

**PUBLIC HEARING
CITY OF SALEM FY22-23 BUDGET
APRIL 18, 2022 – 6:00 PM**

**CITY OF SALEM IL
REGULAR CITY COUNCIL MEETING
APRIL 18, 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 Presentations**
- V. City Council Action**
 - 1. Consent Agenda
 - (a) Approval of Minutes – April 4, 2022
 - 2. Approval of mayoral re-appointments to City Boards and Commissions
 - 3. Review and action on Planning Commission Recommendation for Special Use Permit
 - 4. Review and approval of bids on Motor Fuel Tax Maintenance Materials
 - 5. Review and awarding of bid on proposed waterline project on Kell Street
 - 6. Ordinance – Second Reading – Request to change the ordinance pertaining to the fees charged for installing tap services for residential locations
 - 7. Review and Action on painting of Bryan Birthplace
 - 8. Allocation of excess revenue received over the amount budgeted in FY2021/2022
 - 9. Ordinance – Review and approval of 2022/2023 budget for City of Salem
 - 10. Presentation of accounts payable for the period 3/21/22 to 4/15/22
- VI. City Manager and Dept Head Reports**
- VII. City Attorney Report**
- VIII. City Council Member Reports**
- IX. Return from executive Session – Action on Possible Sale of Real Estate**

Rex A. Barbee
City Manager

RAB

Quote of the Day – The man who goes furthest is generally the one who is willing to do and dare. The sure-thing boat never gets far from the shore.

Dale Carnegie

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Mayor Farley called the Public Hearing on the FY23 Budget to order, and asked if there were any questions or comments from those present. There were no comments. Mayor Farley thanked City Manager Barbee and the Department Heads for their work on this budget, and for holding tight on expenditures and adhering to the past year's budget.

The public hearing was closed at 6:02 pm.

Bev Quinn, CMC
City Clerk

CITY OF SALEM
REGULAR CITY COUNCIL MEETING
April 18, 2022 – 6:00 pm

I. CALL TO ORDER

The regular April 18, 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 6:02 pm.

Council members present:

Mayor Nicolas Farley
Councilman Jim Koehler
Councilman Royce Bringwald
Councilman Craig Morton
Councilwoman Amy Troutt

Council members absent: None

Others present:

City Manager Rex Barbee	Public Works Director Annette Brushwitz
City Clerk Bev Quinn	Asst. to the Public Works Dir Courtney Mitchell
Finance Director Keli Barrow	Chief of Police Sean Reynolds
Deputy Chief of Police Susan Miller	Economic Development Director Tabitha Meador
Library Director Kim Keller	Members of the Media and Public
Code Enforcement Officer Dave Lusch	

II. PRAYER AND PLEDGE OF ALLEGIANCE

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

III. PRESENTATION OF PETITIONS/PUBLIC COMMENTS

Jane Gaston, 901 E. Main St, Salem, IL, addressed Council in opposition to the request for a Special Use permit for a Cannabis Craft Grow facility in the Industrial Park. Ms. Gaston's comments included that she does not feel the operation reflects what the community supports such as the Aquatic Center and Inclusive Playground. Gaston added that the retirees of the community serve on Boards and Commissions and hospital volunteers, among other community organizations. Gaston indicated that this change will not be a positive change, and the location is in a TIF District and an Enterprise Zone, so there will be very little tax revenue for the community. Ms. Gaston closed her comments by requesting that City Council accept the Planning Commission's recommendation and deny the petition for a Special Use Permit for a Cannabis Craft Grow facility.

Nathan Duke, 4728 Hoots Chapel Rd., Salem, IL, addressed Council in support of the request for Special Use Permit, and indicated many of the concerns voiced are outdated or stereotypical. Duke added that he is extremely excited about the proposed use, as it represents change and progress.

Brock Waggoner addressed Council in opposition to the Special Use request, and indicated he does not want to raise his children in a community like Centralia or Mt. Vernon. Waggoner indicated any time drugs are involved, a community has more violent crime. Waggoner added that Cannabis is a Schedule 1 Narcotic, and it depletes jobs, rather than adding them. Waggoner indicated people are choosing not to take jobs now, and much of that is due to drug use. Waggoner indicated Cannabis is a gateway drug, and more people in Salem are against this Special Use than in support of it.

