

**MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 13 FEBRUARY 2012**

**12C-0033 – CALL TO ORDER**

Mayor Terry Renner called the regular meeting to order at 6:30 p.m. in the Board Chambers at 312½ North Main Street on 13 February 2012.

**12C-0034 – ROLL CALL**

Upon roll call the following members were present: Cording, Fach, Greene, Lincoln, Murphy, Painter and Renner

**12C-0035 – ESTABLISHMENT OF QUORUM**

Mayor Terry Renner announced a quorum of Board members present to conduct city business.

**12C-0036 – PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**12C-0037 - REPORTS OF STANDING COMMITTEES**

None.

**12C-0038 – PUBLIC COMMENTS**

**Sandy Helgerson, Jo Daviess County Conservation Foundation** – Helgerson advised the item on the agenda tonight is the restoration plan for Gateway Park. The work will begin in 2012. The plan is a yearlong plan. The first 7 of 35 acres are going to be planted in prairie grass. This area is the closest to the road and most visible. Prescribed burns will be taking place and various pieces of equipment will be used for forest restoration. The remainder of the land will remain in a crop lease. The crop lease will continue to get smaller and smaller in the years to come. Proceeds from the lease of the land will go back into Gateway Park. There is a plan for publicity including a billboard on site.

A friends group will be formed. Postcards will go out to all donors. Press releases and newsletter articles will go out year round. The friends group will be the volunteers who help take care of the property.

**CONSENT AGENDA CA-3**

**12C-0039 – APPROVAL OF THE MINUTES OF THE JANUARY 23, 2012 CITY COUNCIL MEETING**

**12C-0040 – ACCEPTANCE OF JANUARY 2012 FINANCIAL REPORT**

**12C-0041 – APPROVAL OF REQUEST BY THE GALENA LIONS CLUB TO CONDUCT “OKTOBERFEST” ON THE EASTSIDE RIVER FRONT (DEPOT PARK) FROM 11:00 A.M. TO 11:00 P.M. ON SEPTEMBER 22, 2012**

**12C-0042 – APPROVAL OF THE APPOINTMENT OF ED BOCHNIAK TO THE ZONING BOARD OF APPEALS FOR THE PERIOD MARCH 14, 2012 TO JULY 31, 2012 (UNEXPIRED TERM OF TOM MOSER) AND THE PERIOD AUGUST 1, 2012 TO JULY 31, 2017**

**Motion:** Lincoln moved, seconded by Cording, to approve Consent Agenda CA-3 with the exception of item 12C-0041.

**Discussion:** None.

**Roll Call:** AYES: Fach, Greene, Lincoln, Murphy, Painter, Cording, Renner  
NAYS: None

The motion carried.

**12C-0041 – APPROVAL OF REQUEST BY THE GALENA LIONS CLUB TO CONDUCT “OKTOBERFEST” ON THE EASTSIDE RIVER FRONT (DEPOT PARK) FROM 11:00 A.M. TO 11:00 P.M. ON SEPTEMBER 22, 2012**

**Motion:** Cording moved, seconded by Fach, to table item 12C-0041.

**Discussion:** Council discussed and agreed to table this item until such time as staff can meet with the Lions Club to determine what they are proposing.

**Roll Call:** AYES: Fach, Greene, Lincoln, Murphy, Painter, Cording, Renner  
NAYS: None

The motion carried.

**UNFINISHED BUSINESS**

**12C-0023 – SECOND READING AND POSSIBLE ADOPTION OF AN ORDINANCE AMENDING TITLE VII, CHAPTER 75.11, PUBLIC INTOXICATION, OF THE GALENA CODE OF ORDINANCES**

**Motion:** Fach moved, seconded by Painter, to approve the second reading and adoption of an ordinance amending Title VII, Chapter 75.11, Public Intoxication, of the Galena Code of Ordinances, item 12C-0023.

**Discussion:** None.

**Roll Call:** AYES: Murphy, Painter, Cording, Fach, Greene, Lincoln, Renner  
NAYS: None

The motion carried.

