

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 14 NOVEMBER 2016

16C-0448 – 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 14 November 2016.

16C-0449 – ROLL CALL

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

16C-0450 – ESTABLISHMENT OF QUORUM

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

16C-0451– PLEDGE OF ALLEGIANCE

The Pledge was recited.

16C-0452 - REPORTS OF STANDING COMMITTEE

Destination Marketing Organization (DMO) – A meeting was held last week. The County Board sent back changes. The DMO signed off on all but two of those changes. The DMO recommended a cap of \$18,000 annually for administrative fees to the County. The County did not accept it. The County wanted a clause to allow cancellation within six months for any reason. The DMO was opposed to that. Other than those two items everything was approved and it is being sent back to the County. The County Board will have it on their agenda Tuesday, November 15th. Depending on that outcome it will come back to the DMO and a solution could possibly be made shortly.

Turner Hall Committee – A meeting was held on November 3rd at Turner Hall. A large part of the discussion was the fly loft. The effuse coating on the outside is not doable. It will be sealed and tuck pointed. The inside of the fly loft will get spray foam on the ceiling and sides. The hall has 10 new tables and new chair racks. Everything is looking good. They will be moving ahead with the stage floor.

16C-0453 – PUBLIC COMMENTS

Rick Pariser, 113 S. High Street – Pariser noted a few weeks ago the Council had a general discussion regarding the Norris Lane interchange. Nothing was resolved other than attributing the lack of the interchange to the financial conditions of Midwest Medical Center. Shortly after that discussion there was a double wreck out there. Pariser stated he happened to be there and observed the aftermath. He feels there is a clear and present danger. While he is not blaming anyone, he feels someone needs to take responsibility and get this addressed. The City has an agreement with Midwest Medical whereby they agreed to make turn lanes to alleviate problems. Pariser recommended the City resurrect this and come up with a time line or plan to get this taken care of.

James Wirth, 121 S. High Street – Wirth distributed copies of an email he had sent to the Council.

CONSENT AGENDA CA16-21

16C-0454 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 24, 2016

16C-0455 – APPROVAL OF STRAY DOG PICK-UP CONTRACT WITH JO DAVIESS COUNTY ANIMAL CONTROL DEPARTMENT FOR DECEMBER 1, 2016-NOVEMBER 30, 2017

Motion: Kieffer moved, seconded by Hahn, to approve Consent Agenda CA16-21 as presented.

Discussion: None.

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

The motion carried.

UNFINISHED BUSINESS

16C-0416– DISCUSSION AND POSSIBLE ACTION ON REPAIR TO RETAINING WALL ADJACENT TO 108 S. HIGH STREET

The following quotes were received:

Description of Work	Contractor	Cost
Reset 8' x 2' section of rock wall	Ben Wiene Excavating	\$4,650
Reset 15' x 6' section of rock wall	Ben Wiene Excavating	\$10,815
Remove and rebuild 28' section of wall (from stairs to end of property)	Earl Thompson Masonry	\$15,840

Motion: Bernstein moved, seconded by Hahn, to deny the repairs to the retaining wall adjacent to 108 S. High Street, 16C-0416.

Discussion: Bernstein feels it is clear from the information gathered by staff that it isn't the City's responsibility to repair the wall. The wall was built by the previous owner and the City has never had anything to do with it or maintained it. The insurance company has denied the claim.

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

The motion carried.

16C-0440 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE AMENDING THE ZONING ORDINANCE TO PERMIT VACATION RENTALS IN THE HISTORIC DISTRICT

Motion: Westemeier moved, seconded by Kieffer, to approve the second reading of an Ordinance amending the Zoning Ordinance to permit vacation rentals in the Historic District, 16C-0440.

Discussion: Bernstein questioned what the basis was for setting the cap at 20. Oldenburg advised that was an arbitrary number the Board felt would be a good starting point.

Fach questioned if it would be allowed to have two side by side. Oldenburg explained with regard to density they did not set a density formula due to the size of our town and the cap of 20 rentals.

