

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 13 OCTOBER 2015

15C-0376 – 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 13 October 2015.

15C-0377 – ROLL CALL

Upon roll call the following members were present: Bernstein, Fach, Hahn, Kieffer, Lincoln, Westemeier, Renner

15C-0378 – ESTABLISHMENT OF QUORUM

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

15C-0379 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

15C-0380 - REPORTS OF STANDING COMMITTEE

Fach reported that the Turner Hall Committee met on Thursday, October 1, 2015. Each alderperson had been given a copy of the meeting minutes. He mentioned that the air compressor and sprinkler system recently failed. Blackhawk Sprinkler system replaced the system for a cost of approximately \$3000.00.

15C-0381 – PUBLIC COMMENTS

Amelia Wilson Roth, 303 S Main Street, Galena said she questions where Galena is headed. When she opened her business there were very specific guidelines to follow concerning signage. Now there are psychics with signs and tables and chairs in the street and on the sidewalks, a spray paint artist who emits fumes and overspray that lands on the sidewalks and is a health issue. They charge for their services. We have art galleries that pay high rental costs to display and sell their products. Maybe those shops should be allowed to display and sell on the sidewalk. Now we have a sex toy store opening two doors from her business. She is 100% against this shop. Their front window is at eye level so children see what they are selling. This is not what Galena needs.

Gary Kirst, 2782 Red Gates Drive, Galena had just recently heard about the adult novelty store opening in Galena. He is a Dad, who raised his four kids in Galena, as well as a church pastor to many other kids. This really is not very family friendly. Many local and out of town families are on Main Street for a variety of reasons – especially for the parades. Imagine the questions kids will ask about this type of merchandise. He understands there are specific regulations concerning can be displayed in the window. Hopefully this leads to an accountability and will be somewhat more family friendly if just lingerie is displayed.

Judith Norris, 411 Park Avenue, Galena said the adult novelty store currently has much more than lingerie displayed. This is not a good idea. We want to keep Galena beautiful and friendly. We want our street performers, which she is, to be friendly.

Jim Alletto, Season's Remembered 104 N Main Street, Galena echoed the sentiment of others who spoke against the adult store. He does not think this is what Galena should be.

Tim Wagner, 342 Franklin Street, Galena said Galena has been voted best Main Street by Midwest Living magazine. That shop would not be part of Midwest Living magazine and it really

is not part of what is going on in Galena. It is not healthy for our children and does not belong in our community.

Jason Allen, 409 Broadway, Galena is an aerosol artist and owns Aerosoled Endeavors. He has met with City officials to help clarify what it is he does and any environmental issues his art creates. He has presented the Board with a proposal for the 2016 season that might alleviate issues encountered the past few months.

CONSENT AGENDA CA15-18

15C-0382 – APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING OF SEPTEMBER 28, 2015

Motion: Lincoln moved, seconded by Hahn to approve the consent agenda, 15C-0382 as presented.

Discussion: None

Roll Call: AYES: Hahn, Kieffer, Lincoln, Westemeier, Bernstein, Fach, Renner
NAYS: None

The motion carried.

UNFINISHED BUSINESS

15C-0367 – SECOND READING OF AN ORDINANCE UPDATING CHAPTER 155 “FLOODPLAIN MANAGEMENT STANDARDS” OF THE GALENA CODE OF ORDINANCES

Motion: Bernstein moved, seconded by Lincoln, to approve the second reading of an ordinance updating Chapter 155 “Floodplain Management Standards” of the Galena Code of Ordinances.

Discussion: None.

Roll Call: AYES: Kieffer, Lincoln, Westemeier, Bernstein, Fach, Hahn, Renner
NAYS:

The motion carried.

NEW BUSINESS

15C-0383 – PRESENTATION RECOGNIZING THE GALENA LIONS CLUB FOR CIVIC VOLUNTEERISM

Motion: Lincoln moved, seconded by Hahn to defer until the next council meeting the presentation recognizing the Galena Lions for their Civic Volunteerism, 15C-0383, as there were no Galena Lions present.

15C-0384– PRESENTATION OF FISCAL YEAR 2015 ANNUAL FINANCIAL REPORT BY O’CONNOR & BROOKS

Pat McCarthy, O’Connor & Brooks presented the 2015 Financial Report.

15C-0385 – DISCUSSION AND POSSIBLE ACTION ON CHANGE ORDER #1 TO THIRD AND RIVES SEWER PROJECT

Aldersperson Hahn left the table.

Motion: Fach moved, seconded by Bernstein to approve change order #1 with Louie's Trenching Service to Third and Rives sewer project in the amount of \$49,145.80.

Discussion: Westemeier said we are getting more streets paved with the approved change.

