

**MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 27 JUNE 2016**

**16C-0248 – 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 27 June 2016.

**16C-0249 – ROLL CALL**

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

**16C-0250 – ESTABLISHMENT OF QUORUM**

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

**16C-0251– PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**16C-0252 - REPORTS OF STANDING COMMITTEE**

No reports.

**16C-0253 – PUBLIC COMMENTS**

**Jason Allen, 729 Bluff Street, Dubuque, Iowa, owner Aerosol Endeavors** – Allen urged the Council to pass a motion to re-address the Street Performers Ordinance to allow for the use of aerosol paints.

**Vicky Grizzoffi, 1989 E. Cross Road** - Grizzoffi stated she is opposed to the proposed location of a dog park at Turtle Pond.

**Dan McCarthy, Galena History Museum** – McCarthy spoke with regard to the Heroes for History stair run/walk. McCarthy stated they are requesting permission to use the 100 block of Green Street for staging purposes. They further request, per the recommendation of Fire Chief, Randy Beadle, to close traffic on Bench and Prospect Streets to insure the safety of the pedestrians and runners and the use of City Hall on Friday evening and Saturday morning for registration and package pickup.

**Denise Spielman, Galena History Museum** - Spielman reported they have gained an incredible amount of support for the event. They have established a terrific team to work on the event and everything is falling into place. They hope to keep this going forward as another event for Galena.

**Robert White – 1978 East Cross Road** – White presented a petition signed by 12 out of the 14 residents in the Turtle Pond Subdivision. All are opposed to having a dog park located at Turtle Pond.

**Janet Checker, 115 S. High Street** – Checker stated she is very much opposed to allowing a liquor license at the Felt Manor. She feels the City should wait a year to see how things are going to work out.

**John Grizzoffi, 1989 E. Cross Road** – Grizzoffi questioned why the dog park wasn't going to be at Gateway Park which people fought hard to preserve and the dog park was going to go in there. Nack advised that because of regulations of the funders, the dog park would be prohibited at

Gateway Park. Grizzoffi stated research on line shows lots of reasons why you should not have a dog park. He was opposed to locating a dog park anywhere in Galena.

**James Wirth, 121 S. High Street** – Wirth was opposed to the approval of a liquor license for the Felt Manor. Wirth feels the City Council should consider revisiting the Class M Liquor License to give greater clarity to what can be done under the license. Wirth distributed copies of his idea of possible changes.

**Jane Holland 626 Ridge** – Holland advised she was present should the council have any questions with regard to the Dog Park.

### **PUBLIC HEARING**

**Motion:** Lincoln moved, seconded by Bernstein, to open the Public Hearing to review project performance and obtain citizens views regarding the recently completed Third and Rives Street Sanitary Sewer Extension Project.

**Discussion:** None.

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

The motion carried.

### **16C-0254 – PUBLIC HEARING TO REVIEW PROJECT PERFORMANCE AND OBTAIN CITIZENS VIEWS REGARDING THE RECENTLY COMPLETED THIRD AND RIVES STREET SANITARY SEWER EXTENSION PROJECT**

Testimony: **Rik Pariser, 113 S. High Street** – Pariser stated he had a comment on this because it has been a dozen years since he first heard of this issue from prior council meetings. The folks in this area have been waiting and waiting to get the septic system problem corrected. He is happy for them and glad this worked out. This was effective through grant funds and local funds. He questioned if this completes the abatement of septic systems in the city limits or are there other areas that need to be addressed.

**Sharon Peppin, Community Funding and Planning** – Pepin provided information on the recently completed Third & Rives Sanitary Sewer Extension Project (Exhibit A attached).

**Motion:** Lincoln moved, seconded by Kieffer, to close the Public Hearing to review project performance and obtain citizens views regarding the recently completed Third and Rives Street Sanitary Sewer Extension Project.

**Discussion:** None.

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

The motion carried.

