

**MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 09 MARCH 2015**

**15C-0078 – 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 09 March 2015.

**15C-0079 – ROLL CALL**

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

**15C-0080 – ESTABLISHMENT OF QUORUM**

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

**15C-0081 – PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**15C-0082 - REPORTS OF STANDING COMMITTEE**

None.

**15C-0083 – PUBLIC COMMENTS**

**Bill Grosshans, 418 Harrison Street** – Grosshans thanked all of the first responders and the Fire Department for their quick action in preventing a bad situation from becoming worse. Grosshans read a prepared statement urging the City to take a proactive approach to these “deadly bombs” that come through our town daily. He voiced concern with the lack of notice to the public as to what happened and why. He urged the City to hold a public meeting to explain what happened and why.

**Anna Hemm, 226 S. High Street** – Hemm stated she came across in recent email an article about an individual who came down the street and ran into a train. She questions “what if” he had hit a tanker car? She feels the City should have taken care of the “what if” at that time.

**Rick Pariser 113 S.High Street** – Pariser complemented Mr. Grosshans on his comments. He remembers a short presentation last year by Mark Moran talking about trains coming through town.

Pariser urged the Council to be supportive and give positive consideration to the request by the Galena Emergency Medical Service District to establish a Special Service Area for funding ambulance service. He feels if there were any negative reservations, Council should table action to a future meeting for further input.

**David O'Donnell, 4631 N. Ford Road** – O'Donnell thanked the council for the issuance of his Taxi Cab License. O'Donnell understands there is another company interested in coming in. He urged the Council review the ordinance. He questions if there should be a limit on the number of Taxi Companies as well as the number of cars that can be on the road.

**LIQUOR COMMISSION**

**Motion:** Painter moved, seconded by Kieffer, to adjourn as the City Council and reconvene as the Liquor Commi8ssion.

**Discussion:** None.

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

The motion carried.

**15C-0084 – DISCUSSION AND POSSIBLE ACTION ON AN APPLICATION FOR A CORPORATION LIQUOR LICENSE BY KATIE WIENEN FOR STONEY CREEK INN, 940 GALENA SQUARE DRIVE**

**Motion:** Greene moved, seconded by Kieffer, to approve the application for a Corporation Manager Liquor License by Katie Wienen for Stoney Creek Inn, 940 Galena Square Drive, item 15C-0084.

**Discussion:** None.

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

The motion carried.

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

**Discussion:** None.

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

The motion carried.

**CONSENT AGENDA CA15-05**

**15C-0084 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 23, 2015**

**15C-0086 – FIRST READING OF AN ORDINANCE AMENDING CHAPTER 79, “PARKING TIME LIMITED” OF THE CODE OF ORDINANCES OF THE CITY OF GALENA**

**15C-0087 – APPROVAL OF BUDGET AMENDMENT BA15-07 FOR POLICE EQUIPMENT AND ENGINEER FEES**

**Motion:** Kieffer moved, seconded by Greene, to approve Consent Agenda CA15-04 as presented.

**Discussion:** None.

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

The motion carried.

**NEW BUSINESS**

**15C-0088 – DISCUSSION AND POSSIBLE ACTION ON DRAFTING A RESOLUTION FOR A PROPOSAL BY THE GALENA EMERGENCY MEDICAL SERVICE DISTRICT TO ESTABLISH A SPECIAL SERVICE AREA FOR FUNDING AMBULANCE SERVICE**

(A motion to approve was made and later rescinded.)

**Discussion:** Jack Zane, reported the Galena Emergency Management for the past several years has had a contract with 9 townships and 3 communities to provide emergency service. The City of Galena paid \$20,000 per year based on \$6.00 per person per residence. Zane stated they are looking to drop that and bringing in a Special Service Area. He noted Warren, Elizabeth and Hanover already have something similar. This would spread the cost out across the board. The tax would be \$.10 cents per \$100 of assessed valuation. Residents would continue to get a lower rate than non-residents based on the fact that they are paying the tax. The Board will be run by members who are in the taxing area. Zane advised they need to build up some capital revenue. They currently have 3 ambulances that need to be replaced. One unit is \$145,000. New regulations will soon raise that amount by approximately \$23,000. They are also in need of upgrading defibrillators at a cost of \$15,000 to \$20,000 per unit.

Painter felt it would be helpful if the council could see a copy of the EMS Budget. Zane presented a copy of their most recent audit.

Zane advised they would be required to go before the County Board every year to set the rate. They are looking at asking \$.05 cents for the first year. This would allow them to get some capital in and put aside \$40,000 - \$45,000 per year for a new ambulance. They currently have two paid salaried employees at \$1,000 and \$1,200 per month.

Zane advised the EMS currently owns the building they are in with a lease on the property. They are currently working to buy the property.

Zane advised they have to receive a release from all communities in which they have permission to provide medical care. Once those are received, a public hearing will be set with public notice in all newspapers. Within 10 days of the public hearing, there will be a mailing to every property in the service area advising them of the meeting and inviting them to come and raise questions.

**Motion:** Fach moved, seconded by Kieffer, to postpone item 15C-0088 to the next regular meeting.

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

The motion carried.