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

The motion carried.

Hahn returned to the table.

15C-0386 – DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT TO A COMMITTEE TO DISCUSS THE FORMATION OF A NEW CITY/COUNTY DESTINATION MARKETING ORGANIZATION

Motion: Hahn moved, seconded by Bernstein on appointing members to a committee to discuss the formation of a new city/county destination marketing organization.

Discussion: Renner suggested Alderspersons Lincoln, Westemeier and Hahn be appointed to this committee.

Lincoln, Westemeier and Hahn agreed to be on the committee.

Hahn and Bernstein agreed to include the Mayor's appointment of these alderspersons for the motion.

Roll Call: AYES: Bernstein, Fach, Hahn, Kieffer, Lincoln, Westemeier, Renner
NAYS: None

The motion carried.

15C-0387 – DISCUSSION AND POSSIBLE ACTION ON POSSIBLE CHANGES TO THE MOTORIZED VEHICLES FOR HIRE (TAXI) ORDINANCE

Motion: Bernstein moved, seconded by Fach to approve the changes to the motorized vehicles for hire (taxi) ordinance as presented, 15C-0387.

Discussion: Bernstein said we have a limit on other licenses such as liquor and trolley. We've been asked by the taxi cab business owner's to limit the number and this seems like a reasonable request.

Hahn said he agrees that we want to protect the taxi owners, but he wants to make sure that all the rules and regulations of the ordinance such as rates, licensed vehicles etc. are being adhered to by the current license holders. He had a complaint about someone being fleeced and even after they 'negotiated' Hahn thought the charge was too much.

Lincoln liked the idea that we would protect the businesses we have but wants to make sure that legally we can limit these.

Renner agreed. He asked Nack for his input.

Nack said you have to be careful when limiting the number and he's not sure that limiting to protect current businesses is a reason to do so. Health safety and welfare reasoning is cause to limit licenses. He is not comfortable giving an exact opinion and will look into this further. The

Council will probably need to tie a limitation to a health safety and welfare concern for the community.

Renner asked Nack to research this for the next council meeting.

Fach said one of the difficulties with additional licenses is that more work is created for the City who has to make sure they are all complying with the regulations.

Kieffer asked how many licenses are currently available.

Renner said there is no limit.

Bernstein and Fach agreed to withdraw the motion.

Motion: Bernstein moved, seconded by Kieffer to defer 15C-0387 to the next council meeting.

15C-0388 – DISCUSSION AND POSSIBLE ACTION ON POSSIBLE CHANGES TO STREET PERFORMERS ORDINANCE

Motion: Fach moved, seconded by Hahn to defer possible action on 15C-0388 to the next council meeting.

Discussion: None

15C-0389– DISCUSSION AND POSSIBLE ACTION ON CONTRACT FOR CEMETERY PARK LIGHT INSTALLATION

Motion: Hahn moved, seconded by Kieffer to approve a contract for Cemetery Park light installation to Top Notch Electrical for \$8,150.00, 15C-0389.

Discussion: Lincoln wanted to say thank you to the citizens who donated money to allow installation of the lights. This is a nice little park and the lights will be a great addition.

Westemeier agreed but would like to see brighter lights used here for added security.

Roll Call: AYES: Lincoln, Westemeier, Bernstein, Fach, Hahn, Kieffer, Renner
NAYS: None

The motion carried.

15C-0390 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR WATERPROOFING AND DRAINAGE IMPROVEMENTS AT THE REAR OF TURNER HALL

Motion: Fach moved, seconded by Hahn to approve a contract for waterproofing and drainage improvements at the rear of Turner Hall to Earl Thompson Masonry for \$18,302.50, 15C-0390.

Discussion: Lincoln asked if they would be digging deeper.

Fach said they would – it will be almost ground level and will drain to the parking lot as it slopes away.

Roll Call: AYES: Westemeier, Bernstein, Fach, Hahn, Kieffer, Lincoln, Renner
NAYS: None

The motion carried.

15C-0391 – DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE CITY OF GALENA, COUNTY OF JO DAVIESS.

ILLINOIS, THE QUESTION OF AUTHORIZING THE CITY OF GALENA, ILLINOIS, TO LEVY A TAX NOT TO EXCEED THE RATE OF .1666 PERCENT ANNUALLY FOR SEVEN YEARS FOR LEVEE MAINTENANCE PURPOSES

Motion: Fach moved, seconded by Westemeier approve 15C-0391.

Discussion: Renner said the Property Tax Extension Limitation Law (PTELL) rules authorize a maximum of .1666% annually. The city has been levying .06% annually or about \$60,000 this year. Every seven years the city has to ask this question.