### **LIQUOR COMMISSION**

**Motion:** Lincoln 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-0255 – RECONSIDERATION OF 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:** Fach moved, seconded by Westemeier, to reconsider the request for a Class M Liquor License by Daniel Balocca, 125 South Prospect Street, for the Inn at Felt Manor, DBA Felt Manor, 16C-0255.

**Discussion:** Fach stated he voted on this issue at the last meeting. It was an obvious conflict of interest and mistake on his part. He feels the item needs to be reconsidered and he would recuse himself on any vote on this issue.

Renner stated this came about by the State of Illinois. The Class M License was created to allow Bed and Breakfasts the ability to offer a bottle of wine with their rooms. The license is for wine only and for guests of the establishment only. It is not open to the public. The footage from the church has been checked and it is over 100 feet. He added the primary purpose of the business is not the sale of alcohol.

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

The motion carried.

**Motion:** Lincoln moved, seconded by Westemeier, to accept the request for a Class M Liquor License by Daniel Balocca, 125 South Prospect Street, for the Inn at Felt Manor, DBA Felt Manor, 16C-0255.

**Discussion:** Bernstein stated she voted against the license at the last meeting; however, she is reconsidering her vote because she believes it is not going to change anything at the Felt Manor. They have been serving wine for a number of years to their guests. The owner wants to conform with what the requirements are.

Renner advised guests are allowed to bring in their own coolers. It will not be open to the public and is for consumption on the premise of the Bed and Breakfast. He has received no reports of any problems reported.

Lincoln stated he voted in favor last time. While he feels for the neighbors, he feels it should be approved. Balocca has been doing this, unaware that he needed a license. It is a nice offering for those traveling. If it becomes a problem, the license can be stopped at that time.

Hahn stated he too voted no. He feels it would probably be a good thing. He advised the license will be up for renewal in May. If problems arise, it can be reconsidered at that time.

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

The motion carried.

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

**Discussion:** None.

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

The motion carried.

**CONSENT AGENDA CA16-12**

**16C-0256 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 13, 2016**

**16C-0257 – APPROVAL OF BUDGET AMENDMENT BA17-01 FOR THIRD AND RIVES SEWER PROJECT, POLICE SOFTWARE, AND GRANT PARK GAZEBO ROOF**

**16C-0258 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT WITH B & P ROOFING FOR THE REPLACEMENT OF THE GAZEBO ROOF IN GRANT PARK**

**16C-0259 – ACCEPTANCE OF APRIL AND MAY 2016 FINANCIAL REPORTS**

**16C-0260 – APPROVAL OF REQUEST BY ANTIQUE TOWN RODS FOR LIVE MUSIC IN GRANT PARK OR AT DEPOT PARK ON JULY 16, 2016 FROM 6 P.M. TO 10 P.M.**

**16C-0261 – DISCUSSION AND POSSIBLE ACTION ON CLUSURE OF THE GREEN STREET PLAZA FOR THE ELK’S CORN ROAST AND LIVE MUSIC ON AUGUST 18, 2016 FROM NOON TO 6:00 P.M.**

**16C-0262 – APPROVAL OF AN AGREEMENT BETWEEN JO DAVIESS COUNTY TRANSIT OPERATED BY THE WORKSHOP AND THE CITY OF GALENA FOR GENERAL PUBLIC TRANSPORTATION**

**Motion:** Kieffer moved, seconded by Hahn, to approve Consent Agenda CA16-12 as presented.

**Discussion:** A request was made to remove items 16C-0256 and 16C-0260 from the Consent Agenda.

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

The motion carried.

**16C-0256 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 13, 2016**

Bernstein noted the following change to the minutes:

Page 15, item 16C-0239, the vote should be as follows:

AYES: Fach  
NAYS: Lincoln, Westemeier, Bernstein, Hahn, Kieffer

The motion was denied.

**Motion:** Bernstein moved, seconded by Hahn, to approve the minutes of the regular City Council Meeting of June 13, 2016 with the change as discussed.

**Discussion:** None.

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

The motion carried.

