

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 22 OCTOBER 2012

12C-0432 – 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 22 October 2012.

12C-0433 – ROLL CALL

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

Absent: Murphy

12C-0434 – ESTABLISHMENT OF QUORUM

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

12C-0435 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

12C-0436 - REPORTS OF STANDING COMMITTEES

None.

12C-0437 – PUBLIC COMMENTS

Amelia Roth, 20 West Apache Trail – Roth questioned how the current tour license ordinance applies to tour companies with Iowa and Wisconsin addresses marketing 90 percent of their tours in Galena. She noted they are not paying any amusement tax, are not utilizing the loading zones properly and are taking away from those that have taken the right steps to get their license.

Mike Scholz, 11405 Highway 20 West – Scholz asked the Council to consider making another liquor license classification for banquet facilities. He voiced concern with the large upfront fee for a Class D license when the license is only used 20-30 times per year.

Dick Auman, 701 Young Street – Auman read a prepared statement with regard to the action taken on item 12C-0423, Discussion and Possible Action on Scheduling a Public Hearing on the Possible Revisions to the Street Performers Ordinance. Auman stated the action taken clearly violates the spirit of the Open Meetings Act stating there wasn't enough information listed on the agenda. He requested an item be placed on the next agenda for possible revision of the ordinance.

CONSENT AGENDA CA-19

12C-0438 – APPROVAL OF THE MINUTES OF THE OCTOBER 09, 2012 CITY COUNCIL MEETING

12C-0439 – APPROVAL OF STRAY-DOG PICK-UP CONTRACT BETWEEN JO DAVIESS COUNTY AND THE CITY OF GALENA FOR THE PERIOD OF DECEMBER 1, 2012 THROUGH NOVEMBER 30, 2013

12C-0440 – APPROVAL OF REQUEST BY THE DOWNTOWN BUSINESS ASSOCIATION FOR SIDEWALK SALES EVENTS MAY 10-12, 2013 AND AUGUST 9-11, 2013

12C-0441 – APPROVAL OF A REQUEST BY MIDWEST MEDICAL CENTER HEALTH AND FITNESS FOR THE SPRINT INTO SPRING 5K AND 10K RACE ON THE GALENA RIVER TRAIL, SATURDAY, APRIL 20, 2013 AT 8:00 A.M.

12C-0442 – APPROVAL OF A REQUEST BY DAVID KUCKER, 458 DEWEY AVENUE, FOR A STREET LIGHT IN FRONT OF HIS RESIDENCE

Motion: Fach moved, seconded by Painter, to approve Consent Agenda CA-19 as presented.

Discussion: None.

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

The motion carried.

NEW BUSINESS

12C-0443 – MONTHLY REPORT BY THE ENVIRONMENTAL MANAGEMENT CORPORATION (EMC)

Saylor noted the large increase in usage as it got drier and drier. They continued to monitor the water levels in the well. The static levels were down a little but the draw down levers remained the same.

Saylor advised he and Andy Lewis are currently looking into tracking things to coincide with the solar project so we can have solid numbers on what the payback will be on it.

Saylor reported we had a bacterial sample fail on Well #6 in July and two in August. The well was shut down. A letter was received from the EPA stating something needs to be done. Saylor advised he will respond to them in the next couple of weeks. There is no outside contamination. The samples didn't show any fecal bacteria. With a good cleaning and repairs to the pump it should be back up and running fine.

Mayor Renner noted the \$66.74 electric bill. Saylor advised September looks like the bills will be around \$5,000 vs. \$9,000-\$10,000. September was a good month for making electricity.

Lincoln questioned if anything can be done with the lowest section of the water tower by Cemetery Park. It is rusting. Saylor advised that has been in discussions. It would need to be taken out of service and painted which could be very expensive.

12C-0444 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR REPAIRS TO WELL #6

The following bids were received:

Item Description	Peerless Service Co.	Municipal Well & Pump
Base Bid Items (1 to 14)	\$16,270	\$28,470
Alternates:		
1. Wire Burshing/baling borehole	\$ 1,440	\$ 2,248
2. Air impulse rehabilitation	N/A	\$ 4,960
3. Replacement drive motor	\$11,645	\$11,780
Supplemental Items (B to S):	\$24,479 (excluding item Q)	\$40,300

Motion: Fach moved, seconded by Greene, to approve a contract for repairs to Well #6 to Peerless Service Company in the amount of \$53,834.

