

**MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 13 MARCH 2017**

**17C-0082 – 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 March 2017.

**17C-0083 – ROLL CALL**

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

Absent: Kieffer

**17C-0065 – ESTABLISHMENT OF QUORUM**

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

**17C-0085– PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**17C-0086 - REPORTS OF STANDING COMMITTEE**

**Turner Hall Committee** – The committee met on March 2<sup>nd</sup> at Turner Hall. Copies of the minutes were distributed. It has been determined that it is not a good idea to insulate the fly loft walls; however, the ceiling will still be insulated. The next meeting will be held May 4<sup>th</sup> at 8:30 a.m. at Turner Hall.

**DMO Committee** – The committee will be meeting on Tuesday, March 14<sup>th</sup> at 3:00 p.m. to review resumes for the CEO search.

**17C-0087 – PUBLIC COMMENTS**

**Art Ricker – 347 Gear Street** – Ricker read prepared statement including the quote “If it ain’t broke, don’t fix it”. Ricker feels this applies to the welcoming environment of Galena, “it simply ain’t broke”. Ricker advised for a short time he helped with the English as a Second Language program. Sometimes, during the course of the evening, discussion would drift from the subject to immigration issues. While there were questions about federal regulation, there was never any expression of negative treatment by Galena. After reading the Galena Gazette after the last meeting, Ricker contacted Sheriff Turner to get some ideas as to the depth of the problem if one exists. To Sheriff Turner’s recollection, after six years in office, he could only recall one individual who was deported for criminal charges. Ricker urged the Council to let common sense prevail and reject the proposed resolution as it can only tarnish what this council and others have worked so hard to maintain.

**Kirk Foecking 105 S. Hickory** – Foecking stated he was surprised by the proposed resolution. “Welcome City” in a resolution is an interesting concept. He questions what “Make Galena an immigrant friendly community” really means. He does not know of a time when Galena did not welcome immigrants. Foecking feels this resolution is not about the immigrants at all. This resolution is about those who decided not to follow U.S. Immigration Law but came anyway and now live here in defiance of those laws. Foecking feels several of the premises in the resolution are insults to the City of Galena implying the City is now doing things that this resolution wants to prevent. The resolution contains nothing about what we should do to welcome immigrants. It contains three paragraphs of what the City should not do. This resolution is about making it policy to cover up the status and activities of those breaking immigration laws. This is an insult those who have followed those laws and is now a U.S. Citizen. It is wrong and not something

Foecking wants his city to take party too. Foecking encouraged those behind this resolution, if they truly want to help immigrants, to help them. If you do not like the laws, change them. If people are here illegally, help them to become legal. If they are undocumented, help them to become documented. Help them so they do not have to hide.

**Kimberly Thompson, Galena** – Thompson read a prepared statement. To be clear, the term “welcoming city” has risen as a way for municipalities to make the political point that the city or town does not support the current position of administration on immigration matters. This resolution carries no particular legal significance. Being a welcoming city means creating an environment in which all residents can thrive. This resolution sends a message that Galena is truly invested in making all backgrounds part of this community. Thompson urged the Council to support the resolution.

**Dick Auman, 701 Young Street** – Auman urged the Council to reflect on the distinction between legal rights and human rights and have the courage to make a public statement that holds human rights above others. Auman encouraged the council to approve the welcome city resolution.

**Carmella Cordero, 225 Blackhawk Trace** - Cordero spoke in support of the welcome city resolution. In adopting the resolution, they are not asking to harbor criminals. They are simply asking that Galena protect the human rights that every human person has.

**Ann Williams, 417 Franklin Street** – Williams spoke in support of the welcome city resolution. She urged the Council to take it upon them to endorse the resolution and not play into political fear.

**Lynn Werner, 7941 W. Heller Lane** – Werner spoke in support of the welcome city resolution. She stated approval does not change anything. It simply states Galena will continue to protect the vulnerable in our midst.

**Joan Wallace 703 S. Bench Street** – Wallace stated she does not embrace welcoming criminals; undocumented immigrants are criminals. She too feels the system is not broken. It has been working fine for years. She does not see how bringing in undocumented immigrants improves things.