**16C-0260 – APPROVAL OF REQUEST BY ANTIQUE TOWN RODS FOR LIVE MUSIC IN GRANT PARK OR AT DEPOT PARK ON JULY 16, 2016 FROM 6 P.M. TO 10 P.M.**

**Motion:** Hahn moved, seconded by Kieffer, to approve the request by Antique Town Rods for live music in Depot Park on July 16, 2016 from 6 P.M. to 10 P.M.

**Discussion:** Council agreed it would be best to keep it all at the same location.

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

The motion carried.

**UNFINISHED BUSINESS**

**16C-0238 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY THE GALENA DOG PARK COMMITTEE FOR APPROVAL TO CONDUCT FEASIBILITY STUDIES REGARDING FINANCIAL CONSIDERATIONS AND LOCATION OF THE FOLLOWING POTENTIAL SITES FOR A DOG PARK: 1. REC PARK; 2 AND 3: TWO AREAS IN SCENIC MEADOWS; 4. TURTLE POND**

**Motion:** Bernstein moved, seconded by Fach, to approve the request by the Galena Dog Park Committee for approval to conduct feasibility studies regarding financial considerations and location of the following potential sites for a dog park: 1. Rec Park; 2 and 3: Two areas in Scenic Meadows; 4. Turtle Pond, amended to exclude Rec Park and Turtle Pond.

**Discussion:** Bernstein advised this is just a request to look at sites and allow the committee to discover if any are really appropriate. Any proposals would come back to the City Council for approval.

Hahn stated he would object to a Dog Park in Rec Park and, after listening to the property owners, he would also object to Turtle Pond. He recommended looking at the properties in Scenic Meadows or looking for someone to donate some land in the county. Westemeier agreed.

Renner agreed they should look at getting a tract of land outside of the city limits away from everybody. There isn't any place in town that would be a good location.

Lincoln agreed with the other comments. He understands the concerns people have about the potential dog attacks, smell, noise, etc. He stated he would support the Scenic Meadows location if that would work out.

**Amended**

**Motion:** Fach moved, seconded by Kieffer, to amend the motion to exclude Rec Park and Turtle Pond.

**Discussion:** None.

**Amended**  
**Motion**

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

The motion carried.

**Main  
Motion**

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

The motion carried.

**16C-0240 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY THE GALENA HISTORICAL SOCIETY AND MUSEUM TO CONDUCT THE FIRST ANNUAL ‘HEROES FOR HISTORY’ STAIR RUN/WALK ON SEPTEMBER 10, 2016**

**Motion:** Hahn moved, seconded by Kieffer, to approve the request by the Galena Historical Society and Museum to conduct the first annual “Heroes for History” stair run/walk on September 10, 2016 with the exclusion of the use of City Hall and the street closures to be worked out with Chief Huntington to determine what works best.

**Discussion:** Hahn advised we have runs/walks all over town. They typically put up a tent and do their signup there. He recommended putting a tent in the City Hall parking lot and doing the registration from there. He was opposed to the use of City Hall. Council members agreed.

Renner voiced concern with closing Bench and Prospect Streets on a Saturday. Council recommended they sit down with Chief Huntington and work with her on the street closures and what works best.

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

The motion carried.

**NEW BUSINESS**

**16C-0263 – PRESENTATION BY THE RICHARD PETERSON EMERGENCY MEDICAL TECHNICIAN ENDOWMENT SCHOLARSHIP FUND**

Pete Stryker gave a presentation with regard to the Richard Peterson Emergency Medical Technician Endowment Scholarship Fund and urged all to make people aware of the availability of this scholarship.

**16C-0264– DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY GRACE EPISCOPAL CHURCH TO REZONE TO PLANNED UNIT DEVELOPMENT WITH AN UNDERLYING DEFAULT DISTRICT OF LOW DENSITY RESIDENTIAL**

**Motion:** Hahn moved, seconded by Kieffer, to approve the request by Grace Episcopal Church to rezone to Planned Unit Development with an underlying default district of Low Density Residential with the following requirements:

- An appropriate geotechnical study of the site provided to the City.
- Geotechnical engineer on an “as need basis” during all construction work.
- A certified elevation survey.
- Insurance to cover the project.
- Geotechnical report to be available to Eric Lieberman and the public within 72 hours of completion. Such notice to be posted at City Hall.