**12C-0024 – DISCUSSION AND POSSIBLE ACTION ON THE INSTALLATION OF WARNING LIGHTS AT US 20 AND NORRIS LANE AND US 20 AND GOLF VIEW DRIVE**

**Motion:** Painter moved, seconded by Cording, to table action on the installation of warning lights at US 20 and Norris Lane and US 20 and Golf View Drive.

**Discussion:** Council agreed to wait for feedback from other governing bodies as to whether or not they are willing to contribute funds.

**Roll Call:** AYES: Painter, Cording, Fach, Greene, Lincoln, Murphy, Renner  
NAYS: None

The motion carried.

**12C-0026 – DISCUSSION AND POSSIBLE ACTION ON THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2013-2017**

**Motion:** Painter moved, seconded by Lincoln, to approve the Capital Improvement Plan for Fiscal Years 2013-2017. **Amended to include:** That we prioritize alleys with the understanding a need has been stated by the residents for Location A and we approve reconstruction of Location A designated on the Alley Condition Assessment Report.

**Discussion:** Painter thanked staff for the work done in evaluating the issue with the alleys. This is a systematic and objective approach to see that those areas are addressed.

Fach voiced concern with the platting of the alley between Green and Washington Streets. He was opposed to using public funds on an alley that is not city property. He preferred to fix those alleys that are on a public right-of-way. Fach was in favor of having the properties surveyed and getting the square footages taken off of their private properties.

Moran stated that the fact that we have maintained the alleys by plowing them and doing maintenance on them make them a public easement.

Council discussed prioritizing the alleys. Moran advised looking at the priority schedule, the number one priority would be Elk and Hill from Dodge to High Street and number two priority would be Bennett's Alley. The estimated cost for priority 1 would be \$30,600 and priority 2 would be \$32,000. The Capital Improvement Plan has \$30,000 for whichever alley is chosen.

Cording stated she would be in favor of prioritizing Bennett's Alley as priority 1 as the residents on that alley don't have another street access to their property. Painter agreed.

Lincoln disagreed with moving Bennett's Alley up. He recommended Council members visit each alley prior to making a decision. Greene agreed and suggested for the \$30,000 the City should fix those alleys that are not quite as bad which would allow us to fix more.

Council agreed to leave the alleys in the budget and have staff re-evaluate and designate which should be done first.

**Amended**

**Motion:** Fach moved, seconded by Painter, to amend the motion that we prioritize alleys with the understanding a need has been stated by the residents for Location A and we approve reconstruction of Location A designated on the Alley Condition Assessment Report.

**Discussion:** Murphy and Greene were in favor of going with the recommendation as outlined by staff and the City Engineer.

Nate Kieffer advised criteria such as if the alley is open or not open and the number of users on the alley was used. As far as the right-of-way, staffs opinion is that whether we own it or not is not the issue. The City has established a right-of-way because we have been plowing them.

**Amended**

**Motion**

**Roll Call:**

AYES: Painter, Cording, Fach, Renner  
NAYS: Greene, Lincoln, Murphy

The motion carried.

**Roll Call:**

AYES: Cording, Fach, Greene, Lincoln, Murphy, Painter, Renner  
NAYS: None

The motion carried.

**NEW BUSINESS**

**12C-0043 – FIRST READING OF AN ORDINANCE AMENDING CHAPTER 111 “ALCOHOLIC BEVERAGES” OF THE CODE OF ORDINANCES TO ESTABLISH A LICENSE FOR WINE PACKAGES AT HOTELS**

**Motion:** Cording moved, seconded by Painter, to approve the first reading of an ordinance amending Chapter 111 “Alcoholic Beverages” of the Code of Ordinances to establish a license for wine packages at hotels, item 12C-0043.

**Discussion:** Moran noted the annual fee stated in the ordinance should be changed to \$450.

**Roll Call:** AYES: Lincoln, Murphy, Painter, Cording, Fach, Greene, Renner  
NAYS: None

The motion carried.

**12C-0044 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY xXx RACING TO CONDUCT THE SECOND ANNUAL TOUR OF GALENA, JUNE 8-10, 2012**

**Motion:** Lincoln moved, seconded by Fach, to approve the request by xXx Racing to conduct the second annual Tour of Galena, June 8-10, 2012, item 12C-0044.

**Discussion:** Lincoln noted this was conducted last year. There was decent cooperation with the City, Police Department and the County. Everything seemed to go well.