Lincoln asked what the revenue collected would be at the .1666% rate compared to what we are collecting now at .06%.

Moran said this year we would have collected about \$162,000. On average over the last seven years we have collected \$70,000.

Lincoln asked if that covered the maintenance expenses or do we have to transfer money to pay all the associated expenses.

Moran said all money collected goes directly into the levy maintenance fund. There are expenses like mowing and general maintenance that are paid out of the general fund as we don't transfer money from one fund to another. The expenses are more than what is collected.

Hahn asked about the recently repaired pumps – could these have been paid for with levy funds.

Moran said those monies could have been used for the pumps. With or without this levy The Property Tax Extension Limitation Law caps what we can collect. We can only increase our total levy – total tax collection by 5% or the cost of living – whichever is less.

Roll Call: AYES: Bernstein, Fach, Hahn, Kieffer, Lincoln, Westemeier, Renner
NAYS: None

The motion carried.

15C-0392 – WARRANTS

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

Discussion: None

Roll Call: AYES: Fach, Lincoln, Westemeier, Bernstein, Renner
NAYS: None
Abstain: Hahn, Kieffer

The motion carried.

15C-0393 – ALDERPERSONS' COMMENTS

Street Performers – Bernstein said she would find it helpful if a breakdown of the types of street performer and how many permits had been issued for each was included in the next agenda packet.

Stop Lights – Frequently people disregard the no right turn on red sign where you turn from Bench onto Main at the stop light. She had someone mention this to her as they were almost in an accident and Bernstein too witnessed a close call. Could we install a camera here or can the police monitor this for enforcement.

Substandard Housing - Westemeier wanted to thank Jonathan Miller for working on the many properties in town that are in dire need of repair. Hopefully we can get some action from property owners.

Weekends – Lincoln commented on how wonderful the last two weekends had been with great weather and large crowds and revenue for both Oktoberfest and Country Fair.

Plumbing Inspector – Lincoln wanted the City to look into discussing the hiring of a plumbing inspector and whether it would be feasible to add that position this year or if we would need to wait until the next fiscal year.

Thanks! – Kieffer wanted to thank all the volunteers, City and Public Works staff as well as the Police Department for handling the big crowds. Hahn praised the Lions Club as well as those in charge of Country Fair, Galena Foundation and all the great people who volunteer to make these events and Galena better and better every year.

Adult Store – Hahn said he did visit the new store that was discussed during citizen's comments. As it is set up now he is not in favor of having that kind of business on Main Street.

15C-0394 – CITY ADMINISTRATOR'S REPORT

Paving – Paving should start on Fourth and Blackjack this week and later this month Third and Rives will be paved with tonight's change order approval.

Financial Report – Moran thanked Pat McCarthy and his staff for the excellent job they do and for tonight's presentation.

Country Fair – A big thank you to the Public Works and Police Department for all the work they do for Country Fair. Much of this goes unnoticed but they spend many hours getting ready and then cleaning up. Also to the Country Fair organization. Many visitors Moran spoke with said they come back every year for this event and they commented how well organized it always is.

15C-0395 – MAYOR'S REPORT

Renner said with regard to the new store opening on Main Street. City Staff will review the ordinance which was written in the 1990's and revised in 2003 and 2005 to see if there are any changes or court cases that we should be aware of and hopefully come to a conclusion soon. Renner wanted to make sure the council knew that the State of Illinois has suspended payments to the City for State Use Tax since June 2015 as they do not have an Appropriations Bill in place. It would be nice if this was remedied soon. Also - the lights on Broadway/Dewey Avenue are going back in place as we have received the new standards. He wanted to thank all the people who donated money for the Cemetery Park lights, for the volunteers that make special events in Galena so successful and for our residents. Things can be kind of tough when so many visitors converge on Galena – thanks for your patience

15C-0396– MOTION FOR EXECUTIVE SESSION

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

- Employee hiring, firing, compensation, discipline and performance, Section 2 (c) (1)
- Sale or lease of public property, Section 2 (c) (6)
- Review of Executive Session Minutes, Section 2 (c) (21)

Discussion: None.

Roll Call: AYES: Hahn, Kieffer, Lincoln, Westemeier, Bernstein, Fach, Renner
NAYS: None

The motion carried.

The meeting recessed at 7:40 p.m.

The meeting reconvened at 8:00 p.m.

15C-0397 - ADJOURNMENT

Motion: Bernstein moved, seconded by Kieffer to adjourn.

Discussion: None.

Roll Call: AYES: Hahn, Kieffer, Lincoln, Westemeier, Bernstein, Fach, Renner
NAYS: None

The motion carried.

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Deb Price
Deputy City Clerk