MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 14 NOVEMBER 2022

22C-0422 – 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 2022.

22C-0423 – ROLL CALL

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

22C-0424 – ESTABLISHMENT OF QUORUM

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

22C-0425 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

22C-0426 - REPORTS OF STANDING COMMITTEE

No reports.

22C-0427 – CITIZENS COMMENTS

Barb Hocker, 606 Dewey Avenue – On behalf of the Galena Area Chamber Board of Directors, Hocker thanked everyone who helped make the Halloween parade a success. City staff was extremely helpful and the attention to detail was unmatched. There were some last-minute challenges, but nothing that cannot be corrected for the future. Hocker appreciates the city's continued support of the Chamber of Commerce.

PUBLIC HEARING

22C-0428 – PUBLIC HEARING ON A PROPOSED AMENDMENT TO AN ANNEXATION AGREEMENT BETWEEN THE CITY OF GALENA AND TRUE NORTH QUALITY HOMES, LLC, OR THEIR GRANTEES, HEIRS, SUCCESSORS, OR ASSIGNS, DATED MAY 11, 2022, TO ANNEX AND ADD 18.239 ACRES TO THE PLANNED UNIT DEVELOPMENT PLAN

Motion: McCoy moved, seconded by Wienen, to open the Public Hearing on the proposed amendment to an annexation agreement between the City of Galena and True North Quality Homes, LLC, or their grantees, heirs, successors, or assigns, dated May 11, 2022, to annex and add 18.239 acres to the Planned Unit Development plan.

Discussion: None.

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

The motion carried.

City Attorney, Nack swore in those wishing to testify.

Testimony: **Jim Baranski. 1015 S. Bench** – Baranski thanked the City Council for considering the amendment and annexation and advised they are present should there be any questions.

Kathleen Webster, 2170 N. Blackjack Road (311 Rives Street) – Webster spoke in opposition to the annexation agreement. Webster noted the development would be serviced by water and sewer services, meanwhile nearby residences have wells and septic systems and have never been offered the opportunity to have anything else. She questioned if our sewage treatment plant can handle 600-1000 more people flushing, bathing, swimming, dining and making wine? She voiced concern primary access roads are still being discussed, including the fact the two entrances off Highway 20, Third and Fourth Streets, have been classified as dangerous by IDOT. Webster stated moving the entrance a little farther east is not going to help the traffic at those two intersections. Webster feels this project will have a major negative impact on the quality of life in the adjacent southeast corner of Galena and property values will drop. Webster also feels the proposal does not comply with the city's Comprehensive Plan. Webster voiced concern there is a severe shortage of entry level employees in the area as well as housing for those employees. Webster feels more development, especially the wrong kind of development, will endanger Galena's reputation of being a great place to visit work, live and raise a family.

Darlene Farrey, 1974 N. Blackjack Road – Farrey stated she objects to the annexation agreement to annex the 18.239 acres to the Planned Unit Development adjoining her property. Farrey stated, while she believes tourism is important to Galena, safety is much more important. Farrey feels there is a reason there is a sign noting dangerous intersection and a reason IDOT flagged the 4th Street intersection as the highest category of dangerous intersections in the state. Farrey voiced concern with the driveway access the development proposes to use as well as the additional traffic on Blackjack Road.

Wendy Clark 1107 4th Street – Clark questioned, if the purpose of the added eighteen acres is to add a road and to grow grapes, why does it have to be added into the city? While the application states it will have water and sewer, it does not say for what purpose. Clark questioned if it is for future development. Clark questioned if the ag based tax revenue from this parcel will offset the cost of maintaining those services. She urged the council to get answers to those questions, before deciding to approve a legally binding contract to expand the city limits for a vineyard and a road.

Clark noted section 4.1 of the preliminary agreement states the city "shall" approve the preliminary PUD plan. Clark voiced concern with the lack of final documentation of the proceedings. While there is a signed memo from the Zoning Administrator, the minutes for the Zoning Board meeting will not be final until the meeting of December 14th. Clark noted the minutes included detailed statements from the applicants while testimony by the objectors is only briefly summarized and does not include some of the information objectors were unable to present when not allowed to use the audio-visual equipment.

