

**AGENDA
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
JULY 21, 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**
 - 1. Elks Proclamation
- V. City Council Action**
 - 1. Consent Agenda:
 - a. Approval of Minutes – July 8 and July 15, 2014
 - b. St Theresa Hosted Cross Country Meets in Bryan Park
 - 2. Swearing In Officer Denise Garden
 - 3. Request to Host Fall Veterans' Softball Tournament on Softball Field
 - 4. Bills Payable
 - 5. Request for Downtown TIF Assistance from 618 Ink/Matt Helm
 - 6. Second Reading – Ordinance to Add E-Cigarettes to Tobacco Ordinance
 - 7. Smoking Policy in Salem Parks
 - 8. Purchase Approval – Animal Control Purchases
 - 9. Purchase Approval – City Hall Computer Software Upgrade to Clarity
 - 10. Council Sponsored Revisions to Sign and Zoning Codes
 - 11. Selection of Firm to Purchase Natural Gas
 - 12. Request for Two-Hour Limited Parking 200 Block East Schwartz
 - 13. Placement of Stop Signs at Salem Township Hospital Helipad
 - 14. Approval of Rhutasel Engineering Agreement for Street Resurfacing
 - 15. Allocation of Excess Grant Funds from Warmouth Water Project to Lakewood.
 - 16. Approval of Demolition of Feed Store & Gas Point Using UDAG Money
 - 17. Approval of Bryan Park Trail Alignment
 - 18. Purchase Approval – Tub Grinder to Grind up Stockpiled Yard Waste
- VI. City Manager Report**
- VII. City Attorney Report**
- VIII. Finance Director Report**
- IX. City Council Report**
- X. Executive Session**
 - 19. Real Estate - 5 ILCS 120/2 (c)(6)
 - 20. Personnel – 5 ILCS 120/2 (c) (3)
- XI. City Council Action**
 - 21. Approval of Executive Session Minutes from July 8, 2014
 - 22. Sale of Real Estate
- XII. Adjournment**

Bill Gruen
City Manager

**CITY OF SALEM
REGULAR CITY COUNCIL MEETING
JUNE 16, 2014
6:00 PM**

MANAGER'S COMMENTS

V. City Council Action

3. **Request to Host Fall Veterans' Softball Tournament on Softball Field:** Shawn Rasul would like to host another fund raiser softball tournament, this time on September 5 & 6, 2014. Entry fee will be \$175 per team with payout going to the top four teams. Proceeds would benefit Kaskaskia College Veterans Tribute Organization.
4. **Bills Payable:** Will take your questions.
5. **Request for Downtown TIF Assistance from 618 Ink/Matt Helm:** Matt Halem at 618 Ink at 215 East Main requests Downtown TIF assistance. Recommend a forgivable loan in an amount totaling \$4,626.25 on a three year term.
6. **Second Reading - Ordinance to Add E-Cigarettes to Tobacco Ordinance:** On June 16, 2014, the Council looked at an ordinance that would regulate e-cigarettes in the exact same manner as it currently regulates tobacco related products. At a subsequent meeting, the Council heard a presentation from Heidi See of Vapor 101, who seemed to be supportive of the idea in concept but had concerns about being required to place a tobacco-related sign at her store front. Furthermore, there was limited discussion on what Illinois law current prohibits for sales to minors.

My understanding of Illinois law is that sale of e-cigarettes ***with nicotine*** is prohibited to persons under 18. Thus, I read the law to not necessarily restrict sales to those under 18 if the e-cigarette doesn't have nicotine. I'm not aware of any method by which law enforcement would be able to determine definitively whether the liquid in an e-cigarette has or does not have nicotine. Furthermore, if the Salem PD is only able to write state violations for e-cigarettes, we take away the City's ability to write City violations for enforcement on our own.

At the very minimum, I recommend that the City by ordinance prohibit the sales of all e-cigarettes to those under 18 by placing e-cigarettes in the tobacco ordinance. The Council may also consider carving out an exception that does not require those who only sell e-cigarettes to post a tobacco sign. Also, the Council may also consider explicitly permitting sampling e-cigarette liquids prior to sale, a practice which I understand is common to this line of business.

7. **Smoking Policy in Salem Parks:** Enclosed is a resolution which would direct the placement of signs in Salem park areas to ask that people refrain from smoking.

