

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 10 DECEMBER 2012

12C-0503 – 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 10 December 2012.

12C-0504 – ROLL CALL

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

Absent: Murphy

12C-0505 – ESTABLISHMENT OF QUORUM

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

12C-0506 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

12C-0507 - REPORTS OF STANDING COMMITTEES

None.

12C-0508 – PUBLIC COMMENTS

James Wirth, 121 S. High Street – Wirth advised he contacted Riverside National Cemetery in California to check what policies they have in place. He advised they don't allow any type of recreational activities in the cemetery. Wirth felt this was considered proper respect for our deceased veterans and deceased in general and asked Council to consider the same.

Amelia Roth, Galena Ghost Tours – Roth advised she has also done research. One cemetery in Boston, Massachusetts closes at dusk as well; however, they deem one tour company allowed to come at specific times with rules and regulations. Roth agrees she would prefer to have it regulated but is concerned completely shutting everyone out is not the answer.

Steve Coates, 304 Elk Street – On behalf of the Historical Society, Coates thanked Mark Moran and Joe Nack for the addendum to the lease. Coates voiced one concern with the renewal period. He asked the Council to consider changing that from 5 years to 50 years.

Eldon Glick, 957 James Street – Glick voiced concern the museum is asking for money but hasn't necessarily shown a need for it.

Steve Repp, 227 S. Dodge Street – Repp stated he doesn't have a problem with anyone going through the cemetery in the daytime hours. It is a place for visitation for those interested in that. He stated he doesn't think the cemetery should be kept open after dark for any commercial reasons or any reason to make a profit. Repp feels it is a disgrace to allow this to continue and urged the Council to support closing the cemeteries at dark with no exceptions to that rule.

Justice Kelly, 501 Harrison – Justice voiced concerns with the proposed changes to the Street Performers Ordinance stating he felt they may be unconstitutional.

Laurel Kelly, 501 Harrison – Kelly stated she was opposed to any increase in property tax. She also voiced concern that the time for dusk can vary. She urged the Council to consider setting a set time for closing the cemetery.

Ron McIntyre, 313 Apache Court – McIntyre urged the Council to vote in favor of granting a Class A Liquor License to Rory MacDonald.

LIQUOR COMMISSION

Motion: Greene moved, seconded by Fach, to adjourn as the City Council and reconvene as the Liquor Commission.

Discussion: None.

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

The motion carried.

12C-0509 – DISCUSSION AND POSSIBLE ACTION ON AN APPLICATION BY RORY MACDONALD FOR A CLASS A LIQUOR LICENSE FOR THE GOLD ROOM, 249 NORTH MAIN STREET

Motion: Painter moved, seconded by Greene, to approve the application by Rory MacDonald for a Class A Liquor License for the Gold Room at 249 North Main Street, item 12C-0509.

Discussion: This fulfills the number of Class A licenses allowed by ordinance.

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

The motion carried.

Motion: Greene moved, seconded by Fach, to adjourn as the Liquor Commission and reconvene as the City Council.

Discussion: None.

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

The motion carried.

CONSENT AGENDA CA-21

12C-0510 – APPROVAL OF THE MINUTES OF THE NOVEMBER 26, 2012 CITY COUNCIL MEETING

12C-0511 – APPROVAL OF AN ACCESS AGREEMENT WITH IFIBER TO INSTALL FIBER OPTIC EQ2UIPMENT IN THE GALENA FIRE DEPARTMENT

12C-0512 – APPROVAL OF A REQUEST BY GALENA CUB SCOUT PACK 93 TO CONDUCT A BIKE-A-THON ON PART OF THE GALENA RIVER TRAIL ON SATURDAY, MAY 11, 2013 FROM 10 A.M. TO 1 P.M.

12C-0513 – ACCEPTANCE OF OCTOBER 2012 FINANCIAL REPORT

Motion: Lincoln moved, seconded by Painter, to approve Consent Agenda CA-21 as presented.

Discussion: None.

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

The motion carried.

UNFINISHED BUSINESS

12C-0471 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY THE GALENA HISTORY MUSEUM AND HISTORICAL SOCIETY FOR A SERVICE AGREEMENT WITH THE CITY

Motion: Painter moved, seconded by Lincoln, to approve the request by the Galena History Museum and Historical Society for a service agreement with the City, 12C-0471.

Discussion: Fach questioned if we have the money for this. Moran advised there is no money set aside but a budget amendment could be made. Council would need to look at putting this into the next budget. The first payment would be due April 1, 2013 which would be this fiscal year.

Lincoln feels the History Museum provides a viable product for the city telling the history and interpreting the history. He was in favor of helping out with the utilities.

Painter feels it is relatively a small amount on the city's part but will have a huge impact on the museums budget.

Renner felt if Council were to do this beginning January 1, the first reimbursement should be set for June 1 which would be in our next fiscal year.

Nack explained this is a one-time deal for one year. Should they decide to revisit it an addendum to the lease would need to be made. Nack noted the original lease would have renewed for an additional 100 years. He felt it was up to the Council whether or not they wished to renew for more than 5 years.

Renner was opposed to renewing for 50 years. He felt a 5 year lease would be more appropriate. The existing lease runs through 2038.

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

The motion carried.

12C-0494 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE AMENDING CHAPTER 96.04 OF THE GALENA CODE OF ORDINANCES PERTAINING TO CLOSING TIME OF PARKS AND CEMETERIES

Motion: Cording moved, seconded by Greene, to approve the second reading of an ordinance amending Chapter 96.04 of the Galena Code of Ordinances pertaining to closing time of parks and cemeteries, item 12C-0494.