Cording noted the survey taken on the downtown events indicated 69.4 percent of those who completed the survey were in favor of having it again on a Saturday or Sunday.

Richard Forrester, VisitGalena.org, advised an additional race has been added on Friday afternoon. This race will take place on Rocky Hill Road in the County. The hope is create even more room nights for those coming in for this early race.

The race routes will remain the same as last year.

Lincoln voiced concern with the safety of the bikers on Highway 20.

**Roll Call:** AYES: Murphy, Painter, Cording, Greene, Lincoln, Renner  
NAYS: None  
ABSTAIN: Fach

The motion carried.

**12C-0045 – DISCUSSION AND POSSIBLE ACTION ON PROPOSED MANAGEMENT PLAN FOR GATEWAY PARK**

**Motion:** Painter moved, seconded by Fach, to approve the proposed Management Plan for Gateway Park, item 12C-0045

**Discussion:** None.

**Roll Call:** AYES: Painter, Cording, Fach, Greene, Lincoln, Murphy, Renner  
NAYS: None

The motion carried.

**12C-0046 – DISCUSSION AND POSSIBLE ACTION ON MEEKER STREET PEDESTRIAN BRIDGE COMMITTEE REPORT**

**Motion:** Cording moved, seconded by Fach, to open discussion on the Meeker Street Pedestrian Bridge.

**Discussion:** None.

**Roll Call:** AYES: Cording, Fach, Greene, Lincoln, Murphy, Painter, Renner  
NAYS: None

The motion carried.

**Discussion:** Greene stated he would prefer to see a car bridge.

Cording liked the idea of the bridge being widened by 2 feet which would allow transportation by use of an ATV. She feels there have been some provisions made in widening the bridge for the safety of the residents on the east side.

Murphy felt if we aren't going to build a bridge wide enough and strong enough to handle emergency vehicles it is his opinion that it would be a waste of taxpayer money and the one we got should be torn down.

Renner stated he wasn't opposed to putting a walk bridge in but feels the City should continue to look into a car bridge for the future even if it is only a one lane emergency vehicle bridge.

Greene questioned the possibility of bonding a \$3.5 million dollar project. Moran advised without a revenue stream we could not pay back a bond.

Renner questioned how many times the City applied for money for a new walk bridge. Albaugh stated we put in grants for four years starting 2007.

Cording asked if building the walk bridge first would affect us applying for a grant for the bridge. Albaugh advised if any money is spent before acceptance, it would not be covered by the grant. A suggestion was made to put the bridge in and then apply for a grant to reconstruct the approaches to the bridge.

Fach stated he would like to see the bow truss on at least one span but would prefer to see them on all three. The committee recommended one span.

**Motion:** Painter moved, seconded by Cording, to approve taking action on the Meeker Street Pedestrian Bridge and look at choosing Gator Bridge E or F with the exception of the modified ramps and with discussion on the finish to be continued.

**Discussion:** None.

**Roll Call:** AYES: Fach, Painter, Cording, Renner  
NAYS: Greene, Lincoln, Murphy,

The motion carried.

**12C-0047 – DISCUSSION AND POSSIBLE ACTION ON THE PURCHASE OF TASERS FOR THE POLICE DEPARTMENT**

**Motion:** Lincoln moved, seconded by Murphy, to approve the purchase of Tasers for the Police Department, item 12C-0047.

**Discussion:** Lincoln stated, with recent events, he feels it would be a wise investment for the Police Department adding other departments in the County already have them. Chief Westemeier discussed the usage of TASERS and the advantages of TASERS vs. pepper spray.

Painter advised she done a little research. The TASERS are bright yellow and serve as a visual deterrent. She noted training is a very key component.

Fach voiced concern reports indicate people have died after being hit with a TASER. Westemeier advised the majority of those people who died will have had drugs or other things in their system.

All officers will be trained on the TASERS. They will be carried at all time and will the officers will have strict guidelines on the use of them. The officers will be mandated to be retrained once per year.

Westemeier advised the TASERS include a camera so if necessary you could go back and review the tape.

**Roll Call:** AYES: Lincoln, Murphy, Painter, Cording, Fach, Greene, Renner  
NAYS: None

The motion carried.

