

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 26 OCTOBER 2015

15C-0398 – 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 26 October 2015.

15C-0399– ROLL CALL

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

15C-0400– ESTABLISHMENT OF QUORUM

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

15C-0401 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

15C-0402 - REPORTS OF STANDING COMMITTEE

None.

15C-0403 – PUBLIC COMMENTS

Basil Conroy, Eco Cab – Conroy addressed the Council with regard to limiting the number of taxi cab businesses in town. He highlighted the following:

- Recipient of a license should possess strong ties to the local community.
- Adding another taxi could cause a huge hardship to the local citizens as they would likely be only available on weekends.
- Another license could add 5-10 more vehicles on the streets.
- Tracking of drivers would be difficult.
- The addition of another license at this time could cause the current companies a financial hardship.

Artie Michaels, Street Performer – Michales stated he has been a Street Performer for the past 20 years. Years back then Chief Jerry Westemeier set up some rules which have worked pretty well. The rules were first come first serve. You couldn't leave your spot except for restroom breaks nor could you leave your stuff unattended for more than 15 minutes. Michaels stated he would like to see it added that only Jo Daviess County residents may obtain street performer permits. He also recommended adding a rider clause for variances. Variances could be given or denied by the City. The spray painting artist has been a problem with the rest of the artists. Michaels feels spray painting is the manufacturing phase of hard goods to produce a product for sale which has no place in a city park. It is disruptive and a threat to people's health. Michaels feels if he wants to paint and sell, he should not be able to circumvent the laws. He stated he hopes the city continues to have live music.

CONSENT AGENDA CA15-19

15C-0404 – APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING OF OCTOBER 13, 2015

15C-0405 – APPROVAL OF REAPPOINTMENT OF ZONING BOARD OF APPEALS MEMBERS JAMES HOLMAN AND DAN O’KEEFE FOR TERMS BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2020

Motion: Hahn moved, seconded by Kieffer, to approve Consent Agenda CA15-16 as presented (item 15C-0404 was removed from the Consent Agenda).

Discussion: Bernstein requested item 15C-0404 be removed from the Consent Agenda.

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

The motion carried.

15C-0404 – APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING OF OCTOBER 13, 2015

Correction: Item 15C-0387

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

Add: A motion to approve was made and later withdrawn.

Motion: Bernstein moved, seconded by Fach, to approve the minutes as corrected.

Discussion: None.

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

The motion carried.

UNFINISHED BUSINESS

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

Motion: Hahn moved, seconded by Westemeier, to defer this item to the next meeting.

Discussion: Fach questioned under section 120.07 who delineates what amount of insurance is required? Lori Swalley, A to B Cab advised the Secretary of State requires \$300,000 of liability insurance. If you cross state lines then it is \$1 million dollars. Fach feels \$300,000 isn't enough. He also recommended adding an indemnification clause.

Fach questioned under 120.06, Section A, why we would allow the taxis to be licensed in another state. He feels they should be licensed in Illinois. Nack advised doing so would put a restraint on interstate commerce. The City doesn't have the authority to dictate that they be licensed in the State of Illinois.

Kieffer questioned if the City can legally limit the number of licenses. Nack advised it is his opinion that the City cannot. If the City were to do so it must be tied to a legitimate health safety issue.

Fach questioned if the state does a safety inspection on the vehicles. He was advised they are inspected when they apply for the vehicle safety inspection sticker.

Under section 120.07, Paragraph 5, the word "fill" should be changed to "full".

Fach brought up Uber Taxi Service and recommended language be added to prohibit the use of Uber in Galena.

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

Motion: Bernstein moved, seconded by Fach, to table item 15C-0388 to give staff time to provide input on possible changes to the ordinance.

Discussion: None.

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

The motion carried.

NEW BUSINESS

15C-0406 – WATER AND SEWER SYSTEM OPERATIONS AND MAINTENANCE REPORT BY AMERICAN WATER CONTRACT SERVICES

Jeff Saylor updated the Council on the Water and Sewer System Operations and Maintenance Report by American Water.

- The City will receive a 1.35 percent discount on the contract for year two. They will continue to provide the same quality service.
- They had one main break on Franklin Street with no known cause.
- They have investigated the second sink hole on South Street with the Public Works Department. The sewer main settled. The lateral was a cardboard piece of pipe called orange board. Over time that bends and it separated from the main. It has been replaced.
- In negotiated contract agreed to give 1 percent discount in second year. Lowering monthly fee by 1.35 percent with same quality service.
- All hydrants were flushed in August. They have gone back to make some repairs which were mostly caps and chains. A few were difficult to operate and they have been repaired.
- A squirrel caused some problems at the Meeker Street Lift Station.
- Saylor discussed the end of year true up accounts. They over spent in electricity. Jo Carroll noticed they had been charging us incorrectly. They sent a refund in the amount of \$18,300 which was applied to this year's electricity. The true up ends up at \$4,000. Now that Jo Carroll has us on the correct rate system, it should help us realize more of the fruits of the solar system.