#### **15C-0089 – FIRST READING OF AN ORDINANCE ENACTING AN INTERGOVERNMENTAL AGREEMENT FOR MUTUAL AID AND ASSISTANCE IN LAW ENFORCEMENT**

**Motion:** Lincoln moved, seconded by Painter, to approve the first reading and waive the second reading of an ordinance enacting an Intergovernmental Agreement for mutual aid and assistance in law enforcement.

**Discussion:** Council agreed this is nice to have when we need assistance.

Bernstein voiced concern with the wording under section VI. Council discussed and agreed the word “needed” should be changed to “provided”.

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

The motion carried.

#### **15C-0090 – DISCUSSION AND POSSIBLE ACTION ON ACCEPTING UNIT PRICING FOR CROSSWALK, SIDEWALK AND CURB AND GUTTER PROJECTS**

#	Item	Unit	Quantity	Wiener Concreting		Louie's Trenching		Jackson Concrete	
				Unit Cost	Quantity	Unit Cost	Quantity	Unit Cost	Quantity
1	Remove and replace sidewalk 5 inch thick	SF	100	10.25	1025	10.5	1050	9	900
2	Remove and replace 5 inch thick exposed aggregate sidewalk	SF	100	13	1300	13.5	1350	12	1200
3	Install sidewalk 5 inch thick	SF	50	9.5	475	9	450	8	400
4	Install curb and gutter, 24 inches wide, 6 inch high	SF	50	29.5	1475	33	1650	26	1300
5	Remove and replace curb and gutter, 24 inches wide	LF	50	34	1700	40	2000	32	1600
6	Remove and replace 7 inch thick crosswalk as indicated on attached drawing. Colored type B concrete.	SF	250	62	15,500.00	28	7000	64	16000

**Motion:** Lincoln moved, seconded by Kieffer to approve the unit pricing for crosswalk, sidewalk and curb and gutter projects with Louie's Trenching Service as listed.

**Discussion:** Lincoln stated after combining all six components, Louie's Trenching would be low bid. He feels it isn't necessary to go with two contractors.

Fach noted if we have a lot more to do than what is estimated, we would be paying a higher price with Louie's vs. Jackson. Fach preferred going with both contractors.

Money has been put in the budget and there is a cap on each item.

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

The motion carried.

**15C-0091 – DISCUSSION AND POSSIBLE ACTION ON APPLYING FOR A GRANT FOR LED LIGHTING FROM THE ILLINOIS CLEAN ENERGY COMMUNITY FOUNDATION**

**Motion:** Painter moved, seconded by Greene, to approve applying for a grant for LED lighting from the Illinois Clean Energy Community Foundation, item 15C-0091.

**Discussion:** Moran advised the original application included street lights, park lights and step lights. They do not allow park lights so the number of lights has been reduced from 456 lights to 369 lights at an estimated cost of \$39,500. Street lighting costs last year were around \$80,000. This could potentially save us 70 percent in energy savings. Money has been added to the proposed budget to cover the cost.

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

The motion carried.

**15C-0092 – DISCUSSION AND POSSIBLE ACTION ON PUMP PURCHASE AND INSTALLATION FOR BOUTHILLIER STREET LIFT STATION PROJECT**

**Motion:** Kieffer moved, seconded by Painter, to approve the pump purchase and installation for the Bouthillier Street Lift Station Project in the amount of \$13, 475.

**Discussion:** None.

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

The motion carried.

**15C-0093 – DISCUSSION AND POSSIBLE ACTION ON RESOLUTION URGING THE GOVERNOR AND GENERAL ASSEMBLY TO PROTECT FULL FUNDING OF LOCAL GOVERNMENT DISTRIBUTIVE FUND RESERVES**

**Motion:** Bernstein moved, seconded by Painter, to approve a resolution urging the Governor and General Assembly to protect full funding of Local Government Distributive Fund Reserves, item 15C-0093.

**Discussion:** None.

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

The motion carried.

**15C-0094 – WARRANTS**

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

**Discussion:** None.

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

The motion carried.

**15C-0095 – ALDERPERSONS' COMMENTS**

**Comments** – Fach thought Mr. Grosshans brought up a very valid question as to why there were no alerts sent out. He questioned why Nixle wasn't used.

**Deer Crossing Signs** – Fach recommended installing some deer crossing signs on the stretch of highway between Molitor's Garage and the former Ron's Amoco. He feels this is an area where people don't expect to see deer crossing with the steep cut. Bernstein agreed.

**Editorial** – Fach referred to a recent editorial in the Telegraph Herald which talked about transparency. The article mentions governments publically posting the details of labor contracts well before a vote is taken. Fach feels this would be good for Galena. He is in favor of sharing that information with the community in a good timely measure prior to action so they can know what's going on.

**Comments**– Greene felt Grosshans had a good idea. He feels it is fortunate that we had no injuries. All did an excellent job over the past 3 days.

**Thank you** – Kieffer stated a lot of people did a lot of work over the last few days and it is very appreciated.

**Train Derailment** – Lincoln thanked all involved with the incident. Chief, Randy Beadle, put in a lot of hours. Different agencies came in and worked together.

