

**MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 28 APRIL 2014**

**14C-0146 – CALL TO ORDER**

Mayor Terry Renner called the regular meeting to order at 6:30 p.m. in the Board Chambers at 101 Green Street on 28 April 2014.

**14C-0147 – ROLL CALL**

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

**14C-0148 – ESTABLISHMENT OF QUORUM**

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

**14C-0149 – PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**14C-0150 - REPORTS OF STANDING COMMITTEES**

**Turner Hall Committee** – Fach handed out copies of the minutes of the meetings as well as a two sheet review submitted by Jan Lavacek with regard to Turner Hall as a performance venue. The noted the committee traveled to Dixon to tour the old post office in Dixon and will discuss it at their next meeting.

**14C-0151 – PUBLIC COMMENTS**

**Fred Bonnet, 213 N. Main Street** – On behalf of the Board of VisitGalena Bonnet advised he was present tonight should council have any questions with regard to the VisitGalena agreement.

**Bob. Roth, 122 ½ N. Main Street** – Roth stated the Galena ARC needs money. The ARC provides youth and educational activities for our young people which no other entity provides. He feels there is no legal impediment to giving money to the ARC. The City has been giving money to 501(c) 3's such as the EMT's and Fire Department for many years. He urged the Council to consider giving money to the ARC in the budget.

Roth stated he has been in constant communications with the Illinois Department of Transportation and the Federal Motor Carrier Safety Administration regarding Brill's trolley business. He is confident they will get approval from both departments. He urged the Council to approve the license and hold it contingent upon the approval from the State and Federal agencies.

**Dave Decker, Galena ARC** – Decker advised they are presenting a proposal to expand upon the 4<sup>th</sup> of July celebrations in Galena. They have been working with the Kiwanis. They would like to have lots of athletic competitions along with celebrity softball games. The championship games will be at 4:00 p.m. and will be done by 5:00 p.m. to allow citizens time to patronize the restaurants downtown and the music in the square. The ARC is also proposing to bring back the Buckhill Run. The run will be between 9 a.m. and 10 a.m. The route will start at Rec Park to Meeker Street, Meeker Street to Dewey Avenue, Dewey Avenue to Buckhill/School Section back to Rec Park. All proceeds will go to the ARC. They are expecting 50-100 people. The walk will also start at Rec Park. Walkers will walk a 2 mile route down the bike path to the depot and back.

**Amelia Wilson Roth, 307 South Main** – Roth read a prepared statement urging the Council to grant her a full tour license for the 2014-2015 season.

**Mike Hillard, Tri-State Travel** – Hillard stated he has a huge concern with the way the City has been licensing trolleys. He questioned who is responsible for inspecting to make sure vehicles are maintained and are safe to be traveling our streets. Hillard feels Brill’s Trolley Tours will be out for a long time. He doesn’t feel it is fair for anyone else to have to wait to get a license until such time as we see what the outcome is. He feels the City will be remiss if they don’t set up a process whereby these trolleys are inspected on an annual basis. He urged the Council to find out the facts of what is taking place with the shutting down of an operator and the process that has to be taken for recertification before entering into any decision.

**Dana Meadows, 130 S. Main, President, Downtown Business Association** – Meadows stated he feels VisitGalena should be maintained as an entity of the city.

**Bill Murphy, 114 S. Main** – Murphy stated he feels VisitGalena is doing a great job and are moving in the right direction. He urged the council to endorse them for another two years.

**Anna Hem – 226 S. High Street** – Hem asked for the City’s help in coming up with a program to deal with the feral cats in town.

**Rick Pariser, 113 S. High Street** – Pariser urged the Council to put someone in charge of safety inspections on the trolleys and inspections on compliance with the ordinances, rules and regulations. He stated it doesn’t seem like anyone has been in charge of this.

**LIQUOR COMMISSION**

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

**Discussion:** None.

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

The motion carried.

