

CITY OF SALEM  
REGULAR CITY COUNCIL MEETING  
August 16, 2021 – 6:00 PM

**DUE TO THE RECENT UPSURGE IN POSITIVE COVID CASES THIS MEETING WILL BE HELD  
REMOTELY. PLEASE SEE THE ZOOM INFORMATION BELOW TO JOIN IN.**

- 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. Consent Agenda
    - (a) Approval of Minutes – Council meeting of Aug. 2, 2021.
  - 2. Discussion on request for action to reduce deer population within City limits.
  - 3. Action on extension of Tri-County Electric Co-op franchise agreement renewal.
  - 4. Reduction in the number of Class G Liquor licenses by one.
  - 5. Review of accounts payable from July 20, 2021 through August 13, 2021
- VI. City Manager and department head reports
- VII. City Attorney Report
- VIII. City Council Members Report
- IX. Motion to Adjourn

Rex A. Barbee  
City Manager  
RAB

Join Zoom Meeting  
<https://us02web.zoom.us/j/82218348228>

Meeting ID: 822 1834 8228  
One tap mobile  
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+13017158592,,82218348228# US (Washington DC)

*Quote of the day;*

*A hundred times a day I remind myself that my life depends on the labors of other men, living and dead, and that I must exert myself in order to give, in the measure as I have received and am still receiving. Albert Einstein*

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**MINUTES  
REGULAR CITY COUNCIL MEETING  
Monday, August 16, 2021 – Via Zoom**

- I. Call to Order  
The regular August 16, 2021 meeting of the Salem City Council was convened at 6:00 pm via Zoom meeting software. The meeting was called to order by Mayor Nicolas Farley.

**Council members present (via Zoom):**

Councilman Jim Koehler  
Councilman Royce Bringwald  
Councilman Craig Morton  
Mayor Nicolas Farley

**Council members absent:** Councilwoman Amy Troutt

**Others present (via Zoom):**

City Manager Rex Barbee	Public Works Director Annette Brushwitz
City Clerk Bev Quinn	Chief of Police Sean Reynolds
Finance Director Keli Barrow	Deputy Chief of Police Susan Miller
Economic Dev Dir Tabitha Meador	City Attorney Mike Jones
Code Enforcement Officer Dave Lusch	Members of the Media and Public

II. **PRAYER AND PLEDGE OF ALLEGIANCE**

Councilman Koehler offered the opening prayer, with Mayor Farley leading the Pledge of Allegiance.

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

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

Mayor Farley indicated City Manager Barbee has requested that City Council take action to amend the agenda, in order to accommodate an emergency purchase related to gas line replacement. ***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to amend the agenda to make item #5 Emergency Purchase for Gas Line Replacement and make Accounts Payable item #6. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

Mayor Farley indicated he met with the City Manager and Department Heads last week, regarding proposed uses for the \$900,000 in American Recovery Funds. This will be made an agenda item at a future meeting.

Mayor Farley indicated during the past two weeks, he has had the pleasure of awarding a 30-year service award to Barry and Sandy Douthart for their service to the Recreation Department, and a Key to the City to Ms. Ellen Pergl for her 100<sup>th</sup> birthday.

Mayor Farley indicated there are currently only eight (8) ICU beds available from here to Kentucky, a 4-6 hr. wait at all emergency rooms, and urged all to wear their masks and get vaccinated.

Mayor Farley indicated the 2020 Census figures are out, and the good news is Salem's population is 7,282, which is only a 200-person decline in 10 years, which is very encouraging.

Mayor Farley indicated the DOEM was approved for funding.

Mayor Farley wished Chief Reynolds a "Happy Birthday".

V. **CITY COUNCIL ACTION**

1. **Consent Agenda**

a. **City Council Minutes - request approval of minutes of August 2, 2021.**

***Motion was made by Councilman Bringwald and seconded by Councilman Koehler to approve the minutes of August 2, 2021, as written. Roll call vote: AYES: Councilman Morton, Councilman Koehler, Councilman Bringwald, Mayor Farley. NAYS: None. Motion carried.***

2. **Discussion on request for action to reduce deer population within City Limits**

Mayor Farley indicated City Council has received a very detailed document containing concerns, accident reports, and a petition asking the City to take action to reduce the deer population inside the Salem city limits. Mayor Farley thanked the community for bringing forward their concerns and providing good information. Mayor Farley added that the City Council had looked at this last year, and had considered using DNR sharpshooters or allowing bow-hunting.

City Manager Barbee added that he has contacted the City of Mt. Vernon regarding their ordinance allowing limited bow-hunting inside the City limits, and they had indicated it has not made a huge dent in the number of deer. To contract with DNR's sharpshooters would cost approximately \$20,000. Mr. Barbee indicated he is recommending we draft an ordinance that allows bow hunting inside the City limits, using crossbows and compound bows, with restrictions. This would require a permit from the State and be permitted only during the appropriate hunting season.

Councilman Bringwald indicated he spoke with an IDNR Urban Forest Manager to get information that he hoped would help City Council decide what to do. IDNR had a lot of good suggestions regarding deer management, deer problems, disease, and socialization for implementation into the ordinance, but the main thing is for people to stop feeding the deer. Mayor Farley concurred, and indicated we do have residents who are feeding the deer, and there are not too many hunters in the rural areas surrounding the city, which makes the deer feel safe inside the city.

Mayor Farley asked City Manager Barbee if he is recommending City-owned property not be hunted. Barbee responded that the north side of the reservoir could be hunted, but it would have to be a very limited number of hunters -- one hunter per 5-acre tract in the 20-acre area. Barbee added that any ordinance drafted will require hunters to have the written permission of the property owners, hunters must hunt from tree stands, and the hunts will only be allowed during deer season, although City Council can make its policies even stricter.