Discussion: The new ordinance sets the following closing time for parks and cemeteries:

- Parks: 11:00 p.m.
- Cemeteries: 6:00 p.m. to 8:00 a.m. from May through October
4:00 p.m. and 8:00 a.m. from November through April.

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

The motion carried.

12C-0496 – SECOND READING AND POSSIBLE APPROVAL OF THE 2013 TAX LEVY ORDINANCE

Motion: Lincoln moved, seconded by Fach, to approve the second reading of the 2013 Tax Levy Ordinance.

Discussion: Painter stated while she knows she has been in the minority for going for the maximum allowed, council needs to think about the fact that we have an extremely able City Manager who has provided fiscal stability. His determination is that we are going to regret this decision if we don't go for the maximum and that there will be implications down the road.

Mayor Renner stated he too has concerns with not taking the tax available to us. He urged fellow council members to think about those people who have the expertise and experience and have the responsibility for the use of these monies and respect their opinions on the issue.

Cording noted the general fund will decrease by \$79,800 this year. As we struggle to cover the bases, this might mean a lot of things needing to get done might not get done.

Moran advised he would respect the Council's decision either way. He noted it really comes down to the fact that if we end up with less revenue we will need to prioritize our expenses. Things will be tougher when we get to the budget process which will require "belt tightening".

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

The motion carried.

NEW BUSINESS

12C-0514 – FIRST READING OF AN ORDINANCE REVISING CHAPTER 110.39, "STREET PERFORMERS" OF THE GALENA CODE OF ORDINANCES

Motion: Fach moved, seconded by Greene, to open discussion on the first reading of an ordinance revising Chapter 110.29, "Street Performers" of the Galena Code of Ordinances.

Discussion: None.

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

The motion carried.

Discussion: Fach stated he is comfortable with the changes made. He doesn't see anything that would be really objectionable to anyone wanting to perform in Galena. The changes delineate what we expect.

Council voiced concern with the hours, 10:00 a.m. to 10:00 p.m. They felt 10:00 p.m. was too late. A suggestion was made to change the hours to 10:00 a.m. to 8:00 p.m.

Council discussed the license fee. Painter stated she would prefer to keep the fee at \$25. The fee helps offset administrative tasks.

Motion: Cording moved, seconded by Fach, to close discussion on the first reading of an ordinance revising Chapter 110.29, "Street Performers" of the Galena Code of Ordinances.

Discussion: None.

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

The motion carried.

Motion: Painter moved, seconded by Cording, to approve the first reading of an ordinance revising Chapter 110.39, "Street Performers" of the Galena Code of Ordinances amending the fee to \$25 per year and changing the performance time to 10:00 a.m. to 8:00 p.m., item 12C-0514.

Discussion: None.

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

The motion carried.

12C-0515 – FIRST READING OF AN ORDINANCE AMENDING CHAPTER 111 "ALCOHOLIC BEVERAGES" OF THE GALENA CODE OF ORDINANCES TO CREATE A NEW CLASS OF LIQUOR LICENSE FOR HOTELS WITHOUT RESTAURANT OR BAR FACILITIES

Motion: Fach moved, seconded by Greene, to approve the first reading of an ordinance amending Chapter 111 "Alcoholic Beverages" of the Galena Code of Ordinances to create a new class of liquor license for hotels without restaurant or bar facilities, item 12C-0515.

Discussion: None.

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

The motion carried.

12C-0516 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY DYLAN EINSWEILER TO RESTORE THE GRANT PARK SIGN ON THE GRANT PARK HILLSIDE AS AN EAGLE SCOUT PROJECT

Motion: Cording moved, seconded by Greene, to approve the request by Dylan Einsweiler to restore the Grant Park sign on the Grant Park hillside as an Eagle Scout Project.

Discussion: Cording complimented Einsweiler for taking on such an ambitious project. Moran advised the Galena Foundation will lead the project with oversight and funding.

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

The motion carried.

12C-0517 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT WITH GLOBAL REACH FOR REDESIGN AND HOSTING OF THE CITY OF GALENA WEBSITE

Motion: Greene moved, seconded by Painter, to approve a contract with Global Reach for redesign and hosting of the City of Galena website.

Discussion: Council questioned if we need to go out for bid. Moran explained we don't have to as we have an ongoing relationship with this company and it is considered a professional service.

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

The motion carried.

12C-0518 – WARRANTS

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

Discussion: None.

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

The motion carried.

12C-0519 – ALDERPERSONS' COMMENTS

Ipads – Cording stated the new Ipads are working quite nicely and with time things will get much better with them. She appreciates the fact that we not only help the environment but we save the city time, paper and ink expenses as well.

Council Meeting – The next meeting will be held on December 26, 2012.

Lease/Street Performers – Painter thanked staff for their work on the Historical Society Lease as well as the Street Performers Ordinance.

LED Lights – Painter commented on the new LED lights on Franklin Street.

12C-0520 – CITY ADMINISTRATOR'S REPORT

Community Development Fund Roundtable – Moran reminded Council tomorrow (December 11, 2012) is the annual Community Development Fund Roundtable at 9:00 a.m.

Mailboxes – Moran reminded Council now with the use of the IPads we will no longer be delivering their mail with their packets so they need to remember to check their mailboxes here at City Hall.

12C-0521 – MAYOR'S REPORT

Mayor Renner wished all a "Happy Holiday".

12C-0522 - ADJOURNMENT

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

Discussion: None.

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

The motion carried.

The meeting adjourned at 7:24 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
City Clerk