**12C-0048 – DISCUSSION AND POSSIBLE ACTION ON HANGING FLOWER BASKETS FOR DOWNTOWN**

**Motion:** Cording moved, seconded by Lincoln, to open discussion for funding of the hanging flower baskets for downtown.

**Discussion:** None.

**Roll Call:** AYES: Murphy, Painter, Cording, Fach, Greene, Lincoln, Renner  
NAYS: None

The motion carried.

**Discussion:** Cording stated it looks like it will be more expensive this year than last year due to the replacement of the baskets and watering cart. Lisa Bastian of the Downtown Business Association has indicated they might make a contribution of \$500 only if fundraising is effective.

Richard Forrester, VisitGalena.org, advised this topic came up for discussion at the meeting of the Downtown Business Association. The general consensus would be they would be successful in raising more than the \$500 contribution. They also came up with ideas on how to acquire plants at no cost. The VisitGalena board has considered this in the past and they don't feel enhancement and beautification is their mission. Forrester recommended getting more of the downtown businesses as well as the Chamber of Commerce and the Community Development Fund of Galena involved. He agrees the baskets do enhance Galena. Forrester advised he would be willing to talk to other organizations for support.

Lincoln stated he feels the money should come out of the food and beverage tax collected stating it is nice to give back and enhance the look of the downtown.

Cording was in favor of allowing Forrester time to talk to other organizations to see they would be willing to invest. Painter agreed and stated she would be willing to do it if it were a shared expense.

**Motion:** Cording moved, seconded by Painter, to close discussion on the funding of flower baskets for the downtown.

**Discussion:** None.

**Roll Call:** AYES: Painter, Cording, Fach, Greene, Lincoln, Murphy, Renner  
NAYS: None

The motion carried.

**Motion:** Lincoln moved, seconded by Murphy, to approve the purchase of hanging flower baskets using money collected from the Food and Beverage Tax in the amount of \$7,100.

**Discussion:** Cording stated she would prefer to wait to see if other organizations would be willing to help pay for them.

**Roll Call:** AYES: Greene, Lincoln, Murphy, Renner  
NAYS: Cording, Fach, Painter

The motion carried.

**12C-0049 – DISCUSSION AND POSSIBLE ACTION ON DOWNTOWN FLOOD PUMP PROJECT**

**Motion:** Greene moved, seconded by Murphy, to approve action on the downtown flood pump project at a cost of \$540,000.

**Discussion:** The two existing pumps will remain. The new pump will be installed outside and will have the capacity to pump out as much water as the two existing pumps combined. The old pumps will run less theoretically extending their life.

**Roll Call:** AYES: Fach, Greene, Lincoln, Murphy, Painter, Cording, Renner  
NAYS: None

The motion carried.

**12C-0050 – DISCUSSION AND POSSIBLE ACTION ON SELECTING AN UNDERWRITER FOR THE REFUNDING OF SERIES 2003 BONDS**

**Motion:** Painter moved, seconded by Lincoln, to select Robert W. Baird as the underwriter for refunding of the Series 2003 bonds and to return at the next meeting to determine the amount when we have more information on the solar project.

**Discussion:** Moran stated Robert W. Baird has a greater understanding of our community and finances and will give us a better chance at maintaining our rating.

**Roll Call:** AYES: Greene, Lincoln, Murphy, Painter, Cording, Fach, Renner  
NAYS: None

The motion carried.

**12C-0051 – DISCUSSION AND POSSIBLE ACTION ON SELECTING BOND COUNSEL FOR THE REFUNDING OF SERIES 2003 BONDS**

**Motion:** Fach moved, seconded by Painter to approve hiring Chapmond and Cutler as Bond Counsel for the refunding of Series 2003 bonds in an amount not to exceed \$20,000.

**Discussion:** None.

**Roll Call:** AYES: Lincoln, Murphy, Painter, Cording, Fach, Greene, Renner  
NAYS: None

The motion carried.

**12C-00052 – WARRANTS**

**Motion:** Murphy moved, seconded by Fach, to approve the Warrants as presented.

**Discussion:** None.

**Roll Call:** AYES: Murphy, Painter, Cording, Fach, Greene, Lincoln, Renner  
NAYS: None

The motion carried.