**Chris Denino, 618 Gear Street** – Denino spoke in support of the welcome city resolution. The resolution is not a law. It is simply a statement of how we feel. She feels the resolution is not because we need it. It is that those who are threatened need to know it.

**Walter Johnson, 507 Gear Street** – Johnson stated he supports the welcome city resolution

**Cynthia Jacobson, Galena** – Jacobson spoke in support of the welcome city resolution. She has had many encounters with immigrants and they have been some of the most honest, considerate and skillful people she has dealt with. She noted the legal expense and time-consuming process of becoming legal makes it difficult for people to go through the process.

**Deb Hyland, 311 Winnebago** – Hyland spoke in opposition to the welcome city resolution. Hyland stated the issue here is whether it is legal to violate the illegal immigration laws. She feels while we should show love and compassion, it is not the right of the city to impose, ignore or chose not to enforce state and federal laws.

**Janet Eggleston, 510 Spring Street** – Eggleston spoke in support of the welcome city resolution. She feels the resolution is not asking that any state or national law be broken. It is simply asking that immigration status not be the central core of how we relate to those around us. It is asking for the City to be a place of welcome.

**CONSENT AGENDA CA17-4**

**17C-0088 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 27, 2017**

**17C-0089 – APPROVAL OF ADDITION OF JOHN GOLDEN, COMPANY “F” OF THE 96<sup>TH</sup> ILLINOIS INFANTRY, TO THE CIVIL WAR VETERANS MEMORIAL IN GRANT PARK**

**17C-0090 – ACCEPTANCE OF JANUARY 2017 FINANCIAL REPORT**

**Motion:** Hahn moved, seconded by Westemeier, to approve Consent Agenda CA17-4 as presented.

**Discussion:** None.

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

The motion carried.

**NEW BUSINESS**

**17C-0091 – DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION DESIGNATING THE CITY OF GALENA, ILLINOIS AS A “WELCOMING CITY”**

**Motion:** Lincoln moved, seconded by Hahn, to postpone item 17C-0091 indefinitely.

**Discussion:** Bernstein stated she feels, in these uncertain times, it is appropriate to make this statement.

Lincoln stated he would prefer to have the item tabled to allow the City Attorney and staff time to look it over and make any necessary changes.

Mayor Renner advised it is our message that the City of Galena welcomes everybody. The City of Galena treats all residents equally and without discrimination and will continue to do so. His message to all residents is that we value them and we appreciate their contributions to the community.

**17C-0092 – FIRST READING OF AN ORDINANCE TITLED, “ESTABLISHING THE CABLE/VIDEO SERVICE PROVIDER FEE AND ADOPTING THE CABLE AND VIDEO CUSTOMER PROTECTION LAW”**

**Motion:** Lincoln moved, seconded by Hahn, to approve the first reading and waive the second reading of an ordinance titled, “Establishing the Cable/Video Service Provider Fee and Adopting the Cable and Video Customer Protection Law”.

**Discussion:** Fach questioned if approval of this takes away the city’s right to negotiate. Moran advised it does. This will replace the existing franchise fee in its entirety. The City never had control over the rates. This will free cable companies of having to play by a number of different rules in different communities.

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

The motion carried.

**17C-0093 – FIRST READING OF AN ORDINANCE TITLED “ESTABLISHING STANDARDS FOR THE CONSTRUCTION OF FACILITIES ON THE RIGHTS-OF-WAY”**

**Motion:** Hahn moved, seconded by Westemeier, to approve the first reading and waive the second reading of an ordinance titled “Establishing Standards for the Construction of Facilities on the Right-of-Way”.

**Discussion:** None.

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

The motion carried.

**17C-0094– DISCUSSION AND POSSIBLE ACTION ON CHANGE ORDER #2 (1) FOR DOWNTOWN SIDEWALK REPLACEMENT PROJECT**

**Motion:** Westemeier moved, seconded by Fach, to approve Change Order #1 for the Downtown Sidewalk Replacement Project, 17C-0094.

**Discussion:** It was noted this was Change Order #1 and not #2 as listed on the agenda.

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

The motion carried.

