

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 10 NOVEMBER 2014

14C-0444 – CALL TO ORDER

Mayor Renner called the regular meeting to order at 6:30 p.m. in the Board Chambers at 101 Green Street on 10 November 2014.

14C-0445 – ROLL CALL

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

14C-0446 – ESTABLISHMENT OF QUORUM

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

14C-0447 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

14C-0448 - REPORTS OF STANDING COMMITTEE

Turner Hall Committee – Fach reported the windows are repaired and ready for paint. The storm windows will be installed in the next couple of weeks. Dubuque Sash and Door will do the installation.

The excavation work is finished. It was obvious where the water was penetrating the wall. They will board it up for the winter and final repairs will be done in the spring which include tarring, a rubber membrane, drain tile and aggregate.

Charlie Marsden, Beth Baranski and Janelle Keeffer have finished the application to the Illinois Historic Landmarks for a possible matching grant of \$2,500 for putting together and completing a Historic Structures Report on Turner Hall. The Galena Foundation will match the \$2,500 grant. In the event that the cost of putting the report together exceeds \$5,000, the foundation will cover the balance. The Historic Structures Report is a must if we expect to get any type of grant money from the Jeffris Foundation or other agencies. Daryl Watson and Adam Johnson have been asked to put together an estimate for the structures report.

14C-0449 – PUBLIC COMMENTS

Chris Allendorf, 920 Franklin Street – Allendorf stated he was present on behalf of Jo Carroll Energy to answer any questions with regard to the item pertaining to the possible Franchise Agreement between Jo Carroll Energy and the City of Galena.

Amelia Roth , Galena Ghost Tours – Roth stated she does not agree with adding a third trolley license She stated she had argued for four years and was told she couldn't have one. She feels to suddenly change plans simply because someone had a license taken away is ridiculous and unfair.

Roth also stated the road conditions are terrible. They are having a hard time maneuvering around the potholes in the large vehicles.

Mike Hillard, Tri-State Travel – Hillard concurs with comments made by Roth. His reasoning is based on the incident that took place last fall with the operator of the former trolley company. He feels the Council was short sighted when they issued her a license last year. There is a lot of gray area in the law when something like this occurs. For that reason, he doesn't believe the City

Council has a handle on whether or not this particular operator is or is not eligible to operate trolleys at this particular time.

CONSENT AGENDA CA14-21

14C-0450 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 27, 2014

Motion: Lincoln moved, seconded by Kieffer to approve Consent Agenda CA14-21.

Discussion: None.

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

The motion carried.

UNFINISHED BUSINESS

14C-0435 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE AMENDING CHAPTER 114, “TOUR OPERATORS,” OF THE GALENA CODE OF ORDINANCES

Motion: Lincoln moved, seconded by Bernstein, to approve the second reading of an ordinance amending Chapter 114, “Tour Operators” of the Galena Code of Ordinances.

Discussion: Lincoln stated he agrees with the statements made earlier in the meeting; however, this approval is approval of the ordinance which includes a license for a third operator. The Council is not stating who that third license would be issued to.

Fach referred to Section 114.10, Exceptions, Paragraph (A). He feels if a business is loading passengers in Galena they should be required to pay the entertainment tax. He feels a business that drives here and picks up people who have purchased a ticket with this tour business should be subject to the entertainment tax the same as everybody else that gets on a trolley. Those people are going to park their cars on city streets and use our facilities. Fach further recommended striking the word “within” from this paragraph.

Mike Hillard stated he doesn’t understand the premise of the wording. They have to be able to get those people out to Eagle Ridge. They have vans to do that. The local winery takes people out to their vineyard. The only tours that solicit in town are the trolley businesses who have a very small window of customers. Hillard agrees there is a group of people that move people who use our facilities and are not charged an amusement tax. Hillard feels the origin is the key. Where is the origin of the pickup?

Amelia Roth advised both Country Side Tours and Iowa Wine Tours are doing this. They are also advertised through VisitGalena. They come here, pick up here, sell tickets here and go to multiple businesses on Main Street. Roth feels if they are coming to Galena and picking up tourists and taking them to Galena businesses they should be required to have a license. She was told she had to have a building or she couldn’t do tours. These people have no overhead and are taking business away from the people who are paying. She questions why the City would not want the benefit of the tax from them.

Council discussed and agreed this should be addressed under the Amusement Tax Ordinance and not the Trolley Ordinance.

Painter questioned if it would be a problem to strike the word “within”. Nack felt leaving it in makes it clear. The City is not telling buses not to come into town. The sale of the tickets is the issue.

Amended

Motion: Fach moved, seconded by Painter, to amend the Trolley Ordinance, Section 114.10, Paragraph A by deleting the word “within”.

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

The amended motion was denied

**Main
Motion**

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

The motion carried.

14C-0437 – SECOND READING AND POSSIBLE APPROVAL OF AN ELECTRIC FRANCHISE ORDINANCE WITH JO CARROLL ENERGY

Motion: Painter moved, seconded by Bernstein, to table item 14C-0437 to the next regular meeting pending new information.

Discussion: Council would like to have the following items addressed: length of term, exclusivity language and LED light installation plan.

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

The motion carried.