Clark advised the Zoning Board recommended approval of the request for an amendment to the PUD plan to add an additional 18.239 acres upon annexation to the city. Clark feels this recommends adding the acreage, but it is not clear if it approves the other changes in the proposal for the existing PUD. Clark felt there were two separate actions to be considered: rezoning a newly added parcel and amending some features of an existing PUD.

Clark feels the application being recommended, minutes and instructions are inconsistent and unclear as to what is being considered for approval. Clark feels this may just be an issue of finding better or more precise words to describe those official actions or it may an issue of rushing too many actions into too short of a period. Clark feels both the original plan and the amendment fail to ensure that all of the proposed uses are addressed. Clark urged the council to defer action on the annexation and rezoning as it lacks specific detail.

Clark stated in order to use a PUD, the plan must demonstrate whether it provides more efficient infrastructure. This application does not. Instead, it requires addition to the city of complex, difficult to maintain and costly infrastructure. Clark stated it is also unclear why that infrastructure is to be extended to the eighteen acres as stated in the application.

Clark pointed out a request to use a PUD is only allowed if it reduces traffic demands. She feels this project will make increased traffic demands on streets in town without the streets or sidewalks to handle it.

Clark advised the city has received an email from the County Engineer, stating that roadway being constructed will potentially carry more traffic than many other public roads in the county. This email also requested analysis of impacts to the Highway 20 and 4th Street intersection based on the county and IDOT's concerns about the impacts there. Clark advised the City Administrator has stated the city has not done an impact analysis because the Zoning Ordinance does not specifically require it.

Clark referred to the Galena Bypass Final Environmental Impact Statement. The section titled System Capacity used data on commuter, household and transport traffic and concluded that the highway section thru Galena, including the sections at Third, Fourth and Bouthillier Street is already above its design and safety capacity. Other statements show that the level of service rating for that same section was in the second lowest category in 2006 and was projected to be the lowest capacity of flow breakdown by 2020, thus the reason the bypass was proposed. Clark stated she believes it is unacceptable for a governing body to knowingly create, through its decisions, a significant public safety risk.

Clark feels the deviations (Section 154.301 E) allowed for the preliminary Parker plan of oversized buildings, outdoor entertainment and others do not provide or contribute to community benefits. The deviations being requested in the annexation agreement include signage by right. Clark questions what community benefit that provides or contributes to. Clark stated neither the approved PUD nor the proposed amendment conform to the requirements of the ordinance.

Clark stated in addition to the traffic safety issues already mentioned, harm includes but is not limited to the following: 1. Diverting visitors from established lodging and from restaurant businesses. 2. Increased risk of flooding due to runoff. 3. Decreasing property values.

Clark advised at the meeting of November 9th the City Attorney asked the Zoning Board to comment on whether the project, as a whole, has benefits greater than negatives or the reverse. The draft minutes show that the testimony and fact-based information provided by the public was not discussed and/or not accurately referred to in their statements. Instead, they relied on personal opinion and unsupported speculation.

Clark stated the land use map designates contiguous growth areas. This application and the Zoning Administrators memo state that the Parker Development parcels are directly adjacent to one or more of the contiguous growth areas. Clark feels putting this development next to a contiguous growth area does not conform with the plan.

Clark agrees the Comprehensive Plan is a flexible document and changes should be made periodically; however, Section 12.4.6 states large scale changes should be avoided, or the plan loses its integrity. Clark feels the proposed annexation and rezoning are not even attempting to amend the plan, they are simply ignoring it. The agreement requires the city to approve the proposed plan and the rezoning to a PUD; however, the proposed uses do not conform to the requirements for use of a PUD nor do those uses require annexation into the city limits. The plan does not include enough information to create an ordinance that has sufficient detail as required to ensure that the future development will be as proposed and as envisioned. Clark stated it will significantly worsen a known public safety risk. It will create harm by adding that risk without providing demonstrated community benefit. Clark stated the annexation does not conform to the Comprehensive Plan and land use map.