**14C-0152 – DISCUSSION AND POSSIBLE ON LIQUOR LICENSE RENEWALS FOR THE PERIOD MAY 1, 2014 TO APRIL 30, 2015**

**Motion:** Painter moved, seconded by Bernstein, to approve the liquor license renewals as listed for the period May 1, 2014 to April 30, 2015, item 14C-0152.

**Discussion:** None.

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

The motion carried.

**14C-0153 – DISCUSSION AND POSSIBLE ACTION ON AN APPLICATION FOR A CLASS D RESTAURANT LIQUOR LICENSE BY BRUCE GLASGOW (BN ZAGS, INC.), DBA THE VICTORY CAFÉ, 200 NORTH MAIN STREET**

**Motion:** Bernstein moved, seconded by Painter, to approve the application for a Class D restaurant liquor license by Bruce Glasgow (BN Zags, Inc.), DBA The Victory Café, 200 North Main Street, item 14C-0153.

**Discussion:** None.

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

NAYS: None

The motion carried.

**14C-0154 – DISCUSSION AND POSSIBLE ACTION ON THE DESIGNATION OF JODI M. BENSON AS THE CORPORATION MANAGER FOR THE CLASS J LIQUOR LICENSE FOR HAPPY JOE’S, 9919 US ROUTE 20 WEST**

**Motion:** Painter moved, seconded by Kieffer, to approve the application by Jodi M. Benson for Corporation Manager for the Class J Liquor License for Happy Joe’s, 9919 US Route 20 West, item 14C-0154.

**Discussion:** None.

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

The motion carried.

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

**Discussion:** None.

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

The motion carried.

**CONSENT AGENDA CA14-08**

**14C-0155 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 14, 2014**

**14C-0156 – APPROVAL OF BUDGET AMENDMENT BA14-03 FOR SCENIC MEADOWS SETTLEMENT PAYMENT**

**14C-0157 – APPROVAL OF FISCAL YEAR 2014-15 OPERATING BUDGET MODIFICATIONS**

**14C-0158 – APPROVAL OF FISCAL YEAR 2013-14 UTILITY BILL WRITE-OFF’S**

**14C-0159 – APPROVAL OF PURCHASE OF NEW SQUAD FOR POLICE DEPARTMENT**

**14C-0160 – APPROVAL OF A PARKING SPACE FOR THE HANDICAPPED IN FRONT OF ST. MATHEW LUTHERAN CHURCH ON HIGH STREET**

**Motion:** Kieffer moved, seconded by Greene, to approve Consent Agenda CA14-08.

**Discussion:** A request was made to remove items 14C-0157 and 14C-0160 from the consent agenda.

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

The motion carried.

**14C-0157 – APPROVAL OF FISCAL YEAR 2014-15 OPERATING BUDGET MODIFICATIONS**

Alderwoman Painter recused herself from discussions on this item.

**Motion:** Bernstein moved, seconded by Fach, to approve the Fiscal Year 2014-15 Operating Budget modifications as presented with the addition of \$5,000 to the Galena Art and Recreation Center and that the City enter into an agreement with the ARC like the agreement dated August 2012.

**Discussion:** Bernstein stated the ARC does provide a service that is not provide elsewhere. She feels it is viable and she would like to see the city support it. Greene agreed stating they provide a lot to the community.

It was noted the \$5,000 would come out of the Parks budget.

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

The motion carried.

**14C-0160 – APPROVAL OF A PARKING SPACE FOR THE HANDICAPPED IN FRONT OF ST. MATHEW LUTHERAN CHURCH ON HIGH STREET**

**Motion:** Fach moved, seconded by Painter, to table the request for the approval of a parking space for the handicapped in front of St. Matthew Lutheran Church on High Street.

**Discussion:** Council discussed and agreed to table to allow time to question why they would want to establish a handicapped parking stall in front of the steps in front rather than in the rear where the handicapped ramp is located.