Painter commended Mark Moran for doing a great job stating we are lucky this happened 4 miles outside of town. She advised she had the opportunity to attend the briefings on both Thursday night and Friday morning.

**Public Meeting** – Painter was in favor of talking with BNSF Railroad to see if we can have the opportunity for a public question and answer session. She feels people would appreciate that. She added she was pleased to hear that the Fire Department did a training about 4 months ago

with BNSF. She is pleased that the Fire Department isn't waiting for something to happen but are well trained and always looking ahead.

**Pedestrian Signs** – Bernstein advised a while back she had requested new pedestrian crossing signs at Highway 20. She would be in favor of an educational piece in the paper with regard to signage and a reminder to people of their responsibility.

**Thank you** – Bernstein thanked all involved with the recent train derailment. She would like to see the city be proactive in the need to explore, as quickly as possible, what can be done to draw attention to the fact that this is a nationwide problem and needs a solution.

### **15C-0096 – CITY ADMINISTRATOR'S REPORT**

**Union Contracts** – Moran advised all union contracts are currently on the website under "Open Government".

**Train Derailment** – Moran reported the following:

- 1) Site status
  - a) All fires extinguished
  - b) Train traffic resumed at 9:45 a.m. today
  - c) About six rail cars are still in the impacted area
  - d) Crude is being vacuumed from the cars and from the ground
  - e) A temporary levee is being constructed to protect the recovery area from expected rising water
  - f) Soil contamination is present, some cleaned, remainder will be cleaned
  - g) No adverse impacts found with ongoing air and water sampling
  - h) Days of work remaining
- 2) Incident Management
  - a) Fire Department established incident command from the beginning and remain part of the unified command today.
  - b) The response by the FD and all first responders has been excellent
  - c) Incredible amount of support has been provided from resources at all levels
  - d) Excellent test of preparedness and response
    - i) Trained with BNSF
    - ii) Were in the process of scheduling training provided by BNSF at the Security and Emergency Response Training Center in Pueblo, Colorado –will undertake in future
    - iii) NIMS
- 3) Costs
  - a) Met with federal IMA and are working to document our expenses and damages
    - i) Personnel
    - ii) Vehicles and other equipment
    - iii) Supplies
    - iv) Damage to bike trail, roads, depot park area
    - v) Commitment from BNSF CEO through Congresswoman Bustos to cover costs
- 4) Bustos
  - a) Communicated our experience and concerns to Congresswoman Bustos today
    - i) She expressed a sense of urgency with the issue of rail safety pertaining to crude
    - ii) She sees her role as regulatory and legislative

- iii) She believes best practices in terms of rail safety should be mandatory
  - iv) She understands the need for funding for more training and equipment for crude related emergencies
  - b) City council and other county officials will have to decide how to communicate concerns
- 5) Preparedness
- a) Jo Daviess Emergency Management Agency—Chuck Pederson
    - i) Working on a grant for a commodities flow study to track shipments of hazardous cargo
    - ii) Will soon be updating the Emergency Operations Plan for the county
    - iii) Public meeting to review this incident and discuss risks and preparedness with the public (emergency management officials and BNSF to attend)
- 6) Website
- a) Will continue to post press releases and links to online updates on city website

**Chief Randy Beadle** – Thanked Mayor Renner and Mark Moran for their help. He commended his department for a job well done. It is his commitment to not allow them to leave this site until it is cleaned up right. He feels confident the railroad will be behind us every step of the way. He will continue to keep training his guys and doing the best to make sure the city is safe.

#### **15C-0097 – MAYOR’S REPORT**

**Thank you** – Mayor Renner stated he can’t begin to thank everyone involved with the recent train derailment. When word was put out the first responders were on the scene. Safety came first and no one got hurt. It was like a swarm of bees coming together. All did an excellent job. Mayor Renner thanked City Staff, the businesses who brought food and those that allowed units to park in their parking lots. He couldn’t be prouder of the Galena Fire Department and the entire town. Together with the county he hopes to throw a lot more weight for better regulation and routing. Congresswoman Bustos is working diligently on that as well. Thank you to all!

#### **15C-0098 – 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)

**Discussion:** None.

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

The motion carried.

The meeting recessed at 7:43 p.m.

The meeting reconvened at 7:46 p.m.

#### **14C-0312 – DISCUSSION AND POSSIBLE ACTION ON EMPLOYEE GRIEVANCE**

**Motion:** Painter moved, seconded by Fach, to reconsider the discussion and possible action on employee grievance due to new information.

**Discussion:** None.

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

The motion carried.

**Motion:** Painter moved, seconded by Kieffer, to rescind the decision to terminate Officer Don Barklow and accept his letter of resignation dated March 5, 2015 pursuant to the settlement agreement and release of all claims.

**Discussion:** None.

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

The motion carried.

**15C-0099 - ADJOURNMENT**

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

**Discussion:** None.

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

The motion carried.

The meeting adjourned at 8:05 p.m.

Respectfully submitted,



Mary Beth Hyde  
City Clerk