Discussion: Fach questioned why Peerless did not show a cost for the Air Impulse Rehabilitation. Saylor advised it is not applicable to Peerless. Typically the Air Impulse is used to improve capacity. It is not needed in this well.

Moran advised the money for this project will come out of the water fund. The water fund has a savings built in for this type of occurrence.

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

The motion carried.

12C-0445 – DISCUSSION AND POSSIBLE ACTION ON AN APPEAL OF A DECISION BY THE GALENA HISTORIC PRESERVATION COMMISSION BY MARGARET DWORAK, 129 S. DODGE STREET

Motion: Greene moved, seconded by Painter, to open discussion on an appeal of a decision by the Galena Historic Preservation Commission by Margaret Dworak, 129 S. Dodge Street.

Discussion: None.

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

The motion carried.

Discussion: Dworak stated the roof on the main house at 129 S. Dodge has had a tin roof forever. It currently has Yankee gutters that are in terrible disrepair and are causing soffit and fascia rot out. She advised she had the roof repainted a few years ago and was she was told at that time the roof would need to be replaced next time. The addition to the back of the house and the garage were recently redone with asphalt shingles. Dworak stated she would like to remove the tin on the main house and replace it with matching asphalt. This was presented to the Historic Preservation Commission and was denied because of the building location and the age of the building. Dworak advised the cost of asphalt shingles would be \$6,000 vs. \$14,000 - \$15,000 for the tin.

Council discussed and agreed to refer this item back to the Historic Preservation Commission to allow them to discuss the Yankee gutter issue with the possibility of providing more options for soffit, fascia and roof materials.

Motion: Painter moved, seconded by Cording, to close discussion on an appeal of a decision by the Galena Historic Preservation Commission by Margaret Dworak, 129 S. Dodge Street.

Discussion: None.

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

The motion carried.

Motion: Painter moved, seconded by Cording, to send this issue back to the Historic Preservation Commission for further review and discussion, item 12C-0445.

Discussion: None.

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

The motion carried.

12C-0446 – FIRST READING OF AN ORDINANCE ANNEXING 5.5 ACRES ON THE EAST SIDE OF THE GALENA RIVER

Motion: Fach moved, seconded by Greene, to approve the first reading of an ordinance annexing 5.5 acres on the east side of the Galena River which was amended to include waiving the second reading.

Discussion: Painter questioned the need for a second reading.

Amended

Motion: Painter moved, seconded by Fach, to amend the motion to include waiving the second reading.

Discussion: None.

Amended

Motion

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

The motion carried.

Main

Motion

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

The motion carried.

12C-0447 – FIRST READING OF AN ORDINANCE ANNEXING 100 ACRES KNOWN AS GATEWAY PARK

Motion: Painter moved, seconded by Fach, to approve the first reading and waive the second reading of an ordinance annexing 100 acres known as Gateway Park, item 12C-0447.

Discussion: None.

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

The motion carried.

12C-0448 – FIRST READING OF AN ORDINANCE ANNEXING 25.25 ACRES KNOWN AS THE BUEHLER PRESERVE

Motion: Cording moved, seconded by Painter, to approve the first reading and waive the second reading of an ordinance annexing 25.25 acres known as the Buehler Preserve.

Discussion: None.

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

The motion carried.

12C-0449 – DISCUSSION AND POSSIBLE ACTION ON A FOREST RESTORATION CONTRACT FOR GATEWAY PARK

The following bids were received:

Prairie Works	\$12,470.85
Driftless Land Stewardship	\$64,505.00

Motion: Cording moved, seconded by Painter, to open discussion on a Forest Restoration Contract for Gateway Park.

Discussion: None.

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

The motion carried.

Discussion: Cording questioned why there was such difference in price. Albaugh explained the difference between the high and low bid was the cost of prevailing wage. The low bid was a husband and wife team with no employees which would exempt them from Prevailing Wage. The work will begin in December.

Motion: Cording moved, seconded by Painter, to close discussion on a Forest Restoration Contract for Gateway Park.

