

**CITY OF VIENNA
CITY COUNCIL MEETING
VIENNA CITY HALL
205 North 4th Street
August 20, 2025
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 6, 2025 Meeting Minutes
- Approval of the Warrant
- Approval of July Treasurer's Report

Motion_____ Seconded_____

Hill_____ Moore_____ Elliott_____ Pitts_____ Racey_____ Tuey_____

4. Jennifer Jacobsen, Vienna Town Square Mall:
-Fall Sept 20th Junque Jamboree event requests for Saturday, Sept 20th
-Spring event approval for 4-25-26.

5. Authorization and Approval of Resolution 25-05, A Resolution Requesting Temporary Closure of Streets for Annual Fall Festival Parade-Saturday, October 4, 2025.

Motion_____ Seconded_____

Hill_____ Moore_____ Elliott_____ Pitts_____ Racey_____ Tuey_____

6. Authorization and Approval of Ordinance 25-06, An Ordinance Banning the sale and delivery of Kratom and Derives Within the City of Vienna, Illinois

Motion _____ Seconded _____

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

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

8. **ELECTED/APPOINTED OFFICIALS**

- Aleatha Wright, City Clerk- City wide Fall Clean-up, Oct. 6th
- Justin Hartline, City Supt
- Michelle Meyers, Treasurer
- Jim Miller, Chief of Police
- Brent Williams, Fire Chief
- City Council
- Steve Penrod, Mayor

9. **Adjournment:**

POSTED: 08-18-25 BY: AWright

CITY OF VIENNA
RESOLUTION NO: 25-05
A RESOLUTION REQUESTING TEMPORARY CLOSURE OF STREETS FOR
ANNUAL FALL FESTIVAL PARADE

WHEREAS, the City of Vienna is sponsoring a parade in the City of Vienna of which this event constitutes a public purpose;

WHEREAS, this parade will require a temporary closure of IL 146 and US 45, a State highway in the City of Vienna from North 4th Street to College Street;

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State highways for public purposes;

NOW, THEREFORE, BE IT RESOLVED, by the City of Vienna that permission to close IL 146 from North 4th Street to Main Street and US 45 from Main Street to College Street as above designated, be requested of the Department of Transportation.

BE IT FURTHER RESOLVED, that this closure shall occur during the approximate time period between 10:00 a.m. and 11:00 a.m. on Saturday, October 4, 2025.

BE IT FURTHER RESOLVED, that traffic from that closed portion of the highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department which is conspicuously marked for the benefit of traffic diverted from the State highway. (The parking of vehicles shall be prohibited on the detour routes to allow an uninterrupted flow of two-way traffic.)*The detour route shall be as depicted on attached map.*To be used when appropriate.

BE IT FURTHER RESOLVED, that the City of Vienna assumes full responsibility for the direction, protection, and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED, that the police officers or authorized flaggers shall, at the expense of the City of Vienna, be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic though the detour.

BE IT FURTHER RESOLVED, that police officers, flaggers and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED, that all debris shall be removed by the City of Vienna prior to reopening the State highway.

BE IT FURTHER RESOLVED, that such signs, flags, barricades, etc., shall be used by the City of Vienna as may be approved by the Illinois Department of Transportation. These items shall be provided by the City of Vienna.

BE IT FURTHER RESOLVED, that the closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED, that an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above. (Note: This paragraph is applicable when the Resolution pertains to a Parade or when no detour is required.)

BE IT FURTHER RESOLVED, that to the fullest extent permitted by law, the City of Vienna shall be responsible for any and all injuries to persons or damages to property, and shall indemnify and hold harmless the Illinois Department of Transportation, its officers, employees, and agents from any and all claims, lawsuits, actions, costs and fees (including reasonable attorney's fees and expenses) of every nature or description, arising out of, resulting from or connected with the exercise of authority granted by the Department which is the subject of this resolution. The obligation is binding upon the City of Vienna regardless of whether or not such claim, damage, loss or expense is caused in part by the act, omission, or negligence of the Department or its officers, employees or agents.

BE IT FURTHER RESOLVED, that the City of Vienna shall provide a comprehensive general liability insurance policy or an additional insured endorsement in the minimum amount of \$1,000,000 per person and \$2,000,000 aggregate which has the Illinois Department of Transportation and its officials, employees, and agents as insured's and which protects them from all claims arising from the requested road closing. A copy of said policy or endorsement will be provided to the Department before the road is closed.

BE IT FURTHER RESOLVED, that that a copy of this resolution be forwarded to the Department of Transportation to serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

Adopted by the City Council of City of Vienna this 20th day of August, 2025.

