

**CITY OF SALEM  
REGULAR CITY COUNCIL MEETING  
December 20, 2021 – 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) Approval of Minutes – December 6, 2021
  - 2. Request to Close out the Addy & Friends Donation Account for Audit purposes.
  - 3. Request to authorize placement of reserved parking spot on E. Schwartz Street for the County’s prisoner transport vehicle.
  - 4. Authorization to commence with the planning of the 2022, 4<sup>th</sup> of July Celebration activities.
  - 5. Authorization to purchase of water meters prior to planned price increase.
  - 6. Authorization to purchase Water Hydrant prior to planned price increase.
  - 7. Approval of recommendation from Planning Commission on placement of cargo storage containers in business and industrial zones.
  - 8. Discussion on increasing the fees per Gaming machine in the next calendar year.
  - 9. Authorization of Accounts payables from Nov. 15 to December 17, 2021.
- VI. City Manager and Dept Head reports**
- VII. City Attorney Report**
- VIII. City Council Members Report**
- IX. Motion to Adjourn**

Rex A. Barbee  
City Manager

*RAB*

*Quote of the day;*

***Every problem has in it the seeds of its own solution. If you don’t have any problems, you don’t get any seeds.***

*Norman Vincent Peale*

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**MINUTES  
REGULAR CITY COUNCIL MEETING  
December 20, 2021**

**I. Call to Order**

The regular December 20, 2021 meeting of the Salem City Council was convened in the Council Chambers of Salem City Hall. The meeting was called to order by Mayor Nicolas Farley at 6:00 pm.

**Council members present:**

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

**Council members absent:** Councilwoman Amy Troutt

**Others present:**

City Manager Rex Barbee	Public Works Director Annette Brushwitz
City Clerk Bev Quinn	Chief of Police Sean Reynolds
Economic Dev Dir Tabitha Meador	City Attorney Mike Jones
Finance Director Keli Barrow	Code Enforcement Officer Dave Lusch
Laura Densford, Purple Elephant Storage	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 wished everyone a Merry Christmas and Save New Year.

V. **CITY COUNCIL ACTION**

1. **Consent Agenda**

- a. **City Council Minutes - request approval of minutes of December 6, 2021**

***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve the minutes of 12/6/2021, as presented. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

2. **Request to Close Out the Addy & Friends Donation Account for Audit Purposes**

Mayor Farley indicated this action is being made at the suggestion of our auditors, who have indicated there should be City Council approval for all opening and closing of bank accounts. Finance Director Barrow added that the City has expended all funds from the donation account and it currently has a zero balance, and she is requesting approval to close the account. ***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve closing the Addy & Friends Donation account. Roll call vote: AYES: Councilman Morton, Councilman Koehler, Councilman Bringwald, Mayor Farley. NAYS: None. Motion carried.***

3. **Request to Authorize Placement of Reserved Parking Sign on E. Schwartz Street for the County's Prisoner Transport Vehicle**

City Manager Barbee indicated he received a request from the Marion County Sheriff's Department, requesting that a reserved parking space be designated for the prisoner transport van in the 100 block of E. Schwartz St. They are requesting that this space be the first space facing east on the south side of the road. Barbee added that Chief Reynolds and Public Works Director Brushwitz are in favor of this designation. ***Motion was made by Councilman Bringwald and seconded by Councilman Morton to approve designating the first parking space on E. Schwartz facing east on the south side of the street as a reserved space for prisoner transport. NAYS: None. Motion carried.***

4. **Authorization to Commence with the Planning of the 2022 4<sup>th</sup> of July Celebration Activities**

City Manager Barbee indicated the past two July 4<sup>th</sup> events in Bryan Park have been excellent, despite COVID, and he is requesting Council approval to move forward on making plans for the 2022 event. Barbee added that Economic Development Director Meador has worked in the past with Bill Poss of Effingham on booking the entertainment and providing the sound system. Councilman Koehler added that he thinks Mr. Poss provides an excellent service, and he was impressed with the event. The event had a budget of \$10,000 last year, with an additional \$15,000 for fireworks. ***Motion was made by Councilman Morton and seconded by Councilman Koehler to authorize staff to begin planning the July 4<sup>th</sup> event for 2022, with the same budget as previously used. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

