

**MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 09 SEPTEMBER 2013****13C-0346 – 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 09 September 2013.

**13C-0347 – ROLL CALL**

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

**13C-0348 – ESTABLISHMENT OF QUORUM**

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

**13C-0349 – PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**13C-0350 - REPORTS OF STANDING COMMITTEES**

**Turner Hall Committee** – Fach reported the committee met on the first Thursday of the month. They had a very good meeting. They will be advocating for the installation of ceiling fans. They will confer with the engineer to get the ball rolling. Other matters were discussed as well. The next meeting is scheduled for the first Thursday of October.

**13C-0351 – PUBLIC COMMENTS**

**Carl Johnson, 202 S. Main Street** – Johnson advised he has served on the Historic Preservation Commission since it began. He feels this grant opportunity will help us get to where we ultimately are trying to get which is National Landmark Status. He urged the council to support the grant application to the Illinois Historic Preservation Agency Funding for recording and publishing the Historic District survey data.

**Amelia Roth, 307 S. Main Street** – Roth advised she is requesting the Council consider allowing her to start her tours at 4:00 p.m. She distributed a map showing all three tour schedules. She advised we get a lot of day trippers looking for something to do. She feels she has definitely outgrown her license. She is trying to promote tourism by accommodating the tourists with tours.

**Marlene Niec, 125 S. Bench Street, United Methodist Church** – On behalf of members of the United Methodist Church, Niec advised they are seeking approval to use and improve the Washington Street city property under the staircase for a memory retreat patio. She presented a proposed sketch of the area. They plan to move 40 or so hosta plants. They have taken care of the \$1 million dollar liability policy. The church members will be responsible for the cleanliness and maintenance of the area. No city maintenance will be required. She requested the Council consider providing funding in the amount of \$1,750. She advised they would be eternally grateful for that amount or any amount the city could provide. The church members are trying to do what they can to preserve the beauty of the area.

**Tom Brusch, 411 S. Prospect Street** – Brusch urged all to remain positive about the ongoing IDOT project on Gear Street and Highway 20. He hopes all is done to everyone's satisfaction. The project was initiated to get rid of the water from the surface of the valley. He hasn't heard that expressed lately. We need a sidewalk to get the bikers and walkers off of the highway. We need turning lanes. He urged the council to keep an eye on those three safety concerns and to take into consideration those wishing to take care of their historic properties. He suggested rather than a 5' apron do a 3' apron and instead of a 10' sidewalk how about a 5' sidewalk.

Brusch feels all three safety issues can be accomplished if everyone is of one mind. He hopes all is going well with the project.

**James Wirth, 121 S. High Street** – Wirth advised, on behalf of himself and the neighbors on High Street, he has filed a petition with the City Clerk relative to Section 154.920 of the Zoning Code. He advised he was present should there be any questions.

**Donna Berlage, 390 S. Pilot Knob Road** – Berlage urged the council to reconsider the stop sign at 4<sup>th</sup> and Rives Street. She feels putting a stop sign on the curve of the street doesn't seem logical. She advised if there are issues with speeding, it should be addressed elsewhere. She only knows of one car hitting the building across the street and that was due to slick road conditions. She urged council to remove the stop sign.

**CONSENT AGENDA CA13-17**

**13C-0352 – APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 26, 2013**

**Motion:** Kieffer moved, seconded by Lincoln, to approve Consent Agenda 13CA-17.

**Discussion:** None.

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

The motion carried.

**UNFINISHED 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 Lincoln, to approve the 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 with the following concessions:

- The city will not provide any funding for the project.
- Access to the rear of the church would have to be guaranteed for the church.
- Maintenance responsibilities for the improvements, concrete, fencing, and landscaping would be the responsibility of the church.
- The city would need the right to remove the improvements or order the removal, if warranted, as part of the maintenance or improvements to the steps, the fire station, or the right-of-way.
- The city has the right to approve the number and design of any improvements, including fencing, urns and benches.
- Memory stones would be made available to anyone.
- The church must maintain the proper amount of liability insurance.

**Discussion:** Lincoln felt it would be a good addition. Fach recommended raising the price of the bricks as a way of getting the funds necessary. He agreed it was a good area to clean up but voiced concern the City may have to tie into the staircase in a few years as they are starting to show wear and tear.

Kieffer felt it should not include a church logo. He felt it should be very plain and the memorial bricks should be open to anyone who wants to contribute to the cause. Greene felt the dove symbol is a sign of peace as well and he saw no problem with using it. Bernstein agreed.

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

The motion carried.

**13C-00315 – SECOND READING AND POSSIBLE APPROVAL 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 approve the second 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.

**Discussion:** Fach stated he has a problem with the regulations of the trolleys. He questioned what the guidelines are and how many are too many.

