

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 8 JULY 2019

19C-0277 – 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 8 July 2019.

19C-0278 – ROLL CALL

Upon roll call, the following members were present: Allendorf, Bernstein, Hahn, Kieffer, McCoy, Westemeier, Renner

19C-0279 – ESTABLISHMENT OF QUORUM

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

19C-0280 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

19C-0281 - REPORTS OF STANDING COMMITTEE

No reports.

19C-0282 – CITIZENS COMMENTS

Adam Johnson, 211 4th Street – Johnson recommended council use the same logic as they used with open burn at the last meeting and make things safe and legal by regulating vacation rentals. He feels the City should continue to allow everyone to take part in vacation rentals instead of just the first lucky few. Johnson recommended adding another 20 licenses to see how that goes. He feels it could level out. He further recommended council let zoning work and let the people oppose at the zoning hearings when the time is right. To his knowledge nobody has opposed or complained about vacation rentals. Johnson was in favor of allowing a free market and allowing zoning to work.

Ron Leinen, 511 Fourth Street – Leinen urged the council to allow vacation rentals to continue. There has been a significant increase in occupancy tax and food and beverage tax is up as well. There has been no indication that vacation rentals have had a negative impact. Leinen urged the council to let the market determine what is right. Leinen feels, if vacation rentals are going to be limited based on density formulas, different neighborhoods must be looked at differently. It can't be a one size fits all, as some neighborhoods are more accommodating than others.

Terry Cole, 330 Spring Street – Cole stated he started with his Bed and Breakfast business 30 years ago. Their original Bed and Breakfast was at 117 N. Main Street. They then purchased two buildings along Highway 20 and renovated those buildings adding 10 units. They were full all the time on weekends. Once the last new hotel went in, bookings went down. Now Air Bed Breakfast comes in with 20 units in the residential areas and 72 proposed for the commercial district. All those units without parking. The owners aren't required to invest in any of that. He voiced concern with making the "pie" bigger and chopping out existing businesses. Cole noted other long-time businesses are feeling it as well.

Presentation: Mayor Renner presented James Post with a Mayoral Proclamation.

LIQUOR COMMISSION

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

Discussion: None.

Roll Call: AYES: Bernstein, Hahn, Kieffer, McCoy, Westemeier, Allendorf, Renner
NAYS: None

The motion carried.

19C-0283 – DISCUSSION AND POSSIBLE ACTION ON A CLASS A CORPORATION LIQUOR LICENSE FOR ELIZABETH A. KEMPNER, DBA “BUBBLY, INC.”, 116 S. MAIN STREET

Motion: Westemeier moved, seconded by Allendorf, to approve a Class A Corporation Liquor License for Elizabeth A. Kempner, DBA “Bubbly, Inc.”, 116 S. Main Street, item 19C-0283.

Discussion: None.

Roll Call: AYES: Hahn, Kieffer, McCoy, Westemeier, Allendorf, Bernstein, Renner
NAYS: None

The motion carried.

19C-0284 – DISCUSSION AND POSSIBLE ACTION ON A CORPORATION MANAGER’S LIQUOR LICENSE FOR ELIZABETH A. KEMPNER, DBA “BUBBLY, INC.”, 116 S. MAIN STREET

Motion: Bernstein moved, seconded by Allendorf, to approve a Manager’s Liquor License for Elizabeth A. Kempner, DBA “Bubbly, Inc.”, 116 S. Main Street, item 19C-0284.

Discussion: None.

Roll Call: AYES: Kieffer, McCoy, Westemeier, Allendorf, Bernstein, Hahn, Renner
NAYS: None

The motion carried.

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

Discussion: None.

Roll Call: AYES: McCoy, Westemeier, Allendorf, Bernstein, Hahn, Kieffer, Renner
NAYS: None

The motion carried.