**UNFINISHED BUSINESS**

**14C-0136 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY AMELIA ROTH, AMELIA’S GHOST TOURS, INC., TO AMEND THE GALENA CODE OF ORDINANCES, CHAPTER 114.04, TO EXPAND THE NUMBER OF TOUR OPERATORS UNRESTRICTED LICENSES FROM TWO TO THREE**

**Motion:** Greene moved, seconded by Kieffer, to deny the request by Amelia Roth, Amelia’s Ghost Tours, Inc., to amend the Galena Code of Ordinances, Chapter 114.04, to expand the number of tour operator’s unrestricted licenses from two to three.

**Discussion:** Fach stated he has a problem with the licensing of tour operators. It is in the ordinance that no more than 4 vehicles of the license holders can be on the streets at any one time. We have had two license holders so there can be 8 vehicles on the street at one time. The argument is do we want to limit the number of vehicles on the streets. Fach stated he would like to see it opened up to an indefinite amount of license holders and we stipulate that the license holder cannot have more than two vehicles on the street at any one time.

Renner agreed the ordinance needs to be looked at and now would be the time to look at it. Council felt it would be good to get input from the tour operators whether or not limiting it makes the business feasible or not.

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

The motion carried.

**NEW BUSINESS**

**14C-0161 – DISCUSSION AND POSSIBLE ACTION ON THE RENEWAL OF TOUR SERVICE AND TOUR GUIDE LICENSES FOR THE PERIOD MAY 1, 2014 –APRIL 30, 2015**

**Motion:** Painter moved, seconded by Greene, to approve the renewal of the Tour Service and Tour Guide Licenses for the period May 1, 2014 – April 30, 2015 contingent upon proper state and federal licensing where applicable.

**Discussion:** None.

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

The motion carried.

**14C-0162 – DISCUSSION AND POSSIBLE ACTION ON REQUEST BY THE GALENA ART AND RECREATION CENTER FOR FOURTH OF JULY ACTIVITIES INCLUDING 5K FUN RUN**

**Motion:** Greene moved, seconded by Kieffer, to approve the request by the Galena Art and Recreation Center for Fourth of July activities including a 5K Fun Run.

**Discussion:** Council thought it was a great idea.

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

The motion carried.

**14C-0163 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR DESIGN ENGINEERING FOR THE BOUTHILLIER STREET LIFT STATION**

**Motion:** Fach moved, seconded by Kieffer, to approve a contract in the amount of \$11,800 with MSA Professional Services for the Bouthillier Street Lift Station.

**Discussion:** None.

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

The motion carried.

**14C-0164 – DISCUSSION AND POSSIBLE ACTION ON AN AGREEMENT WITH VISITGALENA.ORG FOR DESTINATION MARKETING SERVICES**

**Motion:** Bernstein moved, seconded by Painter, to approve the renewal of the agreement with VisitGalena.org for Destination Marketing Services for a six month period contingent upon the following:

- Required reporting be provided to the City prior to the first council meeting of June 2014.
- Discussions continue with the CVB relative to a merger and the elimination of duplication of services and to include mediation if deemed appropriate by both parties or if an agreement cannot otherwise be reached.

- VisitGalena not hire a CEO until merger discussions are completed.

**Discussion:** Lincoln questioned why only six months. Bernstein feels that would be a reasonable amount of time for them to explore a merger. Lincoln was in favor of approving the renewal for two years. If things change during that time period council can go back and redo the agreement and accept what has transpired.

Renner was in favor of extending a two year contract and asking them to continue negotiation with CVB and a mediator and getting it done in a timely fashion.

Painter feels VisitGalena has been doing a good job. There has been some progress with negotiations. They have expressed a willingness to use a mediator. Painter voiced concern with having this drag on for another two years.

Bernstein clarified it is not her intention to disband VisitGalena after six months She is just trying to put a deadline on working on some of these issues and resolving some of the problems. After that time council could review the situation.

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

The motion was denied.

