

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 27 AUGUST 2012

12C-0350 – 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 27 August 2012.

12C-0351 – ROLL CALL

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

12C-0352 – ESTABLISHMENT OF QUORUM

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

12C-0324 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

12C-0353 - REPORTS OF STANDING COMMITTEES

None.

12C-0354 – PUBLIC COMMENTS

James Wirth 121 S. High Street – Wirth urged the Council to consider approving the proposed ordinance vs. a resolution requiring Tour Guide Businesses and Tour Service Businesses to state whether the information provided in their tour is documented as factual. He advised an ordinance would permanently change the law whereas a resolution would merely express the opinion of the legislative body.

CONSENT AGENDA CA-16

12C-0356 – APPROVAL OF THE MINUTES OF THE AUGUST 13, 2012 CITY COUNCIL MEETING

12C-0357 – APPROVAL OF BUDGET AMENDMENT BA13-02

12C-0358 – APPROVAL OF A REQUEST BY THE ILLINOIS SPECIAL OLYMPICS FOR A STREET CLOSURE PERMIT AND A PARADE PERMIT FOR THE OPEN CEREMONIES OF THE ILLINOIS SPECIAL WINTER OLYMPICS, JANUARY 29, 2013

12C-0359 – APPROVAL OF A REQUEST BY THE CITY OF GALENA FOR A STREET CLOSURE PERMIT FOR MUSIC ON MAIN, SEPTEMBER 1 (RAIN DATE SEPTEMBER 2) AT THE GREEN STREET PLAZA

12C-0360 – APPROVAL OF REQUEST BY ALICIA MCMILLAN FOR SECONDARY EMPLOYMENT

12C-0361 – APPROVAL OF A RESOLUTION REQUESTING A PERMIT FROM THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR A PERMIT TO INSTALL A WATER PIPE UNDER U.S. ROUTE 20

Motion: Murphy moved, seconded by Greene, to approve Consent Agenda CA-16.

Discussion: None.

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

The motion carried.

UNFINISHED BUSINESS

12C-0362 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF AN UNNAMED ALLEY BETWEEN S. HIGH STREET AND S. DODGE STREET

Motion: Greene moved, seconded by Murphy, to approve the ordinance providing for the vacation of a portion of an unnamed alley between S. High Street and S. Dodge Street, item 12C-0362.

Discussion: None.

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

The motion carried.

12C-0363 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE ESTABLISHING A CRAFT DISTILLER LIQUOR LICENSE

Motion: Fach moved seconded by Painter, to approve an ordinance establishing a Craft Distiller Liquor License, item 12C-0363.

Discussion: None.

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

The motion carried.

12C-0364 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE AMENDING CHAPTER 114 OF THE CODE OF ORDINANCES TO REQUIRE TOUR GUIDE BUSINESSES AND TOUR SERVICE BUSINESSES TO STATE WHETHER THE INFORMATION PROVIDED IN THEIR TOURS IS DOCUMENTED AS FACTUAL

Motion: Cording moved, seconded by Murphy, to deny the second reading of an ordinance amending Chapter 114 of the Code of Ordinances to require Tour Guide Businesses and Tour Service Businesses to state whether the information provided in their tours is documented as factual, item 12C-0364.

Discussion: Cording explained the denial has come from many long and thoughtful discussions with various folks and the City Attorney Nack. Nack is concerned about the legal enforceability of the ordinance. Cording stated while she understands the concerns raised by Wirth, she feels a resolution will make the city's position very clear. Cording prefers to approve the resolution and if problems arise they could be handled later.

Nack advised the ordinance has no guidelines. It simply requires that they must state whether they are documented or undocumented. The ordinance would be difficult to enforce without any guidelines. Nack feels by passing a resolution the board is being clear that they would like the tour operators to declare so that the consumer is informed.

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

The motion carried.

NEW BUSINESS

12C-0365 – DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION ENCOURAGING TOUR SERVICE BUSINESSES TO PROVIDE DOCUMENTED TOURS

Motion: Cording moved, seconded by Painter, to approve a resolution encouraging Tour Service Businesses to provide documented tours.

Discussion: Cording feels the wording is good. The supporting information will be kept in their offices. While the resolution isn't mandating, it is clear where the city stands in the interest of having authentic tours available.

