

**AGENDA  
CITY OF SALEM  
REGULAR CITY COUNCIL MEETING  
AUGUST 6, 2012  
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**
  - Presentation of Certificate of Recognition to Cory Kleiss for quick response to life-threatening incident
- V. City Council Action**
  - 1. Consent Agenda:
    - a. Approval of Minutes – July 16, and July 30, 2012
    - b. Request for Use of Bryan Park for SIJHSAA Class “S” State Cross Country Track Meet Sponsored by St. Theresa School
    - c. Pay Request #1 - Water Main Replacement along Main Street
  - 2. Presentation from Salem Historical Commission Regarding Acquisition of Old Bryan-Bennett Library Building located at 400 S. Broadway
  - 3. Municipal Electric Aggregation Opt-Out Program for Residential & Small Commercial Retail Customers in Ameren - Referendum
  - 4. Request for Approval of Change in Plans – 2011 MFT Street & Sidewalk project
  - 5. Financing & Interest Rates for Caterpillar 420F Backhoe
  - 6. Ordinance – Second Reading – Re-Zoning 211 W. Commercial
  - 7. Ordinance – Second Reading - Closing Hours for City Parks
  - 8. City of Salem Assumption of Loan for SBIC Property Located at Selmaville Road and West Main Street
- VI. City Manager Report**
- VII. City Attorney Report**
- VIII. Finance Director Report**
- IX. City Council Report**
- X. Adjournment**

Bill Gruen  
City Manager

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**MINUTES  
CITY OF SALEM  
REGULAR CITY COUNCIL MEETING  
AUGUST 6, 2012  
6:00 P.M.**

**I. CALL TO ORDER**

The Salem City Council met in regular session on Monday, August 6, 2012, at the hour of 6:00 p.m. in the Council Chambers of Salem City Hall. Mayor John Raymer called the Meeting to order.

**Council Members present upon roll call:**

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

**Others Present:**

City Manager Bill Gruen	City Attorney Michael R. Jones
City Clerk Jane Marshall	Finance Director Ben Stratemeyer
Public Works Director John Pruden	Recreation Director Sherry Daniels
Assistant to the City Manager Bev West	Library Director Kim Keller
Economic Dev Director Tracey McDaneld	Assistant PWD Annette Brushwitz
Code Enforcement Officer Brian Hunt	Sergeant Susan Miller

Absent: DOEM Director Terry Mulvany, Chief of Police Ron Campo

Also present: Media: Salem Times Commoner, WJBD Radio, Centralia Sentential, Marion County Observer; and US Sonet; along with members of the Public

**II. PRAYER AND PLEDGE OF ALLEGIANCE**

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

**III. PRESENTATION OF PETITION/PUBLIC COMMENTS**

**Presentation of Certificate of Recognition to Cory Kleiss for quick response to life-threatening incident** – Mayor Raymer presented a Certificate of Recognition to Cory Kleiss that stated “for your fast and successful response to a life-threatening incident during lunch on July 18, 2012, wherein you quickly took action and performed the Heimlich Maneuver on an individual who was choking and assisted him until he was out of danger.”

#### IV. **MAYOR'S REPORT AND PRESENTATIONS**

Mayor Raymer thanked all those involved with putting together the Marion County Fair again this year.

#### V. **CITY COUNCIL ACTION**

##### 1. **Consent Agenda:**

- a. Approval of Minutes – July 16, and Special Meeting of July 30, 2012
- b. Request from Mark Larimer, Athletic Director at St. Theresa School for Use of Bryan Park for SIJHSAA Class “S” State Cross Country Track Meet on October 13, Invitational Meet on September 22, fall practice meet on September 10, and Oil Belt Conference meet on October 1<sup>st</sup>
- c. Pay Request #1 - Water Main Replacement along Main Street

Councilman Black moved and Councilman Meador seconded the motion to approve the Consent Agenda items. Roll call vote. AYES: Councilmen Bringwald, Meador, Huddleston, Black, and Mayor Raymer. NAYS: None. Motion carried.

