

CITY OF SALEM IL  
REGULAR CITY COUNCIL MEETING  
MAY 2, 2022 – 6:00 PM

- I. Call to Order
- II. Prayer and Pledge of Allegiance
- III. Presentation of Petitions/Public Comments
- IV. Mayor's Report and Presentation
- V. City Council Action
  - 1. Consent Agenda
    - (a) Approval of Minutes – April 18, 2022
  - 2. Authorization to Close Avenue of Flags account.
  - 3. Discussion on Garbage Contract Surcharge
  - 4. Discussion on adjusting Gaming Machine Fee Structure
  - 5. Sale of Real Estate – Bid Opening
- VI. City Manager and Dept Head Reports
- VII. City Attorney Report
- VIII. City Council Member Reports
- IX. Executive Session –
  - a. 5 ILCS 120/2 ( c ) (6) - Sale of Real Estate
  - b. 5 ILCS 120/2 (c) (21) - Review of prior executive session minutes for 3/21/22 and 4/4/22
- X. City Council Action after Executive Session
  - a. Sale of Real Estate
  - b. Approval of Executive Session Minutes – 3/21/22 and 4/04/22
- XI. Motion to Adjourn

Rex A. Barbee  
City Manager

*RAB*

*Quote of the Day –*

Change is inevitable. Change will always happen, but you have to apply direction to change, and that's when it's progress.

*Doug Baldwin*

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REGULAR CITY COUNCIL MEETING  
May 2, 2022 – 6:00 pm

I. **CALL TO ORDER**

The regular May 2, 2022 meeting of the Salem City Council was convened in the Council Chambers of Salem City Hall. The meeting was called to order by Mayor Farley at 6:00 pm.

**Council members present:**

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

**Council members absent:** Councilwoman Troutt

**Others present:**

City Manager Rex Barbee  
Finance Director Keli Barrow

City Clerk Bev Quinn  
Asst. to the Public Works Dir Courtney Mitchell

**II. PRAYER AND PLEDGE OF ALLEGIANCE**

Councilman Koehler offered the opening prayer, followed by the Pledge of Allegiance.

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

A number of citizens attended the meeting to object to the sale of City-owned land on the NE corner of W. Main and Selmaville Rd, which had previously identified as the future site of a soccer complex, to an industrial prospect. Those speaking in opposition to the sale of land are listed below:

Ella Douglas	Dr. Mike Douglas
Dr. Craig Engel	Lori Eisenhour
Chad Nix	Madison Freiboth
Katie Helm	Ashley Stanford
Kelly Jones	Phil Martin
David Belfiore	Tammy Kell
Brock Waggoner	Theresa Russell

Some speakers commented that they felt they had been lied to by the City Council, and that the City is “taking away the kids soccer fields”. Those present expressed frustration that the fields had not yet been developed, and that the project seemed to be “kicked down the road”. There were also many comments made about the advantages of having a quality soccer complex in Salem, and what it would bring to the community.

Steve Baker spoke in defense of the City Council members and indicated they had met with him, walked the fields, shared and listened to suggestions and concerns, and did intend to develop fields. Baker added that he, too, wants new soccer fields, but suggested the City can have both.

Mayor Farley responded that this land was originally developed for industrial use, and when that didn’t happen, it was selected as a site for new soccer fields. Unfortunately, when the engineering estimates came in, development costs were twice as much as originally estimated. Farley added that he would like to put together a steering committee involving a number of those who have spoken tonight, in hopes that they can help identify a new location for the soccer development and help move this project along. Mayor Farley added, “I hear you”.

City Manager Barbee added that the offer on the land had come up suddenly, and will bring 90 good paying jobs to the community. The City Council must determine what is the “best and highest use” of land when considering development. Mayor Farley added that he wants to do both – bring this industrial opportunity to town *AND* build a soccer complex

Councilman Koehler indicated several citizens have accused the City Council of lying to them, and he wanted to assure them that is not true. Koehler added that Council wants the soccer fields, and suggested parents and coaches also approach their school boards and ask if they want to partner in the development of soccer fields. Councilman Koehler added that no one in the room is more “for kids” than he is.

Mayor Farley responded that City Council did fail to deliver a soccer park in a timely manner, and this is an opportunity to correct that. Farley thanked all for attending and providing their input. Farley tasked the City Manager with putting together a committee this week, and invited anyone interested in serving to email their contact information to him .  
([mayor@salemil.us](mailto:mayor@salemil.us)).

