

**AGENDA
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
FEBRUARY 18, 2014
6:00 PM**

- I. Call to Order**
- II. Prayer and Pledge of Allegiance**
- III. Presentation of Petitions/Public Comments**
- IV. Mayor's Report and Presentations**
- V. City Council Action**
 - 1. Consent Agenda:
 - a. Approval of Minutes – February 3, 2014 & February 10, 2014
 - b. Use of Aquatic Center & Nature Trail for Salem Swordfish-Hosted Triathlon Event on June 22
 - 2. Bills Payable
 - 3. Rhutasel & Associates Engineering Agreement for Boone Street Resurfacing
 - 4. Liquor Code Amendments – Hours of Operation, Increase Number of Class I Licenses from One to Two
 - 5. Executive Session [5 ILCS 120/2 (7) Real Estate]
 - 6. Action on City-Owned Real Estate
- VI. City Manager Report**
- VII. City Attorney Report**
- VIII. Finance Director Report**
- IX. City Council Report**
- X. Adjournment**

Bill Gruen
City Manager

WG

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MANAGER'S COMMENTS

V. City Council Action

- 1b. Use of Aquatic Center & Nature Trail for Salem Swordfish-Hosted Triathlon Event on June 22:** The Salem Swordfish wish to host another triathlon event at Bryan Park. The swim portion would be held at the Aquatic Center and the run portion on the Nature Trail. The Swordfish request use of both facilities between 6 am and noon on Sunday, June 22. The Council has approved this use in the past. Recommend approval on consent agenda.
- 3. Rhutasel & Associates Engineering Agreement for Boone Street Resurfacing:** At prior meetings, the Council has approved moving forward on resurfacing the majority of Boone Street with grant dollars from IDOT. For that project, we have an engineering agreement from Rhutasel for design and construction phase engineering. Total for both phases not to exceed \$59,000. Recommend approval.
- 4. Liquor Code Amendments - Hours of Operation, Increase Number of Class I Licenses from One to Two:** A review of Salem's liquor code has uncovered that for more than a few years, holders of Class B (restaurants, beer only) and G (restaurants, beer and wine only) licenses have been serving beer or wine on Sundays on premises when such licenses, in fact, don't allow for Sunday sales. On the other hand, Class D (restaurants, all alcoholic liquors) license holders are permitted to sell alcohol on Sundays from noon until midnight. One might understand how the matter could be confused. Both classes of licenses are geared mainly for restaurants, but only D license holders are actually permitted to serve alcohol on Sundays. A listing of Class B, D, and G license holders is attached on a spreadsheet in your packet.

Please note, where liquor is "poured" on Sundays, State law also allows for the operation of video gaming devices.

Further review of the Liquor Code has revealed an error that would allow for liquor sales by Class A, D, and E license holders until 2 am every night. Two o'clock am closing hours is, in fact, only permitted on Saturday and Sunday mornings (Friday and Saturday nights).

Also pertaining to liquor, the Council asked to take action at its next meeting to increase the number of Class I licenses from one to two.

With the foregoing, the Mayor wishes to propose the following amendments to the Chapter 3 Alcoholic Liquor (to accomplish the following, Code amendments may occur in the following sections, among others):

- Section 3-6 (a)(1) —> Class A, D, E, and I may only serve until 2 am on Saturdays and Sundays (Friday and Saturday nights).
- Section 3-32 (2) —> Class B licensees may serve beer on Sundays from noon until midnight, but not package sales. Class B licensees are primarily engaged in serving food, such as restaurants, hotels, and cafes.
- Section 3-32 (7) —> Class G licensees may serve beer and wine on Sundays from noon until midnight but not package sales. Class G licensees are hotels and restaurants.
- Section 3-32 (9) —> Increase the number of Class I licenses from one to two. Class I allows for on premises consumption of all alcoholic liquors and for package sales. Not allowed to be open on Sundays.