

**AGENDA
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
SEPTEMBER 20, 2010
6:00 P.M.**

- I. Call to Order**
- II. Prayer and Pledge of Allegiance**
- III. Approval of Minutes, September 7, 2010**
- IV. Presentation of Petitions/Public Comments**
- V. Mayor's Report and Presentation**
- VI. City Council Action**
 - 1. Presentation from Utility Gas Management (UGM) – Pre-pay and Other Gas Services
 - 2. Consideration of Rescinding Ordinance 2010-09 – Vehicle Restrictions in City Parks
 - 3. TIF #3 Redevelopment Agreement – Chapman's Furniture
 - 4. Recommendation for Appointment of Historical Commission Member – Diane Eller
 - 5. Request Approval for use of Bryan Memorial Park from Theater Committee for 5K Run
 - 6. Request from Salem Little League Baseball, Inc. to Move Girls Softball to Little League Fields
 - 7. First Reading – Ordinance Amending Chapter 2 of City Code – Reasonable Cause Drug Testing
 - 8. Bills Payable
- VII. City Manager Report**
- VIII. City Attorney Report**
- IX. City Council Report**
 - 10. Executive Session:** 5 ILCS 120/2 (3) Consideration of Sale of City Owned Property
5 ILCS 120/2 (4) Probable Litigation
 - 11.** Consideration of Action to Sell City Owned Property
 - 12.** Approval of Closed Session Minutes of July 19, 2010
- X. Adjournment**

Thomas F. Christie,
City Manager

**MINUTES
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
SEPTEMBER 20, 2010
6:00 P.M.**

- I. CALL TO ORDER**

The Salem City Council met in regular session on September 20, 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 Huddlestun
Mayor Leonard E. Ferguson

Councilman David Black arrived at 6:10 p.m.
Absent: Councilman Tom Carr

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
Media: Salem Times Commoner, WJBD Radio, Centralia Sentinel; Marion County Observer and USSonet
Several Members of the public, along with Mr. Ron Ragan with UGM (Utility Gas Management); Bob Erxleben, City Gas Consultant; Leon Chapman; representatives from Salem Community High School; representatives from the Little League organization

Absent:
DOEM Director Terry Mulvany and Library Director Kim Keller

II. PRAYER AND PLEDGE OF ALLEGIANCE

Opening prayer led by Recreation Director Sherry Daniels, followed by the Pledge of Allegiance to the Flag.

III. APPROVAL OF MINUTES – September 7, 2010

Minutes of Regular City Council Meeting of September 7, 2010 were presented for review. Councilman Huddlestun pointed out a correction on page 5, he stated “the new pool was the #One tourist attraction in *Salem* Illinois.” **Councilman Huddlestun moved and Councilman Meador seconded the motion to approve the minutes as amended of Regular Council Meeting of September 7, 2010 and waive the reading. Roll call vote. AYES: Councilmen Meador, Huddlestun, and Mayor Ferguson. NAYS: None. Motion declared carried.**

IV. PRESENTATION OF PETITIONS AND PUBLIC COMMENTS – None

V. MAYOR’S REPORT AND PRESENTATIONS

Mayor Ferguson reported on several good things taking place in Salem during the past several months:

- New Family Aquatics Center in Bryan Park brings visitors from 60-80 Miles away
- Construction of \$2.6 million dollar road that opens 30 acres of prime acreage to future commercial business; Mitchell Street Extension beside the Interstate
- Gold Link’s new building on Cross Creek
- Car Wash new construction on Cross Creek
- New CVS construction, corner of Main an Illinois
- New First Bank Building
- New Kentucky Fried Chicken
- Smokin Snows BBQ
- Rollinson’s Consignment Center
- Purple Elephant Antique Shop
- Raymond James Renovation of Former Library Building
- Marion County Observer, New Newspaper
- Peoples Bank’s new renovation project
- Plans for new building for McDonalds
- Plans for Iuka Bank to open facility at the Salem IGA
- The Spectra Shopping Mall is Filled
- Much Improved Downtown District, approx. 90% occupancy
- Salem Township Hospital \$7 Million Dollar Expansion
- Salem Medical Center Expansion
- Lutheran Church Expansion
- Evergreen Church Expansion
- Grace Methodist Church Expansion
- North American Lighting recalling and hiring workers
- Radiac Major Expansion and adding new workers
- Americana added workforce
- Little Egypt Golf Cars initiated new process and added workers
- County Materials recalled workers
- Sale of Spec Building in Industrial Park - New Owners to Start Operations in near future
- Daffy-Dill Garden Club and Sweney Corner Committee enhancing downtown

Arrival of Councilman Black at 6:10 pm

VI. CITY COUNCIL ACTION

1. Presentation from Utility Gas Management (UGM) – Pre-pay and Other Gas Services

Mr. Ron Ragan, with Utility Gas Management (UGM), P.O. box 488, Gardner, KS 66030 gave a presentation describing the services offered by Utility Gas Management explaining the differences between the IPEA (Illinois Public Energy Association) and UGM. He explained that members are not tied into a long-term agreement and are not obligated to specific volumes – since January 2008 the average discount has been .53 dth and is provided to the entire volume. Member’s commitment term is 10 years, however they may opt out at any time and still receive 35% discount for the remainder of the term.

