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**CITY OF SALEM
SPECIAL CITY COUNCIL MEETING
May 26, 2020 – 6:00 PM**

- I. Call to Order**
- II. Mayor’s Report and Presentations**
- III. City Council Action**
 - 1. Action pertaining to revisions in Governor Pritzker’s Executive Order and Plan to Reopen - Phase 3 (COVID-19 Pandemic) specifically affecting restaurants and bars.**
 - a. The Governor has modified the Phase 3 restrictions for the COVID 19 Executive Order to allow restaurants and bars to open to on-premise dining in an outdoor setting. There will be some restrictions on table placement for spacing and other items but this will allow local restaurants to allow on-site consumption. Ordinance 2007-10 allows outside service with liquor within 30 feet of the principal building. A subsequent ordinance, 2015-11, requires that the seating be on private property; at the address for which the license was issued, and; within an enclosed area for which there is no other means of ingress or egress from the licensed establishment except by means of the main entrance. *(Ordinances attached.)*
 - b. The executive order stipulations have yet to be provided at this time and the Council desires to seek a 90 day resolution to allow for expansion of the temporary outdoor seating with guidelines for public safety. Separate City Permits would not be required for local restaurants and bars regarding the outdoor seating during this period of 90 days from May 29, 2020. The draft resolution may be revised prior to and during the May 26th meeting, based on the Governor’s published Executive Order.
 - c. If the business is utilizing a portion of a parking lot for any temporary outdoor seating area, it shall be “fenced” or clearly designated to separate it from the parking area. For public safety, the temporary seating area should not adversely impact the flow of vehicular traffic for the business or surrounding businesses.
 - d. Public Comments
- IV. Motion to Adjourn**

Rex Barbee
City Manager

Join Zoom Meeting
<https://us02web.zoom.us/j/81454504927>

Meeting ID: 814 5450 4927
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**CITY OF SALEM
SPECIAL CITY COUNCIL MEETING
MAY 26, 2020 – 6:00 PM**

- I. Call to Order**

The Special May 26, 2020 meeting of the City Council was convened at 6:00 pm via Zoom video conferencing, and was called to Order by Mayor Sue Morgan.

Council members present via Zoom:
Councilman Jim Koehler
Councilman Nic Farley
Councilman Craig Morton
Councilman Jacob Hockett
Mayor Sue Morgan

Councilman members absent: None.

Others present:

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

At Mayor Morgan’s request, Councilman Koehler lead those present in the opening prayer and Pledge of Allegiance.

II. Mayor’s Report and Presentations

Mayor Morgan welcomed the bar and restaurant owners who were participating via Zoom, and added that she is extremely pleased to be addressing this agenda item on their behalf.

III. City Council Action

1. Action pertaining to revisions in Governor Pritzker’s Executive Order and Plan to Reopen - Phase 3 (COVID-19 Pandemic) specifically affecting restaurants and bars.

City Manager Barbee indicated two draft resolution has been drafted based on the information provided on the agenda items III (a),(b) and (c). Councilman Farley indicated he likes Draft 2, as it contains verbiage covered in III. (c) of the agenda.

City Manager Barbee read Draft Resolution #2 into the record, as the bar and restaurant operators attending the meeting did not have the resolution before them. The resolution follows:

WHEREAS, on March 9, 2020, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area *(the First Gubernatorial Disaster Proclamation, followed by subsequent declarations)* in response to the outbreak of COVID-19; and

WHEREAS, on May 5, 2020, Governor Pritzker released “Restore Illinois: A Public Health Approach To Safely Reopen Our State”, a five stage plan, with bars and restaurants being allowed to reopen under guidance from the IDPH, and following social distancing, in Phase 4; and

WHEREAS, on May 19, 2020, Governor Pritzker announced certain modifications to the “Restore Illinois” plan, which would modify Phase 3 to allow restaurants and bars to serve outside, while adhering to certain IDPH guidelines and enforcing social distancing; and