**17C-0095– DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR THE FRANKLIN STREET DRAINAGE STRUCTURE REPLACEMENT PROJECT**

The following bids were received:

Ref.	Contractor	Base Bid
1	Louie’s Trenching Service	\$149,235.00
2	Civil Constructors	\$108,231.72
3	Fischer Excavating	\$178,760.00
4	MNS Construction	\$184,720.00

**Motion:** Fach moved, seconded by Lincoln, to approve the bid with Civil Constructors for the sum of \$108,231.72 for the Franklin Street intake structure, 17C-0095.

**Discussion:** None.

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

The motion carried.

**17C-0096– DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR THE REPLACEMENT OF THE FIRE DEPARTMENT DRIVEWAY**

The following bids were received:

Contractor	Base Bid	Alternate Items
Civil Constructors, Inc.	\$59,932.80	\$13,999.50
Louie's Trenching Service	\$72,928.00	\$12,490.00
M&N Sproule Construction	\$94,873.00	\$10,190.00

**Motion:** Fach moved, seconded by Lincoln, to approve the bid of \$59,932.80 from Civil Constructors to perform the work for the base bid items as well as alternate items A1-A2 for the colorant and street work, totaling \$10,620.

**Discussion:** Council was in favor of eliminating the exposed aggregate.

Lincoln questioned if the colorant would affect the integrity of the concrete. Lewis advised it would not affect the integrity.

Lewis advised the contractor wished to do the work at the same time as Franklin Street. He recommended approving the contract. The ordinance with regard to the sidewalk component can be changed at a later date and a change order can be made.

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

The motion carried.

**17C-0097– DISCUSSION AND POSSIBLE ACTION ON RESTROOM FACILITIES AT GATEWAY PARK**

In a memo to Council, Janelle Keeffer, Facilities Manager, advised in 2014 the City received grant approval from the Illinois Department of Commerce and Economic Opportunity (DCEO) for construction of public restrooms at Gateway Park. The original grant was for \$50,000. Plans were designed for a permanent structure. The City received a check in the amount of \$12,500 upfront to fund the project.

The City has since received a letter from DCEO rescinding the grant due to budget cuts, with the exception of the \$12,500, which has already been paid to the city. In accordance with the grant, the project must be completed before May 1<sup>st</sup> or the city will be required to forfeit the \$12,500 received.

City Staff and the Gateway Team proposed the following:

**Utilizing DCEO Grant Money**

- Purchase one ADA compliant porta potty \$ 3,000
- Build a privacy fence around the porta potty \$ 3,000
- Install motion sensor, solar-powered security lighting \$ 4,500
- Re-grading of gravel leading to the existing concrete pad \$ 2,000
- **Subtotal Grant Money Proposed Use \$12,500**

**Annual Budget/Expense for the City**

- Weekly cleaning and monthly dumping of porta potty

• \$115/month x 12 months + \$100 winterization	\$ <u>1,500</u>
<b>Subtotal City Budget Annual Expense</b>	<b>\$ 1,500</b>

**Motion:** Bernstein moved, seconded by Fach, to approve the proposed restroom facilities at Gateway Park, 17C-0097.

**Discussion:** Council agreed this is the best we can do under the circumstances.

Hahn stated it appears the City will be paying for the weekly cleaning and dumping of the porta potty. It was his understanding no city funds would be used. Moran advised the acquisition and development was done using outside funding. This would be a change in that the City would have to maintain the facility. This is the cheapest way to meet the basic needs of the parks.

Moran advised the PVC pipes would be cut flush and capped. Staff is looking into the possibility of providing a drinking fountain. There is no low cost solution at this time to use the sewer.

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

The motion carried.

**17C-0098– DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF THE JANITORIAL CONTRACT FOR THE PUBLIC WORKS BUILDING**

**Motion:** Fach moved, seconded by Westemeier, to approve the renewal of the janitorial contract for the Public Works Building with Jeremy White in the amount of \$110 per month.

**Discussion:** None.

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

The motion carried.

**17C-0099– DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF THE JANITORIAL CONTRACT FOR TURNER HALL**

**Motion:** Hahn moved, seconded by Hahn, to approve the renewal of the janitorial contract for Turner Hall with White Construction.