2. Consideration of Rescinding Ordinance 2010-09 – Vehicle Restrictions in City Parks

Several persons were present regarding rescinding Ordinance 2010-09, an ordinance restricting vehicles in city parks.

City Manager Christie did not recommend rescinding vehicle restrictions in Bryan Park for high school student parking expounding on several problems:

- cost and time of city employees for daily litter cleanup where students park.
- citizen complaints about speed of vehicles in the park and foul language
- vandalism, graffiti, and other malicious acts
- damage to picnic tables and lighting
- vandalism in the public restrooms

He further commented that the high school was notified of the city's intent to ban student parking in the park and the city was advised that the school district could live with the city's decision; the school could build a parking lot and the city agreed to wait until October 31st until the parking lot was completed to enforce no parking in the park. The park should be a place for recreational parking, not for student parking.

Eric Bandy, President of the SCHS Board commented;

- there is now ample parking for everyone using the park with the new parking lot at the pool
- vandalism happens after school hours, not from kids parking in the park
- increase police presence in the park and around the school
- Mr. Detering did mention parking lot and hoped the board would support that, however the board did not because they believe there are solutions to the trash problem:
 - Educate students
 - Police Department could issue tickets to littering
 - assignment of parking spaces in the parking lot, charge for parking
 - City or School purchase extra trash cans for park
 - Student clubs help clean-up trash

Mr. Bandy further commented that it is not right for two taxing bodies to spend more money on parking.

Chief Campo commented there is police presence in the park, reckless driving has increased and he doesn't see pool being the solution. He suggested parking fees should be \$150.00 instead of \$30.00, if that were to happen.

Councilman Black agreed that the vandalism usually happens at night. He disagreed with Mr. Bandy's comment about the taxing bodies, commenting that the City Council was voted in to take care of tax money for the City and the School Board was voted in to take care of tax money for the school adding the parking problem is the school's, not the city's. He also commented that the city has done things for the school in past – the city has let the parking issue ride because the school has not had the money to build other parking; the city is losing time and dollars to clean trash. He also commented on the speeding through park in the mornings and inappropriate language.

Mr. Bandy commented there is a problem all year long with skate park.

Councilman Huddlestun commented he thought we had an agreement at September 7th Council Meeting, when Mr. Detering said, we have money to build 40-50 space parking lot. Adding the city has been providing parking for last 10 years, agreeing it is tough problem, but it is not the city's problem.

Councilman Meador commented both have problem – think it is wrong to exclude any group from the park; the park should be utilized and it is wrong to exclude anyone.

Mayor Ferguson called for a motion to repeal Ordinance 2010-09, an ordinance restricting parking in City parks. Councilman Meador moved that Ordinance 2010-09 be repealed. Motion died for a lack of a second.

Mr. Detering commented he has been in discussion with Public Works Director Pruden and they have talked about getting permission for the city to help with time and equipment to allow this to continue.

3. TIF #3 Redevelopment Agreement – Chapman’s Furniture

City Manger Christie recommended approval of a TIF #3 Redevelopment Agreement for Chapman’s Furniture wherein, upon the petitioner meeting the terms outlined in the agreement, the City would reimburse one-half (50%) of the project cost, or \$11,787.50.

Councilman Huddlestun moved that the TIF #3 Redevelopment Agreement with Leon Chapman/Chapman’s Furniture for an amount of 50% of the project cost, or \$11,787.50 be approved. Councilman Black commented that he has stated at last meeting that he could not support a 50% grant for any business and he still could not support this agreement with 50%, he could support a 30% grant. He wished Mr. Chapman the best. **Roll call vote. AYES: Councilmen Huddlestun, Meador, and Mayor Ferguson. NAYS: Councilman Black. Motion declared carried.**

4. Recommendation for Appointment of Historical Commission Member – Diane Eller

Upon the recommendation of the Historical Commission and Mayor Ferguson, Diane Eller, was presented for appointment to the Historical Commission to fill an unexpired term to April 30, 2013. **Councilman Black moved and Councilman Huddlestun seconded the motion to approve the appointment of Diane Eller to fill an unexpired term to April 30, 2013 on the Historical Commission. Roll call vote. AYES: Councilmen Black, Meador, and Huddlestun. NAYS: None. Motion declared carried.**