Councilman Koehler indicated he feels something needs to be done, and that the deer have become a nuisance. Koehler added that he likes deer, but feels it is time to thin the herd.

Chief Reynolds indicated what has been proposed sounds reasonable, as there have been 48 traffic accidents caused by deer during the past three years, one of which involved a squad car.

Mayor Farley indicated he would like to see a draft ordinance prepared. City Attorney Jones indicated he would have a draft prepared for the next City Council meeting.

**3. Action on Extension of Tri-County Electric Co-Op Franchise Agreement Renewal**

City Manager Barbee indicated the current 20-year franchise agreement with Tri County Electric expires in January, and Tri-County has sent a new agreement for execution. Mayor Farley questioned the 20-year term, and asked if that is legal. City Attorney Mike Jones indicated many franchise agreements are 30-years, and a 20-year term is much better. Jones added that this just allows them to use the City's rights-of-way for their services.

***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve Ordinance 2021-14 Entering into a 20-year franchise agreement with Tri-County Electric. Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Councilman Morton, Mayor Farley. NAYS: None. Motion carried.***

**4. Reduction in the Number of Class G Liquor Licenses by One**

Mayor Farley indicated the number of Class G liquor licenses was increased when City Council was approached by a business who had indicated they would be opening a convenience store and requested a liquor license. The deal has since fallen through, and Mayor Farley wants to reduce the number of Class G Licenses to those currently issued, so the next applicant will have to approach City Council and explain what their intentions are.

***Motion was made by Councilman Morton and seconded by Councilman Koehler to approve Ordinance 2021-15 reducing the number of Class G liquor licenses by one. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

**5. City Manager Request for Emergency Expenditure for Gas Line Replacement**

City Manager Barbee indicated that when USDI was preparing to start replacing gas lines on South College, they found that the fittings and materials on the lines to the customers are not up to code, and will have to be replaced. The estimated cost for this work is \$30,000 plus \$6,500 in labor. Barbee added that the original bid came in under budget and will remain under budget with the additional work. Barbee indicated he is requesting authorization to proceed. Some questions were posed regarding how or why materials not meeting code were used. Public Works Director Brushwitz responded that many years ago when these lines were put in, they WERE up to code. Codes change, and anything that is uncovered during work must be brought up to current code specifications. Councilman Morton asked if there is a way to avoid this in the future. Dir. Brushwitz responded, there is no way to know. The City is in a program with the ICC where we have agreed to replace a certain percentage of our gas lines each year, and at some point, all lines will be up to code -- until codes change again. City Manager Barbee indicated he will factor these possibilities into future budgets.

***Motion was made by Councilman Bringwald and seconded by Councilman Koehler to approve an expenditure of up to \$36,500 to USDI for the emergency repairs. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

**6. Review of Accounts Payable from July 20, 2021 through August 13, 2021**

Following review, ***motion was made by Councilman Morton and seconded by Councilman Bringwald to approve the accounts payable of July 20, 2021 through August 13, 2021, as presented. Roll call vote: AYES: Councilman Morton, Councilman Koehler, Councilman Bringwald, Mayor Farley. NAYS: None. Motion carried.***

**VI. CITY MANAGER REPORT WITH DEPARTMENT HEAD UPDATES**

City Manager Barbee indicated the bulk of his work has been deer population related.

Dir. Brushwitz indicated:

- Work continues on the Inclusive Playground, although not all of the pieces have arrived. There may still be times where we will see the contractors working, then they will be off site until additional pieces arrive. Councilman Morton asked if there is an updated date of completion. Dir. Brushwitz indicated after the last of the equipment is installed, there will still be the poured-in-place surface to install, the sidewalks, with the final step being installation of the fence.
- Sunday, August 15<sup>th</sup> was the last day of the regular pool season, as there is no staff available.
- The oil and chip program has been rained out a couple of times, and the spreader wasn't working for a day, which caused delays. There will be two more big days of oiling this Wednesday and Friday.

Dir. Meador indicated:

- The "Back to Business" grant has been released by DCEO, and the application site will be open this week. Applications will be made directly to DCEO, with business owners gathering their documents and submitting them directly. The grant amounts will be determined by the businesses tax returns for 2019 and 2020. The total allotment is \$250 million.

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

**VIII. CITY COUNCIL MEMBERS REPORT**

**Councilman Bringwald** indicated he received a tour of the Police Department from Chief Reynolds and Deputy Chief Miller, and he learned a lot. Councilman Bringwald expressed his appreciation to both officers.

**Councilman Koehler** indicated the park is looking wonderful, although he is disappointed about the pool closing. Koehler added that he hopes the kids get to go back to school and stay there.

**Councilman Morton** raised the issue of the City's health insurance being renewed without it coming back to City Council, and asked when it will come up again. City Manager Barbee indicated the plan proposal we received was very good, as the City had another good year. The TPA agreement will come back for renewal in three years. Councilman Morton indicated these should always come back to Council, and he particularly wants to be involved on medical issues.

Councilman Morton asked where the City is on the roaming radar sign. City Manager Barbee indicated he has some cost estimates, but is waiting on one more.

Councilman Morton indicated that during the City Council Planning Session, additional signage directing people to the parks, hospital, dog park, etc. was discussed, and he hasn't seen that it has been done. Public Works Dir. Brushwitz indicated she would make a call to her contact at IDOT and see what type of signs they will help us with. Mayor Farley noted that the new rv camp site, UCamP, has already been added to the sign on the interstate.

**IX. ADJOURNMENT**

As there was no further business to discuss, at 7:52 pm, ***motion was made by Councilman Bringwald and seconded by Councilman Koehler to adjourn the meeting. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

Bev Quinn, CMC  
City Clerk

Approved: \_\_\_\_\_