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

Mayor Farley -

- thanked the Lion’s Club for once again hosting the Easter Egg Hunt in Bryan Park;

- indicated there is a very nice ad for Salem in the Illinois South Tourism -Tourism Times Spring/Summer magazine which promotes the disc golf course, aquatic center, inclusive playground and several events taking place in Salem;
- indicated he received a call from the Mayor of Centralia, who indicated the Salem Fire Department was quick to provide mutual aid and equipment for a fire in Centralia over the weekend, which has been passed on to the Salem Fire Protection District.

## V. CITY COUNCIL ACTION

### 1. Consent Agenda

(a) Approval of Minutes – April 18, 2022

***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve the minutes of April 18, 2022, as written. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

### 2. Approval to Close-Out Avenue of Flags Account

City Manager Barbee indicated the “Avenue of Flags” account is now empty, and Finance Director Barrow is requesting City Council approval to close the account. ***Motion was made by Councilman Bringwald and seconded by Councilman Koehler to approve closure of the “Avenue of Flags” bank account. Roll call vote: AYES: Councilman Morton, Councilman Koehler, Councilman Bringwald, Mayor Farley. NAYS: None. Motion carried.***

### 3. Discussion on Garbage Collection Surcharge

City Manager Barbee indicated the City’s trash hauler, DBS Services Inc., has requested additional funds to offset rising fuel costs, transfer station fees and upkeep on equipment costs. DBS was looking at a surcharge of an additional \$1.00 per household per month. The number of residential units being served at this point in the contract is at 2696, which would add approximately \$2,700 each month to the City’s cost for residential waste collection. The current residential fee paid by customers covers the bid cost of the trash contract and additional funds to offset costs for landfill testing and permits. Barbee suggested setting a time limit on any surcharge authorized.

Councilman Morton questioned if permitting a surcharge would be fair to the other haulers who bid on this contract, and added that this is just the cost of doing business. Councilman Koehler responded that DBS could not have anticipated what the cost of fuel would be, and if we have to go out for bids now, the bids will be much higher. Mayor Farley added that the current contract can be cancelled by either party with 90-days notice. City Attorney Mike Jones added that any contract can be amended – or City Council can say “no”. Jones added that if City Council feels there are compelling reasons to assist DBS, they can offer something other than what they requested. Councilman Bringwald suggested countering with a \$0.50/household surcharge for a limited time. Mayor Farley asked if the Garbage Fund is currently using reserves. Finance Director Barrow responded that the Garbage Fund does not have any reserves, but is currently \$25,000 under budget.

***Motion was made by Councilman Morton to deny the request from DBS Disposal for an additional surcharge of \$1.00 per household. Motion failed for lack of a second.***

***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to offer DBS Disposal a \$0.50/household surcharge per month, through August 2022, and to reassess fuel costs at the end of August. Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Mayor Farley. NAYS: Councilman Morton. Motion carried.***

### 4. Discussion on Adjusting Video Gaming Fee Structure

Mayor Farley indicated the City Council did not opt to adopt a video gaming terminal fee when video gaming first became legal in Illinois. At that time, the maximum terminal fee a non-home-rule community could charge was \$25.00/terminal. Governor Pritzker has recently approved increasing that fee to \$250.00 per terminal. Mayor Farley indicated he is recommending the City Council adopt the maximum terminal fee of \$250.00 per terminal, excluding not-for-profit organizations. Farley indicated that this will dissuade those who just want to open a gaming parlor. Mayor Farley added that he would be willing to make implementation effective July 1<sup>st</sup> of 2023, concurrent with the issuance of liquor licenses. There are 88 machines in play that are “for profit”, and this gives them a

12-month notice. ***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to adopt a video terminal fee of \$250.00 per terminal, excluding not-for-profit organizations, to become effective July 1, 2023. Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Councilman Morton, Mayor Farley. NAYS: None. Motion carried.***

#### **5. Sale of Real Estate – Bid Opening**

City Manager Barbee opened a sealed bid for real estate from Salem Enterprises, LLC, for the 22.86-acre tract of land located at US Rt. 50 and Selmaville Rd. North. The offer amount is \$210,000, with 10% earnest money, and is a cash sale. There is no survey required, the broker will hold the earnest money, and there are no exclusions. Additionally, the contract requires that the Seller and Buyer agree to cancel the agreement if the end-user cancels with the Buyer. Barbee indicated the offer included a “Letter of Credit” from Iuka State Bank for the purchase price of \$210,000 that is contingent upon normal underwriting practices, and the “Letter of Credit” will become null and void 90 days from May 2<sup>nd</sup>. City Manager Barbee indicated this will be discussed further during Executive Session, and there may be action when City Council returns to open session.

