

**AGENDA  
CITY OF SALEM  
REGULAR CITY COUNCIL MEETING  
AUGUST 16, 2010  
6:00 P.M.**

- I. Call to Order**
- II. Prayer and Pledge of Allegiance**
- III. Approval of Minutes, August 2, 2010**
- IV. Presentation of Petitions/Public Comments**
- V. Mayor's Report and Presentation**
- VI. City Council Action**
  - 1. Acceptance of Resignation of Airport Authority Board Member – Gary Hahn
  - 2. Recommendation of Airport Authority Board Member – Josh Dice
  - 3. Request Approval for use of Bryan Memorial Park for SIJHSAA Class “S” State Cross Country Meet on Saturday, October 16
  - 4. Second Reading – Ordinance Amending Chapter 15, of City Code – Vehicle Restrictions in City Parks
  - 5. First Reading – Ordinance Amending Chapter 12 of City Code – To Add Section 12-57 - High School Student Parking
  - 6. Resolution – Requesting IDOT Permission For Street Closures During Little Egypt Festival Parade
  - 7. Consideration of Downtown Parking Regulations
  - 8. Discussion Only - Construction and Operation of Therapy Pool
  - 9. Bills Payable
- VII. City Manager Report**
- VIII. City Attorney Report**
- IX. City Council Report**
- X. Adjournment**

Thomas F. Christie,  
City Manager

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**MINUTES  
CITY OF SALEM  
REGULAR CITY COUNCIL MEETING  
AUGUST 16, 2010  
6:00 P.M.**

**I. CALL TO ORDER**

The Salem City Council met in regular session on August 16, 2010, at the hour of 6:00 p.m. in the Council Chambers of Salem City Hall. The meeting was called to order by Mayor Leonard Ferguson.

**Council Members present upon roll call:**

Councilman Kip Meador  
Councilman Steve Huddleston  
Councilman David Black  
Councilman Tom Carr  
Mayor Leonard E. Ferguson

**Others Present:**

City Manager Thomas F. Christie  
City Attorney Michael R. Jones  
City Clerk Jane Marshall  
Finance Director Marilyn Shook  
Public Works Director John Pruden  
Recreation Director Sherry Daniels  
Chief of Police Ron Campo  
Code Enforcement Officer Brad Crow  
Assistant to the City Manager Bev West  
Economic Development Director Tracey McDanel  
DOEM Director Terry Mulvany  
Library Director Kim Keller  
Media: Salem Times Commoner, WJBD Radio, Centralia Sentinel; Marion County Observer and USSonet  
Members of the public.

**II. PRAYER AND PLEDGE OF ALLEGIANCE**

Opening prayer led by Councilman Carr, followed by the Pledge of Allegiance to the Flag.

**III. APPROVAL OF MINUTES – August 2, 2010**

Minutes of Regular City Council Meeting of August 2, 2010 were presented for review. Councilman Black requested that his comments be amended in Item 6.

**Councilman Black moved and Councilman Huddlestun seconded the motion to approve the minutes as written of Regular Council Meeting of August 2, 2010 as amended and waive the reading. Roll call vote. AYES: Councilmen Carr, Meador, Huddlestun, and Black. NAYS: None. Motion declared carried.**

**IV. PRESENTATION OF PETITIONS AND PUBLIC COMMENTS - None.**

**V. MAYOR’S REPORT AND PRESENTATIONS –**

Mayor Ferguson commented that City Manager Christie and Betty will be celebrating their 42<sup>nd</sup> wedding anniversary on Wednesday, August 18<sup>th</sup>.

