

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 12 AUGUST 2013

13C-0304 – CALL TO ORDER

Mayor Pro-Tem Greene called the regular meeting to order at 6:30 p.m. in the Board Chambers at 312½ North Main Street on 12 August 2013.

13C-0305 – ROLL CALL

Upon roll call the following members were present: Bernstein, Fach, Greene, Kieffer, Lincoln, Painter

Absent: Renner

13C-0306 – ESTABLISHMENT OF QUORUM

Mayor Pro-Tem Greene announced a quorum of Board members present to conduct City business.

13C-0307 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

13C-0308 - REPORTS OF STANDING COMMITTEES

Fach said the Turner Hall Committee met August 1 and Duff Stewart presented the code review of the building. It was determined that Turner Hall needs four ceiling fans for the main area and one ceiling fan for the stage area.

13C-0309 – PUBLIC COMMENTS

Amelia Wilson Roth stated she was requesting an extension of her operating hours as they continue to turn customers away due to the limited hours of operation. There have been no complaints against her business which currently operates from 1:00PM to 10:30PM. The tour bus is out of residential neighborhoods by 10:15PM. The route does not interfere with other activities. All rules and regulations are abided by. The tour is educational and provides entertainment for families as well as individuals and couples. There are very few activities such as this in Galena. The tour provides revenue to the city through the amusement tax. They do not have any plans to run a strict schedule, for example with tours on the hour. Currently they run the tour when the need presents itself. They are not in the cemetery – they always remain outside the cemetery.

Steve Maguire spoke on behalf of himself and other Spring Street/Highway 20 residents. They have written a letter to IDOT about their concerns and they are requesting a new public hearing with IDOT. IDOT believes the public hearing held in 2006 is adequate even though the plan has changed quite a bit. They would like the City to join them in this request. Those property owners on the North side of Spring Street will lose quite a bit of frontage due to a bike path proposed by the City; not a sidewalk, but a bike path. IDOT is saying the City is requesting the bike path. The City indicated that IDOT specified the bike path. He is concerned for the safety of those that would be using the bike path. Maguire as well as other Spring Street residents are asking the City to please reconsider the plan.

Bill Nybo said he has lived on Spring Street for 17 years. He is losing a substantial amount of property to the Highway 20 project with the 5 ½ foot shoulder and the 10 foot bike path. It is troubling to think of parents and children using the bike path where there is so much traffic and bad air. In talking to IDOT they call this bike path silly. Federal law makes them offer either a 5 foot ADA compliant sidewalk or a 10 foot bike path. The City will need to maintain this and it will end up costing everyone.

Jim Boho said he lives in Rice Township, but drives Blackjack Road/Fourth Street regularly. He is only speaking for himself, but he is questioning the safety and the legality of the stop sign at Fourth Street/Blackjack. IDOT estimates there are approximately 1,650-1,800 vehicles that must utilize this sign daily. There are many other areas in town that could benefit from a stop sign at a busy intersection. There is almost no pedestrian traffic at this location. He could bring a petition to the City with a great deal of support for the removal of the stop sign. He suggests that the County and East Galena Township get involved; that there is a gradual reduction in the speed limit rather than 45 to 20 as it is now and that, as an attention getting technique, the street be striped before you get to the stop sign. He asks that the City please look into this. With the right kind of signage there wouldn't have to be the high volume of tickets issued as is occurring now.

Rick Pariser thought it would be nice if the City could conduct a town meeting so people could speak freely, not just for three minutes each. He wanted to address the canoe/kayak ramp. Over the years he has watched what has happened in this area and he questioned the credibility and transparency of the activities occurring here. How does something like this happen? How long has this been going on? Is it still continuing? He sees vehicles parked here that have for sale signs on them or expired plates and nothing happens.

Marlene Niec spoke on behalf of a group of Methodist Church members who are interested in constructing a retreat/memory garden area near the church on City property. They are quite passionate about making the area appealing to tourists and residents alike.

Joan Wallace said she was in favor of the canoe/kayak park, but she is opposed to a business operating out of the City lot. Scooters, kayaks and canoes use both lots. She too would like to know how and why this has been allowed. There is resentment among the neighbors and if it is still going on it should be stopped immediately. The sign that advertises this is in a historic district and she has been told that the sign does not comply with city ordinance.