Discussion: None.

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

The motion carried.

Motion: Cording moved, seconded by Painter, to accept the bid from Prairie Works in the amount of \$12,470.85 for the Forest Restoration Contract for Gateway Park.

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

The motion carried.

12C-0450 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR PURCHASING SEED FOR PRAIRIE RESTORATION AT GATEWAY PARK

Motion: Painter moved, seconded by Fach, to approve a contract for purchasing seed for Prairie Restoration at Gateway Park from Northwest Illinois Prairie Enthusiasts.

Discussion: Albaugh advised the difference in price is the Northwest Illinois Prairie Enthusiasts collect their own seeds. Prairie Works would have to purchase the seeds. The work is funded by grants.

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

The motion carried.

12C-0451 – WARRANTS

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

Discussion: Painter questioned if the issues with the Van Buren steps has been addressed. Moran advised staff has met with the contractor. They have agreed to sand down the burs and repaint the top rail as well as grind down the joints where the pipes come together. They have also agreed to extend the warranty to three years. Staff will hold the check until such time as the work is satisfactory.

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

The motion carried.

12C-0452 – ALDERPERSONS' COMMENTS

Street Performers – Fach stated after listening to Auman's comments, he feel it would behoove the Council to revisit this item and have a straight up and down vote on it.

Legislative Forum – Cording stated she had the pleasure of attending the Legislative Forum with Mark Moran last Thursday evening. Senator Bivins was there along with officials from various communities. The meeting was productive and they learned a lot about what other people are doing. There is a lot of excitement on the sale of the Thompson prison. Indications are it may be a year to three years before it will be functioning. Cording stated she was impressed with the dedication of the people she met. These people do a tremendous amount of work for their communities without any acknowledgement of it.

Dog Park Fundraiser – Cording advised she attended the recent Dog Park Fundraiser. She commended them on the work they are doing to try to make the fencing a reality to get the dog park to a good workable use.

Liquor License – Cording stated she would like to have the Council review the ordinance to consider another classification of license as requested by Scholz.

Street Performers – Cording agreed the actions taken at the last meeting may have been to swift for moving back to the original ordinance. The item was to set a public hearing. There has been good discussion thus far and she feels this is a good opportunity to look at the guidelines to see what might work for them. She noted there are some areas that are really open that could make us vulnerable. She recommended revisiting this item.

Build a Smarter Future – Painter urged everyone to take a look at the Build a Smarter Future website. The group has done a great job in trying to present as much information as possible.

Gateway Park – Painter is excited to move forward on the Gateway Park project.

Tour License Issue – Painter states the concerns raised by Amelia Roth are something we need to look at. While we don't want to discourage people from bringing people to Galena, we need to make sure we are being equitable in the way it is being administered.

12C-0453 – CITY ADMINISTRATOR'S REPORT

TCEDA – Moran announced Al Griffiths is the new Executive Director of TCEDA. He anticipates the group will be approaching the City in the near future to see if we are interested in contributing financially.

Council Meeting – Moran questioned if the Council wished to change the next meeting from Monday, November 12th to Tuesday, November 13th as Monday would be the Veterans Day observed holiday. Council preferred to keep the meeting on Monday.

12C-0454 – MAYOR'S REPORT

No report.

12C-0455 – MOTION FOR EXECUTIVE SESSION

Motion: Cording moved, seconded by Painter, to recess to Executive Session to discuss the following:

- Pending, Probable or Imminent Litigation, Section 2 (c) (11)
- Employee hiring, firing, compensation, discipline and performance, Section 2 (c) (1)
- Review of Executive Session Minutes, Section 2 (c) (21)

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

The motion carried.

The meeting recessed at 7:39 p.m.

The meeting reconvened at 8:37 p.m. The following action was taken.

12C-0456 – DISCUSSION AND POSSIBLE ACTION ON HIRING A NEW POLICE OFFICER

Motion: Painter moved, seconded by Fach, to approve hiring Nathan Johnson as a new police officer.

Discussion: None.

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

The motion carried.

12C-0454 - ADJOURNMENT

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

Discussion: None.

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

The motion carried.

The meeting adjourned at 8:39 p.m.

Respectfully submitted,

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

Mary Beth Hyde
City Clerk