

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 13 JULY 2015

15C-0250 – 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 July 2015.

15C-0251 – ROLL CALL

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

15C-0252 – ESTABLISHMENT OF QUORUM

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

15C-0253 – PLEDGE OF ALLEGIANCE

The Pledge was recited.

15C-0254 - REPORTS OF STANDING COMMITTEE

No reports.

15C-0255 – PUBLIC COMMENTS

No comments.

PUBLIC HEARING

Motion: Fach moved, seconded by Kieffer, to open the Public Hearing on an Application by Richard Burlingame, 1008 Park Avenue to vacate approximately 0.34 acres of the Benton Street Right-of-Way adjacent to his property.

Discussion: None.

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

The motion carried.

15C-0256 – PUBLIC HEARING ON AN APPLICATION BY RICHARD BURLINGAME, 1008 PARK AVENUE, TO VACATE APPROXIMATELY 0.34 ACRES OF THE BENTON STREET RIGHT-OF-WAY ADJACENT TO HIS PROPERTY

City Attorney Nack swore in those wishing to testify.

Testimony: John Cox, Attorney for Richard Burlingame – Cox noted the packet included an aerial photograph of the property at issue which is between Park Avenue and Third Street just south of the Belvidere Mansion. The area is known as a portion of Benton Street. This street has never been opened. The coach house that is associated with the Belvidere Mansion encroaches on to Benton Street by a foot or so and has so for a long time. Burlingame owns lots 6 and 7 and most of the property to the right and lot 11. They have done some landscaping work on Benton Street. In order to appropriately landscape around the coach house and south of the Belvidere, the property owners would like to purchase at least the north half of Benton Street. They would be willing to purchase all of it should the Shanley's decide not to purchase their half. Cox advised

Shanley owns lots 1 and 12. Vacating the never developed hillside would facilitate them doing some reasonable landscaping that would enhance the Belvidere property.

Bob Shanley, Property Owner – Shanley questions how this would benefit him. He feels he will lose access to one of his lots. He stated he does not want to see this vacated. He would prefer to have it left as is.

John Cox – Cox advised Shanley has access to Lot 1 and 2 from Third Street and Lot 12 from Park Avenue. There is no use of the existing Benton Street to access any of those lots at this point. It is currently filled with trees and weeds. Vacating this property wouldn't change anything in terms of access to the lots Shanley owns.

Bob Shanley – Shanley again stated he does not want this property to be vacated.

Motion: Fach moved, seconded by Kieffer, to close the Public Hearing on an Application by Richard Burlingame, 1008 Park Avenue to vacate approximately 0.34 acres of the Benton Street Right-of-Way adjacent to his property.

Discussion: None.

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

The motion carried.

CONSENT AGENDA CA15-12

15C-0257 – APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 22, 2015

15C-0258 – APPROVAL OF BUDGET AMENDMENT BA16-03

15C-0259 – APPROVAL OF CHANGE ORDER #3 FOR THE POLICE DEPARTMENT RENOVATION PROJECT

Motion: Hahn moved, seconded by Fach, to approve Consent Agenda CA15-12 as presented.

Discussion: Lincoln requested item 15C-0259 be removed from the Consent Agenda.

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

The motion carried.

15C-0259 – APPROVAL OF CHANGE ORDER #3 FOR THE POLICE DEPARTMENT RENOVATION PROJECT

Motion: Fach moved, seconded by Bernstein, to amend the amount on Change Order #3 to minus the markup on the bond.

Discussion: Lincoln voiced concern that it was just discovered now that this had to be done. He is tired of change orders. He feels this should have been talked about at the beginning of the process. At this point everything should have been found out.

Moran advised there are five different additions. One was enlarging the men's room countertop. The initial plan for the restroom included a urinal. The urinal was removed because of ADA regulations. There was never an adjustment made for the length of the countertop.

The projector and screen will be paid for by a grant which will come in at a later date. Conference room receptacles were added and two emergency lights on the first floor were added. At one time the plan included remodeling on the first floor. When that was taken out, it removed some items that were required. Additional conduit had to be run for the portable workstations.

Renner questioned who was at fault. Moran advised it was a combination. Part of it was the influx of making changes to the actual project. We didn't want to spend money to revise the plans all the time to save on architectural fees.

Council questioned the additional amount for the bond. They preferred to deduct that amount from the change order.

Moran advised he would present a budget amendment at the next meeting outlining all of the costs to bring the budget in line with actual expenses. The project covered two budget years.

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

The motion carried.

UNFINISHED BUSINESS

15C-0218 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR GRINDING CONCRETE PAVEMENT ON PARK AVENUE BETWEEN BOUTHILLIER STREET AND LAFAYETTE STREET

Motion: Kieffer moved, seconded by Westemeier, to approve the contract for the grinding of Park Avenue between Lafayette Street and Bouthillier Street.

Discussion: Kieffer questioned how many projects could get done if we were to keep the \$6,500. Bernstein felt that while \$6,500 might not be much to cover any particular project, the budget is pretty tight and it could be used towards things that aren't anticipated.

Fach questioned how many square yards would have to be ground. Lewis advised it would be just over \$10,000 to grind. He noted there is always a danger of once the grinding contractor gets on site and looks more closely they could determine other areas that need to be ground.

