

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 23 MAY 2016

16C-0202 – 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 23 May 2016.

16C-0203 – ROLL CALL

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

16C-0204 – ESTABLISHMENT OF QUORUM

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

16C-0205– PLEDGE OF ALLEGIANCE

The Pledge was recited.

16C-0206 - REPORTS OF STANDING COMMITTEE

Unified Destination Marketing Committee – Lincoln reported the following officers were appointed: Robert Mahan, President; Mark Van Osdol, Vice President; Nikki Peebles, Treasurer; Brigit Radin, Secretary. The next meeting will be Tuesday, May 24th at 9:00 a.m. at City Hall. The committee will go over the mission statement, bylaws, contract with the City and County, CEO and final first draft.

Turner Hall Committeee – Fach reported Janelle Keeffer has added a calendar of events to the Turner Hall website.

16C-0207 – PUBLIC COMMENTS

Susie Ludwig & Larissa Distler, Galena Public Library, 601 S. Bench Street – Ludwig advised they are asking for approval of two locations for the installation of “little free libraries”. She advised these libraries promote reading and a sense of community. The libraries will be sponsored by the Friends of the Library group and will be maintained by library staff as well as Friends of the Library. Paul Jackson will install the libraries. Ludwig advised there are already three private libraries throughout town, two on the east side and one on the west side. Once they receive approval they will run a feature story in the Galena Gazette.

James Wirth, 121 S. High Street – Wirth spoke on item 16C-0209 with regard to the application for a liquor license for the Felt Manor. Wirth asked the following questions: Do you think it is a good to have the sale and consumption of alcohol less than 100 feet away from a church and preschool? Wirth advised if members feel that would be appropriate they would vote yes and if not you would vote no. As elected officials, aware that you have a duty to protect citizen’s property values, do you think permitting the sale and consumption of alcohol at an overnight commercial transient rental units would be advantageous to the surrounding property values? If you believe so, then you should vote yes. If you believe not, then you should vote no. Has Council thought about the fact that the Felt Manor is the first time the City has approved two separate multi-unit buildings to be commercially rented in a low density single family home neighborhood? Wirth stated we have not yet begun to see how that is going to work out. Wirth reminded Council when the Felt Manor was allowed to operate as a Small Commercial Inn, the owner was given permission to live up to 150 feet from the Felt Manor Property. Under state law, 235 ILS 5/6-16, before being served liquor potential drinkers are to be ID’d and those drinking are to be monitored so that there is no over service. Under this scenario, who would be serving if the

owner of the property were to be living 150 feet from the premises? Would the servers have alcohol awareness training provided by the State of Illinois Liquor Commission and would there be separate servers for each building since there are two separate buildings?

Janet Checker, 115 S. High St. – Checker advised she is the immediate neighbor of Dan Balocca. Checker stated Dan has been an excellent neighbor. They have never had any problems with guests or anything. Checker stated she is against having a liquor license next door. This is a home area and this is getting to be too much.

Rik Pariser, 113 S. High St. – Pariser was opposed to the liquor license for the Felt Manor. He has been living on this street where there are four B & B's within a number of blocks. The number of rooms outweighs the neighborhood low density residents. It is turning into something much different. The Felt Manor previously operated as a B & B in one building. They have recently been granted the privilege of adding the coach house as an extension and will become a small inn. They went from 4 to 7 to 8 rooms. They are now asking for the privilege of serving liquor. Pariser suggested Council see how this works out before granting another privilege. Pariser stated he is not in favor of the liquor license. The property has stopped being a residential home and has become a "cookie cutter" hotel being operated for profit. Pariser urged the Council to defer this for another year to see how the recent changes are digested.

Jon Checker - 115 S. High St. – Checker agreed with the previous statements made. He doesn't see the need to have liquor at this location in the middle of a residential area. If the situation gets out of hand, who do they call? The City Council? The Police Department? Checker believes there will be a problem in the future. It has always been a nice quiet neighborhood. Now there are four homes being used as rental facilities. Checker stated he doesn't see the need. Balocca could operate without the liquor. He believes everything that has been approved in the past would enable him to run a business. Checker stated he doesn't want to see any drinking parties on the patio immediately behind the carriage house. Adding a liquor license provides more opportunity for disturbance. Checker urged the Council to postpone a decision for a year.

Dan Balocca – 125 S. Prospect – Balocca advised City Hall contacted him regarding the liquor license. They advised in order to serve wine to his guests he would need a Class M liquor license. He advised he has been there for 23 years and has always had a bottle of wine on the piano for his guests. He can no longer do that without a liquor license. The City created the Class M license for this purpose. This is something he has done and he would just like to continue. He urged the Council to vote yes so his guests can continue to enjoy an occasional glass of wine.

PUBLIC HEARINGS

16C-0208 – PUBLIC HEARING ON A REQUEST BY JAMES SULLIVAN AND ALEXANDER PHILLIPS TO AMEND THE ANNEXATION AGREEMENT DATED JANUARY 27, 2010 FOR THE GATEWAY PARK SUBDIVISION (FORMERLY KNOWN AS THE SULLIVAN SUBDIVISION) ON POWDER HOUSE HILL ROAD

Motion: Lincoln moved, seconded by Bernstein, to open the Public Hearing on a request by James Sullivan and Alexander Phillips to amend the annexation agreement dated January 27, 2010 for the Gateway Park Subdivision (formerly known as the Sullivan Subdivision) on Powder House Hill Road.