5. **Authorization to Purchase Water Meters Prior to Planned Price Increase**

City Manager Barbee indicated Public Works Director Brushwitz has brought to his attention that the price for the auto-read water meters will be going up \$10.00 per meter after January 1<sup>st</sup>. As a result, the department is wanting to purchase auto-read water meters at a total cost of \$38,760.00, prior to the price increase. This is a budgeted item. ***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve purchase of auto-read water meters from Midwest Meters in the amount of \$38,760.00. Roll call vote: AYES: Councilman Morton, Councilman Koehler, Councilman Bringwald, Mayor Farley. NAYS: None. Motion carried.***

6. **Authorization to Purchase Water Hydrants Prior to Planned Price Increase**

City Manager Barbee indicated Director Brushwitz had advised him that the price of fire hydrants was going to go up after the first of the year, and she would like to purchase 11 hydrants from Utility Pipe Sales in the amount of \$24,887.99. This is a budgeted item. ***Motion was made by Councilman Morton and seconded by Councilman Koehler to approve the purchase of 11 water/fire hydrants from Utility Pipe Sales at a total cost of \$24,887.99.***

**Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Councilman Morton, Mayor Farley. NAYS: None. Motion carried.**

**7. Approval of Recommendation from Planning Commission on Placement of Cargo Storage Containers in Business and Industrial Zones**

Mayor Farley indicated the Planning Commission held a Public Hearing on the use of shipping containers in the commercial and industrial zoning districts on December 14<sup>th</sup>. Following the hearing, the Planning Commission has submitted a recommendation as follows: That shipping containers be permitted as an accessory use directly serving a commercial/industrial business, ***with a building permit and meeting all zoning regulations for an accessory use, as follows:***

**Permitted Use**

- B-3 Highway Business
- B-4 Interchange Business
- B-6 – General Commercial
- I – Industrial

**Special Use**

- B-2 Central Business
- B-5 Central/Intermediate Business

**Not Permitted**

- B-1 Neighborhood Business

Discussion ensued regarding the shipping containers that are currently in use, that may or may not meet required setbacks, and were put into use without building permits or City permission. Mayor Farley recommended giving the businesses with shipping containers currently in use 60 days to come into compliance and obtain permits. Councilman Koehler expressed concern regarding those shipping containers that may not meet the setback requirements, and how difficult it would be to move them. Koehler added that he is in favor of “grandfathering” them in. Mayor Farley cautioned against grandfathering the containers, particularly if they don’t meet setbacks. Laura Densford of Purple Elephant Storage indicated a shipping container can weigh up to 9,700 lbs., and it would take cranes and winches to move them. City Manager Barbee indicated Safe Sheds and Squibb Tank have the necessary equipment, and there may be a way to work with them.

Laura Densford, Purple Elephant Storage, indicated she had attended the public hearing, and was made to feel that the topic in question did not concern her. Ms. Densford currently has several shipping containers in use as rental units and as storage for her tree service equipment. City Clerk/Zoning Administrator Quinn indicated that the notifications that went out were for the purpose of discussing the use of shipping containers as accessory structures for commercial businesses, not for use as stand-alone facilities. Quinn indicated during Council discussion at a previous meeting, Council members had not indicated they wanted to see shipping containers utilized as stand-alone structures. Ms. Densford asked when there will be a meeting to discuss using the containers as stand-alone structures. Quinn responded that it will take Council direction, and she would keep Ms. Densford informed.

Mayor Farley indicated he feels City Council has the following additional items to consider:

- 1) Can a shipping container be a stand-alone facility on a property, not serving a primary commercial building;
- 2) Can a shipping container be used AS a retail/commercial facility; and
- 3) How does Council want to handle the existing shipping containers already in place.

City Attorney Mike Jones indicated tonight’s action needs to be consideration of the Planning Commission’s recommendation regarding the use of shipping containers as accessory structures in the commercial and industrial districts. The additional items will need further discussion. Mayor Farley concurred, and indicated he would like a motion on the Planning Commission’s recommendation and to table further discussion until the next meeting. City Attorney Jones concurred, and indicated that if City Council takes action to

approve the Planning Commission's recommendation, he will work with the Zoning Administrator on developing an ordinance to be adopted at the January 3<sup>rd</sup> meeting.