15C-407 – DISCUSSION AND POSSIBLE ACTION ON A COOPERATIVE AGREEMENT BETWEEN THE CITY OF GALENA AND THE JO DAVIESS CONSERVATION FOUNDATION FOR AN ADDITION TO GATEWAY PARK

Motion: Hahn moved, seconded by Kieffer, to approve a Cooperative Agreement between the City of Galena and the Jo Daviess Conservation Foundation for an addition to Gateway Park.

Discussion: None.

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

The motion carried.

15C-0408 – DISCUSSION AND POSSIBLE ACTION ON AN AGREEMENT BETWEEN JO DAVIESS COUNTY TRANSIT AND THE CITY OF GALENA FOR PUBLIC TRANSPORTATION SERVICE OPERATED BY THE WORKSHOP

Motion: Fach moved, seconded by Westemeier, to approve an agreement between Jo Daviess County Transit and the City of Galena for public transportation service operated by the workshop.

Discussion: None.

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

The motion carried.

15C-0409 – DISCUSSION AND POSSIBLE ACTION ON THE RENEWAL OF THE EMPLOYEE HEALTH, DENTAL, DISABILITY AND LIFE POLICIES FOR THE PERIOD NOVEMBER 1, 2015-OCTOBER 31, 2016

Motion: Hahn moved, seconded by Kieffer, to approve the renewal of the employee health, dental, disability and life polices for the period November 1, 2015-October 31, 2016 with BlueCross for health, Principal for dental and renewing the disability and life policies with Met Life with the understanding that staff will proceed in trying to look into lower rates.

Discussion: Bernstein questioned if United Health were to come in less would that offset the overrun? Moran advised if they came in 20 percent less it would.

Fach questioned if the increase was due to our claims. Moran advised he is not privy to that information. For a group our size, we experienced higher than average use.

Moran advised the other companies haven't seen the renewal. They have a right to see that and once they do there is a good chance that their bid could suddenly become more.

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

The motion carried.

15C-0410 – DISCUSSION AND POSSIBLE ACTION ON CONTRACTS FOR CONSTRUCTION AT THE FIRE TRAINING STORAGE BUILDING

Motion: Hahn moved, seconded by Westemeier, to reject the bid for framing from Faulkner's Construction in the amount of \$19,970 and approve the bid from Jackson Concrete & Excavation in the amount of \$2,731 for concrete work with an additional \$1,500 for help with shoring if needed.

Discussion: The bids were slightly higher than what was budgeted.

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

The motion carried.

15C-0411 – WARRANTS

Motion: Kieffer moved, seconded by Fach, to approve the Warrants as presented with the addition of a Warrant to Jo Daviess County Treasurer in the amount of \$10,510.50.

Discussion: Moran explained the warrant to Jo Daviess County Treasurer is for property taxes on the green space property at Scenic Meadows, Unit 3. Taxes were not anticipated. Moran has contacted Don Manning and he is actively working on getting them reimbursed. It was not a part of the agreement that we pay the property taxes. The taxes were paid to avoid the risk of having the property going to tax sale.

Fach questioned what the permits were for the Illinois Environmental Protection Agency. He was advised that was for our annual NPDES Elimination System Permit. The cost is based upon the size of the community. This also includes the land application permit and storm water discharge permit.

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

The motion carried.

15C-412 – ALDERPERSONS' COMMENTS

Dike Path – Fach noted we are missing three signs on the dike path. According to information he has received they were ripped off of the stand. The stand has been removed, however, the bolts are still sticking up. He is concerned this is a hazard.

War Memorial – Fach reported we still have concrete that is about an inch above the main sidewalk and bricks. This needs to be repaired.

Highway Signs – Fach stated we are in need of signs on the highway about deer and warning about sudden stops.

Restrooms – Fach stated he was one of the people who wanted public restrooms that could be hosed down. There was a disaster this weekend and it would have been nice to have the ability to hose it down. We need to figure out how to make those water proof so we could hose them down.

October – Westemeier stated the business people should be happy for the month of October. The weekends have been very busy with good weather.

15C-0413 – CITY ADMINISTRATOR'S REPORT

Third and Rives – Moran reported Third and Rives will be paved on Wednesday of this week.

CodeRed – Staff used the CodeRed system during the water main break on Highway 20 last week. We were able to send the message to an isolated area.

Volunteers – We are looking for volunteers for the Halloween parade. They are in need of people to stand in the parade route to hold spectators back.

War Memorial – Moran advised the VFW has contracted with someone to repair the bricks.

Interpretive signs – Staff has been working on finding artwork to replace the signs on the levy. They have been working with the museum to find the materials. In the short term, the bolts could be cut off.

Deer Signs – Moran advised the Department of Transportation in our district no longer erects deer signs. They feel they are ineffective and would need to be everywhere. IDOT will not authorize the installation of signs nor will they install them. There are deer accidents on every mile of roadway in this district.

Deer Committee – The Deer Committee had a very good first meeting.

15C-0414 – MAYOR’S REPORT

Mayor Renner urged everyone to be safe for the parade Saturday night.

Mayor Renner wished the football and volleyball teams’ good luck!

15C-0415 - ADJOURNMENT

Motion: Kieffer moved, seconded by Lincoln to adjourn.

Discussion: None.

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

The motion carried.

The meeting adjourned at 7:31 p.m.

Respectfully submitted,



Mary Beth Hyde
City Clerk