

**AGENDA
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
JUNE 6, 2011
6:00 P.M.**

- I. Call to Order**
- II. Prayer and Pledge of Allegiance**
- III. Presentation of Petitions/Public Comments**
- IV. Mayor's Report and Presentations**
 - Proclamation – Daffy-Dill Garden Club Day, June 25, 2011
- V. City Council Action**
 - 1. Consent Agenda:
 - a. Approval of Minutes, May 16, 2011
 - b. Approval of Minutes of Work Session Meeting, May 20, 2011
 - c. Recommendation - Appointment of Sharon Blair to Tree Board for three-year term ending 4/30/14
 - d. Recommendation - Re-appointment of Lynn Gardner to Board of Police Commissioners three-year term 5/01/11 - 4/30/14
 - e. MFT Bid Award – Street Maintenance Materials – Seal Coat, Pea Gravel, and Patch Mix
 - f. Acceptance of IDOT ERP Grant - \$335,000.00 – South College Ave. (Emergency Repair Program)
 - g. Engineering Agreement for 2011 ERP Resurfacing of S. College Ave Rhutasel and Associates (Emergency Repair Program)
 - h. Ordinance – Prevailing Wages for Marion County
 - 2. Confirmation, Annual Street and Sidewalk Paving and Repair
 - 3. Rule Changes Regarding Diving - Aquatic Center
 - 4. CDAP Loan Request
 - 5. Animal Control Collection Services Contract
- VI. City Manager Report**
- VII. City Attorney Report**
- VIII. City Council Report**
- IX. Adjournment**

Thomas F. Christie

City Manager

Agenda Page 2 - City Manager's Agenda Comments

To: Honorable Mayor and City Council
Subject: Manager's Report, 06/06/2011
cc: Department Heads, City Attorney

Date: 06/03/2011

City Council Action

- 1. Consent Agenda:**
 - a. Approval of Minutes, May 16, 2011**
 - b. Approval of Minutes, Work Session, May 20, 2011**
 - c. Appointment, Tree Board Member:** Council may consider Mayor Raymer's recommendation to appoint Sharon Blair as a member of the Tree Board for a three year term. The recommendation requires Council consent.
 - d. Re-appointment, Board of Police Commissioners:** Council may consider Mayor Raymer's recommendation to re-appoint Lynn Gardner to the Board of Police Commissioners for a three year term. The recommendation requires Council consent.
 - e. Bid Award, MFT Street Maintenance Materials:** Annually, the city solicits and receives bids for Street Maintenance Materials, expensed through the Motor Fuel Tax fund. The City's consultant, Calhoon Engineering has reviewed the bids and is recommending that the Council accept the low bids for each material. As Motor Fuel Tax expenditures are monitored by IDOT, it is important to note that IDOT regulations require the acceptance of low bids.
 - f. Acceptance, IDOT ERP Grant:** The Council is requested to formally accept Illinois Department of Transportation's Emergency Repair Program grant in the amount of \$335,000. The grant shall be used to resurface College Street from W. McMackin St. to Kell St. The total project is estimated at \$375,000. The balance (approximately \$40,000) can be financed through Capital Projects, Fund 18. The Council is further requested to authorize Mayor Raymer to sign all pertinent documents relevant to the grant.
 - g. Authorization, Engineering Agreement, IDOT ERP Grant Project:** Council is requested to authorize Mayor Raymer to sign an IDOT required engineering services agreement with Rhutasel and Associates for preliminary engineering and construction guidance relevant to the ERP Grant Project. The agreement is for a "not to exceed" amount of \$16,300.
 - h. Ordinance, Prevailing Wages for Marion County:** Annually, the city is required by the State of Illinois to pass an ordinance indicating that the city has ascertained the prevailing rate of wages in Marion County for workers engaged in the construction of public works projects. These wages shall be properly posted and published and provided to potential companies that may be engaged in public works projects. This may be passed in one reading with the affirmative vote of at least four council members.

The City Manager recommends approval of the Consent Agenda. This may be accomplished by motion and vote.