Clark stated opposition to the Parker has been characterized as opposition to progress in general which she stated is simply not true. All of Galena's growth plans talk about how critical it is to keep Galena's rural character and surrounding natural environments as keys to its attraction and,

therefore, its success. Clark feels this is the wrong development in the wrong location and at the wrong time. Clark urged the council to exercise common sense and stop this development.

David Hanna – 1107 4th Street - Hanna spoke in opposition to the annexation and rezoning. Hanna stated the draft minutes of the November 9th meeting, included in the packet, do not provide a complete record of the testimony and evidence presented at the meeting. The minutes do not cover all of the information provided in testimony. Hanna advised he provided information with many specific references to sections of the ordinances and PUD application and not all of that is included in the minutes provided. Hanna noted during the November 9th meeting, the applicant was allowed to use the city's projector to present visual evidence and supporting materials during their testimony. The objectors were not allowed to use the city's projector to submit visual evidence and materials during their testimony. Hanna felt the hearing was held unequally and allowed the applicant to provide testimony and evidence during the hearing in a manner that objectors were not allowed.

Hanna stated the amendment to the annexation agreement does not provide adequate detail or clarity on the rezoning or what changes are being made to the PUD plan or any requirements for compliance with the plan or any promised long term community benefits and how they will be assured.

Hanna noted the annexation agreement amendment is based on the PUD amendment and the PUD amendment is not in conformance with the zoning ordinance. The city has also not followed the criteria or followed the process required by the zoning ordinance for approving or amending a preliminary plan. Testimony and evidence have been provided to the city highlighting some of these issues. Hanna feels the Zoning Boards determination and recommendation regarding the PUD amendment shows very little that testimony and evidence was discussed by the Zoning Board. Hanna feels much of the Zoning Boards rationale for the approval of the PUD is based on their personal opinions and speculations rather than careful consideration of testimony and facts. Many issues raised during the public hearing about lack of conformance with the ordinance and other issues were not discussed by the board.

Hanna stated traffic, street and public safety are a big concern of the community. Hanna stated it is extremely frustrating that city officials on the one hand agree that traffic is a problem and on the other hand say everything is ok, all while ignoring actual problems and suggesting that either nothing can be done or someone else should do something about it. Hanna stated the information presented to the city shows that the amendment is not in conformance with the zoning ordinance, and it should not be approved.

James Boho, 1477 S. Rocky Hill Road – Boho feels the City Council and the Zoning Board are confusing the public by ignoring and silence concerning the city code by refusing to discuss and answer questions concerning facts in city codes. Boho stated the 4th Street and Highway 20 intersection is a dangerous intersection. Boho stated the City Council is using emergency departments, police, fire and EMS, to support the Parker project and the safety issues involved with the Highway 20 and 4th Street intersection. Boho feels this is false and degrading to those departments as a safety-first issue. Boho urged the council to bring those emergency departments forward to answer questions in front of the public about the city's claim of their support for a critical and dangerous intersection.

Boho referred to the City of Galena Design Guidelines Manual. Boho stated at the meeting of November 9th before the Zoning Board, he mentioned issues related to the manual. Boho stated this manual identifies strong successful businesses that were required to adhere to this manual. Boho feels by creating the Parker we are creating a new corridor into the city. Boho voiced concern no one is looking at this manual.

Boho feels the City Council and the Zoning Board has put the City of Galena employees and volunteers into this mix. The council is asking them to stand aside from their oath and

commitment to the city ordinances and community. The city has put them in a compromised position involving their jobs in terms of honesty, honor and commitment related to their jobs.

Jana Frolich, 401 Boggess Street – Frolich spoke in opposition to the Parker development. Frolich questioned how the Parker development benefits Galena. She questions if adding another establishment to offer to tourists who may or may not continue to come justifies the cost. Frolich feels on the brink of a dwindling economy, we should be focusing on bringing in industry and better paying, living wage jobs. Frolich urged the council to ask at what cost this is to the community, the relationship of the community and not just tourism dollars.

