

**MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 26 AUGUST 2019**

**19C-0342 – 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 26 August 2019.

**19C-0343 – ROLL CALL**

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

Absent: McCoy

**19C-0344 – ESTABLISHMENT OF QUORUM**

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

**19C-0345 – PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**19C-0346 - REPORTS OF STANDING COMMITTEE**

No reports.

**19C-0347 – CITIZENS COMMENTS**

**Rose Noble, Committee Member, Christkindlemarket** – Noble advised she is serving on the committee for the Christkindlemarket and would be available should the council have any questions.

**Matt Trotter, US Water** – Trotter updated the council on the transition status. Veolia has exhibited a lot of professionalism in helping with the transition. They have shared information and access to things. US Water has had a presence in Galena every day since July 30<sup>th</sup>. They had five people in town for the first two weeks. They worked on transferring computers and networking. Since the 1<sup>st</sup> of August they have been working with employees. They retained all onsite employees. They have reviewed all policies and procedures and revised and changed where necessary. They have been working on an extensive asset inventory and assessment which will be valuable in moving forward and defining the course of the contract.

**Jae Hezlep, Coatsworth Senior Center Resident, 126 S. Main Street** – Hezlep advised she is present, along with her neighbors, on behalf of Coatsworth residents. She urged the council to consider their request to change the two spaces in front of the Coatsworth to a loading zone 24 hours per day, 7 days per week and to make the parking space to the north of the loading zone a handicapped parking space. Hezlep advised there are currently no other handicapped parking spaces in this block.

**Resident, Coatsworth Senior Center, 126 S. Main Street** – The resident spoke in support of their request to change the loading zone and add the handicapped stall.

**Cathy Carlson, Resident, Coatsworth Senior Center** – Carlson advised she is legally blind. Her mother frequently picks her up and drops her off in the evening and on weekends in front of the Coatsworth. Typically, her mother has to stop at the corner and partially block Washington Street where she is unable to leave her car to assist Carlson. Carlson urged the Council to consider their request for the handicapped stall and loading zone changes.

**Bill Fawell, 617 Ridge** – Fawell urged the council to consider sending the Vacation Rental Ordinance back to staff to allow them to come up with something that can work all the way around.

**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, Westemeier, Allendorf, Renner  
NAYS: None  
ABSENT: McCoy

The motion carried.

**19C-0348 – DISCUSSION AND POSSIBLE ACTION ON AN APPLICATION FOR A CLASS M LIQUOR LICENSE BY MARK J. TIERNO FOR FARMERS GUEST HOUSE, INC., 334 SPRING STREET**

**Motion:** Bernstein moved, seconded by Allendorf, to approve the application for a Class M Liquor License by Mark J. Tierno for Farmers Guest House, Inc., 334 Spring Street.

**Discussion:** None.

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

The motion carried.

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

**Discussion:** None.

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

The motion carried.

**CONSENT AGENDA CA19-18**

**19C-0349 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 12, 2019**

**19C-0350 – APPROVAL OF BUDGET AMENDMENT BA20-04 FOR GRANT PARK OVAL GARDEN CONSTRUCTION EXPENSES CARRIED OVER INTO CURRENT FISCAL YEAR**

**19C-0351 – APPROVAL OF CHANGE ORDER #1 FOR THE GRANT PARK ADA PARKING PROJECT**

**19C-0352 – APPROVAL OF BIDDING SINGLE AXLE DUMP TRUCK WITH PLOW, SPREADER AND DUMP BOX FOR PURCHASE IN FISCAL YEAR 2020-21**

**Motion:** Kieffer moved, seconded by Bernstein, to approve Consent Agenda, CA19-18.

**Discussion:** None.

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

The motion carried.

**UNFINISHED BUSINESS**

**19C-0334 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE AMENDING CHAPTER 112 OF THE GALENA CODE OF ORDINANCES SETTING LIMITS ON THE NUMBER OF LICENSES FOR VACATION RENTALS.**

**Motion:** Allendorf moved, seconded by Kieffer, to approve the second reading of an Ordinance amending Chapter 112 of the Galena Code of Ordinances setting limits on the number of licenses for vacation rentals amended to allow future applicants to make Special Use Permit requests to claim the unfulfilled licenses of previous applicants who abandon or default on their requests.

**Discussion:** Renner noted staff needed clarification if council wished to allow future applicants to make Special Use Permit requests to claim the unfulfilled licenses of previous applicants who abandon or default on their request. Oldenburg advised once the zoning is approved the applicant has 12 months to get up and running.

**Amended**

**Motion:** Allendorf moved, seconded by Kieffer, to amend the motion to allow future applicants to make Special Use Permit requests to claim the unfilled licenses of previous applicants who abandon or default on their requests.

**Amended**

**Motion**

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

The motion carried.

**Main**

**Motion**

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

The motion carried.

**NEW BUSINESS**

**19C-0353 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY COATSWORTH BUILDING RESIDENTS TO MODIFY PARKING ZONES IN THE 100 BLOCK OF SOUTH MAIN STREET**

**Motion:** Westemeier moved, seconded by Hahn, to postpone item 19C-0953, a request by Coatsworth building residents to modify parking zones in the 100 block of South Main Street to the September 23, 2019 meeting.

**19C-0354 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST FROM VISITGALENA.ORG TO HOST CHRISTKINDLMARKET IN DEPOT PARK, FROM THANKSGIVING TO CHRISTMAS, 2021-2023**

A motion to approve died for lack of a second. No further action taken.

