

AGENDA
CITY OF SALEM
6:00 PM REGULAR CITY COUNCIL MEETING
MAY 20, 2019

- 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 - 05/06/19
 - 2. Approval of Bid for Purchase of Former Brown Shoe Property (Executive Session if Necessary)
 - 3. Approval of Amendments to Ordinances Applying to Authorized Solicitor's
 - 4. Approval of Bid for Downtown Parking Lot and Sidewalk Work
 - 5. Approval of Purchase of Sewer Camera
 - 6. Approval of Bills Payable
- VI. City Manager Report
- VII. City Attorney Report
- VIII. Finance Director Report
- IX. City Council Report
- X. Adjournment

Bill Gruen, City Manager

MINUTES
CITY OF SALEM
May 20, 2019 – 6:00 pm

I. CALL TO ORDER

The regular May 20, 2019 meeting of the City Council was convened at 6:00 pm, and called to order by Mayor Rex Barbee.

Council members present:

Councilman Jim Koehler
Councilman Nic Farley
Councilman Craig Morton
Councilwoman Sue Morgan
Mayor Rex Barbee

Council members absent:

None.

Others present:

City Manager Bill Gruen	City Clerk Bev Quinn
City Attorney Mike Jones	Chief of Police Sean Reynolds
Public Works Director John Pruden	Finance Director Keli Barrow
Finance Director Keli Barrow	Assistant Public Works Director Annette Brushwitz
Deputy Chief of Police Susan Miller	Economic Development Dir. Jeanne Gustafson
Members of the Media and Public	

II. PRAYER AND PLEDGE OF ALLEGIANCE

Opening prayer was offered by Councilwoman Morgan, followed by the Pledge of Allegiance.

III. PRESENTATION OF PETITIONS/PUBLIC COMMENTS – None.

V. MAYOR'S REPORT AND PRESENTATIONS

Mayor Barbee indicated he had presented a proclamation to the American Legion Auxiliary declaring May 18th as Poppy Day. Mayor Barbee indicated he also swore in two new police officers, Matthew Potter and Ian King, who are currently at the academy.

VI. CITY COUNCIL ACTION

- 1. **Consent Agenda**
 - a. City Council Minutes – 05/06/2019
Motion was made by Councilman Farley and seconded by Councilwoman Morgan to approve the minutes of 05/06/2019, as presented. Roll call vote: AYES: Councilman Farley, Councilman Morton, Councilwoman Morgan, Councilman Koehler, Mayor Barbee. NAYS: None. Motion carried.
- 2. **Approval of Bid for Purchase of Former Brown Shoe Property (Executive Session, if necessary)**

Mayor Barbee indicated the City was approached by Wabash Communications regarding their desire to purchase the former Brown Shoe property to construct a warehouse on. Councilwoman Morgan indicated she would like to enter into Executive Session to discuss this further. Consensus of the Council was to complete action on the remaining agenda items, then enter into executive session to discuss the sale of real estate, with possible action after returning to open session.

3. Approval of Amendments to Ordinances Applying to Authorized Solicitors

City Manager Gruen suggested the following options for discussion:

Sec 11-29. – No Solicitation Registry.

The Chief of Police and the City Clerk shall coordinate the creation and the publishing of a registry of addresses at which residents have reported they wish to be placed on the “No Solicitation Registry.” The Registry and its updates shall be available to authorized solicitors. Solicitation conducted at an address on the Registry may be cause for revocation of a solicitor’s certificate authorizing solicitation. The form of Registry available to authorized solicitors shall only include the address that the resident has placed on the Registry, and shall exclude any other information identifying the resident(s) at the address. The Registry shall be created in a manner that a resident may place or remove their address on/from the Registry.

Sec. 11-43. – Fee.

A fee of five dollars (\$5.00) per day, or twenty-five dollars (\$25.00) per week, or one hundred dollars (\$100.00) per month shall be paid to the city when an application for certificate of registration is filed as provided in this division.

Option 1

Applicants who choose to pay the \$100.00 fee for one month’s authorization shall have the option to be authorized to solicit in months subsequent to the first month for which authorization is sought. Such authorization shall be granted to eligible applicants upon a payment of \$10.00 for each additional, subsequent month for which authorization is sought. This option shall be available or applicable only:

- (i) to applicants who pay the \$100.00 fee for the first month’s authorization; and
- (ii) at the time at which the first month’s authorization is sought, and shall expire upon submission of the first month’s application; and
- (iii) for months contained within one calendar year, beginning January 1 and ending December 31.

or

Option 2

Notwithstanding the foregoing fees, an applicant who has operated a business within the corporate limits of Salem for at least 120 consecutive days may apply for an annual certificate upon the payment of a \$150 fee. An annual certificate shall authorize solicitation during any month within one calendar year, beginning January 1 and ending December 31.