Joan Murray, 706 Park Avenue - Murray stated, as a relator, she was appalled listening to the Zoning Board members suggesting that values could increase for the Davis Creek homeowners because the property next to land sold for over six times its actual market value. Murray advised that is not how it works. You do not compare commercial land to residential property to determine value. Murray stated the property values will decrease for owners impacted by this resort. Based on location, this development actually changes their location. Murray stated if the property were to remain agricultural, property values would increase in the future.

Murray questioned if an 18-acre parcel zoned agricultural can have a two-lane road to a commercial resort on it that is not annexed to the city. Murray questions if this is a benefit to the city or just the developer. Murray noted the Vincent property was sold while zoned agricultural. Based on the sale price and using it as a comparable, the assessor could justify significantly raising the tax value of all agricultural land within the mile-and-a-half of Galena.

Richard Pariser, 113 S. High Street – Pariser stated the language being considered refers to the health, safety and welfare of the general public. Pariser addressed the issue of Highway 20 and Blackjack Road. Pariser shared a profile from IDOT that clearly depicts US 20 at Blackjack Road. Over a 24-hour period, 6700 vehicles passed through that intersection. The traffic inbound and outbound on Blackjack Road was 1400. Pariser feels the proposed project is going to make this a bigger problem than we already have. Pariser stated, on the issue of safety, going ahead with this is going to be reckless and derelict. He urged the council to postpone this, slow it down and get a professional traffic study done.

REBUTTAL:

Jim Baranski, 1015 S. Bench Street – Baranski reminded the council that what they are considering is the amendment. The original project has already been approved. Baranski stated the amendment is not changing the intensity or density of the project. Whatever values were set at the first set of hearings still holds. The applicant is not asking for more roads, more units or more intensity. It will be exactly the same.

As for the questions about the Highway 20 Design Guidelines Manual, Baranski stated if you look at the distance off the centerline of Route 20, the north edge has 1200 feet between the edge of the project and the centerline. The bulk of the project is between the 1200-2400 range. The majority of the restrictions are within the 1200-foot range. From 1200-2400 feet it deals with the use of building materials allowed.

Baranski advised if the amendment or annexation does not pass, the original project as presented for the original PUD would move forward.

Bernstein questioned how much of the eighteen acres would be planted in prairie. Baranski advised close to half of the eighteen acres would be planted in prairie.

Bernstein stated it is her understanding that it is common when planting and maintaining a vineyard to use significant amounts of pesticides. Baranski advised when they made the presentation for the final PUD for Phase 1A, there were discussions about the best practices for using pesticides and herbicides early on in the process. Baranski advised there are methods by

which they are to be applied that are consistent with best management practices, which is what was done.

Wendy Clark, 1107 Fourth Street – Clark agrees what is being considered is the amendment and the annexation. Clark stated she pointed out a number of issues that tie into the larger project itself. Clark stated, with respect to the traffic situation, the original proposal did not address traffic and neither has this one. The facts provided by the County Engineer with regard to the access road are valid points to consider. Clark questions if the original plan goes forward, would there be a valid access point given the issues and traffic. Clark voiced concerns the existing roadway will be expanded to two lanes. The top will become a paved roadway accessing a development. She questioned if having a major roadway with a specific purpose to access a commercial development is an allowed use in limited agriculture.

Regarding the pesticides questions Clark advised she provided information with regard to the use of chemicals which the Zoning Board did not discuss.

James Boho, 1477 S. Rocky Hill Road – Boho stated Baranski made the point that what was in the previous meetings is over. While he agrees with that statement, they are now applying for a new entrance. That entrance brings back up how it connects to Highway 20. The new entrance comes to 4th Street and Highway 20 which is a Class A critical intersection. Boho pointed out in the applicant's design; they did not use the numbers in relationship to the centerline of Highway 20. They used modals and encircled the areas they are speaking about. Blackjack Road and the entire corner of this project is in this manual by pictures and discussion of exactly what it is.