##### 2. **Presentation from Salem Historical Commission Regarding Acquisition of Old Bryan-Bennett Library Building located at 400 S. Broadway**

Dianne Eller, President of the Salem Historical Commission introduced the Commission Members that were present - Frank Brinkerhoff, Jerry Nix, Jeannine Richards, and Dr. Robert Raver. Mr. Raver explained that over the years, the Commission has been given several locations in which to conduct business of the Commission and they are now located at the Bryan-Bennet Library. He explained that they operate on a petty cash budget of \$100.00, along with \$1,000 that is in the City budget for their use. He explained that Mr. Dice and Ms. Stanford have offered the old Library Building located at 400 S. Broadway to the City for use as a Historical Museum with the request that if accepted, the City would not sell the building for five years from date of acceptance. He commented that the City is very rich in history and we ought to maintain and preserve the history so that people could come and review it. He also commented that the Commission members conducts tours of the Bryan Home, which is located next to the old library building. Mr. Raver explained that the building could be moved into as it is and estimated the start-up costs to be between \$25,000-\$30,000 for shelving, display cases, equipment and general maintenance. He indicated that they plan to hold fundraisers and accept donations for the operations of the museum. He asked Council to give careful consideration to the Historical Commission's request to accept this building for a City Museum.

Frank Brinkerhoff commented that this building would be very beneficial – he has a lot of historical things stored at his house that could be moved to the museum. He encouraged Council to consider accepting this building.

Mr. Raver commented that the building is not handicapped accessible and asked the City Attorney to check on this to see if it could be exempt. Also, He asked that if building is accepted that Council consider paying the utilities for this building.

Ms. Eller commented that as a school teacher, she is aware that with the budget cuts, there is no money for class field trips and that with this museum being here in town, she anticipates the school will benefit from it, adding we need to begin our history when they are young and it will grow.

Council expressed interest in taking a tour of the building before decision is made. The City Manager is to research the budget and arrange for the Council to tour the building.

##### 3. **Municipal Electric Aggregation Opt-Out Program for Residential & Small Commercial Retail Customers in Ameren – Referendum**

City Manager Gruen explained a special meeting was held on July 30<sup>th</sup> for purpose of discussing electric aggregation and representatives from Good Energy, Javier Barrios and Dale Kelley were in attendance to discuss aggregation and answer questions regarding the opt-out and opt-in programs. City residential and commercial business customers of Ameren Electric who use less than 15,000 kilowatt hours per year would be eligible for the program. Gruen explained that for aggregation, the law identifies an opt-out and opt-in program; the opt-out program must be approved by referendum. The opt-in program requires customers to take action to place them in the buying group. He commented he received a lot of help in researching electric

aggregation from Annette Brushwitz and Bev West and he believes that this is something that Salem should pursue, indicating he has not found any risks that would prevent the Council from placing the question by referendum of an opt-out program on the November ballot. If Council decides to pursue aggregation, he recommended that the City retain the services of a consultant to obtain electricity for the program. City Manager Gruen asked direction from Council regarding obtaining a consultant and if there is interest to put the question on the November ballot. There was discussion from Council regarding the need to hire a consultant.

Consensus of Council was for the City Manager to continue to work on this and put together a resolution to be considered at a Special Meeting before the referenda filing date with the County Clerk of August 20<sup>th</sup>.

**4. Request for Approval of Change in Plans – 2011 MFT Street & Sidewalk Project Section 11-00073-00-PV**

Change orders were presented for 2011 MFT Street and sidewalk projects for Depew and Owen Builders, Inc. for a net increase in the amount of \$15,625.75.

Councilman Black moved and Councilman Meador seconded the motion to approve Change Order No. 1 to Depew and Owen Builders, Inc., for an increase of \$15,625.75. Roll call vote. AYES: Councilmen Meador, Huddlestun, Black, Bringwald, and Mayor Raymer. NAYS: None. Motion carried.

**5. Financing & Interest Rates for Caterpillar 420F Backhoe**

Quotes for financing were sought from local banks for the purchase of a backhoe from Fabick in the amount of \$61,689. City manager Gruen reported a quote was received from Marion County Savings Bank an interest rate of 2.74% for 5 year and from Iuka State Bank at an interest rate of 2.75% for 5 years. He indicated that he has not been able to verify if both banks charge additional fees; which could make a difference in the low quote.