Councilman Farley suggested that the “no soliciting” list have an expiration date. Farley added that he doesn’t care what the expiration period is, it just needs to be something that people are aware of. Chief Reynolds added that he feels people will become aware that they have fallen off of the list when they start having solicitors knock on their doors. City Manager Gruen indicated that City Attorney Jones would like to clean up the language in option 1 to make it easier to understand. Mayor Barbee added that he likes having a solicitation registry with an expiration date. City Attorney Mike Jones added that most of the tickets issued to solicitors are not for local sales, they are the people from out of town who come in selling magazine subscriptions and electricity – not a big issue. Councilman Koehler suggested one fee per office, if the solicitor is a brick-and-mortar business. Councilwoman Morgan asked the City would handle a local sales person who runs his/her office from his/her home. Mayor Barbee concluded that the proposed revisions need further consideration, and asked that City Manager Gruen bring this back for the next meeting.

4. Approval of Bid for Downtown Parking Lot and Sidewalk Work

City Manager Gruen indicated KRB Excavation is the low bidder on the downtown parking lot and sidewalk project with a bid of \$203,945. The bid is below budget, and approval is recommended. Gruen added that KRB did the Jefferson St. parking lot and is familiar with this site, as this contractor did the first phase of concrete work north of the Theatre. Dollars for this project are split between Downtown TIF (parking lots) and Fund 18 (sidewalks). Rhutasel Engineer Brent Taylor indicated he contacted KRB to make sure they were still comfortable with their bid, as it was \$30,000 lower than the next bid, and they

are. ***Motion was made by Councilwoman Morgan and seconded by Councilman Farley to award the bid on the Downtown Parking Lot and Sidewalk Project to KRB Excavating in the amount of \$203,945, with the funding coming from Fund 18 and Downtown TIF. Roll call vote: AYES: Councilman Morton, Councilwoman Morgan, Councilman Koehler, Councilman Farley, Mayor Barbee. NAYS: None. Motion carried.***

5. **Approval of Purchase of Sewer Camera**

City Manager Gruen indicated the FY20 budget provides for purchase of a sewer camera for the Water/Sewer Maintenance department. The price for the camera is \$12,505 and would be purchased from Coe Equipment in Rochester, for which he requests approval. Public Works Director Pruden added that the camera will pay for itself, as they just had to rent one this week. ***Motion was made by Councilman Koehler and seconded by Councilman Farley to approve the purchase of the sewer camera from Coe Equipment in the amount of \$12,505. Roll call vote: AYES: Councilman Koehler, Councilman Farley, Councilman Morton, Councilwoman Morgan, Mayor Barbee. NAYS: None. Motion carried.***

6. **Approval of Bills Payable**

Mayor Barbee indicated the bills to be approved are from 4-15-19 to 5-17-19. Questions were answered to the satisfaction of Council, with the exception of a payment made to PNC Bank. City Manager Gruen indicated he would pull the invoice during the brief break when Council enters into executive session and provide additional answers when the meeting returns to open session.

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

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

IX. **FINANCE DIRECTOR REPORT** – No report.

X. **CITY COUNCIL REPORT**

Councilman Koehler indicated he was glad to see that the back 9 of the disc golf buckets have been installed.

Councilman Morton indicated Darrell Shaw's Comic and Toy Expo was really good, and is starting to draw large crowds. Morton added that he expects Shaw to have to find a larger location in the near future.

Motion was made by Councilman Farley and seconded by Councilwoman Morgan to enter into Executive Session at 6:35 for the purpose of discussing the Sale of Real Estate. Roll call vote: AYES: Councilman Koehler, Councilman Farley, Councilman Morton, Councilwoman Morgan, Mayor Barbee. NAYS: None. Motion carried.

Return to open session at 6:50 pm

V **COUNCIL ACTION (cont.)**

2. **Approval of Bid for Purchase of Former Brown Shoe Property**

Motion was made by Councilman Farley and seconded by Councilman Koehler to approve the bid from Wabash Communications in the amount of \$10,001.00 for the purchase of the former Brown Shoe Company lot, with the exception of the two parcels to be used in the straightening of Whittaker St, and that the City Manager be permitted to negotiate the exception. Roll call vote: AYES: Councilman Morton, Councilman Koehler, Councilman Farley, Mayor Barbee. NAYS: Councilwoman Morgan. Motion carried.

6. **Bills Payable**

City Manager Gruen indicated the check to PNC was actually a payment sent to PNC Bank - CSX Transportation for the bore of an 18" steel case pipe for the waterline made under the roadway at Marion St. ***Motion was made by Councilman Koehler and seconded by Councilwoman Morgan to approve the Bills Payable as presented. Roll call vote: AYES: Councilwoman Morgan, Councilman Koehler, Councilman Morton, Mayor Barbee. NAYS: None. Councilman Farley abstained, as the file was not sent to him prior to the meeting. Motion carried.***

XI. **ADJOURNMENT**

As there was no further business to discuss, ***motion was mad by Councilwoman Morgan and seconded by Councilman Morton to adjourn the meeting at 6:52 pm. Roll call vote: AYES: Councilman Farley, Councilman Morton, Councilwoman Morgan, Councilman Koehler, Mayor Barbee. NAYS: None. Motion carried.***