Kathleen Webster, 2170 N. Blackjack Road – Webster questioned if everyone was aware that there is a tunnel under Blackjack Road at the intersection of 4th Street and Blackjack Road. She questions if it will cave in with all of the additional traffic.

Motion: McCoy moved, seconded by Kieffer, to close the Public Hearing on the proposed amendment to an annexation agreement between the City of Galena and True North Quality Homes, LLC, or their grantees, heirs, successors, or assigns, dated May 11, 2022, to annex and add 18.239 acres to the Planned Unit Development plan.

Discussion: None.

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

The motion carried.

CONSENT AGENDA CA22-21

22C-0429 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 24, 2022

22C-0430 – APPROVAL OF A REQUEST BY THE GALENA AREA CHAMBER OF COMMERCE FOR 45TH ANNUAL HALLOWEEN PARADE ON OCTOBER 28, 2023

22C-0431 – APPROVAL OF THE PURCHASE OF A VOIP PHONE SYSTEM FOR THE POLICE DEPARTMENT

22C-0432 – APPROVAL OF STRAY DOG PICK-UP CONTRACT WITH JO DAVIESS COUNTY ANIMAL CONTROL SERVICES FOR THE PERIOD OF DECEMBER 1, 2022, THROUGH NOVEMBER 30, 2023

22C-0433 – APPROVAL OF THE PURCHASE OF REPLACEMENT EQUIPMENT FOR THE REC PARK LARGE PLAYGROUND STRUCTURE

22C-0434 – APPROVAL OF A RESOLUTION TO DISSOLVE THE CABLE FUND OF THE CITY OF GALENA

Motion: Wienen moved, seconded by Bernstein, to approve Consent Agenda CA22-21.

Discussion: McCoy stated he is happy to see the new phone system for the Police Department as well as the approval of the Stray Dog Pick-up Contract and new equipment for Rec Park.

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

The motion carried.

NEW BUSINESS

22C-0435 – DISCUSSION AND POSSIBLE ACTION ON ZONING CAL. NO. 22PDA-02, AN APPLICATION BY TRUE NORTH QUALITY HOMES, LLC FOR AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT PLAN TO ADD 18.24 ACRES WITH AN UNDERLYING ZONING CLASSIFICATION OF LIMITED AGRICULTURAL UPON ANNEXATION INTO THE CITY OF GALENA

Motion: Hahn moved, seconded by Westemeier, to approve Zoning Cal. No. 22PDA-02, an application by True North Quality Homes, LLC for an amendment to the Planned Unit Development Plan to add 18.24 acres with an underlying zoning classification of Limited Agricultural upon annexation into the City of Galena, 22C-0435.

Discussion: Hahn stated he can see people do not want it. He feels this 18.24 acres enhances the driveway, the houses and the way the project is laid out. Hahn said he understands it will bring traffic into 4th Street from Highway 20. He stated there has not been any accidents there for over two years. Kieffer agreed adding Zoning Board studied it and he agrees that it should happen.

Westemeier advised there was one accident at 4th and Highway 20 a year ago which was caused by a bale coming off of a trailer and hitting a car. Other than that, there has not been any accidents over there.

Bernstein feels there is a very good reason for IDOT designating that as a dangerous intersection. Bernstein stated she believes the resort will contribute to the concerns with safety for both intersections.

Wienen feels the additional acreage enhances the plan with little change to the original plan.

McCoy stated he feels True North Quality Homes is demonstrating consideration for the neighbors by purchasing the additional land. They are moving the entrance to an existing lane, removing the lower road and moving the cottages higher. They are also serious about stormwater control.

Renner stated he believes this will be a better entrance and access point for the PUD that has already been approved. As for the 4th Street intersection, Mayor Renner feels the city needs to work with the state and the county to try to make it better.

Each council member responded to each of the seven criteria as follows:

1 – Whether the existing text or zoning designation was in error at the time of adoption.

Council unanimously responded there was no error.

2 – Whether there has been a change of character in the area or throughout the city due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.