- 2. Confirmation, Annual Street and Sidewalk Paving and Repair:** The Council is requested to confirm Director Pruden's prioritized list of annual street repairs, including street resurfacing, guard rail and culverts and sidewalks. Enclosed in the Council Packet are Director Pruden's recommendations and a memo from the City Manager that concurs with Director Pruden's recommendations and lists the financial constraints. *City Manager recommends acceptance of the prioritized repairs constrained by available financial resources. This may be accomplished by motion and vote.*
- 3. Rule Changes, Aquatic Center, Diving:** Following receipt of a concern regarding current diving rules at the Aquatic Center, Mayor Raymer has suggested that the Council reconsider the current diving rules. Enclosed in your packet is a copy of an email from Sonya Germann, American Red Cross certified trainer for Lifeguards and Water Safety, listing the concerns. Also enclosed is the recommendation from the city's insurance carrier and Director Daniels. The previous City Council considered Aquatic Center Rules and elected to change them to allow backwards diving from the diving boards. Mayor Raymer is requesting that the current Council reconsider the rules.
- 4. CDAP Loan Request, Project KK2LLC:** The City Council is requested to consider a request for financial assistance for a potentially new industrial client. Enclosed in your packet is an advisory from Director McDanel describing the company, its products, the project and the inducements the city could offer to encourage the company, whose principals are from Indiana, to locate a manufacturing operation in Salem. The city's Loan Committee has reviewed the two loan requests and is unanimously recommending Council's favorable consideration. *Should the Council elect to honor the request, it should do so based only on successful fulfillment of all listed contingencies.*
- 5. Animal Control, Collection Services Contract:** The Council is requested to consider a contract with Paul Wimberly for collection of wild and domestic animals within the boundaries of the City of Salem. The contract also provides for the collection and disposal of dead animals upon the city's roadways. Initially the services will be limited to the collection of wild and dead animals as the city does not yet have a facility to house dogs and cats.

**MINUTES
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
JUNE 6, 2011
6:00 P.M.**

I. CALL TO ORDER

The Salem City Council met in regular session on Monday, June 6, 2011, at the hour of 6:00 p.m. following the Public Hearing, in the Council Chambers of Salem City Hall. The Meeting was called to order by Mayor John Raymer.

Council Members present upon roll call:

Councilman Royce Bringwald	Councilman Steve Huddleston
Councilman Kip Meador	Councilman David E. Black
Mayor John Raymer	

Others Present:

City Manager Thomas F. Christie	Recreation Director Sherry Daniels
City Attorney Michael R. Jones	Assistant to the City Manager Bev West
City Clerk Jane Marshall	Chief of Police Ron Campo
Public Works Director John Pruden	Economic Dev Director Tracey McDanel
Finance Director Jane Brown	Code Enforcement Officer Brad Crow
Library Director Kim Keller	

Absent: DOEM Director Terry Mulvany

Media: Salem Times Commoner, WJBD Radio, Centralia Sentinel; US Sonet and Marion County Observer, along with several members of the public.

II. PRAYER AND PLEDGE OF ALLEGIANCE

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

III. PRESENTATION OF PETITIONS/PUBLIC COMMENTS

Proclamation by the Mayor – Proclaiming June 25, 2011 Daffy-Dill Garden Club Day
Mayor Raymer read the Proclamation and presented it to Garden Club President Sharon Blair, along with other Garden Club members, Jackie Davis, Pat Warden, and Ronnie Conrad, while posing for a photo.

Report from Shawn and Kerry Richards regarding the Triathlon that occurred on Sunday, June 5th at the Family Aquatic Center. Mrs. Richards reported they were very pleased with the attendance of over 100 participants and roughly 60 volunteers who helped make the event a success.

