

**AGENDA  
CITY OF SALEM  
REGULAR CITY COUNCIL MEETING  
JUNE 16, 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 – June 2, 2014
    - b. 300 Block West Church Street Closure for June 27 Library Event
  - 2. Bills Payable
  - 3. Second Reading – False Alarm Ordinance
  - 4. First Reading – Ordinance Regulating E-Cigarettes as a Tobacco Product
  - 5. First Reading – Ordinance Expanding Enterprise Zone at Patoka “Tank Farm” for Sales Tax Purposes
  - 6. Engineering Agreement with Curry & Associates for Work Related to Water Sewer at Union Pacific Rail Yards
  - 7. Purchase Approval – Bids for 2014 Oil & Chip Program
  - 8. 2014-15 Prevailing Wage Ordinance
  - 9. Aquatic Center Pool Rain Checks
  - 10. Approval for Concession Sales by SCHS Boosters Club at Tully Park
  - 11. Approval of Softball Tournament Fundraiser at Men’s Softball Field, June 21
  - 12. Proposed Demolition List
  
- VI. City Manager Report**
- VII. City Attorney Report**
- VIII. Finance Director Report**
- IX. City Council Report**
- X. Executive Session**
  - 13. Real Estate - 5 ILCS 120/2 (c)(6)
  - 14. Approval of Executive Session Minutes from May 27, 2014
  
- XI. Adjournment**

Bill Gruen  
City Manager

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**MANAGER'S COMMENTS**

**V. City Council Action**

**1b. 300 Block West Church Street Closure:** Please see attached email dated June 5 from Kim Keller requesting street closure for a petting zoo event. Recommend approval on consent.

**3. Second Reading – False Alarm Ordinance:** Please see proposed ordinance in your packet. Of course, edits can be made to this draft. Whenever the Council is ready to approve, adoption of this sort of ordinance is recommended.

**4. First Reading – Ordinance Regulating E-Cigarettes as a Tobacco Product:** E-cigarettes are battery powered devices which produce a vapor inhaled by consumers intended to be a substitute for cigarettes. The vapor inhaled can include nicotine. E-cigarettes may be used as an aid by smokers trying to quite cigarette smoking. Information on e-cigarettes from the federal government and a brochure provided by the Marion County Health Dept are included in your packet. A new retail storefront is locating at Westgate purportedly for the purpose of selling e-cigarettes. Other existing Salem retailers, including those who sell tobacco, may also sell e-cigarettes now.

Chief Campo and I request first reading Council consideration for an ordinance change that would define e-cigarettes as a tobacco product. The main purpose for this is to ensure that e-cigarettes are not sold to minors. The ordinance in your packet would also apply the following to retailers of e-cigarettes, among other things:

13-63 & 13-64 → Requires a City-issued license and a \$100 annual fee.

13-66 → Unlawful to sell to persons under 18 years.

13-67 & 13-68 → Signage required and identification check required in some instances.

13-72 → Sales within 100 feet of schools, child care facilities, and other similar buildings prohibited.

13-78 → Random, unannounced inspections are permitted.

13-80 → Violations cause penalties and suspensions.

5. **First Reading – Ordinance Expanding Enterprise Zone at Patoka:** Marathon Oil Company has requested expansion of the enterprise zone at the Patoka “tank farm” to accommodate a \$190 million expansion in tanks and an administrative building. The expansion would take in an additional 80 acres and allow for a sales tax abatement on construction materials. First reading is requested.
6. **Engineering Agreement with Curry & Associates:** Earlier this year, the City completed a gas construction project to accommodate an expansion at the Union Pacific rail yards. The City is also being directed by Union Pacific to conduct some water and sewer casing work for the same expansion. The engineering agreement calls for design, bid phase, and construction period engineering with a fee not to exceed \$19,500. Curry estimates the project could total around \$148,000. Review is still being completed as to whether Fund 16 (Water) or Fund 18 (1/2 Cent Sales Tax/Infrastructure) will fund engineering and construction. Union Pacific is requiring that this work be completed. Recommend approval of the engineering agreement.
7. **Purchase Approval – Bids for Oil and Chip Program:** Rhutasel & Associates oversaw bidding for 2014 oil and chip materials. Low/only bidders are recommended as follows: Howell Paving in the amount of \$2.135 per gallon of RS-2 oil and Quad County and for \$13.00 per ton CM-16 pea gravel. Recommend approval.
8. **2014-15 Prevailing Wage Ordinance:** An ordinance pertaining to prevailing wage is passed every year by municipalities as required by State law. This is the same ordinance that is always adopted. Recommend approval (the Council may choose to do on one reading).
9. **Aquatic Center Pool Rain Checks:** Mayor Raymer asked that pool rain checks (free passes for a subsequent pool visit when the pool closes due to weather) be discussed at our next meeting. At present, Aquatic Center staff occasionally issue rain checks on a case-by-case basis. If the Council wishes, a policy can be crafted to better define the policy. Please see the enclosed email from Sherry Daniels indicating other pools’ practices.
10. **Approval for Concession Sales by SCHS Boosters at Tully Park:** The SI Bandits traveling softball team is scheduled to play games at Tully Park, and SCHS Boosters would like to sell concessions. Recommend approval.
11. **Approval of Softball Tournament Fundraiser at Men’s Softball Field, June 21:** A softball tournament is being organized to raise funds for families of participants in the Junior Gold National Bowling Tournament (Buffalo, NY) to be held in July. Funds will be used to cover travel expenses for the tournament. Recommend approval.
12. **Proposed Demolition List:** Please review the most up to date demolition list prepared by the Police Department. Please also note, the Gas Point corner should be included on the demolition list, as well. I’d like for the public to have time to offer comment and for the Council to approve a prioritization for structures as early as our next regular Council meeting.