#### **VI. CITY MANAGER AND DEPARTMENT HEAD REPORT**

##### **City Manager Barbee –**

- thanked the Public Works Department for getting the required steps done by April 30<sup>th</sup> for the sand volleyball court and batting cages to comply with the OSLAD grant requirements;
- indicated Ameren has requested an extension on closing on the 10 -acres they have agreed to purchase, as they are searching for some information regarding oil rights on the property; and
- mentioned that there are some tuck-pointing issues on the Theatre building that will need to be addressed.

##### **Finance Director Barrow –**

- reported that she has closed out April, and will get the revenue reports out tomorrow.

##### **Assistant to the Public Works Director Mitchell –**

- indicated it was “all hands on deck” to get the park items done by the April 30<sup>th</sup> deadline;
- indicated the pool is fully staffed, and they began taking reservations yesterday;
- reported that Shelter 4 is being demolished;
- reported that Shelter 5 (*the Teepee*) is coming down, and a new one is going up in its place;
- indicated a new culvert is going in in the park, which will help with the disc golf course; and
- reported that the Salem Family Aquatic Center will open on Memorial Day. Westport has been out, and the pool is ready to fill.

##### **Chief Reynolds –**

- indicated he has received a letter of intent to retire from Sgt. Greg Wright effective 5/22. Sgt. Wright will not be working after May 10<sup>th</sup>, as he will be using some accrued vacation. Reynolds added that Sgt. Wright is retiring with 23 years and 7 months of service.

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

#### **VIII. CITY COUNCIL MEMBER REPORTS**

##### **Councilman Koehler reported –**

- that he had obtained a proposal from Fyke Contracting, LLC to make repairs to the exterior of the Bryan Home prior to having it sanded and painted. The cost is \$2,750.00, which is within the City Manager’s spending authority,

##### **Councilman Bringwald –**

- indicated he has spoken with some of the Mission Salem members, and they are very happy with the former Save-A-Lot site.

#### **IX. EXECUTIVE SESSION**

##### **a. 5 ILCS 120/2 ( c ) (6) - Sale of Real Estate**

##### **b. 5 ILCS 120/2 (c) (21) - Review of prior executive session minutes for 3/21/22 and 4/4/22**

***Motion was made at 7:30 pm by Councilman Koehler and seconded by Councilman Bringwald to enter into executive session to discuss Sale of Real Estate and review executive session minutes, after***

***a 10-minute break. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

**X. CITY COUNCIL ACTION AFTER EXECUTIVE SESSION**

**a. Sale of Real Estate**

Mayor Farley indicated the sale of real estate will position the City to bring 90 good-paying jobs into the City. The City Council will also be pursuing moving forward with development of a Soccer Complex at an alternate location. ***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to accept the offer for 23+/- acres of land at the corner of Rt. 50 West and Selmaville Rd. north in the amount of \$210,000, contingent upon the end-user completing its contract with the buyer. Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Councilman Morton, Mayor Farley. NAYS: None. Motion carried.***

**b. Approval of Executive Session Minutes – 3/21/22 and 4/04/22**

***Motion was made by Councilman Bringwald and seconded by Councilman Morton to approve the executive session minutes of 3/21/22 and 4/04/22, and to keep them closed. Roll call vote: AYES: Councilman Bringwald, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

**XI. MOTION TO ADJOURN**

***Motion was made by Councilman Morton and seconded by Councilman Koehler to adjourn the meeting at 8:15 pm. Roll call vote: Councilman Morton, Councilman Koehler, Councilman Bringwald, Mayor Farley. NAYS: None. Motion carried. Mayor Farley. NAYS: None. Motion carried.***

Bev Quinn, CMC  
City Clerk

Minutes approved: \_\_\_\_\_