Josh Dice, 1300 W. Boone, thanked City Council for all they do, and expressed his opposition to the Special Use. Dice indicated good people are leaving Salem and we want to draw good people to our community. Dice questioned if the proposed use will make our town a "better Salem", or if the proposed use is healthy for the community. Dice indicated each individual

has a moral compass, common sense and a conscience, and he asked each member of Council if this is what Salem needs.

David Belfiore of Hometown Hero Consulting Firm commented that he appreciates the City Council members' common sense, and for an individual to think that someone who thinks differently than they do doesn't have common sense is nonsense.

Neal Cannon, Holly Place, Salem, IL, expressed his opposition to the Special Use being requested, and commended the members of the Planning Commission for their unanimous vote to deny the request. Cannon indicated he is a 74-year-old veteran, and that he represents 80% of the citizens of Salem who would like to see this taken to a referendum and tabled. Cannon added that to take action on this tonight is a miscarriage of justice.

John Erickson, 708 Oak Park, Salem, IL, expressed his opposition to the Special Use Permit being requested. Erickson indicated he was a Jr. High health education teacher for 30 years, and that non-medical marijuana use kills work ethic. Salem employers already have trouble keeping employees, and approval of this use will accelerate the failure of our companies.

Steve Tate, 526 Cottonwood, Salem, IL, indicated he is a college graduate who smoked pot the entire time he was in school, and was a successful student.

Greg Strother, 750 N. Reel, Salem, IL, indicated his opposition to the Special Use request. Strother added that the Planning Commission public hearing was very good, and he is all for medical marijuana, which is an entirely different situation than what is being proposed. Strother added that we need to keep marijuana businesses out of Salem.

Emil Nattier, 2151 Hotze Rd, Salem, IL expressed his opposition to the proposed Special Use. Nattier added that he does not see that producing marijuana in any way benefits the community of Salem. Nattier added that it is still a Federally regulated commodity, and he wants to see Marijuana and its processes kept out of Salem.

Dustin Collier, 5124 Church Rd., Salem, IL, indicated Hometown Hero Firm wants to bolster the Police Department, bolster the community, add on to the city parks, and that their cause is community based. Use of Marijuana can help many feel better and healed from trauma and anxiety, and not everyone can afford insurance and medical Marijuana. Collier added that there is nothing stopping people from purchasing marijuana in Mt. Vernon and providing it to the youth of Salem.

Katie Helm, Roddy Rd., Salem, IL, indicated her opposition to the Special Use. Helm added that at the Planning Commission Public Hearing, the petitioners indicated there would be armed guards, barbed wire fences, and that the facility would look like a prison. If this product won't bring law-breakers to town, why does the facility need to be so protected? Helm mentioned that her daughter travels to Colorado a couple of times per year, and she indicated the facilities emit a skunk-like odor. (*Mr. Belfiore commented that Colorado allows outside-grow, which Illinois does not.*) Helm indicated she agrees with everyone who has spoken against the proposed use, and she does not see how anything positive can come from it.

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.

V. CITY COUNCIL ACTION

1. Consent Agenda

(a) Approval of Minutes – April 4, 2022

Motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve the minutes of April 4, 2022, as written. Roll call vote: AYES: Councilman Bringwald, Councilwoman Troutt, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.

2. Approval of mayoral re-appointments to City Boards and Commissions

Mayor Farley presented the following names for appointment to Boards and Commissions:

- Library – Ann Wilzbach, Ed Dolbeare
- Planning Commission – Kathy Matthews
- Police Commissioners – William “Randy” Vogt
- Historical Commission – Don Mills, Mark Larimer, Diane Eller
- Police Pension Board – James Wheeler

Mayor Farley added that he as the following additional seats to fill, and to contact him if you are willing to serve or have a recommendation:

- Zoning Board of Appeals – 2
- Planning Commission – 2
- Library Board - 1

Motion was made by Councilman Bringwald and seconded by Councilwoman Troutt to approve the appointments to Boards and Commissions, as recommended by Mayor Farley. Roll call vote: AYES: Councilwoman Troutt, Councilman Morton, Councilman Koehler, Councilman Bringwald. NAYS: None. Mayor Farley abstained.

3. Review and action on Planning Commission Recommendation for Special Use Permit

Mayor Farley thanked all who attended the Public Hearing, and indicated he has heard from many that people on both sides of the issue were respectful and kind while making their comments.