Painter questioned what the action would be should the city receive complaints on inaccurate information being given out. She was advised staff would contact the operator and advise them of the complaint.

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

The motion carried.

12C-0366 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR DOWNTOWN PUMP STATION IMPROVEMENTS

The following bids were received:

Civil Constructors	\$ 749,559
Engineering & Construction Innovations	\$1,127,500

Motion: Greene moved, seconded by Fach to approve the contract for downtown pump station improvements with Civil Constructors in the amount of \$749,559.

Discussion: None.

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

The motion carried.

12C-0367 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR EXTENDING A WATER MAIN UNDER US ROUTE 20 TO THE RIGHT-OF-WAY IN FRONT OF THE RAMADA

The following bids were received:

Fischer Excavating	\$69,510.74
Mike & Nick Sproule Construction	\$54,992.00
Windy Hill	\$66,779.61
Louie's Trenching Service	\$58,240.00

Motion: Lincoln moved, seconded by Murphy to defer this item to the next meeting, item 12C-0367.

12C-0368 – DISCUSSION AND POSSIBLE ACTION ON THE PURCHASE OF A REPLACEMENT PUMP FOR THE PLUYM SUBDIVISION LIFT STATION

Supplier	Pump Brand/Model	Price
Zimmer & Francescon	Myers 4VHX75M4 7.5 hp	\$4,670.00
Zimmer & Francescon	Myers 4RHX100M2 10 hp	\$4,850.00
Metropolitan Industries	Hydromatic S4HVX1000DD 10 hp	\$7,015.00
Electric Pump Co.	Keen K4RXB75M2.23 7.5 hp	\$7,927.14
Janda Electric	Hydromatic S4HVX1000DD 10hp	\$8,900.55

Motion: Lincoln moved, seconded by Murphy to approve the purchase of the Myers 4VHX75M4 7.5 hp replacement pump for the Pluym Subdivision Lift Station from Zimmer & Francescon in the amount of \$4,670.00.

Discussion: None.

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

The motion carried.

12C-0369 – WARRANTS

Motion: Greene moved, seconded by Murphy, to approve the warrants as presented with the addition of a warrant to Runde Auto Group in the amount of \$20,527 for the new truck.

Discussion: None.

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

The motion carried.

12C-0370 – ALDERPERSONS' COMMENTS

Street Performers – Fach asked that an item be placed on the next agenda to discuss forming a committee to study the issue of street performers.

Meeting – Painter reminded everyone they were invited to a meeting on Tuesday August 28th at the DeSoto to discuss the impact of the arts.

Loading Zones – Lincoln voiced concern with semis blocking Hill Street when they use the loading zone in front of the Kandy Kitchen. He suggested sending a letter to the businesses in that area to remind the drivers not to block the intersection.

12C-0371 – CITY ADMINISTRATOR'S REPORT

Wal-Mart Weeds – Moran advised the owner of the property in front of Wal-Mart has been contacted and the weeds should be cut soon.

Illinois Jobs – Moran advised he has received a letter from the Governor's office saying they will be releasing money from the Illinois Jobs Fund. The distribution is based on population. We should receive just over \$15,000 in revenue that was not budgeted. The money must be deposited in the MFT Fund and can only be used according to the MFT guidelines.

Solar Plant – Moran reported the solar plant is now up and running. We produced power today. The official ribbon cutting has been set for September 13 at 10:00 a.m. Moran shared a picture of the meter showing a negative number on it. We are already selling power back! Moran thanked Andy Lewis and Jeff Saylor who spent all kinds of time on this project.

12C-0372 – MAYOR’S REPORT

Mayor Renner is happy to see the solar project up and running and already selling power back.

12C-0373 – MOTION FOR EXECUTIVE SESSION

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

- Pending, probable or imminent litigation, Section 2 (c) (11)
- Review of Executive Session Minutes, Section 2 (c) (21)

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

The motion carried.

The meeting recessed at 6:58 p.m.

The meeting reconvened at 7:09 p.m.

12C-0374 - ADJOURNMENT

Motion: Murphy moved, seconded by Lincoln, to adjourn.

Discussion: None.

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

The motion carried.

The meeting adjourned at 7:09 p.m.

Respectfully submitted,



Mary Beth Hyde
City Clerk