***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve the Planning Commission recommendation to permit shipping containers as an accessory use directly serving commercial /industrial businesses , with a building permit and meeting all zoning regulations for an accessory use as follows: Permitted Uses in the B-3 Highway Business, B-4 Interchange Business, B-6 General Commercial and I Industrial districts; Special Uses in the B-2 Central Business and B-5 Central/Intermediate Business districts; and not permitted in the B-1 Neighborhood Business districts. Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Councilman Morton, Mayor Farley. NAYS: None. Motion carried.***

**8. Discussion on Increasing the Fees Per Gaming Machine in the Next Calendar Year**

Mayor Farley indicated legislation just passed allowing the fee per video gaming machine to be raised to \$250.00, and the City of Centralia has just approved and implemented this fee. Farley indicated he would like to see this implemented when the next liquor license year begins on July 1, 2022. This would give the staff ample time to provide notice to gaming entities and for gaming businesses to prepare for the fee. Mayor Farley indicated the City of Salem 78 machines in use in for-profit businesses and 14 machines in use by not-for-profit businesses, and he would like to see the City waive the fee for the not-for-profits.

Councilman Koehler and Councilman Bringwald concurred. Councilman Koehler asked if we want to charge the maximum fee at the time of implementation, since we haven't charged a fee at all in the past. Mayor Farley indicated he thinks the \$250.00 per machine fee may curb the number of people who want to offer video gaming. Councilman Morton asked if this money can be put in the General Fund, rather than used to pay into the Police Pension Fund. Finance Director Barrow indicated this is video gaming, and the current ordinance provides that 75% of the proceeds will go towards catching up on our police pension funding. Barrow added that even if it is placed in the General Fund, if the video gaming does not generate enough funds to meet our required contribution, the funds are taken from the General Fund anyway. ***Motion was made by Councilman Koehler and seconded by Councilman Morton to table action on this item, and request that it be placed on the January 3, 2022 meeting agenda. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

**9. Authorization of Accounts Payable from November 15 to December 17, 2021**

Following review and discussion, ***motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve the Accounts Payable for November 15, 2021 to December 17, 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 lease/purchase agreement with Enerparc Solar has been cancelled at the request of Enerparc. Ameren now has an interest in purchasing 10 acres of the land. More information will be provided as it becomes available.
- has been working with City Attorney Mike Jones on a roadway abandonment for the undeveloped portion of Mills Cart Road for Neal Smith's development. As part of that, the City must abandon any ownership of that piece of roadway.
- Indicated City Hall will be closed Friday, December 24<sup>th</sup> and Monday December 27<sup>th</sup> for the Christmas Holiday, and Friday December 31<sup>st</sup> for New Years. Additionally, beginning January 3, 2022, City Hall operating hours will be 7:30 am – 4:30 pm.

**Public Works Director Brushwitz –**

- indicated she and Jason Weber of the Water Plant are working with Curry and Associates to see if there are any suppliers who are selling the chemicals the City at the Water Plant at a lower cost than we are currently paying.

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

**VIII. CITY COUNCIL MEMBERS REPORT**

**Councilman Koehler** reported that the disc golfers were happy that the leaves in the park were picked up, and mentioned that Bryan Park looks very nice. Councilman Koehler wished everyone a Merry Christmas and Happy New Year.

**Councilman Morton** asked what Brent Taylor had to report on the status of the soccer field. City Manager Barbee responded that Gonzalez has the survey information back, and they are now

putting together a drainage plan. Once we have that, and the ground has dried out, City employees can begin work on the grounds.

**Councilman Bringwald** wished everyone a Merry Christmas and a Happy New Year.

**Mayor Farley** thanked Chief Reynolds for the increased police presence at the schools this past week.

**IX. ADJOURNMENT**

As there was no further business to discuss, ***motion was made by Councilman Morton and seconded by Councilman Bringwald to adjourn the meeting at 6:58 pm. Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Councilman Morton, Mayor Farley. NAYS: None. Motion carried.***

Bev Quinn, CMC  
City Clerk

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