Councilman Koehler indicated he taught for 32 years; coached for 27 years; officiated basketball for 30 years; worked at Minor League and raised kids, and he tried to be a mentor to the kids when he was teaching and coaching. There is so much information, both negative and positive, that it makes decisions like this difficult to make. Koehler added that there is a grow facility in Albion, which is a conservative community, and they have only had one small problem which was an odor for about a week when the ventilation system was down. Councilman Koehler added that his sister died from an opioid overdose, and things might have been different, if she had had access to and alternative to opioids. Koehler added that he takes this issue very seriously.

Councilwoman Troutt indicated she echoes Councilman Koehler’s statement about this being a difficult decision, and it can be challenging to determine what is right for the community. Troutt added that some members of the community are asking the City Council to regulate morality, and the truth of the matter is that the State of Illinois has legalized cannabis businesses and uses, and the proposed use is a legal business. Councilwoman Troutt added that she has spoken with several health professionals who advocate the use of recreational marijuana over alcohol. Additionally, she drove to Albion and Edgewood today, both of which have grow facilities, and knocked on doors to ask neighbors how they had been affected. There was no odor in Albion, and a small trace of an odor in Edgewood, but not nearly as bad as Radiac. Troutt added that the State of Illinois has enacted very strict regulations regarding grow facilities.

Mayor Farley indicated the City may not have done the greatest job of educating the community about this. When the zoning code was amended, Cannabis Craft Grow Facilities were made a possible Special Use, which does require a public hearing at the Planning Commission level, and notification to neighboring property owners. Additionally, the code was changed to add Craft Grow Facilities to the list of uses that may be allowed by Special Use Permit, but the revision does not allow dispensaries.

Councilman Bringwald expressed his appreciation to all who attended the Public Hearing. Bringwald indicated he was present, and everyone was respectful and courteous. Bringwald added that he has done a lot of research, and the Illinois State Statutes cover permitting of cannabis businesses, which is a long, tedious process. There are lots of studies, including Mayo and Harvard, much of which are opinion based. Bringwald indicated he also polled members of the community, and no matter which side they were on, they supported medical Marijuana. What stood out to him during conversations with the community were concerns about meth problems and needles in the streets where children play.

Motion was made by Councilman Koehler and seconded by Councilwoman Troutt to approve the Special Use Permit for a Cannabis Craft Grow Facility at 11 Carpenter Drive, to Tracy Murray, as represented by Hometown Hero Consulting Firm. Roll call vote: AYES: Councilman Koehler, Councilwoman Troutt, Councilman Morton, Mayor Farley. NAYS: Councilman Bringwald. Motion carried.

4. Review and approval of bids on Motor Fuel Tax Maintenance Materials

City Manager Barbee indicated bids were sought for oil and chip materials to maintain city streets through the Motor Fuel Tax program through IDOT. Bid packets were mailed to six companies, with three quotes received. The low bid for the bituminous seal coat material was from Howell Paving at \$772.19 per ton on an amount of 225 tons for a total of \$173,742.75. The other bid on seal coat came from the Don Anderson Company at a unit price of \$785.40 per ton. The low bid on the seal coat aggregate was from Beelman Logistics, LLC in the unit price of \$20.69 per ton, for a total bid of \$46,552.50. Barbee indicated he is recommending award of the low bid on seal coat to Howell Paving Inc. in the amount of \$772.19 per ton for a bid total of \$173,742.75 and award of the low bid on aggregate to Beelman Logistics, LLC for \$20.69 per ton on 225 tons for a total of \$46,552.50. ***Motion was made by Councilman Koehler and seconded by Councilman Bringwald to approve award of bids to Howell Paving at \$772.19 per ton on 225 tons for a total of \$173,742.75 and to Beelman Logistics LLC for \$20.69 per ton for a total of \$46,552.50. Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Councilwoman Troutt, Councilman Morton, Mayor Farley. NAYS: None. Motion carried.***

5. Review and award of bid on proposed waterline project on Kell St.

City Manager Barbee indicated proposals were solicited for the waterline replacement project on Kell St. between S. College and S. Broadway. Five contractors provided bids, with the low bid coming from JK Trotter and Sons in the amount of \$320,185.40. ***Motion was made by Councilwoman Troutt and seconded by Councilman Koehler to award the bid for the waterline replacement project on Kell St. to JK Trotter and Sons in the amount of \$320,185.40. Roll call vote: AYES: Councilman Bringwald, Councilwoman Troutt, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.***

6. Ordinance – Second Reading – Request to change the ordinance pertaining to the fees charged for installing gas tap services to residential locations.