NEW BUSINESS

14C-0451 – VISITGALENA.ORG QUARTERLY REPORT

Chris Hamilton, VisitGalena.org presented the quarterly report for VisitGalena.org

14C-0452 – DISCUSSION AND POSSIBLE ACTION ON AN APPLICATION BY GALENA CAB, INC. FOR A TAXICAB BUSINESS LICENSE, VALID THROUGH APRIL 30, 2015

Motion: Greene moved, seconded by Painter, to approve the application by Galena Cab, Inc. for a Taxicab Business License valid through April 30, 2015.

Discussion: None.

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

The motion carried.

14C-0453 – DISCUSSION AND POSSIBLE ACTION ON AN AGREEMENT WITH DUBAUCHE COMMUNICATIONS FOR THE USE OF CITY RIGHT OF WAY FOR FIBER OPTICS

Motion: Painter moved, seconded by Greene, to approve an agreement with DuBauche Communications for the use of City right-of-way for fiber optics.

Discussion: Moran clarified the company is Wisconsin Independent Network, LLC (WIN). WIN will be installing a trunk line to start expanding their network.

Moran advised they are hoping to eventually be able to sign up businesses. This will be a huge network of fiber optics that will essentially fill in a missing area of their network. They will be selling to businesses along the route. They could conceivably expand to broadband and open up to another provider to buy broadband capacity off of their line and sell to residential users. WIN does not intend to sell to residential customers.

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

The motion carried.

14C-0454 – FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION OF THE ILLINOIS MUNICIPAL LEAGUE RISK MANAGEMENT ASSOCIATION MINIMUM/MAXIMUM CONTRIBUTION AGREEMENT

Motion: Greene moved, seconded by Kieffer, to approve an ordinance authorizing the execution of the Illinois Municipal League Risk Management Association Minimum/Maximum Contribution Agreement and waive the second reading.

Discussion: None.

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

The motion carried.

14C-0455 – DISCUSSION AND POSSIBLE ACTION ON ESTABLISHING THE AMOUNT OF THE 2014 TAX LEVY TO BE COLLECTED IN 2015

Motion: Lincoln moved, seconded by Bernstein, to approve establishing the amount of the 2014 Tax Levy to be collected in 2015 in the amount of \$1,343,266.

Discussion: Lincoln stated he pushed to hold the line last year. It went up slightly this year. Of all of the line items on the tax bill, the City's is the least amount. Lincoln feels the chart in the packet really shows we haven't gone for the max every year. The City has held the line a few times. The increase will bring in just over \$23,000 in new monies this year which Lincoln feels isn't out of line.

Bernstein agrees. She also noted by approving this it makes the City eligible for the grant for the bridge which would be \$400,000 which the City would have to pay if this wasn't approved.

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

The motion was approved.

14C-0456 – DISCUSSION AND POSSIBLE ACTION ON THE INSTALLATION OF AN ELECTRIC VEHICLE CHARGING STATION

Motion: Painter moved, seconded by Fach, to approve the installation of an electric vehicle charging station in the amount of \$7,899 with the understanding that 50 percent of the cost will be funded by the DCEO Grant.

Discussion: Fach questioned if the City makes any money on this. Moran advised the City has the option of charging for the power. He doesn't expect to see a profit from this. It is more in the way of a service. The system will be designed to accept credit cards and the City will have the ability to program it to whatever rate we choose. Moran advised this is something that he could come back with to show how it works and to decide if we want to charge and, if so, how much.

Greene noted Kwik Star has them in every station. While they charge nothing, some places charge as much as \$8.00. Painter was in favor of charging something to make people responsible for the amount of time they are there.

Kieffer thought it would be a good idea to have one located here at City Hall as well as another station at the Depot Lot. Renner felt if the popularity increases that is something that could be looked at down the road.

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

The motion carried.

14C-0457 – WARRANTS

Motion: Fach moved, seconded by Greene to approve the Warrants as presented, Item 14C-0457.

Discussion: None.

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

The motion carried.

14C-0458 – ALDERPERSONS' COMMENTS

Spring Street Crosswalk – Bernstein stated she frequently uses the crosswalk on Spring Street. She has noticed that maybe one out of ten vehicles will slow down and stop for a pedestrian in the crosswalk. While she isn't sure what can be done in terms of enforcement, she recommended adding some additional signage advising people to yield to pedestrians in the crosswalk. Fach agreed stating a 25 mile speed limit would really help.

New Public Restrooms – Painter advised she was talking to one of the merchants on Main Street. They praised the City Council for the new restrooms at City Hall. There isn't a single merchant who isn't grateful.

Tourist Information Centers – Fach stated he recently returned from a trip to New Mexico. It was very evident that the tourist information centers should be obvious and easy to get to. The Tahoe's have one right on the city limits. You don't have to hunt downtown for it. Fach feels the Depot is a crucial information center. Coming in from the east you go right there. He recommends VisitGalena be moved to the Depot.

14C-0459 – CITY ADMINISTRATOR'S REPORT

Unit 3 Scenic Meadows - Moran advised staff has been working with Sproule Construction to get the infrastructure completed. Unfortunately, the weather has shut down the paving which was scheduled for this week. It is not going to happen because of the cold temperatures. We may be faced with whether or not we want to plow that subdivision this winter. Moran advised the funds to pay for the work are in an escrow account that will pay for the paving in the spring.

14C-0460 – MAYOR'S REPORT

Mayor Renner hopes everyone has their snow shovels out. He also thanked all of our Veterans for helping our country.

14C-0461 - ADJOURNMENT

Motion: Kieffer moved, seconded by Lincoln to adjourn.

Discussion: None.

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

The motion carried.

The meeting adjourned at 7:42 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