**VI. CITY COUNCIL ACTION**

**1. Acceptance of Resignation of Airport Authority Board Member – Gary Hahn**

Mayor Ferguson reported that Gary Hahn has resigned as a board member on the Airport Authority due to a conflict of interest since he accepted the engineer position for the Airport. **Councilman Carr moved and Councilman Black seconded the motion to accept the resignation of Gary Hahn, effective May 31, 2010, from the Salem Airport Authority Board and to direct that a certificate of appreciation be prepared and sent to Mr. Hahn. Roll call vote. AYES: Councilmen Meador, Huddlestun, Black and Carr. NAYS: None. Motion declared carried.**

**2. Recommendation of Airport Authority Board Member – Josh Dice**

Mayor Ferguson recommended Josh Dice to fill the unexpired term to April 30, 2014 on the Airport Authority, adding that he has the full recommendation of the board. **Councilman Black moved and Councilman Carr seconded the motion to accept the appointment of Josh Dice to the Salem Airport Authority to fill the unexpired term of Gary Hahn to April 30, 2014. Roll call vote. AYES: Councilmen Huddlestun, Black, Carr, and Meador. NAYS: None. Motion declared carried.**

**3. Request Approval for use of Bryan Memorial Park for SIJHSAA Class “S” State Cross Country Meet on Saturday, October 16**

City Manager Christie recommends approval of the request from St. Theresa School for exclusive use of Bryan Park on October 16, 2010, suggesting approval for the entire day. This meet will involve competition for approximately 40 Southern Illinois schools and will enhance tourism in the city and bring credit to the city and to St. Theresa for hosting the event. Recreation Director Daniels advised that there are no scheduling conflicts. **Councilman Black moved and Councilman Meador seconded the motion to approve the request from St. Theresa School, for use of the entire park for a SIJHSAA Class “S” state cross country meet on October 16, 2010. (noting that there would be no problem with other persons using the tennis and basketball courts, they would not be using the north end of the park for the event) Roll call vote. AYES: Councilmen Black, Carr, Meador, and Huddlestun. NAYS: None. Motion declared carried.**

**4. Second Reading – Ordinance 2010-09 - Ordinance Amending Chapter 15, of City Code – Vehicle Restrictions in City Parks**

City Manager Christie commented this ordinance will prohibit long term parking of vehicles in city parks that are not there for use of park facilities. The intent is to limit littering, deter vandalism, and to promote open access for citizens to the city park facilities. He recommended approval.

Councilman Carr opened discussion regarding history of this subject. City Manager Christie indicated the history is long, relaying information found in the minutes of a Special Meeting the City Council had with the high school representatives in 1999 about student parking issues in Bryan park and parking on Rotan and Seneff Streets; with the minutes showing that there would be no charges for parking on city streets.

Councilman Meador questioned if this ordinance is needed now, since there is additional parking now available in the Park for people who are using the Park.

Brad Detering, Superintendent of Salem Community High School, commented there are several students parking in the park, agreeing that there is a litter problem there, as well as on the school properties. However, he questioned when the vandalism is being done, if it is while students are parked during the day, or if it is happening after students leave. He expressed concern about the speeding issues in the park as well as at the school and asked if the Chief could have more police presence in those areas at the time school lets out.

Mr. Detering also advised that the school does not charge fees for student parking on Rotan and Seneff, those parking spaces are assigned to the students as an incentive for perfect attendance. (Student's names are drawn for a free parking permit.) Mr. Detering reported that they have plans to put in additional parking east of the school behind the ball field for about 50 parking spaces. He indicated it will take until September or October to get it completed. He asked that the City does not put an expiration date for parking on Seneff and Rotan Streets. He stated that at the time the school found out that the parking spaces belong to the City and that they should not charge for them, they went back and reimbursed the money to all the students that could be located. He commented that all their parking permits are taken and they will probably have a parking problem next week.

Following additional discussion, City Manager Christie suggested that the proposed ordinance regarding parking restrictions in Bryan Park be approved to go into effect at the end of October.