CONSENT AGENDA CA19-14

19C-0285 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 24, 2019

19C-0286 – APPROVAL OF BUDGET AMENDMENT BA19-05 FOR FINAL BIKE TRAIL GRANT REVENUES AND EXPENDITURES

19C-0287 – APPROVAL OF BUDGET AMENDMENT BA20-01 FOR RECEIVING DONATIONS FOR THE DOG PARK

19C-0288 – APPROVAL OF A REQUEST BY THE GALENA UNITED METHODIST CHURCH HOPE YOUTH GROUP TO PARK VEHICLES IN THE CITY LOT BELOW THE GAZETTE DURING OKTOBERFEST, COUNTRY FAIR AND HALLOWEEN PARADE WEEKENDS IN 2019

19C-0289 – APPROVAL OF REQUEST BY THE GALENA LIONS CLUB FOR A FAMILY MOVIE IN DEPOT PARK ON OCTOBER 4, 2019 FROM 6:00 P.M. TO 10:00 P.M.

19C-0290 – APPROVAL OF A REQUEST BY THE GALENA AREA CHAMBER OF COMMERCE TO RESTRICT MAIN STREET PARKING BEGINNING AT 3:00 P.M. ON OCTOBER 26, 2019 FOR THE HALLOWEEN PARADE

Motion: Kieffer moved, seconded by McCoy, to approve Consent Agenda, CA19-14.

Discussion: None.

Roll Call: AYES: Westemeier, Allendorf, Bernstein, Hahn, Kieffer, McCoy, Renner
NAYS: None

The motion carried.

UNFINISHED BUSINESS

19C-0270 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE TO ACCEPT OWNERSHIP BY DEDICATION OF THE PUBLIC STREETS, WATER DISTRIBUTION SYSTEM, AND STORM WATER SYSTEM IN THE TIMP'S SUBDIVISION – PHASE 2

Motion: Hahn moved, seconded by Allendorf, to approve the second reading of an ordinance to accept ownership by dedication of the public streets, water distribution system and storm water system in the Timp's Subdivision – Phase 2, item 19C-0270.

Discussion: None.

Roll Call: AYES: Allendorf, Bernstein, Hahn, Kieffer, McCoy, Westemeier, Renner
NAYS: None

The motion carried.

NEW BUSINESS

19C-0291 – DISCUSSION AND POSSIBLE ACTION ON MODIFYING VACATION RENTAL ORDINANCE

Motion: Allendorf moved, seconded by Westemeier, to approve modifications to the Vacation Rental Ordinance amended to include capping the Downtown Commercial District at 69 units, Other Commercial Districts at 5 units, Residential District at 20 units and adding a density radius of 8 percent or 5 units per 63 dwelling units with review again in a year.

Discussion: Allendorf stated he would like to see a lower limit set now and raise it in the future if necessary. He noted those units in the downtown are using parking spaces and aren't necessarily contributing to the parking situation. He was in favor of capping it at the low end for now and discussing a permit program in the future, so they are paying something towards increasing the number of parking spaces downtown. Westemeier agreed.

McCoy stated he would be more in favor of putting a moratorium on vacation rentals for a year. After that year, look at them and see how it has affected everyone. He hates to see those that have been here hurt by this.

Kieffer stated he would be in favor of capping them.

Bernstein questioned if placing a moratorium on them would still allow those who have already applied to receive a license. She was advised if they have submitted their application they would receive their license. If not, then they would not.

Bernstein stated she would be in favor of capping the residential units. She would also like to see the density regulations applied to any future applicants. There is always a possibility that someone may choose to drop out, in which case another applicant could be considered provided they meet the density requirement.

Renner noted a Special Use Permit is issued for vacation rentals. The special use goes to the address and not the person.

Hahn stated he would be in favor of capping the Downtown Commercial at 25% for a total of 84 units for now and see where it ends up. Hahn stated he would be in favor of applying the density regulations to the residential units.

Oldenburg reminded Council a property must be in the Historic District or historically landmarked to qualify for a vacation rental.

Allendorf recommended limiting other commercial districts to 5 or 6 units in those areas, capping the downtown commercial at 69 potential dwellings and maintaining a cap of 20 in the residential area. McCoy agreed.

Bernstein stated she would like to see the cap put in place but would still like to see the 8 percent density applied to future applications. Allendorf also liked this idea to prevent neighborhoods with having an over abundance of vacation rentals.