8. **Purchase Approval – Animal Control Purchases:** By agenda time, bids for most aspects of startup of the animal control program have been received. I am waiting on others, including plumbing work, and for time to review bids received with Architect Brian Edmison. I hope to present a full purchase request to the Council Monday night.
9. **Purchase Approval – City Hall Computer Software Upgrade to Clarity:** Request approval of a purchase totaling \$30,950 with Civic Systems which would allow us to upgrade/update our City Hall financial software to Clarity. The current software version is at least 7 years old, and Civic no longer will offer any custom reports for our software version. This is a budgeted purchase. It also includes necessary training for City Hall personnel to learn more about the new version. The new version will also be compatible with hand-held meter readers which we want to purchase and with new internet-based and credit/debit payments we want to offer as a utility payment option.
10. **Council Sponsored Revisions to Sign and Zoning Codes:** Earlier this year, the Council had a workshop at which it discussed revisions to the Sign and Zoning Codes. On July 8, 2014, the Planning Commission reviewed these revisions. Please see the enclosed memo and minutes from the July 8 meeting. The Council may consider giving Mike Jones time to craft an actual ordinance that would effectuate changes prior to voting.
11. **Selection of Firm to Purchase Natural Gas:** A memo with recommendations will be provided to the Council by Monday evening. It is not vital for the City to make selection of gas buyer Monday evening.
12. **Request for Two-Hour Limited Parking 200 Block of East Schwartz:** Justin Harness of Modern Woodmen has relocated to East Schwartz, just south of the County Sheriff office. To accommodate parking for his office and for other space available in his building, he has requested that all parking on the south side of the 200 Block of East Schwartz be limited to two hours, save for one handicapped accessible parking space. For this to be accomplished, the Council would have to approve an ordinance designating the parking as such.
13. **Placement of Stop Signs at Salem Township Hospital Helipad:** The Council may want additional time to discuss the concept of stop sign placement at the Hospital helipad. Before making a decision, the Council may also be interested in seeing the results of a traffic study.
14. **Approval of Rhutasel Engineering Agreement for Street Resurfacing:** Rhutasel's engineering agreement for oversight of this year's street resurfacing program does not exceed \$30,750. Recommend approval.
15. **Allocation of Excess Grant Funds from Warmouth Water Project to Lakewood:** The City got a \$250,000 grant for the water line replacement project at Warmouth for which we'll have about \$65,000 left over. Request authorization to seek approval from the State to move this \$65,000 over to another water line project on Lakewood.

16. Approval of Demolition of Feed Store & Gas Point Using UDAG Money: Over time, the City has looked at demolition of the former Feed Store and Gas Point buildings located generally at the corner of Main Street & Rotan. In the midst of this consideration, the property was purchased at tax sale by Garland Simmons, who has plans to establish a used car dealership and for which he's received a zoning change. If the City is to demolish these structures, it would do so using UDAG money. Our TIF consultant at PGAV advises that it is not permitted to use TIF dollars to support this project because Garland is a Salem police officer. Enclosed in your packet is a quote from Chuck's Excavating for demolition of the Feed Store building totaling \$6,500. Mr McLean verbalized to me that he would demolish and remove both the Feed Store and Gas Point buildings for \$8,000.

17. Approval of Bryan Park Trail Alignment: Grant staff with the Dept of Natural Resources has approved the concept layout for the trail that would be constructed with approximately \$90,000 in grant funds. The Council may choose to formally approve the trail design for its own purposes.

The estimate generated by Micah Mulvany of Jenkins & Associates for engineering and construction of the trail totals \$122,093, which would mean that approximately \$32,000 would need to be matched in order to complete the project. Micah has confirmed that he tried to estimate expenses on the high side, so actual bids may not come in this high.

Notwithstanding how bids would actually come in, the City could provide labor and materials for some aspects of the project. These include: (A) excavation at \$6,900; (B) dirt/clay fill at \$12,000; (C) timber/brush removal at \$10,000. Emphasis added that costs noted above are engineer's estimates, and actual in-kind value of labor and materials the City has on hand would be governed by grant program rules.

18. Purchase Approval – Tub Grinder to Grind Up Stockpiled Yard Waste: Yard waste collected by the City has accumulated at the landfill to an extent that we would like to consider contracting for grinding the materials into a finer mulch. This would free up space where we store the yard waste material by compacting it and also by making it easier to use in locations throughout City parks and facilities. Pending approval, the City could also give the mulch away to Salem residents. Quote from AgriCycle is \$9,700 for contracting a tub grinder to grind up the mulch. This expense was not expressly budgeted and should be approved by the City Council if we are to approve. Costs for this contract could be shared by Garbage and Park budgets.