Wienen does not think there has been any changes. She feels it enhances the current plan that has been approved. As for growth trends, she referred to the proposed brewery on Highway 20.

Westemeier stated there has been, however, not on Blackjack Road. He listed the following: A new wedding venue, the possibility of a new hotel, walking trails, Gateway Park, and Horseshoe Mound which are all on the east side of the river. Bernstein agreed.

Mccoy agreed stating it has always been the goal to add to the trails.

Hahn agreed. Hahn noted the facilities have been updated all around Galena, new sewage treatment plant, new water tower, new water mains, and new streets. Hahn believes bringing the infrastructure to the development could very well help those who do not have it now.

Kieffer agreed. He stated when Fried Green Tomatoes moved into town, it eliminated a lot of traffic on Blackjack Road.

Renner agreed adding the new Wastewater Treatment Plant is only at half capacity. Things will continue to develop on the east side of town.

3 - Whether the proposed rezoning is compatible with the surrounding area and defining characteristics of the proposed zoning district or whether there may be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new zone may generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances.

Wienen noted it will have less pavement and less tree removal. While it is to early to address noise pollution, she believes the city will do a good job monitoring it.

Westemeier stated he believes it will be compatible with the area. It will maintain limited ag, will improve overall safety by moving the entrance further south, provides more greenspace, better plans for water runoff, the use of down lighting and LED bulbs, remove less trees, reduce about 32,000 square feet of pavement and the shuttle should help with the parking situation.

Bernstein stated she feels there will be adverse impacts in terms of increased traffic. She also feels there is the potential for other negative impacts such as noise pollution.

McCoy feels it will be a lot better entrance. They have a commitment to the control of the lighting pollution and access to the walking trails.

Hahn agreed. The drawings by Fehr Graham do an excellent job showing the proposed rain gardens, bio swales and detention ponds.

Kieffer agrees they have addressed the water runoff and does not feel the lighting will be a problem.

Renner agreed traffic will be increased. He feels the new entrance may help with that. They did a good job with the stormwater runoff. As far as noise, lights, smells, that is unknown at this time.

4 – Whether the proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this code, and other city regulations and guidelines

Wienen noted every phase will need approval. She agrees the Comprehensive Plan is dated and needs to be addressed.

Westemeier believes it does go along with the Comprehensive Plan. The plan states the city will be proactive in annexing land. He noted each step will need city, state and federal permits.

Bernstein stated she does not think this is in conformance with the Comprehensive Plan, specifically with the land use portion of it.

McCoy feels it complies with the Comprehensive Plan. True North Quality Homes commitment to the restoration of the Marine Hospital will enhance Galena. McCoy noted Grady Hill was shown as a potential PUD.

Hahn agreed it follows the Comprehensive Plan. He reminded everyone each phase needs permits and approvals. Kieffer and Renner agreed.

5 – Whether adequate public facilities and services are available or will be made available concurrent with the projected impacts of development in the proposed zone.

Wienen agreed stating she has talked to various employees in the departments, and they have said they are comfortable with servicing additional facilities.

Westemeier noted the Wastewater Treatment Plant is not at full capacity. The water and sewer will be brought up there with no cost to the city. He does not believe there will be any issues with emergency personnel.

Bernstein believes the public facilities are adequate. She is less convinced about the services. There may be problems at times of an emergency with getting up there.

McCoy agrees stating it is a much-needed improvement to the sewage system on the east side.

Hahn feels the facilities are more than adequate to handle this project and more like it.

Kieffer agrees the public facilities are adequate.

Renner agreed public facilities are adequate.

6 – Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs; or

Wienen feels the additional acres enhance the project.

Westemeier agrees. Westemeier feels the applicant purchased the additional acres to eliminate concerns raised.

Bernstein, McCoy, Hahn and Kieffer agree.

Renner feels the 18.24 acres is an asset and will make it better.

7 - Whether there is a need in the community for the proposal and whether there will be benefits derived by the community or area by the proposed rezoning.

