

**CITY OF VIENNA
CITY COUNCIL MEETING
VIENNA CITY HALL
205 North 4th Street
September 4, 2024
6:30 P.M.
AGENDA**

1. Mayor Calls Meeting to Order.

2. Roll Call:

Hill _____ Moore _____ Elliott _____ Pitts _____ Racey _____ Tuey _____

NEW BUSINESS

3. Omnibus Consent Agenda

- Approval of the August 21, 2024 Meeting Minutes
- Approval of the Warrant

Motion _____ **Seconded** _____

Hill _____ Moore _____ Elliott _____ Pitts _____ Racey _____ Tuey _____

4. Jennifer Jacobsen-Junque Jamboree, Saturday, Sept 21st

5. Authorization and Approval of Ordinance 24-03, An Ordinance Authorizing the Use of Streets and Alleys for Water and Sewer Line Easements

Motion _____ **Seconded** _____

Hill _____ Moore _____ Elliott _____ Pitts _____ Racey _____ Tuey _____

6. Authorization and Approval of Ordinance 24-04, An Ordinance Amending Title IX, General Regulations, Chapter 95, Parks and Recreation of the Vienna City Code to Prohibit Tobacco/Nicotine Use and Vaping In Designated Areas of the City of Vienna, Illinois Public Parks and to Provide Penalties Therefore

Motion _____ **Seconded** _____

Hill _____ Moore _____ Elliott _____ Pitts _____ Racey _____ Tuey _____

7. Authorization to Amend the following Agenda item from June 5, 2024- C&C Pumps & Supply-\$18,000.00 (TIF Funds) for water pump rebuild

Motion _____ **Seconded** _____

Hill _____ Moore _____ Elliott _____ Pitts _____ Racey _____ Tuey _____

8. **PUBLIC COMMENT/ADDITION TO THE AGENDA**

9. **ELECTED/APPOINTED OFFICIALS**

- Aleatha Wright, City Clerk
- Justin Hartline, Supt
- Jim Miller, Police Chief
- Brent Williams, Fire Chief
- Michelle Meyers, Treasurer
- City Council
- Mayor, Steve Penrod

10. **Adjournment:**

POSTED: 08-30-24 BY: 

ORDINANCE NO. 24-03

AN ORDINANCE AUTHORIZING THE USE OF STREETS AND ALLEYS FOR WATER
AND SEWER LINE EASEMENTS

Whereas, the City of Vienna, Illinois owns and operates water and wastewater systems in accord with the provisions and applicable laws relating to municipal water and wastewater systems; and

Whereas, a majority of the City's existing water and wastewater systems are located in streets, alleys or upon other real property owned or controlled by the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VIENNA, ILLINOIS AS FOLLOWS:

Section 1. The City Council hereby authorizes the use of the streets, alleys, roadways, and right of way, whether dedicated, plated, existing in use or closed, for the construction, replacement, operation and maintenance and repair of water and wastewater systems of the City.

Section 2. This Ordinance shall take effect upon passage, approval and publication in accord with law.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF VIENNA, ILLINOIS THIS _____
DAY OF _____, 2024.

Ayes: _____

Nays: _____

Absent: _____

APPROVED BY THE MAYOR OF THE CITY OF VIENNA, ILLINOIS THE _____ DAY
OF _____, 2024

Approved: _____
Mayor, Steve Penrod

Attest: _____
City Clerk, Aleatha Wright

CITY OF VIENNA, ILLINOIS
ORDINANCE 24-04

**AN ORDINANCE AMENDING TITLE IX, GENERAL REGULATIONS, CHAPTER 95,
PARKS AND RECREATION OF THE VIENNA CITY CODE TO PROHIBIT
TOBACCO/NICOTINE USE AND VAPING IN DESIGNATED AREAS OF CITY OF
VIENNA, ILLINOIS PUBLIC PARKS AND TO PROVIDE PENALTIES THEREFORE**

WHEREAS, the City of Vienna, City Council believes that tobacco/nicotine use and vaping in the proximity of youth and adults participating in outdoor recreational activities in the City Parks is detrimental to the health and wellbeing of the patrons and can be offensive to those visiting the parks; and