Councilman Black moved and Councilman Meador seconded the motion to authorize the City Manager to accept the quote for financing of the Caterpillar 420F Backhoe from Fabick as determined to be the low quote. Roll call vote. AYES: Councilmen Huddlestun, Black, Bringwald, Meador, and Mayor Raymer. NAYS: None. Motion carried.

**6. Ordinance – Second Reading – Re-Zoning 211 W. Commercial**

City Manager Gruen indicated he has no clean recommendation on the request from Kevin and Jessie Cantrell for rezoning property located at 211 W. Commercial to Residential; with the intent to renovate an old grain silo into living quarters. He indicated he is mindful that the City does not want to turn away someone from improving property to something useful; he is mindful of the Zoning Commission's concerns; and he has concerns for the safety of all including emergency responders. He commented it has been requested to change the area to a new zone that would be created – a transitional zone. He commented that Mr. Cantrell had no problem with the buffer requirements and understood that in the future would not be entitled to any complaints from any smells or noise from the industrial area.

Mayor Raymer indicated this is a unique project, but it just does not fit in the current zoning area. He commented about looking at a transitional zone. He also expressed concern about emergency responders who may need to get to someone who may need emergency care.

Special Use was discussed. Councilman Huddlestun was not in favor of changing the zoning. Councilman Black and Meador spoke in favor of changing this property to residential. Councilman Bringwald commented he visited the property and listed several positive aspects of the proposed project – creative repurposing of property; and several negative aspects, including health and safety issues such as mold, concrete problems, fire protection, emergency responders concerns, standing water and possibility of hazardous chemicals in the surrounding grounds. Councilman Bringwald was not in favor of changing the zoning to residential.

Kevin Cantrell asked if the zoning were left as it is, is there any reason that they could not still put an office up on the top area. He was advised, with the proper requirements being met, this could be done.

Following discussion, Councilman Meador moved to approve an ordinance re-zoning property located at 211 W. Commercial to Residential. Mayor Raymer called for a second. No second to the motion was heard. Motion died for the lack of a second.

**7. Ordinance – Second Reading - Closing Hours for City Parks**

An ordinance was presented for second reading at the request of Councilman Black to change the closing hours for Bryan Park shelters and playground area to aid enforcement and prevent vandalism to the park and equipment.

Motion was made by Councilman Black and seconded by Councilman Huddlestun to approve an ordinance changing the closing hours for the park shelters and playground area. Councilman Bringwald spoke in opposition to changing the closing hours for the park. Councilman Meador indicated he was not in favor of the proposed ordinance. Following additional discussion, Councilman Black and Huddlestun withdrew their motions. Motion was made by Councilman Bringwald to Table action on the proposed ordinance. Roll call vote: AYES: Councilmen Black, Bringwald, Meador, Huddlestun, and Mayor Raymer. NAYS: None. Motion carried.

**8. City of Salem Assumption of Loan for SBIC Property Located at Selmaville Road and West Main Street**

City Manager Gruen explained in approximately 2000 the City agreed to guarantee a loan made to the Salem Business & Industrial Commission for the purchase of acreage at the northeast corner of Selmaville Road and Main Street for the purpose to support potential location of a business project (project did not arrive) and the loan was made by Jefferson, Marion, Washington Community Development Corp. He further explained that one payment was made from the sale of a portion of the property; interest has been allowed to accrue on the loan. The note is scheduled to be retired in October of 2021 at a rate of 3.25% and an annual payment of \$40,709.19. He indicated the plan is to retire the debt using TIF #2 money. He recommended this Item be brought back at next meeting for possible Council action.

VI. **CITY MANAGER REPORT** – No report

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

VIII. **FINANCE DIRECTOR REPORT** – No Report

IX. **CITY COUNCIL REPORT** – No Report

X. **ADJOURNMENT**

There being no further business for discussion at 7:30 P.M., **Councilman Meador moved and Councilman Huddlestun 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 August 20, 2012.*