**19C-0355 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR THE PARKING EXPANSION PROJECT AT REC PARK**

The following bids were received:

<b>Contractor</b>	<b>Base Bid</b>	<b>Alternate Bid</b>	<b>Total Bid</b>
Civil Constructors	\$73,232	\$3,400	\$76,615
Louie's Trenching Service	\$55,950	\$ 950	\$56,900
MNS Construction	\$65,377	\$3,000	\$68,377
Wienen Landscaping	\$71,283	\$5,760	\$77,043

**Motion:** Kieffer moved, seconded by Westemeier, to approve the contract for the parking expansion project at Rec Park with Louie's Trenching Service in the amount of \$56,900

**Discussion:** None.

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

The motion carried.

**19C-0356 – DISCUSSION AND POSSIBLE ACTION ON DRAFT ORDINANCE TO REGULATE ADULT-USE RECREATIONAL CANNABIS**

**Motion:** Allendorf moved, seconded by Hahn, to approve the draft ordinance to regulate adult-use recreational cannabis.

**Discussion:** Zoning Administrator, Matt Oldenburg, showed a preliminary map created by the GIS Department showing the areas where a cannabis business would be allowed. Businesses must be 250 feet from residentially zoned districts and must be 1,000 feet from a school and/or daycare facility. With these criteria applied, it would open up the small area between Commerce Street and the levee as well as areas in Industrial Park that are zoned Heavy Industrial. Oldenburg explained, should the council wish to move forward, he would initiate the text amendments to the Zoning Board in September and would work through the process.

Oldenburg advised the County could create their own regulations to allow a cannabis business. If rezoning were involved in the mile-and-one-half area it would require a super majority of the County Board to over-turn it.

Bernstein questioned if the City could limit the number of facilities located within the City. Attorney Nack stated, with the distance restrictions and regulations in the State Statute, he feels it would take care of itself so limiting the number would not be necessary.

Oldenburg explained a Cultivation Center can be an indoor facility or outdoor. A Craft Grower would be an indoor facility. Oldenburg advised we have a Limited Ag District on Donegan which would be far enough away from residences to have an outdoor facility. The outdoor facility would

be required to have an extensive amount of security such as a fenced area with video cameras and full security.

Oldenburg explained an Infuser Organization uses the diluted extract of the THC which is used for injecting such as in cooking and/or gummy bears. The infused product is for the edible market and is very regulated.

Renner questioned if the Council wished to allow all six types of operations in town or just the dispensary? Nack stated there are plenty of restrictions based on a small town that are going to set limits. If someone wants to try building a craft grower operation in Industrial Park, he feels it would provide good jobs and more revenues. He sees no reason to restrict it to just dispensaries. Westemeier agreed.

**Roll Call:** AYES: Westemeier, Allendorf, Bernstein, Hahn, Kieffer  
NAYS: Renner  
ABSENT: McCoy

The motion carried.

**19C-0357 – FIRST READING OF AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GALENA BY THE ADDITION OF CHAPTER 35.150 IMPOSING A MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX**

**Motion:** Hahn moved, seconded by Kieffer, to approve an ordinance amending the Municipal Code of the City of Galena by the addition of Chapter 35.150 imposing a Municipal Cannabis Retailers' Occupation Tax, 19C-0357.

**Discussion:** None.

**Roll Call:** AYES: Westemeier, Allendorf, Bernstein, Hahn, Kieffer  
NAYS: Renner  
ABSENT: McCoy

The motion carried.

**19C-0358 – WARRANTS**

**Motion:** Kieffer moved, seconded by Allendorf, to approve the Warrants as presented, 19C-0358.

**Discussion:** None.

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

The motion carried.

**19C-0359 – ALDERPERSONS' COMMENTS**

**Cannabis Ordinance** – Allendorf thanked staff for the cannabis ordinance. He echoed what fellow members have said that it is going to be here no matter what so we may as well get the tax benefits.

**Air B & B** – Allendorf stated we don't really understand the effects of the Air B & B's. The City can review it in a year.

**Construction Trailers** – Westemeier feels the City needs to look into what can be done with construction trailers/trucks taking up parking stalls for weeks at a time. He recommends they be required to move them on Friday and be brought back on Monday. Kieffer agreed.

**Public Works** – Bernstein advised there was a dead deer in the Old City Cemetery. Public Works was called, and it was removed within a couple hours. Bernstein thanked Public Works for their fast action.

**Mowing/Old City Cemetery** – Bernstein stated, while Dale Glick commends the Public Works Department for the job they do in the cemetery, he sees a problem with the equipment not being able to get close to headstones. There is a lot of grass growing up around the headstones and a weed wacker cannot be used. He suggested having a landscaper go up there three times in the season to mow around the headstones. Bernstein questioned if the City could afford to do that or put it in the budget for next year.

**Coatsworth** – Bernstein stated she hopes the City can come to some sort of solution for the people at Coatsworth as it is a hardship for them.

**Hospital Turn Lanes** – Hahn reported they are hoping to have the turn lanes started in the Spring. The plans have been submitted to the state and approved. They are meeting with Representative Chesney next week and Congresswoman Bustos the next week. The project is estimated to be \$2.5 million. Hahn stated he would like to see the City do what we can to support the push for the State. In the original concept, the state was going to fund it.

**19C-0360 – CITY ADMINISTRATOR’S REPORT**

**Audit** – Moran reported the Audit has been completed and he is waiting for the final draft.

**Street Paving** – Street paving will begin in two weeks. Residents have been notified by letter.

**19C-0361 – MAYOR’S REPORT**

Mayor Renner agreed with the comments made stating we will keep plugging away at the wish list. He thanked staff for the ordinance and the hard work.

**19C-0362 – ADJOURNMENT**

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

**Discussion:** None.

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

The motion carried.

The meeting adjourned at 7:18 p.m.

Respectfully submitted,



Mary Beth Hyde  
City Clerk