Painter noted the third license was allowed because it did not conflict with the other trolley times. She questioned if that meant 6:00 p.m. She would be interested to hear what other people feel. The goal is to encourage responsible tourism.

Lincoln advised the city doesn’t require any other business to only be open for four hours. He felt it was unfair to limit her time. This is a successful business and he has no problem going to a 4:00 time.

Fach noted they also run successful wine tours starting at 10:00 a.m. so they are not constricted to a four hour trolley service. Lincoln felt for the ghost tours they are being restricted.

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

The motion carried.

**13C-0335 – DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION FOR ZONING CALENDAR NO. 13A-02, A REQUEST BY DANIEL BALOCCA, 125 S. PROSPECT, FOR A TEXT AMENDMENT TO PERMIT SMALL INNS IN THE LOW DENSITY RESIDENTIAL DISTRICT BY SPECIAL USE PERMIT**

Following discussion the original motion to approve was withdrawn.

**Discussion:** Greene stated he would be in favor if they were actually doing something with the building. He voiced concern with parking issues.

Bernstein noted the item before the council is the text amendment. Mr. Balocca would have to apply for a special use permit.

Fach felt due to the controversy about the notification, it would be wise to step back, run the ad and clear the air on that issue. City Attorney Nack advised he has reviewed the sections in question along with Zoning Administrator Matt Oldenburg. They are of the belief that the city substantially complied with the notice and publication that went out. It was published and notices were sent to the neighbors which was not required. Nack advised the Council would need to approve or deny and send it back to the Zoning Board. The Zoning Board could then run the ad and reopen the Public Hearing.

**Motion:** Fach moved, seconded by Kieffer, to postpone action on a Resolution for Zoning Calendar No. 13A-02, a Request by Daniel Balocca, 125 S. Prospect, for a Text Amendment to Permit Small Inns in the Low Density Residential District by Special Use Permit and send it back to the Zoning Board instructing the Zoning Administrator to place a ¼ page ad instructing the community of the action being considered.

**Discussion:** None

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

The motion carried.

**13C-0338 – DISCUSSION AND POSSIBLE ACTION ON OPEN BURNING POLICY**

**Motion:** Painter moved, seconded by Bernstein, to modify the open burn policy to allow open burn from November 2-10, 2013 as recommended by the Fire Chief and to provide a free leaf pickup by Montgomery Trucking of grass clippings in paper bags the following Wednesday for one day only.

**Discussion:** Painter felt with the cost not to exceed \$640 it was a reasonable option. She advised a pack of bags runs \$2.50. She was in favor of doing it this year for a trial run. Renner agreed and recommended taking the money out of the Mayor’s Discretionary Fund this year since it wasn’t a budgeted item.

Bernstein feels the city is offering a number of options to the public and she is in favor of seeing how it works out.

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

The motion carried.

**NEW BUSINESS**

**13C-0353 – FIRST READING OF AN ORDINANCE AMENDING CHAPTER 154.403.1 AND CHAPTER 154.015 OF THE ZONING ORDINANCE REGARDING SMALL INNS IN RESIDENTIAL DISTRICTS**

This item was withdrawn.

**13C-0354 – DISCUSSION AND POSSIBLE ACTION ON GRANT APPLICATION FOR ILLINOIS HISTORIC PRESERVATION AGENCY FUNDING FOR RECORDING AND PUBLISHING HISTORIC DISTRICT SURVEY DATA**

**Motion:** Painter moved, seconded by Greene, to approve the preparation and submission of a grant application and acceptance of the agreement from the Illinois Historic Preservation Agency for recording and publishing historic district survey data, item 13C-0354.

**Discussion:** Craig Brown, Chairman of the Historic District, advised this will allow both historic surveys to be put on line. It will be searchable by address as well as other fields. The initial proposal will include both historic surveys along with modern photographs. The Galena Foundation will work toward adding historic photographs and owner information. The site will allow a person to pull the address up on their smart phone or computer and get all of the information on that particular address.

The total cost for the project is \$21,000. The state will put up \$16,000 and the Galena Foundation will put up the rest. All the City has to say is they are going to fund this for approximately three weeks. The money has to be spent by September 30, 2013 in order to qualify for the grant.

The \$4,000 annual maintenance fee is for maintenance/hosting of the site. New information will be added constantly. Ruskin Art will be upgrading their software and maintaining the site. The Galena Foundation has agreed to cover that cost each year.

Painter questioned if they have had conversations with other communities. Brown advised he hasn't but he has gone on to Oak Park, Illinois and searched their addresses. The entire site is accessible to the public.

Moran clarified he has received the Grant Agreement from the Illinois Historic Preservation Agency. The Illinois Historic Preservation Agency has already accepted the application and the project. He has in hand a partially executed grant agreement in the amount of \$15,040.