WHEREAS, the City Council has a unique opportunity to create and sustain an environment that supports a smoke free environment by establishing a tobacco/nicotine and vape free policy, rule enforcement and adult role modeling at the parks; and

WHEREAS, the City Council believes that parents, adult leaders, and municipal officials are role models for youth and can have a positive effect on lifestyle choices they make; and

WHEREAS, the remnants of tobacco use in public areas are often discarded on the grounds, requiring additional maintenance expense, diminishing the beauty of the parks, and posing a risk to young children, pets, and wildlife; and

WHEREAS, the City Council has determined that the prohibition of tobacco/nicotine and vaping user at the city parks serves to protect the health, safety and welfare of the public.

THEREFORE BE IT ORDAINED by the City Council and Mayor of the City of Vienna, Illinois as follows:

Section 1: That Title IX, General Regulations, Chapter 95, Parks and Recreation of the City Code of Vienna be and the same hereby is amended to add Section 95.10, 95.11, and 95.12, which shall read as follows:

95.10. Definitions and Exceptions:

(a) For the purpose of this Chapter , “tobacco” includes any product containing, made or derived from tobacco or synthetic nicotine that is intended for human consumption, whether absorbed, chewed, dissolved, inhaled, ingested by any means or any component, part or accessory, in any form including e-cigarettes (vaping) and Electronic Delivery Systems

(ENDS), sniffed, snorted, or any tobacco product to include, but not limited to any lighted or unlit cigarette, cigar, pipe and any other smoking product, and spit tobacco, also known as smokeless, dip ,chew, snus, and snuff. "Smoking" includes carrying, burning, exhaling, or inhaling, any lit tobacco products such as cigars, cigarettes, e-cigarettes, pipes, vapes, or any other lighted combustible plant material.

(b) Food and Drug Administration (FDA) approved cessation products including nicotine gum, nicotine lozenges, nicotine patch, pharmaceutical nicotine inhalers and nicotine nasal spray are excepted from the prohibitions of this Ordinance.

95.11 Prohibition:

Tobacco/Nicotine use and vaping is prohibited in Designated Areas of all City Parks and Playgrounds.

The Designated Areas shall be within fifty feet (50') of the following:

- A. Playgrounds at the City Park and all Ball Parks; and
- B. The Amphitheater in the City Park during events held there; and
- C. The Dugouts and Bleachers at the ball parks during games or events held there.

95.12 Enforcement:

- A. Appropriate signage shall be posted in or near Non-Tobacco / Nicotine Designated Areas.
- B. Notice of adoption of this Ordinance shall be published in the Vienna Times and annual reminders shall be similarly published.
- C. City officials will make periodic observations to monitor for compliance.
- D. All athlete associations or organizations who utilize the city park and ballpark will be provided a copy of this Ordinance and expected to enforce this Ordinance during scheduled activities.
- E. Any person found violating this policy will be subject to immediate ejection from the property at any given time and/or for the remainder of the event.

Section 2: That Title IX, Chapter 95, Section 95.99 of the City Code of Vienna, Illinois be amended to add Subsection 95.99(c), which shall read as follows:

95.99 Penalty:

(c) Any person violating the provisions of Section 95.11 shall first be given a warning. A person found guilty of further violations shall be issued a citation with a court appearance date. The fine for such violation shall be \$100 if paid within 15 days at City Hall. If not paid within 15 days at City Hall, the fine shall be \$125.00 plus assessment to be paid at the Circuit Clerk's Office at the Johnson County, Illinois Courthouse. No fines or penalties may be paid at City Hall more than 15 days after receipt of the citation.

Section 3 – Repeal: This ordinance repeals and supersedes any ordinances, resolutions, or portions thereof in conflict herewith.

Section 4 – Effective Date: This ordinance shall be in full force and effect 10 days following its passage, approval, and publication in a newspaper of general circulation in the City as required by law.

PASSED by the City Council of the City of Vienna, Illinois on the ____ day of September, 2024 by the following roll call vote:

AYES: _____

NAYES: _____

ABSENT: _____

Approved by the Mayor of the City of Vienna, Illinois on this ____ day of September, 2024.

ATTEST:

Steven Penrod, Mayor

Aleatha Wright, City Clerk