Municipal Clerk

Approved by the City Council of City of Vienna this 20th day of August, 2025

ATTEST:

MUNICIPAL CLERK

MAYOR

ORDINANCE NO. 25-06

**AN ORDINANCE BANNING THE SALE AND DELIVERY OF KRATOM AND
DERIVATES WITHIN THE CITY OF VIENNA, ILLINOIS**

WHEREAS, the Mayor and the City Council of the City of Vienna, Illinois, is committed to promoting and protecting the public health, safety, and general welfare of its citizens; and

WHEREAS, Kratom (*Mitragyna speciosa*) is a plant native to Southeast Asia, the leaves of which contain psychoactive compounds that can produce stimulant and opioid-like effects depending on the dosage; and

WHEREAS, the U.S. Food and Drug Administration (FDA) has issued public health advisories warning that Kratom can cause addiction, respiratory depression, seizures, liver toxicity, and death, and has linked it to numerous adverse health events; and

WHEREAS, the U.S. Centers for Disease Control and Prevention (CDC) and the national Institute on Drug Abuse (NIDA) have issued similar warnings regarding Kratom, and have documented rising emergency room visits, poison control reports, and overdose cases connected to Kratom usage; and

WHEREAS, The Drug Enforcement Administration (DEA) has classified the active compounds in Kratom, including mitragynine and 7-hydroxymitragynine, as posing a risk of abuse and addiction and has listed Kratom as a drug and chemical of concern; and

WHEREAS, The Illinois General Assembly has taken steps to regulate Kratom, but has not enacted a statewide ban, leaving municipalities the discretion to impose additional restrictions necessary for their local circumstances; and

WHEREAS, several municipalities in Illinois and across the United States have taken action to ban or restrict Kratom due to the significant health and public safety risks it poses; and

WHEREAS, the City Council and Mayor find that the youth of Vienna more than any other demographic are highly likely to be targeted for the distribution and use of Kratom;

WHEREAS, there are presently establishments within the City of Vienna who have expressed interest in selling Kratom; and

WHEREAS, the Mayor and City Council have determined that the unregulated sale of Kratom in Vienna presents an immediate and ongoing threat to the health and safety of the community, particularly to minors and vulnerable populations; and

WHEREAS, the Mayor and City Council finds that a local ban on the sale of Kratom and its derivatives is a necessary and reasonable step to protect the residents of Vienna; and

WHEREAS, the Mayor and City Council, in exercising their general police powers and duties to protect, preserve and promote the health, safety, and welfare of the citizens of Vienna, do not wish to wait until implementation of a state law to ban the sale and distribution of Kratom, it being the specific finding of the City Council of the City of Vienna that such substances containing Kratom, as hereinafter defined, have a dangerous and harmful effect upon anyone using said substances, which have no medicinal or beneficial purposes.

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

SECTION 1. PURPOSE

This chapter is enacted to protect, preserve, and promote the health, safety, and welfare of the citizens of the City of Vienna by prohibiting the distribution or delivery of any substances containing kratom as hereinafter defined, it being the specific finding of the City of Vienna that such substances have a dangerous effect upon anyone using said substances and have no practical medicinal or beneficial purposes.

SECTION 2. DEFINITIONS

For the purposes of this Ordinance:

- A. "Kratom" means any part of the plant *Mitragyna speciosa*, whether growing or not, including its leaves, extracts, resins, compounds, salts, derivatives, isomers, or any preparation, mixture, or product containing any amount of *Mitragyna speciosa*.
- B. "Deliver" means the actual, constructive, or attempted transfer from one person to another of kratom, or any derivative thereof, whether or not there is an agency relationship, and includes a sale.
- C. "Derivatives" includes, but is not limited to, mitragynine, 7-hydroxymitragynine, or any synthetic or natural compound intended to mimic or replicate the effects of Kratom.

- D. "Sell" or "Sale" means to exchange or deliver for compensation or to offer to exchange or deliver for compensation.

SECTION 2. PROHIBITIONS

- A. It shall be unlawful for any person, firm, business, or other entity to sell, offer to sell, give, distribute, or deliver Kratom or any derivative thereof within the corporate limits of the City of Vienna.

SECTION 3. EXCEPTIONS

This Ordinance shall not apply to any person or entity lawfully authorized by federal or state law to manufacture, prescribe, dispense, or conduct scientific research with Kratom or its derivatives, provided such activity is conducted in compliance with all applicable laws and regulations.

SECTION 4. PENALTIES

Any person or entity found to be in violation of this Ordinance shall be subject to a fine of not less than five hundred dollars (\$500.00) and not greater than seven hundred and fifty dollars (\$750.00) for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 5. SEVERABILITY

If any provision of this Ordinance is found to be invalid or enforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in accordance with law.

PASSED THIS ____ DAY OF _____, 2025, by the following vote of the City Council:

Ayes: _____

Nays: _____

Abstains: _____

Absent: _____

Approved this _____ day of _____, 2025.

ATTEST:

Steven Penrod, Mayor

Aleatha Wright, City Clerk