WHEREAS, the City of Salem supports the safe reopening of its local businesses, and is encouraging the bar and restaurant operators to safely reopen for outdoor service, following IDPH guidelines; and

WHEREAS, the City of Salem has ordinances in place that must be temporarily waived, including but not limited to, outside serving of alcoholic beverages; parking standards; and use of sidewalks;

WHEREAS, any business utilizing a portion of a parking lot for any temporary outdoor seating area shall “fence” or clearly designate said area to separate it from the parking area; and, for public safety, the temporary seating area may not adversely impact the flow of vehicular traffic for the business utilizing the area or for surrounding businesses.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Salem, Marion County, Illinois, in support of Governor Pritzker’s modification to Phase 3 of “Restore Illinois’ pertaining to bars and restaurants being allowed to offer service outdoors, that the City Manager, under the guidance and direction of City Council, be authorized to suspend certain requirements that would prohibit local bars and restaurants from reopening for outside service, for not more than 90 days, or until the Governor directs that bars and restaurants can reopen for indoor service.

City Manager Barbee directed the bar and restaurant operators to the Department of Commerce and Economic Opportunity (DCEO) website, as it has specific guidelines pertaining to outside bar and restaurant service .

Councilman Morton asked if the bars and restaurants will be able to have outside music. City Manager Barbee responded that it is allowed, but band members must wear facemasks or be six feet apart.

Councilman Koehler asked if downtown restaurants will be able to spread out in front of adjacent businesses. City Manager Barbee responded that they have to leave room on the sidewalks for

pedestrian traffic, and doors and access to other businesses must not be blocked. Barbee added that businesses will be encouraged to use the space adjacent to their businesses.

Councilman Farley indicated the resolution was left vague on purpose, as it allows for flexibility between the businesses and the City.

City Manager Barbee asked if any members of the public had questions.

Tommy Donoho, representing Village Garden Restaurant, asked if customers can come in the main doors. City Manager Barbee responded that they can. Donoho asked if they can fence in the area behind Village Garden. City Manager Barbee responded that they can.

City Manager Barbee indicated that smoking is typically prohibited in dining areas, and asked if Council wants to enforce that. Consensus was that Council would encourage bars and restaurants serving outside designate an area for smoking. Councilman Koehler added that everyone will need to use common sense.

Beth Harrell of the American Legion indicated their facility is in a residential district, and asked if the Council will be setting any time restrictions, or if she needs to close her bar earlier than their license permits. Harrell added that she is already planning to have bands start earlier and end earlier, since they will be outside. Councilman Farley suggested everyone police their own operations.

Tommy Donoho asked if Village Garden can stay open until 2:00 am on Fridays and Saturdays, like they do inside. Councilman Farley responded that the Council is not setting any time restrictions, other than what their liquor licenses permit, and is trying to be as “business friendly” as possible. Councilman Morton suggested we play it by ear to get started, and if there are issues, they can be addressed at that time.

Ms. Harrell thanked City Council for all hard work. Rosa Jacinto of El Rancherito added her thanks, and added that City Council has been wonderful for working with the business owners to help them get back into operation. Jacinto added that they are working with the shopping center owner on approval to set up a tent in front of the business. All members of the Council expressed their appreciation to the business owners, and their support of their efforts to start serving outdoors.

Motion was made by Councilman Farley and seconded by Councilman Hockett to approve Resolution 2020-03 (Draft #2) as presented. Roll call vote: AYES: Councilman Morton, Councilman Hockett, Councilman Koehler, Councilman Farley, Mayor Morgan. Motion carried.

IV. Motion to Adjourn

Motion was made by Councilman Farley and seconded by Councilman Koehler to adjourn the Special Meeting at 6:22 pm. Roll call vote: AYES: Farley, Morton, Hockett, Koehler, Morgan. NAYS: None. Motion carried.

Bev Quinn, CMC
City Clerk