IV. CITY COUNCIL ACTION

1. Consent Agenda:

Mayor Raymer presented each item in the Consent Agenda for discussion

a. Approval of Minutes, May 16, 2011

A correction to the minutes of May 16 was noted by Councilman Black. Under Item 1. Councilman Black abstained from roll call vote.

b. Approval of Minutes of Work Session Meeting, May 20, 2011

c. Recommendation - Appointment of Sharon Blair to Tree Board for three-year term ending 4/30/14

d. Recommendation - Re-appointment of Lynn Gardner to Board of Police Commissioners for three-year term beginning 5/01/11 - 4/30/14

e. MFT Bid Award – Street Maintenance Materials – Seal Coat, Pea Gravel, and Patch Mix

i. Acceptance of IDOT ERP Grant - \$335,000.00 – South College Ave. (Emergency Repair Program)

Council recognized Public Works Director John Pruden for writing and submitting this grant application.

j. Engineering Agreement for 2011 ERP Resurfacing of S. College Ave Rhutasel and Associates (Emergency Repair Program)

k. Ordinance 2011-09 – Prevailing Wages for Marion County

This item being a routine requirement of the State of Illinois, the ordinance was presented for approval upon first reading.

Mayor Raymer called for a motion to approve the Consent Agenda.

Councilman Black moved and Councilman Huddlestun seconded the motion to approve the Consent Agenda as presented with corrections as noted. Roll call vote: AYES: Councilmen Bringwald, Meador, Huddlestun, Black, and Mayor Raymer. NAYS: None. Motion carried.

2. Confirmation, Annual Street and Sidewalk Paving and Repair

Public Works Director Pruden reviewed the proposed street and sidewalk improvements program listing for 2011 and explained that upon approval, the project will be put out for bids and scheduled for construction. **Councilman Black moved and Councilman Huddlestun seconded the motion to approve the street and sidewalk improvements program listing for 2011 as presented. Roll call vote: Councilmen Meador, Huddlestun, Black, Bringwald and Mayor Raymer. NAYS: None. Motion declared carried.**

3. Rule Changes Regarding Diving Board Usage at Aquatic Center

Mayor Raymer presented for consideration recommendations from Red Cross Trainer Sonya Germann, Facility Director, Centralia Rec Complex, concerning the diving board area at the Aquatic Center. Ms. Germann recommended that only forward entries be allowed (meaning no back dives, back flips, inward dives, ganers, etc.); only 2 bounces be allowed on the diving board; if patron exhibits actions that are deemed at risk, they would not be able to use the diving board area; dismiss patrons from diving board area if they are not adhering to the rules; patrons diving/jumping off the board must enter water before the guard chair. Raymer added that last year, Council took action to approve that request that they would be permitted to do back-dives. Now we have information that this is something that Red Cross would rather that we not do.

Councilman Black indicated that he is still in favor of allowing back-dives from the diving board because it allows swimmers to learn and improve on their diving skills, should they want to train for competition such as the Olympics. He indicated that he is aware that there may be potential for liability. He further indicated he has had requests from those who wish to do back-dives.

Councilman Meador indicated he is in favor of accepting the recommendations of Ms. Germann.

Councilman Huddlestun commented that there could be injuries from any dive and agreed with Councilman Black's comments, adding that if a person looks like they are capable of doing the dive, they should be permitted to do so; if someone looks like they don't know what they are doing - then the lifeguards should stop them. Councilman Bringwald indicated he has no problem with letting the rules stand as they are, indicating we have lifeguards standing there to watch them. Mayor Raymer indicated that the rules are posted clearly. He further commented that the lifeguards should be allowed to make the call if a patron is permitted to do back-dives.

No motion was acted upon to change the rules regarding diving board use at the Family Aquatic Center currently in place.

