when the training sessions could be conducted. Ms. Poland said that they could be ready by mid-March. Ms. Sample added that the sessions may want to be held on a couple of different days instead of one day with one large group.

Realizing that some local restaurants had never been inspected, Councilman McLaughlin wondered how much time they would have to be sure they are in compliance after the training session. Ms. Sample was aware that some things could not be taken care of immediately, such as necessary upgrades to plumbing. A time frame could be established by the City.

Mrs. Densmore asked what day of the week inspections would take place. Ms. Poland replied that the current availability is on a Friday. Mrs. Densmore was not in favor of a Friday inspection. Ms. Poland offered that the day could possibly be changed.

Mr. O'Neill felt that having such inspections would bring in business from outside of the county.

Ms. Poland wanted to emphasize that the program would not eliminate all food borne illnesses because conditions change from day-to-day. The program, however, would assist overall.

Councilman Ferguson asked if there were any further comments or questions from the public. There were no further comments or questions. The Councilman then closed the public hearing.

AGENDA #4 "PUBLIC COMMENTS/PRESENTATIONS" No one from the public wished to give any other comments or presentations.

AGENDA #5 "ADJOURN" Councilman Harrison moved to adjourn, seconded by Councilman McLaughlin. A majority affirmative voice vote was received.

The special meeting of the City Council adjourned at 3:37 p.m.

Kelsie J. Sterchi
City Clerk