Discussion: None.

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

The motion carried.

Testimony: Paul Brashaw - Brashaw advised he prepared a subdivision plat for the proposed subdivision. It was brought to his attention that the Annexation Agreement provided streets, water and sewer. He advised the sewer is cost prohibitive. The request before the Council is to allow for septic systems on the individual lots. The County has approved that the lots have more than enough space to support a conventional or sand filter system. Brashaw urged the Council to waive the requirement for sanitary sewer.

Alexander Phillips – Phillips advised they have had this piece of property for a long time. Careful thought has been put in to what they would like to place on those lots. They would like to keep it eco -friendly and to provide service and financial benefit to the community. Originally the sewer was a part of the plan. Once they had a viable individual come forward, they did the cost analysis and the sewer would be cost prohibitive. They are willing to get the detailed roads and water in place as soon as possible. In order to move forward they need to do septic systems. Phillips noted the Conservation Foundation has a septic system in place to meet the needs of that area. Phillips doesn't anticipate any entity coming on board that would need the requirement of sewer. As it stands now it is highly improbable they would ever meet the requirements for a sewer system. Phillips urged the Council to consider this great project for the city.

Motion: Bernstein moved, seconded by Fach, to close the Public Hearing on a request by James Sullivan and Alexander Phillips to amend the annexation agreement dated January 27, 2010 for the Gateway Park Subdivision (formerly known as the Sullivan Subdivision) on Powder House Hill Road.

Discussion: None.

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

The motion carried.

LIQUOR COMMISSION

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

Discussion: None.

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

The motion carried.

16C-0209 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CLASS M LIQUOR LICENSE BY DANIEL BALOCCA, 125 SOUTH PROSPECT STREET, FOR THE INN AT FELT MANOR, DBA FELT MANOR

Motion: Kieffer, moved, seconded by Lincoln, to approve the request for a Class M Liquor License by Daniel Balocca, 125 South Prospect Street, for the Inn at Felt Manor, DBA Felt Manor.

Discussion: Mark Moran read the definition of a Class M license.

If a B & B provides wine to their guests or wine baskets they are required to have a Class M License. The Class M License is for wine only. Council questioned if it was within 100 feet from the church. Kieffer stated this isn't like a bar. You must be a guest of the establishment. There hasn't been any problems in the past with alcohol at B & B's. This is a gift that people receive when they check in. It isn't like a bar where people are gathering. Lincoln would like to give it a try for a year and see if it is going to work. While it is a residential neighborhood, the area has a lot of B & B's on the hill. It is a unique situation.

Westemeier advised Class M licenses started when he was Chief of Police. The Class M license was created for this purpose. Westemeier advised the guests can bring their own. He wasn't opposed to approving the license.

Bernstein feels this is a unique situation and it has been pointed out by the people who have come forward that we have granted the Felt Manor some privileges because of the way the coach house is situated on that property. Bernstein feels because of the objections raised the Council should take a look at this in a year's time after the coach house is open and the neighbors have had a chance to see how that works.

Fach respects the neighbor's fears. He agrees it would be prudent to wait a year to see how the neighborhood accommodates to the extra traffic up there. Those booking can bring in their own liquor. This would give the neighbors a chance to see how they are handling their liquor out on the patio.

Hahn stated he would lean on the side of the neighbors. He questioned if they could set up a bar and actually sell across a bar. Moran felt according to the definition they probably could set up a bar for their guests only.

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

The motion was denied.

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

Discussion: None.

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

The motion carried.

CONSENT AGENDA CA16-10

16C-0210 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 9, 2016

16C-0211 – APPROVAL OF TURNER HALL RATE SCHEDULE ADJUSTMENT

16C-0212 – APPROVAL OF A REQUEST BY THE GALENA FIRE DEPARTMENT TO PURCHASE HURST EMERGENCY EXTRICATION TOOLS

16C-0213 – APPROVAL OF FIRE DEPARTMENT TRAINING FACILITY ROOF AND DRIVEWAY CONTRACTS

16C-0214 – APPROVAL OF PURCHASE OF BOOM MOWER

Motion: Kieffer moved, seconded by Hahn, to approve Consent Agenda CA16-10 as presented.

Discussion: None.

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

The motion carried.

UNFINISHED BUSINESS

16C-0182 – APPROVAL OF A PARKING SPACE FOR PERSONS WITH HANDICAPS ON THE EAST SIDE OF MAIN STREET IMMEDIATELY NORTH OF THE INTERSECTION WITH FRANKLIN STREET

After evaluating the area, Chief Huntington, suggested designating a space for persons with disabilities adjacent to the Gobbie's outdoor dining area and in the space outside of the Grape Escape nearest Franklin Street. The space adjacent to Gobbie's has a depressed curb which should facilitate easier access to and from vehicles.