This ordinance is being presented for a second reading. Director Brushwitz indicated that in several cases, the actual cost of putting in the gas taps has far exceeded the gas tap fees currently collected. The tap fee for the shorter lines or smaller taps won't increase. ***Motion was made by Councilman Bringwald and seconded by Councilwoman Troutt to approve the ordinance amending Chapter 20 of the City Code pertaining to gas tap fees.***

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

7. Review and action on painting of Bryan Birthplace

City Manager Barbee indicated Councilman Koehler spearheaded this project, and worked with the Tourism Board and Historical Commission on identifying a funding source. Two bids were received, with the low bid coming from Jerold Henson in the amount of \$13,964.47. Councilman Koehler indicated they will be using a special paint for older homes, and will do the best job they can with the old exterior. The contractors hope to have this finished by the end of summer. **Motion was made by Councilwoman Troutt and seconded by Councilman Bringwald to award the bid for the painting of the Bryan Home to Jerald Henson Painting Contractors in the amount of \$13,964.47. Roll call vote: AYES: Councilwoman Troutt, Councilman Morton, Councilman Bringwald, Mayor Farley. NAYS: None. Councilman Koehler abstained.**

8. Allocation of excess revenue received over the amount budgeted in FY2021-22

City Manager Barbee indicated the City has received all of the tax revenues allocated for this fiscal year, and they have exceeded the conservative estimates available when the budget was initiated in April of 2021. The current amount over the estimated revenue is about \$800,000. Rather than place the amount in reserves, it is being recommended to the Council to split the excess revenue to two funds – the Parks fund which generally runs in the red and the Police Pension fund. The recommendation is to split the excess amount 50/50 between the two funds. Barbee commended Finance Director Barrow's leadership in bringing this forward. **Motion was made by Councilman Koehler and seconded by Councilwoman Troutt to allocate the \$800,000 excess revenue over what was budgeted in the FY22 budget 50/50 between the Parks Fund and Police Pension Fund. Roll call vote: AYES: Councilman Morton, Councilman Koehler, Councilman Bringwald, Councilwoman Troutt, Mayor Farley. NAYS: None. Motion carried.**

9. Ordinance – Review and approval of 2022/2023 budget for the City of Salem

City Manager Barbee commended the Finance Director and all Department Heads for their work on the budget. Councilwoman Troutt asked what the increase in the Library Fund is for. Library Board President Jane Gaston indicated it is for a new roof and HVAC system. **Motion was made by Councilwoman Troutt and seconded by Councilman Koehler to approve the FY23 Budget as presented. Roll call vote: AYES: Councilman Koehler, Councilman Bringwald, Councilwoman Troutt, Councilman Morton, Mayor Farley. NAYS: None. Motion carried.**

10. Presentation of Accounts Payable for the period of 3/21/22 TO 4/15/22

Following discussion, **motion was made by Councilman Koehler and seconded by Councilwoman Troutt to approve the Accounts Payable of 3/21/22 to 4/15/22, as presented. Roll call vote: AYES: Councilman Bringwald, Councilwoman Troutt, Councilman Morton, Councilman Koehler, Mayor Farley. NAYS: None. Motion carried.**

VI. CITY MANAGER AND DEPARTMENT HEAD REPORT

City Manager Barbee –

- thanked the department heads again for their work on the budget; and
- thanked the Lions Club for their work on the Easter Egg hunt, which was very well received.

Public Works Director Brushwitz –

- indicated they are working very hard on getting the pool ready to open;
- indicated Public Works crews finished the concrete work required by the OSLAD grant;
- indicated Public Works offered an extra week of leaf vac service; and
- indicated she will be gone a few weeks for a shoulder replacement.

Finance Director Barrow –

- reported that she will have the FY22 budget amendment ready by the end of June or early July.

City Clerk Quinn –

- indicated she has published an ad in the Salem Times-Commoner and Centralia Sentinel and posted on the City website and Facebook that the City is accepting applications for an administrative assistant.

VII. CITY ATTORNEY REPORT – Not present.

VIII. CITY COUNCIL MEMBER REPORTS

Councilman Koehler reported –

- the All-Class Reunion was a great success.

IX. MOTION TO ADJOURN

Motion was made by Councilman Morton and seconded by Councilwoman Troutt to adjourn the meeting at 7:32 pm. Roll call vote: AYES: Councilwoman Troutt, 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: _____