

**AGENDA
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
NOVEMBER 17, 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 – November 3, 2014
 - b. Resolution of Appreciation for Agriculture
 - 2. Bills Payable
 - 3. Policy on Authorization to Open Vacant Graves in Salem Cemetery
 - 4. Ordinance Making Zoning Code Amendments
 - 5. Second Reading – Creation of Main/I57 Business District
 - a. Ordinance Establishing and Designating the Business District and its Plan
 - b. Ordinance Establishing and Imposing Certain Taxes in the District
 - 6. First Reading – Amendments to Salem Hotel Motel Tax
 - 7. Second Reading – Planning Commission Action to Recommend Rezoning 1313 East Main to RS-5
 - 8. Approval of Property Tax Levy for 2015 Collections
 - 9. Resolutions Abating Certain Property Taxes
 - 10. Approval of Demolition Bids
 - 11. Discussion – Franklin Street Widening

- VI. City Manager Report**
- VII. City Attorney Report**
- VIII. Finance Director Report**
- IX. City Council Report**
- X. Executive Session**
 - 1. 5 ILCS 120/2 (C)(1) Personnel
 - 2. 5 ILCS 120/2 (C)(5) Purchase of Real Estate
 - 3. 5 ILCS 120/2 (C)(6) Sale of Real Estate

- XI. Adjournment**

Bill Gruen
City Manager

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MANAGER'S COMMENTS

V. City Council Action

- 3. Policy on Authorization to Open Vacant Graves in Salem Cemetery:** Occasionally, the City receives requests from individuals who state a claim for a grave site who can't provide concrete evidence that the claim is valid vis-à-vis the person who originally purchased the site from the City. As a hypothetical, let's say a man buys a grave site for himself but doesn't retain a good record of the purchase. If he dies and his children state his claim for the site he purchased but can't provide a good record, the City is otherwise pressured to honor what to them is obvious that a grave site belongs to their family member. Other circumstances can present themselves. The Council can imagine the pressure on the City to make a decision in favor of the claimant when a family member is waiting to be finally placed.

Larry Rogers with Rogers Atkins of Salem has offered a possible solution with an "Authorization to Open Grave" form that is in your packet. He tells us this form is used by other cemeteries that face situations I've described above. The form would certify that the claimant either owns the grave site or is authorized to place a person in the site and that the claimant indemnifies the City against claims to the contrary. Perhaps the sentence "I further understand that I must be prepared to produce a warranty deed..." would have to be removed to fully address the issue faced by City when a person making a claim has no record to show.

Mike Jones has reviewed the Authorization form. If he had "okayed" it, I would have already authorized its use. The intent is to further discuss this issue so that, if the Council wishes to okay the use of this form than it could be used. If not, perhaps some other direction could be devised to address issues when they arise.

- 4. Ordinance Making Zoning Code Amendments:** Some months ago, the City Council reached a consensus on amendments it wanted to see made to the Zoning Code. I'm prepared for the Council to take action on the amendments that it wishes to take. Amendments are as follows:

Section 1 → Allows for upper floor dwelling units to be located in the B3 zoning district so long as conditions as noted are met.

Section 2 → Allows parking spaces to be designed with 9 feet of width instead of 10 feet. The City has granted variances to this effect in the past.

Section 3 → Regarding the reconstruction of nonconforming structures (buildings in a zone that don't comply with the City's Zoning Code) when cost of the reconstruction is less than 50% of the structure's market value, requires that an estimate of reconstruction be provided by a bona fide construction contractor.

5. **Second Reading – Creation of Main/I57 Business District:** The Main/I57 Business District is ready for approval if the Council is ready for final action. Two ordinances would be adopted if the Council is ready for approval. The first ordinance would establish the boundaries of the district and adopt the plan which would govern it. The second ordinance establishes the sales tax, service occupation tax, and the hotel tax increments paid by businesses (if applicable) within the District.
6. **First Reading – Amendments to Salem Hotel Motel Tax:** A hotel/motel tax increase is proposed from 4% to 5% for new hotel rooms if constructed **after** January 1, 2015. In conjunction, hotel rooms constructed after January 1, 2015 but before December 31, 2015 shall be eligible for a credit or a rebate of a portion of the 5% tax if the hotel owner enters into a development agreement with the City for the project. **Salem's established hotels would continue to pay the current 4% tax rate the ordinance currently provides.** These changes are proposed in order to facilitate development of the new Holiday Inn Express at Kinney Boulevard, without which the developer will not be able to move forward on the project in Salem.
7. **Second Reading – Planning Commission Action to Rezone 1313 East Main:** An inspection has been completed of 1313 East Main Street and is included in your packet. Is the Council ready to act on the recommended rezoning the property?
8. **Approval of Property Tax Levy for 2015 Collections:** The ordinance levies, in total, \$1,872,411 for 2015 collections. After abatement of levies for bond projects, the total amount levied for operational purposes is \$1,166,896. Request approval.
9. **Resolutions Abating Certain Property Taxes:** Sales taxes provide the revenues necessary to retire General Obligation bonds from 2009 and Wastewater Plant Improvements from 2006. Property taxes are not needed to retire this debt. Recommend adopting the two resolutions so that each tax levy is abated.
10. **Approval of Demolition Bids:** Bid deadline is November 14, 2014 for properties approved by the Council for demolition. Hopefully bids will be in order for the Council to approve.
11. **Discussion – Franklin Street Widening:** A couple of property owners who live on North Franklin Street between Boone and Hawthorne have expressed their desire that Franklin Street be widened with curbs and sidewalks constructed. Discussion would take place on this potential project.