While other communities use a density formula, the Board felt a density restriction could limit the ability to develop.

Oldenburg advised when an application is received for a special use permit, the surrounding property owners within 250 feet will get a letter. The Board removed the language of renewing every five years because the City has the ability to revoke at any time if it becomes a nuisance.

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

The motion carried.

NEW BUSINESS

16C-0457– REPORT FROM AMERICAN WATER ON GALENA WATER AND WASTEWATER OPERATIONS

Jeff Saylor reported things have been pretty normal. Some main breaks, service leaks, blocked sewers, etc.

Saylor advised Council would be looking at the possible purchase of a leak detector later on the agenda. Typically, it costs about \$3,400 annually to do a survey. The locator can pin point to find the leak easier. If staff notices a usage increase, they could do a quick survey to find the leak and get it repaired faster. While it is not essential, Saylor feels it will pay for itself over the period of the life of the equipment or less. It is a tool that would be used.

Saylor reported the contract ends July 31st. The City owed money for electricity and maintenance and repair was a wash.

16C-0458– DISCUSSION AND POSSIBLE ACTION ON AMENDING CHAPTER 93 AND CHAPTER 112 OF THE CODE OF ORDINANCES FOR LICENSING OF VACATION RENTALS

Motion: Westemeier moved, seconded by Hahn, to approve amending Chapter 93 and Chapter 112 of the Code of Ordinances for licensing of vacation rentals, 16C-0458.

Discussion: A recommendation was made to remove the effective dates given.

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

The motion carried.

16C-0459– DISCUSSION AND POSSIBLE ACTION ON HORSE DRAWN CARRIAGE LICENSE APPLICATION BY EHRLER RANCH, LLC, 11750 WEST CHETLAIN LANE, GALENA

Motion: Hahn moved, seconded by Kieffer, to approve the request for a Horse Drawn Carriage License by Ehrler Ranch, LLC, 11750 Chetlain Lane, Galena, 16C-0459.

Discussion: Council was happy to see this coming back to town.

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

The motion carried.

16C-0460 – FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION OF THE ILLINOIS MUNICIPAL LEAGUE RISK MANAGEMENT ASSOCIATION MINIMUM/MAXIMUM CONTRIBUTION AGREEMENT

Motion: Fach moved, seconded by Hahn, to approve the first reading and waive the second reading of an ordinance authorizing the execution of the Illinois Municipal League Risk Management Association Minimum Contribution Agreement.

Discussion: None.

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

The motion carried.

16C-0461– DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION REQUESTING THE ASSISTANCE AND PARTICIPATION OF THE ILLINOIS EPA FOR ENVIRONMENTAL INVESTIGATION OF THE FORMER JO DAVIESS COUNTY SERVICE COMPANY ON SOUTH MAIN STREET

Motion: Lincoln moved, seconded by Kieffer, to approve a Resolution requesting the assistance and participation of the Illinois EPA for environmental investigation of the former Jo Daviess County Service Company on South Main Street.

Discussion: The last study was done in 1995.

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

The motion carried.

16C-0462– DISCUSSION AND POSSIBLE ACTION ON ESTABLISHING THE AMOUNT OF THE 2016 TAX LEVY TO BE COLLECTED IN 2017

Motion: Kieffer moved, seconded by Hahn, to establish the amount of property taxes the City of Galena expects to levy in 2016, to be collected in 2017, at \$1,363,146, with a rate decrease from \$1.38 per \$100 to \$1.36.

Discussion: Kieffer stated while he doesn't like to raise taxes, the slight increase would fix a road or two. He feels with the rate dropping it can be justified. Bernstein feels it is a win with in that the City will be taking in more money yet the citizens are actually going to pay a little less on their real estate tax bill.

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

The motion carried.