Tina Triana said she has concerns about granting a lease that would allow a business to operate on City property. It would open a can of worms and everyone would want to have this. Setting a precedent like this is a bad idea.

CONSENT AGENDA CA13-15

13C-0310 – APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 22, 2013

13C-0311 – APPROVAL OF A CONTRACT WITH MIDWEST MEDICAL CENTER FOR A DRUG DISCOUNT PROGRAM IN ACCORDANCE WITH 340B OF THE PUBLIC HEALTH SERVICES ACT

13C-0312 – ACCEPTANCE OF JUNE 2013 FINANCIAL REPORT

13C-0313 – APPROVAL OF REQUESTS BY THE GALENA ART AND RECREATION TO HOST A FREE MOVIE IN RECREATION PARK ON FRIDAY, AUGUST 16, BEGINNING AT 8:30 P.M.

Motion: Lincoln moved, seconded by Painter, to approve Consent Agenda 13C-15.

Discussion: None.

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

The motion carried.

UNFINISHED BUSINESS

13C-03279 – DISCUSSION AND POSSIBLE ACTION ON CHANGE ORDERS FOR CITY HALL PROJECT

Motion: Fach moved, seconded Kieffer by to approve the change orders for the City Hall project.

Discussion: None

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

The motion carried.

NEW BUSINESS

13C-0314 – DISCUSSION AND POSSIBLE ACTION ON A PROPOSAL BY THE GALENA UNITED METHODIST CHURCH TO IMPROVE THE PUBLIC PROPERTY ADJACENT TO THE CHURCH AND UNDER THE CITY STEPS WITH A CONCRETE PATIO

Motion: Painter moved, seconded by Kieffer to approve a proposal by the Galena United Methodist Church to improve the public property adjacent to the church and under the city steps with a concrete patio. The motion is only for the project not for any City funding.

Discussion: Painter said the request made mention of City funding. At this time she was not comfortable including that in the motion. Painter visited the site and had some concerns with the large amount of paved surface and run off. City Administrator Mark Moran and City Engineer Andy Lewis felt this would not be an issue. She is still a little uncomfortable with this. In looking at the drawing she is not sure about the landscaping details.

Mayor Pro Tem Greene asked Marlene Niec to come forward and clarify.

Niec said hostas would be planted along the wire fence and a rock garden will be installed in along the wall that is near the street.

Painter said it still appeared there would be a large area of concrete.

Niec said there would be urn planters and benches placed throughout the concrete patio.

Lincoln asked about plantings under the pier.

Niec said there would be plantings under the stairs as well as across from the church door there would be hostas that would help with the water runoff.

Fach asked the Council if anyone had an issue with the proposed cross that would be on City property.

Niec said that was why the committee submitted an alternate plan with a dove.

Nack said he did not feel there was a church and state issue here. The City needed to show that it was treating the church the same as it would treat any other person/group. Nack thought the City needed to identify a public purpose being derived from the use of City property. This could be that the Church lease, upgrade and maintain the area. The bigger concern is that the City's risk carrier would probably want to see us require that the church carry at least a one million dollar liability policy that names the City as additionally insured on the property. He would want to see a lease and maintenance agreement with the church. At some point the City is going to need

to do work and repair on the stairs and that work may negatively impact the work that the Church has done. How would the city handle that expense? The Council may want to postpone this item until it sees exactly what will be installed and how some of the legal particulars are worked out.

Painter asked about additional liability if someone falls off the steps with concrete under the steps rather than grass.

Nack said he is more concerned about the safety of those who may be sitting under the steps if someone falls.

Motion: Painter moved, seconded by Kieffer to withdraw the original motion.

Painter said she does appreciate the efforts of the church and their hard work at improving the area.

Motion: Fach moved, seconded by Bernstein to postpone Cal. No.13C-0314.

13C-0315 – DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 114 OF THE CODE OF ORDINANCES TO EXTEND THE HOURS OF OPERATION FOR RESTRICTED TOUR OPERATORS AS PROPOSED BY AMELIA’S GHOST TOURS

Motion: Fach moved, seconded by Painter to postpone this until the August 26, 2013 meeting.

13C-0316 – DISCUSSION AND POSSIBLE ACTION ON REQUEST BY THE GALENA AREA CHAMBER OF COMMERCE FOR HALLOWEEN PARADE PARKING RESTRICTIONS AND STREET CLOSURES FOR VENDING

Motion: Painter moved, seconded by Fach to approve the request by the Galena Area Chamber of Commerce for Halloween Parade parking restrictions and street closures for vending without allowing the sale of beer.