5. Request Approval for use of Bryan Memorial Park from Theater Committee for 5K Run

An inquiry was received by Recreation Director Daniels from the Salem Theater and SCHS Drama Department regarding holding a 5K run fundraiser to raise money for their theater productions. Event date October 23, 2010, starting at 9:00 a.m. **Councilman Black moved and Councilman Huddlestun seconded the motion to approve the use of Bryan Park and city streets by the Theater Committee for 5K run so long as it is approved by the Chief of Police and that they provide safety. Roll call vote. AYES: Councilmen Meador, Huddlestun, and Black. NAYS: None. Motion declared carried.**

6. Request from Salem Little League Baseball, Inc. to Move Girls Softball to Little League Fields

A letter addressed to Mayor Leonard Ferguson, dated 8/13/2010 from the Salem Little League Baseball Inc. was received advising of their plan to offer girls softball in the spring of 2011, explaining the benefits. John Martin, 1830 West Main, Salem President of the Little League addressed Council explaining their plans for girls softball leagues and indicated that all they were asking of the City is that they not offer girls softball in their recreation programs. **Councilman Black moved and Councilman Huddlestun seconded the motion that the City Recreation Department not have girls softball and let the Little League take it over. Roll call vote. AYES: Councilmen Huddlestun, Black, Meador and Mayor Ferguson. NAYS: None. Motion declared carried.**

7. First Reading – Ordinance Amending Chapter 2 of City Code – Reasonable Cause Drug Testing

City Manager Christie explained that this amendment is a matter of housekeeping, the previous drug testing ordinance failed to include two drugs being tested for. **Councilman Huddlestun moved and Councilman Black seconded the motion to approve Ordinance 2010-11, an Ordinance amending Chapter 2 of the City Code regarding reasonable cause drug testing. Roll call vote: Councilman Black, Meador, Huddlestun, and Mayor Ferguson. NAYS: None. Motion declared carried.**

8. Bills Payable

Bills payable listing for a total amount of \$1,388,450.99 was presented for review. Following review period, **Councilman Black moved and Councilman Huddlestun seconded the motion to approve bills payable as presented. Roll call vote. AYES: Councilmen Huddlestun, Black, Meador, and Mayor Ferguson. NAYS: None. Motion declared carried.**

XI. CITY MANAGER REPORT

City Manager Christie reported that a letter was received from the city's gas consultant, Bob Erxleben indicating that the discounts that were achieved result in an annual cost savings of approximately \$65,000 on the purchase of natural gas as a result of the city hiring a representative at a cost of \$6,086 to represent the city on a national level to try to reduce the rates on the natural gas pipeline company.

XII. CITY ATTORNEY REPORT – No report

XIII. CITY COUNCIL REPORT

Councilman Carr – Absent

Councilman Meador – commented on work being done on the old Clark gas station

Councilman Huddlestun – complimented Connie Fulton on her work at the pool and also commented on the city streets that have been worked on this year.

Councilman Black – commented that there were a lot of people at Bryan Park from the Applefest on Saturday. It was very nice. He also asked when the Mitchell Street Extension will be opened, to which Public Works Director Pruden advised that the final inspection was scheduled for tomorrow – Sept. 21st and waiting for Ameren to put up the poles for the lighting. Black also suggested that the trees along the new street need to be cleaned up to make it more marketable.

Mayor Ferguson – echoed comments about the Applefest, adding may need to figure out parking issues so that vehicles will not be blocked in. He also commented on the additional entertainment that was provided for the kids and adults.

Chief Campo reported that our new police officer, Andrew Smith won the Earl Warren Award during his training at the State Police Academy, adding this is the first time that anyone from the Salem Police Department has won this award.

9. Executive Session: 5 ILCS 120/2 (3) Consideration of Sale of City Owned Property
5 ILCS 120/2 (4) Probable Litigation
following a brief recess, at 8:45 p.m. **Councilman Huddlestun moved, and Councilman Meador seconded the motion to enter into Closed Session to discuss sale of city owned property and probable litigation. Roll call vote. AYES: Councilmen Meador, Huddlestun, and Black. NAYS: None**

Upon return to Open Session at 8:25 p.m. there was no further action taken.

10. Consideration of Action to Sell City Owned Property

No action taken.

11. Approval of Closed Session Minutes of July 19, 2010

No action taken.

VI. ADJOURNMENT

There being no further business for discussion at 8:25 p.m., **Councilman Huddlestun moved, and Councilman Black seconded the motion to adjourn. Roll call vote. AYES: Councilmen Huddlestun, Black and Meador. NAYS: None. Motion declared carried.**

Jane Marshall, CMC
City Clerk

Minutes approved as written by City Council on 10/04/2010.