Staff further recommended converting the two loading zone spaces on the west side of North Main Street just north of Diagonal Street to regular parking.

Motion: Fach moved, seconded by Hahn, to approve the request for a parking space for persons with handicaps adjacent to Gobbie's outdoor dining space and in front of the Grape Escape.

Discussion: Westemeier stated he was opposed to a handicapped parking stall in front of the Grape Escape as they would be unloading into the street and into the lane of traffic.

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

The motion carried.

NEW BUSINESS

16C-0215 – FIRST READING OF AN ORDINANCE TO EXECUTE THE FIRST ADDENDUM TO THE ANNEXATION AGREEMENT FOR THE GATEWAY PARK SUBDIVISION (FORMERLY KNOWN AS THE SULLIVAN SUBDIVISION) ON POWDER HOUSE HILL ROAD

Motion: Fach moved, seconded by Bernstein, postpone item 16C-0215 to the next meeting.

16C-0216 – DISCUSSION AND POSSIBLE ACTION ON THE FINAL PLAT OF SUBDIVISION FOR THE GATEWAY PARK SUBDIVISION (FORMERLY KNOWN AS THE SULLIVAN SUBDIVISION)

Motion: Fach moved, seconded by Bernstein, to postpone item 16C-0216 to the next meeting.

16C-0217 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY THE GALENA PUBLIC LIBRARY TO INSTALL AND MAINTAIN LITTLE FREE LIBRARIES AT MUCHOW PARK AND RECREATION PARK

Motion: Westemeier moved, seconded by Lincoln, to approve the request by the Galena Public Library to install and maintain little free libraries at Muchow Park and Recreation Park, 16C-0217.

Discussion: Council agreed it was a great idea.

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

The motion carried.

16C-0218– DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR BRIDGE MAINTENANCE DESIGN SERVICES WITH IIW ENGINEERS AND SURVEYORS

Motion: Hahn moved, seconded by Kieffer, to approve the contract for Bridge Maintenance and Design Services with IIW Engineers and Surveyors in an amount not to exceed \$4,000, 16C-0218.

Discussion: Hahn noted this has to be done. Both ends are falling apart. Lewis advised a reinforced concrete structure would be the worst case scenario. He would prefer to install aluminum. Because the approach bands are a peculiar shape, they are not sure if the bridge manufacturer would be able to construct them with aluminum.

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

The motion carried.

16C-0219 – WARRANTS

Motion: Fach moved, seconded by Hahn, to approve the Warrants as presented, 16C-0219.

Discussion: None.

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

The motion carried.

16C-0220 – ALDERPERSONS’ COMMENTS

Farmers Market – Bernstein advised the first summer Farmers Market was held on Saturday. The market has changed dramatically and is really dynamic. There were about 15 different vendors with quite a variety of products offered.

Handicapped Parking – Westemeier advised he is in favor of the spot by Gobbies; however, people should not be unloaded in the middle of the street. While most people stop there is always a chance one might not. Having someone get out into a lane of traffic is not safe. Kieffer agreed this is a good point.

Thank you – Lincoln thanked Alderman Fach for the work he did for the Fire Department Appreciation Dinner. Fach made 25 replicas of the hand pumper.

Sullivan Subdivision – Lincoln stated he is disappointed that the Sullivan subdivision didn't go through tonight. He hopes the City can find out what needs to be done in order to proceed with the project. He would like to see it finished.

Sullivan Subdivision – Kieffer wished they could have gone ahead and dealt with this rather than postponing it.

Sullivan Subdivision – Fach feels we are at a crossroads with how we view development. We have been given an offer which is the amendment to the PUD. He feels the City should make a

counter offer back. The City holds the cards and these people signed an agreement to put sewer in if they were going to do the development. He is concerned the City would cave into this offer. He feels we could do better on that. The long term benefit for Galena is to have sewer on Powder Hill Road and to that property. The City should be negotiating for it rather than accepting the first offer that comes over the table. This is prime development land. He feels they would not be acting for the benefit of Galena and Galenian's if this offer was accepted.

16C-0221 – CITY ADMINISTRATOR'S REPORT

Bike Trail – Moran advised IIW had an add-on of \$10,000 on Phase 3 Design of the Bike Trail. After review, it was determined this was largely the result of the train derailment. Moran advised he went to BNSF for reimbursement. BNSF has agreed to pay the \$10,000.

Galena High School – Moran advised he emailed a copy of a letter from the Interim Superintendent in regards to the sewer issues at the high school.

Thank you – Moran thanked all who participated in the April beautification month.

16C-0222 – MAYOR'S REPORT

Farmers Market – Mayor Renner complimented the Farmers Market.

Sullivan Subdivision – Mayor Renner agrees Fach makes some interesting points.

16C-0223 - ADJOURNMENT

Motion: Hahn moved, seconded by Kieffer, to adjourn.

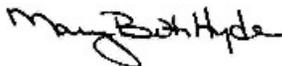
Discussion: None.

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

The motion carried.

The meeting adjourned at 7:24 p.m.

Respectfully submitted,



Mary Beth Hyde, MMC
City Clerk