Wienen believes the development will contribute to the existing businesses and downtown merchants. It will enhance midweek traffic as well as weekend traffic. There is not a lot of event space in Galena that can accommodate 250 plus people. She feels that will attract some corporations to have business meetings here. Wienen believes as a whole we can take more

visitors and there is a need for more rooms May – November. It will help with taxes and will bring in more entry level jobs. It will be a great opportunity for people in our town.

Westemeier believes there will be benefits to the community.

Bernstein questions if there is a need. We are not trying to position ourselves as a tourist destination. We draw more visitors than most places. Bernstein stated she does not believe this development is needed in the community.

McCoy agreed with the comments made. McCoy feels this will help stabilize everyone's water and sewer bill. Taxing bodies will benefit. Tourism is the economic engine that supports Galena.

Hahn agreed. The additional acres enhance and makes it safer.

Kieffer stated he thinks it will be great for the city. It will increase the tax base and jobs.

Renner stated he believes competition and free enterprise is important to any town. Renner believes it will be a benefit if it goes through completely. It will bring added tax dollars, new jobs and new tax bases. It will be something that is needed in town to get heads on pillows.

City Attorney Nack advised a protest was filed by the adjoining landowners so in order to approve the motion will require a super majority.

Wienen stated she thinks in general she would like to see if there are any other ways to allow people in that area to connect to city water and sewer. She also feels the traffic needs to be addressed rather than just talked about. Renner agreed.

Bernstein stated she hears a lot of benefits have been raised. She agrees with a lot of them, but her main concern is the city needs to take into consideration how so many people in the community feel about this project.

Roll Call: AYES: Westemeier, Wienen, Hahn, Kieffer, McCoy
NAYS: Bernstein, Renner

The motion carried.

22C-0436 – FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN ANNEXATION AGREEMENT WITH TRUE NORTH QUALITY HOMES, LLC TO ANNEX AND ADD 18.239 ACRES TO THE PLANNED UNITY DEVELOPMENT PLAN

Motion: Kieffer moved, seconded by Westemeier, to approve the first reading of an ordinance authorizing the execution of an amendment to an annexation agreement with True North Quality Homes, LLC to annex and add 18.239 acres to the Planned Unit Development Plan, 22C-0436.

Discussion: None.

Roll Call: AYES: Wienen, Hahn, Kieffer, McCoy, Westemeier, Renner
NAYS: Bernstein

The motion carried.

22C-0437 – POSSIBLE RECONSIDERATION OF CAL. NO. 21C-0514, AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT WITH JOHN AND ROSEAN SCHROMEN FOR THE PROPERTY AT 10840 HIGHWAY 20

Motion: Hahn moved, seconded by Westemeier, to approve reconsideration of Cal. No. 21C-0514, an ordinance authorizing the execution of an annexation agreement with John and Rosean Schromen for the property at 10840 Highway 20, 22C-0437.

Discussion: Hahn advised the property currently does not have access to city sewer. The proposed business will not run on a septic system. Hahn feels the city should help get sewer and utilities to the area. Hahn recommended contributing not more than $20,500 towards materials for the project with money to be paid after installation. The city would also offer a 5-year tax abatement and no hookup fees. The connection would require approximately 820 feet of sewer pipe and three manholes. Westemeier and Kieffer agreed.

McCoy clarified the city would be paying for materials up to $20,500 only and would not be installing the line.

Motion: Hahn moved, seconded by Kieffer to approve furnishing the materials for 820 ft. of sewer line and 250 ton of bedding rock at a cost not to exceed $20,500.

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

The motion carried.

22C-0438 – FIRST READING OF AN ORDINANCE ACCEPTING THE DONATION OF PROPERTY FOR THE GALENA DOG PARK IN TIMP'S SUBDIVISION – PHASE 2

Motion: McCoy moved, seconded by Bernstein, to approve the first reading of an ordinance accepting the donation of 3.22 acres of land, lots 8 and 9, for the Galena Dog Park in Timp's Subdivision – Phase 2 with a donation value of $67,000, 22C-0438.

Discussion: None.

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

The motion carried.