Discussion: Lincoln asked if there was any feedback on the parking restrictions from last year’s parade.

Moran said when the committee met after last year’s parade the feedback was positive and everyone thought the restrictions worked well.

Painter said for the same reasons as last year she thought it was a good idea to deny the request for beer sales.

Roll Call: AYES: Painter, Bernstein, Fach, Kieffer, Lincoln, Greene
NAYS: Lincoln
ABSENT: Renner

The motion carried.

13C-0317 – DISCUSSION AND ACTION ON CERTIFICATION STATEMENT FOR GRANT APPLICATION TO THE BOAT ACCESS DEVELOPMENT GRANT PROGRAM FOR THE GALENA CANOE AND KAYAK PARK

Motion: Fach moved, seconded by Kieffer to approve the certification statement for grant application to the boat access development grant program for the Galena canoe and kayak park.

Discussion: Fach said it would be a good addition to the City. The renderings are very good and show what is possible. If we get the grant it won’t cost the City and we should proceed.

Bernstein said she thought this would be an opportunity to correct some problems that have occurred here. It is a chance to improve our riverfront with very little cost to the City. As boat traffic increases on the other shore it may help the safety of those canoeing and kayaking.

Painter said she thought the park and increased access were great. It seems most are in favor of the park, but are question how the area is used. She said the City should deal with these concerns before the park was completed.

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

The motion carried.

13C-0318 – DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION OF SUPPORT AND COMMITMENT OF FUNDS FOR AN ILLINOIS TRANSPORTATION ENHANCEMENT GRANT FOR PHASE 3 OF THE GALENA RIVER TRAIL

Motion: Painter moved, seconded by Fach to approve the resolution of support and commitment of funds for an Illinois transportation enhancement grant for Phase 3 of the Galena River Trail.

Discussion: Fach said the City could not afford to not do this.

Greene said the trail is used by a lot of people and it is a good thing for the area.

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

The motion carried.

13C-0319 – WARRANTS

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

Discussion: Lincoln asked why there was not a NICOR bill for Turner Hall.

Fach said this could be because at times Turner Hall benefitted from the franchise agreement between the City and NICOR.

Moran said the City does track the usage, but he will look into this.

Lincoln also asked about the Climate Control Storage bill.

Moran said this was for two temporary storage units. We are storing furniture that was at 101 Green Street until it can be used by the Police Department after City Hall has relocated. There are also two large railroad depot benches. The City doesn't really have a plan for the benches right now.

Roll Call: AYES: Painter, Bernstein, Fach, Lincoln, Greene
NAYS: None
ABSTAIN: Kieffer
ABSENT: Renner

The motion carried.

13C-0320 – ALDERPERSONS’ COMMENTS

Bernstein said she has had neighbors ask about the storm water work on Gear Street. She has talked to Andy Lewis, but she wanted the Council to know that residents are asking about this.

Painter said she was at the Galena Pool recently and wanted to commend the City for its continued support of the pool. The staff should be commended for the beautiful facility.

Fach said he thought there should be another meeting with IDOT concerning the Spring Street project. He thought there should be 3- D renderings of what the historic district will look like after completion.

Green said Galena’s parks look great.

13C-0320 – CITY ADMINISTRATOR’S REPORT

Moran said there would be another meeting of the Deer Committee on Wednesday, August 14 at 2PM at City Hall. The head of the deer control program from the DNR as well as an officer from the State Conservation Department will be in attendance. Bids are out for the annual repaving projects that were approved by the Council earlier this year. This will be on the next council agenda. Seal coating should begin in the next two weeks. The downtown storm sewer project is going well and City Hall project continues to move forward.

13C-0322 – MAYOR’S REPORT

None

13C-0323 – MOTION FOR EXECUTIVE SESSION

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

- Purchase or lease of real estate, Section 2 (c) (5)
- Review of Executive Session Minutes, Section 2 (c) (21)

Discussion: None.

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

The motion carried.

The meeting recessed at 7:30.

The meeting reconvened at 7:50.

13C-0324 - ADJOURNMENT

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

Discussion: None.

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

The motion carried.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Deb Price
Deputy City Clerk