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

The motion carried.

**13C-0355 – POSSIBLE RECONSIDERATION OF 13C-0277, DISCUSSION AND POSSIBLE ACTION ON REQUEST BY CHARLOTTE KENNEDY FOR A FULL STOP INTERSECTION AT FOURTH AND RIVES STREET**

**Motion:** Painter moved, seconded by Bernstein, to reconsider item 13C-0277, Discussion and Possible Action on a request by Charlotte Kennedy for a full stop intersection at Fourth and Rives Street.

**Discussion:** Greene felt the stop sign should be removed as you can't legally use a stop sign to control speed. He recommended adding a sign further back to slow the traffic down. Renner recommended using a "curve ahead" sign with a lower speed limit.

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

The motion carried.

**13C-0356 – DISCUSSION AND POSSIBLE ACTION ON REQUIRING RECYCLING AT ALL CITY PERMITTED EVENTS**

**Motion:** Painter moved, seconded by Bernstein, to require the recycling of cardboard, glass and plastic at all city permitted events and ask city staff to come back with details on how the requirements would be handled.

**Discussion:** None.

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

The motion carried.

**13C-0257 – WARRANTS**

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

**Discussion:** None.

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

The motion carried.

### **13C-0358 – ALDERPERSONS' COMMENTS**

**Prairie Research Institute** – Painter stated she attended the meeting of the Prairie Research Institute organized by Beth Baranski. This group covers many of the state survey groups. The group was formed in 2008 at the University of Illinois. It was good to see what other groups are doing. Mark Moran gave a nice presentation and Beth Baranski did a tremendous job getting it organized.

**Thank you** – Painter thanked Alderman Fach for his leadership on the Turner Hall Committee. She is glad to see things moving along.

**Thank you** – Painter thanked Craig Brown for his leadership on the grant application.

**City Hall** – Lincoln stated at the last meeting he raised some concerns with the process being used on the floors at the new City Hall. He has since talked to the contractor and the method he had mentioned was already tried. With the condition of the floor it would have done more harm than good. The only other alternative would have been for a different machine which would have been a lot more expensive.

**IDOT Project** – Fach read an email from 2006 with regard to the IDOT Project. He advised everybody along the highway will be encroached with the shoulder. They are all very upset. It will put a crimp on a lot of properties and businesses.

**Grant Park Flowers** – Fach stated he has received complaints about how run down the entry to Grant Park at Johnson Street looks as well as the entrance off of the pedestrian bridge. This points out the fact that we don't have anyone that is tending to the park on a weekly basis making sure things are weeded, watered and growing. He advised the Galena Foundation has a fund to reimburse any expenses for tending to and planting of flowers in the park. He feels the City should designate someone as the park overseer for these landscaping items. It should be someone that knows flowers and plants and how to nurture them. With Country Fair coming up, Fach recommended planting some mums or something. Renner advised he would check the status of the groups that normally takes care of the flowers.

**Recycling Bins** – Fach recommended adding more recycling bins downtown.

### **13C-0359 – CITY ADMINISTRATOR'S REPORT**

**Seal Coating** – The seal coating project has been completed. They finished up on the south end of town last week. The total cost for the work done was approximately \$15,000. The Public Works Department did a lot of the labor along with other jurisdictions hauling some of the rock.

**Recycling** – Moran advised he has been working with the lodging establishments on increasing the amount of recycling. He has had the opportunity to talk with both small and large establishments and they have indicated a willingness to talk about it after the busy season.

**Deer Committee** – Moran reported the Deer Committee met on the 3<sup>rd</sup>. A conference call was held with the Department of Natural Resources. Their next meeting will be September 17<sup>th</sup>. A summary report will be presented to council at the next regular meeting. The Committee is

headed toward conducting a survey to gage the extent of the problem. Jerry Murdock will be present on behalf of the committee.

**Pump Station** – Moran reported the pump station is coming along well and is just about completed. He thanked Andy Lewis for his time spent on the project.

**13C-0360 – MAYOR’S REPORT**

No report.

**13C-0361 – MOTION FOR EXECUTIVE SESSION**

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

- Employee hiring, firing, compensation, discipline and performance, Section 2 (c) (1)
- Purchase or lease of real estate, Section 2 (c) (5)
- Review of Executive Session Minutes, Section 2 (c) (21)

**Discussion:** None.

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

The motion carried.

The meeting recessed at 7:36 p.m.

The meeting reconvened at 9:59 p.m.

**13C-0262 - ADJOURNMENT**

**Motion:** Kieffer moved, seconded by Bernstein, to adjourn.

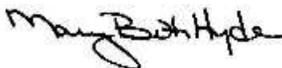
**Discussion:** None.

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

The motion carried.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,



Mary Beth Hyde  
City Clerk