

**AGENDA
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
SEPTEMBER 4, 2018**

- 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. Approval of Minutes
 - a. 08/20/2018 Regular Meeting
 - 2. Approval of Walmart Request to Solicit Children Miracle Network Donations at Main & Broadway
 - 3. Approval of Agreement with Curry & Assoc for Engineering Sanitary Sewer Project
 - 4. Surplus of City Property
 - 5. Second Reading – Approval of Ordinance Making Amendments to Chapter 10
 - 6. Approval of Ordinance Making Amendments to Chapter 13 on Littering
 - 7. Approval of Yield Sign Placement at N. Jackson and E. Seneff

- VI. City Manager Report**
 - 1. Update on RLF spend-down
 - 2 .Revolving contract with Salem-based real estate agents for surplusd real estate

- VII. City Attorney Report**
- VIII. Finance Director Report**
- IX. City Council Report**

- X. Adjournment**

Bill Gruen
City Manager

**MINUTES
CITY OF SALEM
CITY COUNCIL MEETING
SEPTEMBER 4, 2018**

- I. CALL TO ORDER**

The regular September 4, 2018 meeting of the City Council was convened at 6:00 p.m., and called to order by Mayor Rex Barbee.

Council members present:
Councilman Jim Koehler
Councilman Craig Morton (*arrived shortly after call to order*)
Councilwoman Sue Morgan
Mayor Rex Barbee

Council member absent:
Councilman Nicolas Farley

Others present:

City Attorney Mike Jones	Public Works Director John Pruden
City Clerk Bev Quinn	Chief of Police Sean Miller
Finance Director Keli Barrow	Chief Sean Reynolds
Deputy Chief Susan Miller	Code Enforcement Officer Dave Lusch
Members of the Media and Public	

- II. PRAYER AND PLEDGE OF ALLEGIANCE**

Opening prayer was given by Councilwoman Sue Morgan, followed by the Pledge of Allegiance to the Flag.

- III. PRESENTATION OF PETITIONS/PUBLIC COMMENTS – None.**

- IV. MAYOR’S REPORT AND PRESENTATIONS**

Mayor Barbee indicated Antique Power Days, the Car Cruise and a home football game will be bringing visitors to town, and encouraged citizens to support these events.

- V. CITY COUNCIL ACTION**
 - 1. Consent Agenda**
 - a. Approval of Minutes – August 20, 2018 Regular Meeting**

Motion was made by Councilman Koehler and seconded by Councilwoman Morgan to approve the minutes of August 20, 2018 as presented. Roll call vote: AYES: Councilwoman Morgan, Councilman Koehler, Mayor Barbee. NAYS: None. Motion carried.

(Councilman Morton arrived at 6:04 pm.)

2. Approval of Walmart Request to Solicit Children's Miracle Network Donations at Main & Broadway

City Manager Gruen indicated Walmart Manager Frankie Travis contacted him to request approval to solicit donations for the Children's Miracle Network between 11:00 am and 1:00 pm on September 14th and 21st. Discussion ensued regarding the traffic and safety issues, with Councilwoman Morgan asking Public Works Director Pruden could be made to be red flashing, or something to make it safer. City Manager Gruen indicated he and Mr. Pruden would work it out. ***Motion was made by Councilwoman Morgan and seconded by Councilman Morton to approve Walmart's request to solicit donations for the Children's Miracle Network at the corner of Main and Broadway on September 14th and 21st between 11:00 am and 1:00 pm, and that the Public Works Director Pruden work with them on the traffic lights. Roll call vote: AYES: Councilman Koehler, Councilman Morton, Councilwoman Morgan, Mayor Barbee. NAYS: None. Motion carried.***

3. Approval of Agreement with Curry & Associates for Engineering Sanitary Sewer Projects

City Manager Gruen indicated he is requesting approval of an engineering agreement with Curry & Associates in the amount of \$13,250.00. Public Works has uncovered two sewer problems, one on N. Broadway and one on Mills Cart, that have impacts on Salem customers and need to be rectified. Mr. Gruen added that these repairs are unbudgeted, but need to be addressed. Mr. Gruen indicated repairs are estimated to be \$73,575.00. Public Works Director Pruden indicated the City may not need an EPA permit for this project, and he hopes to have it completed by the end of the calendar year. ***Motion was made by Councilman Koehler and seconded by Councilwoman Morgan that the agreement with Curry and Associates in the amount of \$13,250.00 for the engineering of sewer repairs on N. Broadway and Mills Cart Rd. Roll call vote: AYES: Councilman Morton, Councilwoman Morgan, Councilman Koehler, Mayor Barbee. NAYS: None. Motion carried.***

4. Surplus of City Property

City Manager Gruen indicated Public Works Director John Pruden has done a good job of recording information on City property which may be surplus and sold. A public auction will be held and a local auctioneer will be used. Public Works Director Pruden indicated he had received an offer of \$4,000.00 from the Village of Odin for the leaf vac scheduled to be surplus. Mr. Pruden indicated this is a fair offer and he would recommend Council surplus everything on the list, and approve the sale of the leaf vac to the Village of Odin. *(Clerk's note: When put into ordinance format, this will be Ordinance 2018-11.)* ***Motion was made by Councilwoman Morgan and seconded by Councilman Koehler to approve the list of items to be surplus and to sell the leaf vac to the Village of Odin for \$4,000.00. Roll call vote: AYES: Councilwoman Morgan, Councilman Koehler, Councilman Morton, Mayor Barbee. NAYS: None. Motion carried.*** Mr. Pruden thanked Council, and indicated the auction date would probably be October 20th or 27th.

