

**AGENDA
CITY OF SALEM
REGULAR CITY COUNCIL MEETING
SEPTEMBER 8, 2015
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**
 - 1. Proclamation Honoring 2015 Salem 11U District Baseball Team
- V. City Council Action**
 - 1. Consent Agenda
 - a. Approval of Minutes – August 17, 2015
 - b. Approval of St Theresa Color Run Event in Bryan Park, October 24
 - 2. Approval of New Charter Franchise Agreement
 - 3. Discussion – Recognizing Veterans with Honorary Street Name
 - 4. Approval of Amendments to Ordinance 2015-11 Regarding Hours of Liquor Sales
 - 5. Approval of Engineering Agreement for Library Sidewalk Improvement
 - 6. Approval of Agreement for Landfill Gas Mitigation
- VI. City Manager Report**
- VII. City Attorney Report**
- VIII. Finance Director Report**
- IX. City Council Report**
- X. Adjournment**

Bill Gruen
City Manager



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MANAGER'S COMMENTS

V. City Council Action

1. **St Theresa Color Run:** On behalf of St Theresa school, Crystal Logan requests use of Bryan Park for a color run, fund raising event. This was approved last year by the City Council. The color used in the event had no ill effects and no other event is scheduled for Saturday, October 24. Recommend approval by consent.
2. **Approval of New Charter Franchise Agreement:** The City has a lapsed franchise agreement with Charter, for which a revised and updated agreement should be approved. This franchise agreement, generally speaking, governs the use of City rights-of-way by Charter for its cable system infrastructure. I understand that Eddie Trower, a government affairs representative for Charter, will be present next Tuesday night for our Council meeting to discuss the agreement and answer questions. Some key provisions that may be of interest to the Council:

Section 2(b) → The agreement terminates October 1, 2020 but it automatically extends 5 years unless either party notifies the other that it is not extended three years before expiration.

Section 6(a) et seq → Charter will make a public access channel available for governmental and educational uses. Some money will be made available for this purpose if requested. The channel cannot be used for commercial purposes and "outlets shall not be located in areas open to the public" [see Section 6(d)(4)].

Section 7 → City shall receive a franchise fee equal to 5% of Charter's gross revenues. I understand this is the maximum fee permitted by Illinois regulation without causing Salem customers to realize a cable fee increase.

Section 8 → Charter work in City ROW cannot take place until the City issues a permit. This section otherwise governs how Charter does work on new and existing cable in ROWs. 8(c)(10) allows for tree trimming.

Section 10 → If the City required Charter to maintain a bond for work it does in ROWs, it would not be higher than \$25,000. Spells out the process by which the City would communicate with Charter and enforce the agreement if violations occurred.

Section 12 → Provides the levels of insurance Charter carries related to work it does. Bob Kane has expressed satisfaction with these levels.

3. **Discussion – Recognizing Veterans with Honorary Street Name:** At its last meeting the Council heard a request to recognize veterans with at least an honorary street name. The suggestion was to look at Kinney Boulevard for this honorary naming. As an alternative, the

Council may consider applying honorary name to Main Street. I'm not aware of any underlying significance to the name "Main" Street, and Main Street is more significant as streets go in Salem. Please see the pricing sheet for custom street signage. Prices would be determined based upon sign and bulk purchases. The City already has the brackets necessary to affix honorary signage to existing poles.

Yet another alternative is to wait for the construction of a new street. City staff is currently discussion development projects that may result in the construction of new City streets. Such projects may happen some years in the future.

4. **Approval of Amendments to Ordinance 2015-11:** Inadvertently, two provisions regarding the hours of approved liquor sales were omitted in the amendments recently approved by the Council. Given inadvertent omission, I recommend approval of the ordinance as presented. The amendments in the new ordinance would reinstate:

- Class C (package liquor) license holders are required to discontinue liquor sales at 6 pm on Christmas Eve.
- Class G (commercial activities providing amusement to the public) are allowed to serve until 2 am Saturday night/Sunday morning. ***These license holders were allowed to serve until 2 am Saturday nights under their old classifications.***

5. **Approval of Engineering Agreement for Library Sidewalk Improvement:** Representatives of the Bryan Bennett Library and Council members have expressed interest in moving forward as soon as possible on the sidewalk improvement project located below the main Library entrance. That sidewalk is pitted such that persons who use assistive devices (walkers and wheel chairs) to enter the Library complain about state of the surface.

Senator McCarter awarded a \$70,000 grant from IDOT for this project. Reportedly, the grant is funded from bond proceeds issued by the State, but Gov Rauner has not issued bonds for the project despite our requests. Approving the enclosed engineering agreement would allow Rhutasel to get started designing the sidewalk improvement. The Council should know that incurring costs for the project before having a grant agreement with IDOT may disqualify engineering expenses from grant reimbursement. Design expenses estimated by Rhutasel total \$13,000.

If the Council is inclined to move forward on design, we could stop Rhutasel from taking any additional action to incur costs over the \$13,000 until either the grant is awarded or the Council decides to move forward without grant support in anticipation that it never comes.

For reference, other sidewalk projects identified by John Pruden are included in your packet.

6. **Approval of Agreement for Landfill Gas Mitigation:** I request approval of the low bid presented by Blankenship Construction Co for construction of a gas collection trench at the City's closed landfill. Their bid is for \$25,200, with \$2,500 for installation of a flare and blower at the new trench. This is an EPA required item at the landfill. Decomposition in landfills creates methane which is collected by this trench and then flared automatically. The City has installed other trenches at the landfill when required by the EPA. This is an FY16-budgeted item.