4. CDAP Loan Request

Economic Development Director McDanel reviewed the CDAP Revolving Fund Loan request from Nancy Piper & her son Butch Lessig, owners of Klasic Collections II for a maximum of \$300,000.00 for relocation to #7 Carpenter Drive in Salem, equipment, inventory, building renovation and upgrades, technology advancement, and working capital needs at a rate of 3% for term of up to 7 years; and the TIF #2 Loan request totaling \$200,000.00 at a rate of 3% for term of up to 5 years. Also at the end of the 24th month of the TIF Loan and upon evidence of 140 full time equivalent positions, the principal amount will be reduced by \$20,000. Councilman Black, along with Councilman Bringwald expressed concerns and requested more time for review of the loan request. Ms. Piper commented there is a big wholesale show in Dallas on the 23rd for the holiday season with over 1200 exhibitors and she needs to know by Friday if they have a commitment. Mayor Raymer reviewed the proposal and the contingencies and Ms. Piper explained her proposal and answered questions. Mayor Raymer advised that the loan committee met last Tuesday to review the loan request and indicated that he was satisfied that this request would be an appropriate use of TIF money. **Councilman Meador moved and Councilman Black seconded the motion to approve the Revolving Fund Loan request from Nancy Piper, Klasic Collections for a maximum of \$300,000.00 for relocation to #7 Carpenter Drive in Salem, equipment, inventory, building renovation and upgrades, technology advancement, and working capital needs at a rate of 3% for term of up to 7 years; and the TIF #2 Loan request**

totaling \$200,000.00 at a rate of 3% for term of up to 5 years, subject to following provisions:

- Completed full-time equivalent job creation forms on 20 employees, of which 11 meet the low-to-moderate income requirements (after execution of RFL agreement)
- Formal release of funds by Department of Commerce and Economic Opportunity
- Securing personal guarantees from any and all owners of Project as indicated in the Personal Financial Statements submitted in conjunction with the application and on file in the Economic Development Department
- Execution of lease agreement with the Salem Business & Industrial Commission for real estate located at #7 Carpenter Drive, Salem, IL
- Review and approval of prior 3 years of tax statements by the Loan Advisory Committee for the key shareholders
- Documentation of legal status of the borrower and authorization to enter into the loans
- Documentation in form of statements, invoices with cancelled checks, notarized affidavit from contractor, vendor, consultant or firm that verifies and/or evidences the owner equity invested in the project as described in the application for RLF and TIF Loan agreements

Roll call vote: AYES: Councilmen Huddlestun, Black, Bringwald, Meador, and Mayor Raymer. NAYS: None. Motion carried.

5. Animal Control Collection Services Contract

Mayor Raymer reported that no veterinarian has any interest in being a depository for dogs and cats in Salem. He and City Manager Christie are still in meetings with the County and the City of Centralia regarding the animal control issue. He indicated that animal control for wild animals must be addressed and presented a proposed short-term contract with Paul Wimberly for collection and release of wild animals. Mr. Wimberly has worked in this capacity with Dr. Sprague in the past. **Councilman Black moved and Councilman Meador seconded the motion to approve execution of the contract with Paul Wimberly for wild animal control services. Roll call vote: AYES: Councilmen Black, Bringwald, Meador, Huddlestun, and Mayor Raymer. NAYS: None. Motion carried.**

V. CITY MANAGER REPORT

- City Manager Christie reported that the auditors will be in City Hall during the next two weeks working on the City's annual audit report.
- He also indicated consideration should be given to who will be attending the Illinois Municipal League conference in September.

VI. CITY ATTORNEY REPORT – No report

VII. CITY COUNCIL REPORTS

Other Reports – Finance Director Jane Brown presented for Council review, copies of a new form for the financial reports that she has generated, at the request of Mayor Raymer who wanted to see a more condensed report of revenue and expenditures.

Councilman Meador expressed concern for protection of citizens who are being approached by disreputable contractors for home repairs who come into town after a storm. Chief of Police Campo commented that there is a system in place for registration and ID's issued by the Police Department; adding efforts are made to educate the public to call the Police Department if they have any questions about anyone.

VIII. Adjournment

There being no further business for discussion at 7:40 p.m., **Councilman Black moved and Councilman Meador seconded the motion to adjourn. Roll call vote: AYES: Councilmen Bringwald, Meador, Huddlestun, Black, and Mayor Raymer. NAYS: None. Motion carried.**

Jane Marshall, CMC
City Clerk

Minutes approved as written by City Council on June 20, 2011.