22C-0439 – FIRST READING OF AN ORDINANCE APPROVING THE PURCHASE OF REAL ESTATE AT 403 SOUTH MAIN STREET

Motion: Kieffer moved, seconded by Westemeier, to approve the first reading, waive the second reading of an ordinance approving the purchase of real estate at 403 S. Main Street, 22C-0439.

Discussion: McCoy stated this will be great and can provide more parking. Kieffer agreed adding he would like to see it used for public restrooms.

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

The motion carried.

22C-0440 – FIRST READING OF AN ORDINANCE ANNEXING 3.106 ACRES OF TERRITORY IN WEST GALENA TOWNSHIP (GUY'S TRUCK AND TRACTOR SUBDIVISION)

Motion: Bernstein moved, seconded by Hahn, to approve the first reading, waive the second reading of an ordinance annexing 3.106 acres of territory west of Galena Township (Guy's Truck and Tractor Subdivision, 22C-0440.

Discussion: None.

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

The motion carried.

22C-0441 – DISCUSSION AND POSSIBLE ACTION ON THE PURCHASE OF A NEW STREET SWEEPER FOR THE FISCAL YEAR 2023-24 BUDGET YEAR

Motion: Hahn moved, seconded by Wienen, to approve the purchase of a new street sweeper for the fiscal year 2023-24 budget year from EJ Equipment in the amount of $276,963, 22C-0041.

Discussion: Bernstein questioned if it was necessary for the sweeper to have all of the bells and whistles. Hahn advised they are not' really considered bells and whistles. It is just the way the machines are built to enhance the operation of the machine.

Westemeier noted we have dealt with this company in the past and they will send a mechanic whenever we need one. The other companies did not provide their own mechanic.

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

The motion carried.

22C-0442 – DISCUSSION AND POSSIBLE ACTION ON ESTABLISHING THE AMOUNT OF THE 2022 TAX LEVY FOR TAXES TO BE COLLECTED IN 2023

Motion: Westemeier moved, seconded by Kieffer, to approve freezing the tax amount at the 2022 amount of $1,519,432, 22C-0442.

Discussion: McCoy stated he is happy to do this but reminded everyone that the city is not only giving up $89,000 this year but every year going forward.

Renner agreed it is a good thing as long as we can afford it and are not raising water and sewer rates.

Wienen stated any time we can freeze or lower taxes, we should. She is more than happy to give up $89,000 when we have other revenue streams generating more revenue.

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

The motion carried.

22C-0443 – WARRANTS

Motion: McCoy moved, seconded by Kieffer, to approve the Warrants as presented, 22C-0443.

Discussion: None.

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

The motion carried.

22C-0444 – ALDERPERSONS' COMMENTS

Halloween Parade – Hahn stated everything with the Halloween parade went well. Hahn thanked everyone who helped out with the parade in any way.

Halloween Parade – Wienen thanked all who helped make the parade a success.

Lights – Wienen noted the new lights at the sludge barn look great. They light up the parking lot very well. She recommended looking at other dimly lit areas as well. She added, while she was against spending money to paint the building, it looks wonderful.

Thank you – Westemeier thanked the Galena Elks and Walmart for putting on a nice meal for the veterans on Veteran's Day. It was very well attended and was a nice gesture.

22C-0445 – CITY ADMINISTRATOR'S REPORT

Street Paving – Moran reported street paving is finished for the year. Indian Ridge, S. Hickory Street, Brown Street and the dog park parking lot are complete. All water main break patches have been completed.

Tax Levy Ordinance – The tax levy ordinance will be on the next agenda.

Dog Park – Moran reported the dog park is coming together. The fencing is complete, and the parking lot has been paved. It is scheduled to open early next spring. Signs will be installed to show people how to get there.

22C-00446 – MAYOR'S REPORT

Mayor Renner thanked everyone involved with the parade. It is impressive to have that many people and things go very well.

22C-00447 – ADJOURNMENT

Motion: Wienen moved, seconded by Hahn to adjourn.

Discussion: None.

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

The motion carried.

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Mary Beth Hyde
City Clerk