**Discussion:** Council discussed and were in favor provided all of the requirements are met.

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

The motion carried.

**16C-0265– DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR DOWNTOWN SIDEWALK REPLACEMENT**

The following bids were received:

Ref. #	Contractor	Base Bid	Alternate Bid
1	Louie’s Trenching Service	\$ 87,250	\$35,310
2	Civil Constructors	\$196,305	\$54,010

**Motion:** Kieffer moved, seconded by Fach, to approve the contract for downtown sidewalk replacement with Louie’s Trenching in the amount of \$122,560.

**Discussion:** Fach was glad to see that the bricks aren’t going to be disturbed at this time.

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

The motion carried.

**16C-0266– FIRST READING OF AN ORDINANCE REGULATING WAGES OF LABORERS, MECHANICS AND OTHER WORKERS EMPLOYED IN PUBLIC WORKS PROJECTS FOR THE CITY OF GALENA, ILLINOIS (PREVAILING WAGE ORDINANCE)**

**Motion:** Fach moved, seconded by Bernstein, to approve the first reading and waive the second reading of an Ordinance Regulating Wages of Laborers, Mechanics and Other Workers Employed in Public Works Projects for the City of Galena, Illinois.

**Discussion:** None.

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

The motion carried.

**16C-0267– RECONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 110.39 “STREET PERFORMERS” OF THE GALENA CODE OF ORDINANCES**

No motion was presented.

**16C-0268 – WARRANTS**

**Motion:** Fach moved, seconded by Hahn, to approve the Warrants as presented, 16C-0268.

**Discussion:** None.

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

The motion carried.

**16C-0269 – ALDERPERSONS' COMMENTS**

**Properties** – Fach recommended annexing those properties within the City that are surrounded by the City.

**16C-0270 – CITY ADMINISTRATOR'S REPORT**

**Thank you** – Moran thanked the following for their donations: Howard and Helen Kern Family for the sign at Cemetery Park; the Einsweiler family for the metal picnic table in Cemetery Park in memory of two generations of the Einsweiler family; volunteers for their donated labor replacing the flowerbed around the Gazebo at Cemetery Park; Christa Ginger for her help in designing the deer resistant landscaping; US Bank for their donation to refurbish the scoreboard in Rec Park and Janelle Keeffer for her work in coordinating all of these projects.

**Solar Array** – The solar array is now activated on the roof top of City Hall. We have already produced 1 ½ megawatts of electricity which is the equivalent of 4500 light bulbs running continuously for a day. Moran thanked Andy Lewis for coordinating the project and seeing it through to completion.

**16C-0271 – MAYOR'S REPORT**

**Thank you** – Mayor Renner thanked volunteers and staff for their donations and time with things throughout the community.

**16C-0272 - ADJOURNMENT**

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

**Discussion:** None.

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

The motion carried.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,



Mary Beth Hyde, MMC  
City Clerk

## EXHIBIT A

CITY OF GALENA - CDBG PUBLIC HEARING  
NOTES MONDAY, JUNE 27, 2016 AT 6:30 P.M.Purpose of Public Hearing -

The City of Galena is holding a second Public Hearing to provide information on the recently completed Third & Rives Sanitary Sewer Extension Project. The first public hearing was held May 27, 2014, prior to the City submitting the Community Development Block Grant (CDBG) application to the Illinois Department of Commerce & Economic Opportunity (DCEO).

The City applied for a Public Infrastructure grant, and its application met two of the national objectives: 1) benefitted low-and moderate income persons; and 2) addressed a problem that poses a serious and immediate threat to the health and welfare of the project area. The grant application was submitted May 30, 2014, and the City was awarded a \$199,443 CDBG grant on December 1, 2014. The grant has a two-year contract which ends September 30, 2016. One grant modification was necessary to revise the scope of work and budgeted line items. The overall project was originally estimated to cost \$262,258, with the City contributing \$62,815.