**Discussion:** Bernstein questioned if more work is required either weekly or monthly, would they be paid more? Moran advised they would not receive additional money.

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

The motion carried.

**17C-0100– DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF THE JANITORIAL CONTRACT FOR CITY HALL AND PARK RESTROOMS**

Current and proposed janitorial costs:

Facility	Current Cost	Proposed Cost
Recreation Park North	\$450	\$510
Recreation Park South	\$450	\$510
Grant Park	\$450	\$510
City Hall	\$480	\$560
City Hall Public Restrooms	\$450	\$540

**Motion:** Fach moved, seconded by Bernstein, to approve the parks and city hall janitorial contracts with Mary Halstead for the amounts shown, 17C-0100.

**Discussion:** Moran advised this is Halstead's fourth year. She had no cost increases in the first three years.

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

The motion carried.

**17C-0101– DISCUSSION AND POSSIBLE ACTION ON BIDDING THE JANITORIAL CONTRACT FOR THE MARKET HOUSE PUBLIC RESTROOMS**

**Motion:** Bernstein moved, seconded by Fach to go out for bid on the janitorial contract for the Market House Public Restrooms, 17C-0101.

**Discussion:** Moran advised staff has been monitoring the restrooms closely. We are trying to achieve a higher level of cleanliness and service to the public. Staff feels it makes sense at this time to see what else is out there in terms of contractors available to clean this restroom.

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

The motion carried.

**17C-0102– DISCUSSION AND POSSIBLE ACTION ON REQUEST BY THE BLACKHAWK AREA COUNCIL OF THE BOY SCOUTS OF AMERICA FOR CAMPING ON THE RIVERFRONT**

This item was withdrawn at the request of the applicant.

**17C-0103 – WARRANTS**

**Motion:** Fach moved, seconded by Hahn, to approve the Warrants as presented, 17C-0103.

**Discussion:** None.

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

The motion carried.

**17C-0104 – ALDERPERSONS' COMMENTS**

**Thank you** – Bernstein thanked Mayor Renner for his comments prompted by the presentation of the Welcome City Resolution. Fach agreed.

**St. Patrick's Day Activities** – Westemeier reported the weekend was busy. The parade and Shamrock Shimmy went well.

**Downtown Sidewalks** – Fach advised he received a call from someone who's Aunt has had problems with her walker getting stuck in the bricks. He stated the architects and engineers that planned that should have put the bricks in the gutter rather than the sidewalk.

**War Memorial** – Fach stated when you look down at the War Memorial from Bench Street, the curved brick in the concrete looks very nice. He would like to see the City save those as it is a very appealing design.

**Paid Parking Kiosks** – Fach stated he hopes the boxes from the parking kiosks will go directly to the bank and not brought into City Hall and counted.

**Sidewalks** – Fach suggested the city tax Main Street merchants for sidewalks.

**Thank you** – Hahn thanked the Galena Elk's Club and the Galena ARC for the good job on the Shamrock Shimmy. They had approximately 60 kids and 150 adults participate. It was cold but everyone had a good time. The parade also went well.

**Gateway Park** – Hahn noted his comments on the restrooms are not against the great people who take care of Gateway Park.

#### **17C-0105 – CITY ADMINISTRATOR'S REPORT**

**Boy Scouts** – Moran advised the agenda item was removed at the request of the Boy Scouts.

**Budget** – Moran distributed copies of the first draft of the budget. The first work session will be held April 3, 2017 at 5:00 p.m.

#### **17C-0106 – MAYOR'S REPORT**

Mayor Renner thanked the Elk's and the ARC. It was a great weekend with a good crowd.

#### **17C-0107 – MOTION FOR EXECUTIVE SESSION**

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

- Collective negotiating matters and deliberations concerning salary schedules, Section 2 (c) (2)
- Review of Executive Session Minutes, Section 2 (c) (21)

**Discussion:** None.

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

The motion carried.

The meeting recessed at 7:52 p.m.

The meeting reconvened at 8:16 p.m.

**17C-0108 - ADJOURNMENT**

**Motion:** Fach moved, seconded by Hahn, to adjourn.

**Discussion:** None.

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

The motion carried.

The meeting adjourned at 8:16 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