**Councilman Black moved and Councilman Huddlestun seconded the motion to approve Ordinance 2010-09 with the change in effective date to be 10 days after October 21, 2010. Roll call vote. AYES: Councilmen Carr, Huddlestun, and Black. NAYS: Councilman Meador. Motion declared carried.**

**5. First Reading – Ordinance Amending Chapter 12 of City Code – To Add Section 12-57 - High School Student Parking**

In Second Page of Agenda City Manager Christie stated:

*“This proposed Ordinance would authorize reserved high school student vehicular parking on specified portions of Seneff and Rotan streets between the hours of 8:00 A.M. and 3:00 P.M. during the regular school year. It would also authorize the Salem Community High School Board to stripe and number parking spaces on portions of the same streets. The school board has been marking the streets and reserving the spaces for several years without authorization. The ordinance, if approved, would provide proper public notification and Council authorization. City Manager feels that approval of this ordinance would be problematic:*

- 1. it would constitute an arbitrary variance to the City's existing requirements regarding on-site parking. Most recently, the City required and achieved compliance for proper on-site parking spaces for Salem Township Hospital expansion, Grace Methodist Church expansion and CVS construction. (Historically, the City has been consistent in requiring appropriate on-site parking spaces of all entities.) Approval of this Ordinance would hold the High School to a lower and exclusive standard that could be viewed as prejudicial.*
- 2. it would set a “precedent” that could encourage additional requests for “reserved” parking. (for example: the city is currently considering changes to down town parking regulations. Upon approval of this Ordinance, a business or other entity could request marked reserved long term parking for its clients citing this ordinance as a precedent and using the same rationale. Also, the county commission could request the portions of Main and adjacent streets be numbered and reserved for employees, visitors, etc.)*
- 3. adequate residential parking in most areas of Salem has often been difficult to achieve. It has been even more difficult in older neighborhoods such as those bordering Seneff and Rotan. The city's historical practice has been to allow parking on both sides of city streets, unless there are safety issues such as traffic flow. Denying residential use of these portions of Rotan and Seneff without the same rationale would be an arbitrary application of past practice. As such, these citizens would be denied a level of service that is available to all other citizens.*

*Even so, the City Manager recognizes that the high School has been tacitly allowed to mark and reserve the streets for several years. The Manager is also cognizant that the current school year begins shortly and that creation of adequate on-site parking would be difficult. Therefore, the Manager recommends that the Ordinance be approved to proceed to Second Reading with an expiration clause. The clause would cause the ordinance to expire at the end of the coming school year, thus affording the High school adequate time and notice to create appropriate on-site parking spaces before commencing the next school year.”*

Councilman Black questioned the expiration clause referred to in the City Manager's Agenda Comments page. City Manager Christie explained, by adding an expiration date of one year from now, it would end the allowance of parking on the street. He further referred to the three problems mentioned in his Agenda Comments listed above.

Councilman Black, Meador and Mayor Ferguson indicated that this has not been a problem in the past, why change it now.

Councilman Carr expressed concerns that this is unconstitutional.

Councilman Black commented he sees no reason why not to hold over until next meeting to give public an opportunity to comment.

#### **6. Resolution 2010-08 - Resolution Requesting IDOT Permission For Street Closures During Little Egypt Festival Parade**

City Manager Christie commented, in order to facilitate success of the Little Egypt Festival and to allow the parade on Route 37 and Route 50, the City must by resolution request permission from IDOT for street closure of Route 37 and Route 50. He indicated the parade route is the same as last year. **Councilman Black moved and Councilman Huddleston seconded the motion to approve Resolution 2010-08, a resolution requesting IDOT permission for temporary closure of Route 37 and Route 50 during the Little Egypt Festival Parade. Roll call vote. AYES: Councilmen Meador, Huddleston, Black and Carr. NAYS: None. Motion declared carried.**

#### **7. Consideration of Downtown Parking Regulations**

City Manager Christie indicated this item originated from a request to extend the two-hour parking to three-hour parking downtown.

Economic Development Director McDaniels commented many different options have been discussed over the past 5 – 10 years to deal with the perceived down town parking problem. She suggested that three-hour parking would be the easiest solution and would pacify the downtown businesses where persons may spend more than two hours - beauty shops, tattoo parlor, dermatologist, attorneys and resale shops.