16C-0463– DISCUSSION AND POSSIBLE ACTION ON THE PURCHASE OF PAY AND DISPLAY PARKING TERMINALS

In a memo to Council, Moran recommended purchasing two MacKay Guardian parking machines. One to be installed inside the parking kiosk at the lot next to the winery and the other to be installed on the Commerce Street frontage of the City Hall lot. The machines, including installation, cost \$12,326 each or \$24,652 total. Based on the historical parking revenues from the lots, Moran would expect the cost of the units to be fully recouped in less than one year.

Motion: Hahn moved, seconded by Lincoln, to approve the purchase of two new pay and display terminals at a cost of \$24,652, 16C-0463.

Discussion: Fach recommended the metal boxes go directly to the bank from the machines for counting.

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

The motion carried.

16C-0464– DISCUSSION AND POSSIBLE ACTION ON JOINT PURCHASE OF LEAK DETECTION EQUIPMENT

In a memo to Council, Moran advised six communities are interested in participating and sharing equally in the cost of purchasing a portable leak detection system. The total cost would be \$27,140 or \$4,523 per community. The unit would be stored in Galena and checked out as needed by each community. Any repair costs would be split equally among the communities. The unit carries a five-year warranty. Training would be provided for the staff of each community.

Motion: Hahn moved, seconded by Lincoln, to approve the joint purchase of leak detection equipment in the amount of \$4,523 amended to increase the City's share from \$4,523 to \$5,428.

Discussion: Council agreed it was well needed and felt sharing with other towns was a great idea.

Lincoln noted Stockton has backed out due to no funds. He can't see not helping them out if they needed it. He would at least like to agree to help others if needed. The increased cost would be \$5,428.

Motion: Hahn moved, seconded by Fach, to amend the motion to increase the City's share from \$4,523 to \$5,428.

Discussion: None

Amended Motion

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

The motion carried.

Main Motion

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

The motion carried.

16C-0465– DISCUSSION AND POSSIBLE ACTION ON CLEAN-UP OF EAST SIDE BULK TANK SITE

Motion: Westemeier moved, seconded by Bernstein, to approve the clean-up of the East Side Bulk Tank Site.

Discussion: Council agreed it would be great to get that area cleaned up and nice to get some help to pay for it. The area will be planted in grass.

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

The motion carried.

16C-0466 – WARRANTS

Motion: Fach moved, seconded by Bernstein, to approve the Warrants as presented, 16C-0466.

Discussion: None.

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

The motion carried.

16C-0467 – ALDERPERSONS' COMMENTS

Tax Levy – Fach stated passing the tax levy tonight makes him think of properties that are surrounded on all sides and are not annexed into the city. Annexing these properties could contribute to the general worth of the city possibly reducing the taxpayer's obligations. It is a mystery to him why we have at least three properties surrounded on all sides and they have not been annexed.

Thank you – Westemeier thanked Matt Oldenburg and his crew for their work on the Air BnB ordinance.

Winter Market – Bernstein stated she attended the first Winter Market at Turner Hall. There were lots of vendors. She encourages all to check it out. They are held the second Wednesday of the month from 4-6. This is an opportunity to support local vendors and purchase things you might not find elsewhere.

16C-0468 – CITY ADMINISTRATOR'S REPORT

Galena River Trail – Moran advised the bids were opened for the final phase of the Galena River Trail. Low bid was Louie's Trenching at \$1.64 million. It was a close bid process as the other bids were \$1.7 and \$1.9 million. Staff will review the numbers and will work with the Department of Transportation. An item should be on the next agenda.

Audit – O'Connor Brooks will present the audit at the November 28th meeting.

16C-0469 – MAYOR'S REPORT

Mayor Renner congratulated the Galena High School girls' volleyball team for going as far as they did. They represented Galena well!

Mayor Renner thanked Matt Oldenburg for his work on the Air BnB ordinance.

Happy Thanksgiving!

16C-0470 - ADJOURNMENT

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

Discussion: None.

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

The motion carried.

The meeting adjourned at 7:21 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary Beth Hyde". The signature is written in a cursive, flowing style.

Mary Beth Hyde, MMC
City Clerk