The City of Galena's CDBG application for the Third & Rives Sanitary Sewer Extension project planned for the construction and extension of roughly 2700 l.f. of new sanitary sewer piping, along with the purchase and installation of 13 grinder pumps to eliminate failing septic systems. The project also called for roadway improvements and for the CDBG grant to pay for 6 of the sanitary sewer residential hookups.

An Eight Step Floodplain Review and Format II Environmental Assessment was completed for this project, and environmental clearance letters were secured from the required state agencies and affected tribal groups. No public comments were received during the public comment period, and DCEO provided an environmental clearance and Special Grant Conditions clearance letter on May 6, 2015. This letter allowed for construction of the project to move forward.

The sanitary sewer project was advertised in the Galena Gazette in May 2015, with the project's bid opening being held on June 1, 2015. The City received 3 bids, with Louie's Trenching Service providing the low bid of \$196,006.20.

The City awarded the sanitary sewer project to Louie's Trenching in the amount of \$196,006.20 in June. As required by the CDAP grant, contractor debarment was verified and a Notification of Contract Award was submitted to DCEO. A pre-construction meeting was held on August 28, 2015, with construction starting the first of October. Louie's Trenching was the prime contractor, with four subcontractors also working on the project. On-site employee interviews were conducted and weekly payroll reports were reviewed for the prime and all the subcontractors. All required prevailing wage rates were paid on the project.

One construction change order was issued for the project for additional roadway work resulting in an increase in the construction cost. The final construction contract totaled \$241,513.11.

Prior to construction starting, a meeting was held with all of the property owners in the Third & Rives neighborhood informing them of the proposed project. Information was gathered from the property owners that wanted to be connected to the new sanitary sewer main to determine low-to-moderate income (LMI) eligibility. Of the 13 properties in the project area, 3 did not wish to participate in the project. The City's grant application called for CDBG grant funds to pay the hookup fees for 6 LMI households. After verifying income eligibility requirements of the residents being impacted, only 4 households were determined to be eligible for the LMI hookups. The one grant modification adjusted the budgeted line item for LMI hookups; with the remaining funds transferred to the construction line item. All of the sanitary sewer hookups were paid either by the CDBG grant or by the City's matching funds. All CDBG grant dollars have been drawn down. All invoices relating to the project have been paid. A CDBG Grantee Evaluation Report has been prepared and is being provided to the City for approval/signature. Once signed, the close-out report and the minutes from this public hearing will be submitted to DCEO as part of the project close-out process. The grant contract ending date is September 30, 2016.

On-site construction engineering was provided by the City's engineer, and roughly \$7,000 was provided as in-kind labor towards the City's leverage funds.

In December 2014, the City sent out Request for Qualifications for grant administrative services. Community Funding & Planning Services provided a proposal and a letter of qualifications for the CDBG administrative work, and was then hired by the City to provide grant administrative duties. The administration fee was \$11,000 and was paid with CDAP grant funds. An additional \$501 was paid by the City for the DNR EcoCAT environmental review fee. Administrative duties included DCEO contract review, environmental review procedure, on-going correspondence with DCEO staff, grant modification request/approval, quarterly project status and quarterly financial status reporting, annual HUD Performance reporting, record keeping of project costs, overall financial management, review of contractor payroll reports, conduct on-site employee interviews, advertise and conduct public hearing, and close-out reporting.

Overall the project totaled \$260,190.04: construction of \$241,513.12, in-kind engineering of \$7,175.92 and administration of \$11,501.00. The CDBG grant contributed \$199,443 and the City's portion was \$60,747.04 (roughly \$2,067 less than the original budget).

A representative of DCEO may conduct a monitoring visit to ensure that the project was done in accordance with DCEO grant guidelines. If a visit is conducted, Community Funding & Planning Services will attend the monitoring visit.

Based upon the data gathered from the targeted-area income survey that was completed by the City in 2013, the low-to-moderate household income benefit is 57%.

#### Questions / Comments