**12C-00053 – ALDERPERSONS’ COMMENTS**

**Flower Baskets** – Murphy stated he finds it interesting we are willing to spend \$17,000 to help people walk but we don’t want to spend \$7,000 to make the downtown look more beautiful.

**Ridge/Hickory** – Lincoln advised the street becomes very narrow in the area of Ridge and Hickory Streets when cars are parked on both sides of the street. He recommended having the Police Department and Public Works take a look at it to see if parking should be limited to one side.

**Packet** – Painter thanked Mark Moran and staff for tonight’s packet. She added it takes quite a lot of work to put a packet like this together. She appreciates the way staff takes complex topics and breaks them down. The writing is clear and everyone does a very fine job in helping educate the council so they can make good decisions.

**“Bag It”** – Painter reminded Council of the March 6<sup>th</sup> “Bag It” event to be held at the Galena Middle School. We have received great participation within the community with business leaders. We have a nice new logo and look at this as community building kind of event.

**Thank you** – Cording thanked staff for not only informing the Council with all of the information but also for being willing to answer questions the day of the council meeting. Staff is always available and is always very courteous and helpful.

**Public Works/Water Department** – Greene commended the guys in the Public Works and Water Department for all that they do. Fach agreed.

**Brick Street** – Fach noted the City has only one brick street left in town, Johnson Street. The street is looking bad. He suggested the street should be a historical artifact and should be treated accordingly and be restored.

**Bridge Fund** – Fach recommended starting a bridge fund to start building a nest egg for another bridge.

**12C-00054 – CITY ADMINISTRATOR’S REPORT**

**Cash Investment Summary** - An updated Cash Investment Summary was distributed. This report is done quarterly to show where the City’s money is located, what institution holds the money and the amount.

**Snow Removal** – A request was received from the United Churches asking the City to do as much as we can with snow removal in front of the churches. A copy of the snow removal policy on all streets was given to them. Most of the churches are located on streets that are included in the first half hour of snow removal activity and Public Works does give special attention to hitting those areas early.

**Warrants** – Moran noted there were a number of Warrants tonight to him for the use of his personal credit card to purchase items for the City. He is in the process of getting a credit card for the City and will be bringing a use policy back to the Council for approval.

**Bridge** – Moran advised Craig Albaugh did a lot of work on the bridge.

**12C-0055 – MAYOR’S REPORT**

**Thank you** – Mayor Renner thanked the bridge committee for their work and staff for the paperwork this evening.

**Invitation** – Mayor Renner advised Mary Blankenbaker has invited the Council to walk and/or ride in the St. Pat’s Parade. The parade will be held on Saturday, March 17 at 5:30 pm. Council should meet behind the DeSoto Hotel at 5:00 p.m.

**11C-0056 – MOTION FOR EXECUTIVE SESSION**

**Motion:** Murphy moved, seconded by Fach, to recess to Executive Session to discuss the following:

- Collective negotiating matters and deliberations concerning salary schedules, 2 (c) (2)
- Purchase or lease of real estate, Section 2 (c) (5)
- Pending, probable or imminent litigation, Section 2 (c) (11)
- Review of Executive Session Minutes, Section 2 (c) (21)

**Roll Call:** AYES: Painter, Cording, Fach, Greene, Lincoln, Murphy, Renner  
NAYS: None

The motion carried.

The meeting recessed at 8:31 p.m.

The meeting reconvened at 9:14 p.m.

The following action was taken:

**Motion:** Murphy moved, seconded by Painter, to approve the appointment of Alderman Greene and Alderman Lincoln as representatives for the union negotiations in the Police Department.

**Discussion:** None.

**Roll Call:** AYES: Greene, Lincoln, Murphy, Painter, Cording, Fach, Renner  
NAYS: None

The motion carried.

**12C-0057 - ADJOURNMENT**

**Motion:** Murphy moved, seconded by Fach, to adjourn.

**Discussion:** None.

**Roll Call:** AYES: Lincoln, Murphy, Painter, Cording, Fach, Greene, Renner  
NAYS: None

The motion carried.

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary Beth Hyde". The signature is written in a cursive, slightly slanted style.

Mary Beth Hyde, CMC  
City Clerk