

**CITY OF SALEM  
REGULAR CITY COUNCIL MEETING  
OCTOBER 5, 2020 – 6:00 PM**

- 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. City Council Minutes – request approval for 09-21-2020 minutes
  - 2. Discussion on possibility of offering WIFI in Bryan Park
  - 3. First Reading – Property Tax levy proposal
  - 4. CASA request to hold Disc Golf Tourney in Bryan Park on Nov. 7, 2020
  
- VI. City Manager Report**
- VII. City Attorney Report**
- VIII. City Council Members Report**
- XI. Motion to Adjourn**

Rex A. Barbee  
City Manager  
*RAB*

Quote of the day –

*It doesn’t matter how strong your opinion are. If you don’t use your power for positive change, you are, indeed, part of the problem. – Coretta Scott King*

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**MINUTES  
REGULAR CITY COUNCIL MEETING  
Monday, October 5, 2020**

**I. CALL TO ORDER**

The regular October 5, 2020 meeting of the City Council was convened at 6:00 pm in the Council Chambers of Salem City Hall, and called to order by Mayor Sue Morgan.

**Council members present:**

Councilman Nic Farley  
Councilman Craig Morton  
Councilman Jacob Hockett  
Mayor Sue Morgan

**Council members absent:** Councilman Jim Koehler

**Others present:**

City Manager Rex Barbee	City Clerk Bev Quinn
Chief of Police Sean Reynolds	Economic Dev. Director Tabitha Meador
Finance Director Keli Barrow	Public Works Director John Pruden
Asst. Public Works Director Annette Brushwitz	City Attorney Mike Jones
Deputy Chief Susan Miller	Brock Waggoner
Members of the Media and Public	

**II. PRAYER AND PLEDGE OF ALLEGIANCE**

Opening prayer was offered by City Manager Barbee, followed by the Pledge of Allegiance.

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

Brock Waggoner addressed council regarding the City’s sign ordinance, particularly pertaining to political signs. Mr. Waggoner indicated he finds our ordinance unconstitutional, and in violation of the 1<sup>st</sup> and 14<sup>th</sup> Amendments. Waggoner added that the City’s ordinances are not content neutral, and that political signs are treated differently than other signs, and such ordinance are subject to strict scrutiny. Waggoner added that the City’s ordinances limit freedom of expression. Mr. Waggoner provided Council with a 13 page handout from JUSTIA with and opinion summary and annotations regarding a sign issue in Gilbert, AZ. Mr. Waggoner indicated he feels the entire sign ordinance, not only the section pertaining to political signs, violates the Constitution.

Councilman Farley indicated the ordinance is “content neutral”, and doesn’t limit what the signs say, just their size. City Manager Barbee thanked Mr. Waggoner for his comments.

#### IV. MAYOR’S REPORT AND PRESENTATIONS - None.

#### V. COUNCIL ACTION

##### 1. Consent Agenda

##### a. City Council Minutes – request approval of 09-21-2020 minutes

***Motion was made by Councilman Hockett and seconded by Councilman Morton to approve the minutes of September 21, 2020, as presented. Roll call vote: Councilman Morton, Councilman Hockett, Mayor Morgan. NAYS: None. Councilman Farley abstained. + Motion carried.***

##### 2. Discussion on possibility of offering WIFI in Bryan Park

City Manager Barbee indicated he had a visit from a representative of Spectrum Communications who asked about any needs that the City may have at the present. Part of the discussion covered the possibility of having a City hotspot. Mr. Barbee indicated he reached out to our local carrier, Wabash Communications, about the possibility of offering WIFI in Bryan Memorial Park. Wabash has provided a similar service to the City of Flora and had provided a cost estimate that includes their sharing in a portion of the cost. The proposal offers two main locations, one at the Aquatics Center and a second near the stage and bathroom facility with repeaters to cover most of the shelters on the southern end and the parking areas adjacent to them. With the COVID pandemic requiring schools to go with some remote learning, some students in rural areas have issues with dependable internet service. Having the free WIFI locations in the park could allow students one more access to the internet and also offer service to many who use the park for their lunch and dinner breaks as well as family functions at the pavilions.

City Manager Barbee indicated the total cost for equipment is \$3,694.00, and Wabash has agreed to cover up to \$2,000.00 of that, leaving the City’s portion at \$1,694.00. The monthly cost will be \$122.00 per month. Barbee added that he would like to move forward on this.

Councilman Morton asked if there are additional sites the City could provide “hot spots” for. Councilman Farley added that he thinks this is a good deal for the City and a good service for our citizens.

Assistant Public Works Director Annette Brushwitz asked if the service can be limited to certain hours to avoid people gathering in the park after park closing hours. City Manager Barbee responded that it can be set for certain hours. ***Motion was made by Councilman Farley and seconded by Councilman Morton to approve entering into the agreement with Wabash Communications to install two “hot spots” in Bryan Park, as proposed. Roll call vote: AYES: Councilman Morton, Councilman Hockett, Councilman Farley, Mayor Morgan. NAYS: None. Motion carried.***

##### 3. First Reading – Property Tax Levy Proposal

City Manager Barbee indicated that each year, the City of Salem provides a request for additional funding through the property tax levy. The City can ask for a maximum of 4.99% without the requirement of a public hearing. This year the City is reducing our request to a recommendation of 2.50%. A second reading of the request will be scheduled at the second October meeting. No action is requested at this time.

##### 4. CASA request to hold Disc Golf Tourney in Bryan Park on November 7, 2020

City Manager Barbee indicated the CASA (*Court Appointed Special Advocate*) group wants to host a disc golf tourney fundraiser in Bryan Memorial Park on Saturday Nov. 7<sup>th</sup>. They are hoping to have at least one food truck and are encouraging sponsors and participants from around the area. Barbee indicated he is requesting approval for them to utilize the park facility for their fundraiser. Councilman Farley indicated this is a great group and a great fundraiser for a deserving group of children. ***Motion was made by Councilman Farley and seconded by Councilman Morton to approve CASA’s request to hold a fundraiser in Bryan Park on November 7<sup>th</sup>. Roll call vote: AYES: Councilman Hockett, Councilman Farley, Councilman Morton, Mayor Morgan. NAYS: None. Motion carried.***

#### VI. CITY MANAGER REPORT

City Manager Barbee complimented the Public Works Department for the work done on oiling and chipping City streets. Barbee added that the City is currently holding its “city-wide cleanup”, with collection on residents’ regularly scheduled collection days.

City Manager Barbee reported there is some work going on at the new soccer complex, and he will be scheduling a ground breaking ceremony soon. Mayor Morgan added that the City would welcome anyone who would like to volunteer to work on the complex.

VII. CITY ATTORNEY REPORT – No report.

VIII. CITY COUNCIL REPORT

**Councilman Farley** congratulated the Mission Salem and Sleep in Heavenly Peace organizations for the work they are doing. Farley also added that the Marion County Health Department will be conducting free COVID-19 testing at the Marion County Fair Grounds from 9-5 on Monday and Tuesday, October 5-6 and “The Orchard” will be holding their second “Friday First” event on October 9<sup>th</sup> on the Orchard parking lot.

IX. ADJOURNMENT

As there was no further business to discuss, ***motion was made by Councilman Farley and seconded by Councilman Hockett to adjourn the meeting at 6:16 pm. Roll call vote: AYES: Councilman Hockett, Councilman Farley, Councilman Morton, Mayor Morgan. NAYS: None. Motion carried.***

Bev Quinn, CMC  
City Clerk

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