**Motion:** Lincoln moved seconded by Kieffer, to enter into an agreement with VisitGalena.org for Destination Marketing Services for a period of two years and that the Board continues any discussions on reuniting with the CVB or the CVB joining this group to have a Destination Marketing Service for Galena and Jo Daviess County amended to include that during that two year period negotiations continue with a mediator if deemed appropriate by both entities or if agreement can't be reached otherwise.

**Discussion:** None.

**Amended**

**Motion:** Painter moved, seconded by Bernstein to amend the motion to include that during that two year period negotiations continue with a mediator if deemed appropriate by both entities or if agreement can't be reached otherwise.

**Discussion:** None,

**Amended**

**Motion**

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

The amended motion carried.

**Main Motion**

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

The motion carried.

**14C-0165 – WARRANTS**

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

**Discussion:** None.

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

The motion carried.

**14C-0166 – ALDERPERSONS' COMMENTS**

**Feral Cats** – Bernstein suggested any concerned individuals bring a proposal forward for consideration by the council.

**Turner Hall Committee** – Painter thanked Alderman Fach and the Turner Hall Committee for their continued work on this project.

**Thank you** – Painter thanked Deb Price for her work in collecting utility bills.

**4<sup>th</sup> of July Events** – Painter thanked the ARC for the 4<sup>th</sup> of July events.

**Congratulations** – Lincoln congratulated Mayor Renner on his recent retirement from John Deere.

**Cannons** – Lincoln stated he finds it strange and odd that we would allow a Civil War re-enactment where the cannons are heard all over town and we don't allow music downtown.

**Boy Scouts** – Greene said it was good to see all of the boy scouts over the weekend. The weather was good.

**Canon Fire** – Fach stated the cannon fire on Sunday was rattling the buildings in the town. He feels cannons might not be all that smart of a thing to subject the buildings to.

**Prospect/Bench Street** – Fach noted there is some broken concrete between Prospect and Bench Streets on the South side. It is his understanding it is a result of some work done by Nicor. He would like to see them get it fixed.

**War Memorial** – Fach reported three rows of the brick pavers have sunk down at the War Memorial causing a trip hazard.

**14C-0167 – CITY ADMINISTRATOR'S REPORT**

**Grant Park Letters** – Moran reported he has met with Dylan Einsweiler. They are ready to remove the forms from the letters and will be ready for painting and landscaping. Einsweiler has presented the text of the narrative to be put on the interpretive sign. Moran advised he has been working with him on the text and graphics for the sign. The project should be wrapped up soon.

**Thank you** – Moran advised he has received a thank you letter from Midwest Medical for their recent run/walk on the trail. They had 300 registrants.

**LED Street Lighting** – Moran advised he has requested information from JoCarroll and he is waiting to hear back.

**Cannon Fire** – Moran advised he did have a few complaints about the cannon fire. He will contact the event sponsor.

**14C-0168 – MAYOR’S REPORT**

**Congratulations** – Mayor Renner congratulated Alderman Greene on being the Grand Marshall for the Boy Scout Parade. Greene has been involved with the Boy Scouts since 1964.

**Cannon Fire** – Mayor Renner stated he also received some complaints on the cannon fire.

**Turner Hall Committee** – Mayor Renner commended the Turner Hall Committee for doing a fine job.

**14C-0169 – MOTION FOR EXECUTIVE SESSION**

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

- Purchase or lease of real estate, Section 2 (c) (5)
- Selection, appointment, performance, discipline or removal of a public official, Section 2 (c) (3)
- Review of Executive Session Minutes, Section 2 (c) (21)

**Discussion:** None.

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

The motion carried.

The meeting recessed at 7:43 p.m.

The meeting reconvened at 8:55 p.m.

**14C-0170 - ADJOURNMENT**

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

**Discussion:** None.

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

The motion carried.

The meeting adjourned at 8:55 p.m.

Respectfully submitted,



Mary Beth Hyde  
City Clerk