Councilman Carr offered a suggestion that parking tickets could be waived for persons who bring their parking tickets to City Hall if they received it while at certain businesses.

Councilman Black suggested to put two-hour parking meters back in, indicating they were removed at the complaints that no one would come downtown to shop and to eliminate the cost to have someone go around and check them, now we have parking problems and we still have costs for someone to go around to mark the tires.

Councilman Carr argued for three-hour parking, commenting we are trying to be friendly to our downtown businesses and we are not listening to them – they are asking us to change the parking time to three-hours.

Mayor Ferguson commented not all businesses downtown need three-hour parking and this would be a restriction for them. (Restaurants, insurance offices, pawn shop, etc.)

City Manager Christie commented that part of the parking problem is caused from the abusers – the fine structure is not high enough to detour it; recognizing that hairdressers do have a problem. He suggested we enable the Chief of Police be more aggressive and that Council follow Chief Campo's suggestions to double or triple the fine structure.

Mayor Ferguson expressed concern that increasing the fines because of a few abusers would penalize those who may go over two-hours in the shops and other businesses. Councilman Meador added we need to solve the problem with the beauty salons.

Councilman Black suggested that the fine be increased after so many fines in a month. Chief Campo commented that there could be a way to do that.

City Manager Christie suggested that parking passes could be issued to beauty shops. Councilman Meador added that businesses should purchase three-hour parking passes for their customers to use while in their business.

Councilman Huddlestun commented the problem is we have a few businesses that have a parking problem - to change the parking time would cost the City money to change the signage. He suggested the businesses purchase passes for their customers. Mayor Ferguson saw a problem with how it would be determined which businesses would qualify for passes and the number of passes that would be issued.

Following lengthy discussion, this item is to layover again to allow input from downtown businesses.

**8. Discussion Only - Construction and Operation of Therapy Pool**

City Manager Christie indicated that this item was put on the agenda at the request of Councilman Carr.

Councilman Carr indicated this was an informational discussion regarding the therapy pool construction, financing and operation.

Councilman Black and Mayor Ferguson commented that there is a group out there working on getting financing through grants, etc. At this time it is their project and the City Council has nothing to do with it and would not be involved in the construction and operation, the pool committee had just asked about the City donating land.

**9. Bills Payable**

Bills payable listing was presented for period ending August 16, 2010 for a total amount of \$808,840.73. following review period. Following review period, **Councilman Carr moved and Councilman Black seconded the motion to approve bills payable as presented. Roll call vote. AYES: Councilmen Carr, Meador, Huddlestun, and Black. NAYS: None. Motion declared carried.**

**XI. CITY MANAGER REPORT**

City Manager Christie commended Recreation Director Daniels on the many hours of work she has spent in trying to find staff to extend the pool closure – job well done.

**XII. CITY ATTORNEY REPORT – No Report**

**XIII. CITY COUNCIL REPORT  
Councilman Carr – No Report**

**Councilman Meador** commented he is looking forward to the State work on Route 37 through town being completed.

**Councilman Huddlestun** – commented Larry Marks discussed the sidewalk repairs needed on East McMackin Street in front of his business.

**Councilman Black** – No Report

**Other** – Mayor Ferguson complimented Terry Mulvany, Department of Emergency Management Director, for accepting the appointment on the Red Cross Board of Directors in this district.

Mayor Ferguson questioned the progress of the clean-up of the Clark Station on West Main Street and the World Color Press property on Selmaville Road.

Mayor Ferguson suggested that Public Works Director Pruden go out for bids sidewalk repairs on West Main Street in front of Marion County Savings Bank

**XIV. ADJOURNMENT**

There being no further business for discussion at 7:33 p.m., **Councilman Black moved and Councilman Huddlestun seconded the motion to adjourn. Roll call vote. AYES: Councilmen Meador, Huddlestun, Black, and Carr. NAYS: None. Motion declared carried.**

Jane Marshall, CMC  
City Clerk

*Minutes approved as written by City Council 9/07/2010.*