Allendorf recommended staff look at some kind of parking permit to be required so they are contributing to potential capital improvements in the downtown to ease parking.

Amended

Motion: Allendorf moved, seconded by Kieffer, to amend the motion to include capping the downtown commercial at 69 units, other commercial districts at 5 units, residential district at 20 units with the addition of the density radius of 8 percent or 5 per 63 dwelling units and review in one year.

Discussion: None.

Amended

Motion

Roll Call:

AYES: Hahn, Kieffer, Westemeier, Allendorf, Bernstein, Renner
NAYS: McCoy

The motion carried.

Main

Motion

Roll Call:

AYES: Hahn, Kieffer, Westemeier, Allendorf, Bernstein, Renner
NAYS: McCoy

The motion carried.

19C-0292 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR STREET LIGHT POLE AND FIXTURE PAINTING

The following bid was received:

#	ITEM	UNIT	QUANTITY	UNIT COST \$	AMOUNT \$
1	Clean and paint light column with double lantern on Riverside Drive	Each	11	865.00	9515.00
2	Clean and paint light column on stairs to library	Each	4	240.00	960.00
3	Clean and paint traffic light column	Each	4	575.00	2300.00
4	Clean and paint traffic light column with arm	Each	6	1380.00	8280.00
5	Clean and paint bollard on Riverside Drive	Each	8	75.00	600.00
	TOTAL COST				21,655.00

Motion: Hahn moved, seconded by Allendorf, to approve a contract for street light pole and fixture painting with All Star Power Wash in the amount of \$21,655.00.

Discussion: None.

Roll Call: AYES: Kieffer, McCoy, Westemeier, Allendorf, Bernstein, Hahn, Renner
NAYS: None

The motion carried.

19C-0293 – WARRANTS

Motion: Kieffer moved, seconded by Hahn, to approve the Warrants as presented, 19C-0293.

Discussion: None.

Roll Call: AYES: McCoy, Westemeier, Allendorf, Bernstein, Hahn, Kieffer, Renner
NAYS: None

The motion carried.

19C-0294 – ALDERPERSONS' COMMENTS

Hill/Dodge St. Intersection – Bernstein recommended adding signage on Dodge Street warning motorists of a dangerous intersection. She has witnessed two accidents at that intersection.

Weekend – Westemeier stated it was a great weekend with great weather and great fireworks. The downtown was busy.

4th of July – McCoy stated he loves being a “Galenian” on the 4th of July. We have the greatest small-town celebration around. Hahn agreed.

Gear Street – Kieffer commented everyone must love Gear Street!

19C-0294 – CITY ADMINISTRATOR'S REPORT

4th of July – Moran thanked the Galena ARC for the 4th of July events at the park noting a ton of work goes into the event and they do a great job. Moran also thanked the Kiwanis Club for the fireworks. They are the group that makes the fireworks happen by raising the funds necessary to make those things go into the sky.

19C-0295 – MAYOR’S REPORT

Mayor Renner thanked everyone for the 4th of July. Renner noted he will be absent for the next meeting so Mayor Pro-Tem Kieffer will be chairing the meeting.

19C-0296 – MOTION FOR EXECUTIVE SESSION

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

- Employee hiring, firing, compensation, discipline and performance, Section 2 (c) (1)
- Pending, probable or imminent litigation, Section 2 (c) (11)
- Review of Executive Session Minutes, Section 2 (c) (21)

Discussion: None.

Roll Call: AYES: Westemeier, Allendorf, Bernstein, Hahn, Kieffer, McCoy, Renner
NAYS: None

The motion carried.

The meeting recessed at 7:20 p.m.

The meeting reconvened at 7:45 p.m.

19C-0297 - ADJOURNMENT

Motion: Hahn moved, seconded by Westemeier to adjourn.

Discussion: None.

Roll Call: AYES: Hahn, Kieffer, McCoy, Westemeier, Allendorf, Bernstein, Renner
NAYS: None

The motion carried.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,



Mary Beth Hyde
City Clerk