5. Second Reading – Amendments to Chapter 10

City Manager Gruen indicated he is ready for City Council to take action on revisions to Chapter 10. Highlights of changes are:

Page 2 → Section 10-2, pertaining to Open Burning, specifies that recreational fires may include tree branches and limbs, that recreational fires may be halted by various officials for unsafe conditions, and that violations shall be subject to the \$75 to \$750 fine range.

Page 3 → The charge for the City cutting grass/weeds on private property becomes \$100 for properties of all sizes (now ranges from \$50 to \$100 depending upon size).

Page 5 → Penalty range for noise violations would remain \$150 to \$500 for violations.

Page 7 → Standardizes penalties for Chapter 10 violations with a range of \$75 to \$750, except for noise violations.

Motion was made by Councilman Morgan and seconded by Councilman Koehler to approve Ordinance 2018-12 Repealing and Replacing Chapter 10 regarding Nuisances. Roll call vote: AYES: Councilman Koehler, Councilman Morton, Councilwoman Morgan, Mayor Barbee. NAYS: None. Motion carried.

6. Approval of ordinance Making Amendments to Chapter 13 on Littering

City Manager Gruen indicated two sections pertaining to littering were originally in Chapter 10, and he feels a more appropriate for these items is in Chapter 13. ***Motion was made by Councilman Koehler and seconded by Councilwoman Morgan to approve Ordinance 2018-13 amending Chapter 13 of the Code of Ordinances pertaining to litter. Roll call vote: AYES: Councilman Morton, Councilwoman Morgan, Councilman Koehler, Mayor Barbee. NAYS: None. Motion carried.***

7. Approval of Yield Sign Placement at N. Jackson and E. Seneff

City Manager Gruen indicated Chief Reynolds has requested approval of placement of yield signs at the north and south side of N. Jackson St. at East Seneff, as there are no signs at this intersection. *(Clerk's note: This will be Ordinance 2018-14.)* ***Motion was made by Councilwoman Morgan and seconded by Councilman Morton to approve placement of yield signs on the north and south sides of N. Jackson at the intersection of N. Jackson and Seneff. Roll call vote: AYES: Councilwoman Morgan, Councilman Koehler, Councilman Morton, Mayor Barbee. NAYS: None. Motion carried.***

VI. CITY MANAGER'S REPORT - None.

- 1. RLF Spend Down** – City Manager Gruen indicated that in April, City Council approved \$750,000 for NAL for electrical work and equipment for job creation as its first spend down project. Improvements to “Beer Can Alley” were selected as a second project, but submittals have not been finalized. City Manager Gruen indicated this must not continue to hang out there, and he is proposing a deadline of either September 17 or October 1 for City Council approval for the second project. As a fall back project, straightening the intersection of Whittaker St. and S. College could be considered.
- 2. Revolving contract for real estate agents** – City Manager Gruen indicated he and Jeanne recently heard a proposal from a Salem real estate agent for the City to work with Salem-based real estate agents on a rotating basis on the sale of City-surplused real estate. The idea is that Salem-based offices (*not individual agents*) would rotate coverage for Salem land. Mayor Barbee indicated that when he worked at the bank, they worked with real estate offices on a rotating basis. Councilwoman Morgan asked if “for sale by the City of Salem” wouldn’t work just as well. Economic Development Director Gustafson indicated she was told by a real estate agent that if they are not the listing agent, they don’t push the property. City Manager Gruen indicated the city would have to negotiate a fee for the agents to make on the sale of the property. Mayor Barbee suggested setting it up on a short-term basis to see how it works. Councilwoman Morgan concurred, with the understanding that the City has the final say on any sale of property.
- 3. ICC Review of Gas Department** - City Manager Gruen indicated the Gas Department received a good review from the ICC, which is to be expected because they do a very good job.
- 4. Electrical Aggregation** – City Manager Gruen indicated citizens are being approached by electricity salespeople, and he wants to remind them that the aggregation program rate is currently 5.6 cents/kWh and the price will drop to 5.496 cents/kWh in June of 2019. Gruen added that the program is not meant to be a guarantee that it will provide the lowest price, it was just an effort to get a lower price based on the size of the group. Mr. Gruen recommended people who are happy with the program simply tell those knocking on their doors that they are happy and send them on their way.

VII. CITY ATTORNEY REPORT – None.

VIII. FINANCE DIRECTOR REPORT

Finance Director Barrow indicated she is still waiting on the actuary reports to complete the audit, but the audit should be completed by the deadline next month.

IX. **CITY COUNCIL REPORT**

Councilman Koehler asked what businesses are going into the new Discount Tobacco building. Mayor Barbee indicated Lucy’s will be moving in, and there is one unit that is not under lease at this time. Councilman Koehler asked what has happened to show down activity at the former Selmaville North school. Mayor Barbee responded that Mr. Grubaugh had a skid loader stolen from inside the building.

Councilwoman Morgan thanked Councilman Koehler for placement of boulders at the Salem sign and thanked John Pruden and his public works employees for digging the trench for the electricity. Councilwoman Morgan added that she is very proud of both the sign and the new fence.

Councilman Morton indicate the bike trail has been completed and is working our very nicely. Additional tours of the path will be scheduled in the near future. Councilman Morton added that he thinks everything went very well at the Aquatic Center this summer. Councilman Koehler added that it just needs to stay open until Labor Day. City Manager Gruen added that disc golf brochures are available in City Hall’s lobby.

XII. **ADJOURNMENT**

As there was no further business to discuss, motion was made by Councilwoman Morgan and seconded by Councilman Morton to adjourn the meeting at 6:40 p.m. Roll call vote: AYES: Councilman Koehler, Councilman Morton, Councilwoman Morgan, Mayor Barbee. NAYS: None. Motion carried.

Bev Quinn, CMC
City Clerk

Minutes approved: _____