Lewis advised the grinding is for the hill only. The contract for the project was in accordance with IDOT standards. Because of the unevenness of the street it is difficult to get it to match. If we end up arguing with Fischer about the grinding, it may be difficult to come up with a very good argument that is out of specs with the IDOT standard.

There were no problems with the clearing of snow in the winter.

Bernstein questioned if the City can hold them to the \$10,300 for the grinding. Nack advised if the city wants to have it ground they have to grind it no matter the cost. If the City were to accept the agreement we would pay them \$3,800 and it would free up \$6,500.

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

The motion was denied.

Motion: Hahn moved, seconded by Westemeier, to postpone item 15C-0218 to the next meeting.

Discussion: None.

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

The motion carried.

15C-0221 – DISCUSSION AND POSSIBLE ACTION ON A CONTRACT FOR THE CONSTRUCTION OF PUBLIC RESTROOMS AT GATEWAY PARK

Motion: Bernstein moved, seconded by Hahn, to reject all bids for this project, item 15C-0221.

Discussion: None.

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

The motion carried.

NEW BUSINESS

15C-0260– DISCUSSION AND POSSIBLE ACTION ON APPLICATION BY RICHARD BURLINGAME, 1008 PARK AVENUE, TO VACATE APPROXIMATELY .034 ACRES OF THE BENTON STREET RIGHT-OF-WAY ADJACENT TO HIS PROPERTY

Motion: Lincoln moved seconded by, Hahn, to approve the application by Richard Burlingame, 1008 Park Avenue, to vacate approximately .34 acres of the Benton Street right-of-way adjacent to his property.

Discussion: Lincoln noted the adjacent property owners will be given the opportunity to purchase half of the vacated property. They will not be landlocked as they have access to their lots on both sides.

Moran advised once this is approved, Shanley will be given official notice that he has the opportunity to purchase the property. It will then come back in ordinance form for approval. The ordinance will include a utility easement right-of-way.

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

The motion carried.

15C-0261 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY THE LEAGUE OF WOMEN VOTERS OF JO DAVIESS COUNTY FOR CITY OF GALENA SUPPORT OF A GRANT APPLICATION TO THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY TO COMPLETE A GALENA RIVER WATERSHED PLAN

On behalf of the League of Women Voters, Beth Baranski made a presentation with regard to the Galena River Watershed Plan. The league is asking for a letter of support for an IEPA application for funding to complete a Galena River Watershed Plan. In addition to generally supporting the project, they ask for the following consideration:

- Allowing the use of City Hall for watershed planning meetings,
- Providing administrative, engineering, zoning and public works staff support, and

- Contributing financially to the planning effort.

Motion: Fach moved, seconded by Bernstein, to approve the request by the League of Women Voters of Jo Daviess County for City of Galena Support of a grant application to the Illinois Environmental Protection Agency to complete a Galena River Watershed Plan.

Discussion: Council was opposed to agreeing to any funding at this point. They recommended they make a request during the budget process for next year.

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

The motion carried.

15C-0262 – DISCUSSION AND POSSIBLE ACTION ON REQUEST BY THE GALENA ELK'S CLUB TO CONDUCT A CORN BOIL WITH LIVE MUSIC ON AUGUST 1 FROM NOON TO 6 P.M. ON THE MARKET HOUSE GROUNDS AND ON PERRY STREET BETWEEN COMMERCE AND WATER STREETS

Motion: Hahn moved, seconded by Westemeier, to approve the request by the Galena Elk's Club to conduct a corn boil with live music on August 1 from noon to 6 p.m. on the Market House grounds and on Perry Street between Commerce and Water Streets.

Discussion: Hahn stated this is another great event for Galena. Parking in the bank lot will remain open.

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

The motion carried.

15C-0263 – DISCUSSION AND POSSIBLE ACTION ON A CONSTRUCTION CONTRACT FOR THE GALENA CANOE AND KAYAK LAUNCH

Motion: Hahn moved, seconded by Kieffer, to reject all bids, return the unopened bids and await confirmation from IDNR to determine if funds are to be made available.

Discussion: The water main through the parking lot will proceed. This work will be coordinated by the Public Works Department and EMC and will be funded through the water budget which has \$9,500 for this project.

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

The motion carried.

15C-0264 – DISCUSSION AND POSSIBLE ACTION ON SUBMITTING AN INSURANCE CLAIM TO THE BURLINGTON NORTHERN SANTE FE FOR REPAIRS TO DAMAGED ROADWAY

Motion: Kieffer moved, seconded by Hahn, to approve submitting an insurance claim to the Burlington Northern Sante Fe for repairs to damaged roadway.

Discussion: Hahn feels there is definitely damage to the road and it is a reasonable estimate to submit.

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

The motion carried.

15C-0265 – WARRANTS

Motion: Fach moved, seconded by Hahn, to approve the Warrants as presented.

Discussion: Fach noted there are items in here for the Police Department that they don't see when they see the Montgomery bid. Moran advised he will have a summary of that at the next meeting.

Bernstein questioned what the amount to Jo Carroll Energy labeled "Electric" was for. Moran advised that amount is for street lighting.

Bernstein questioned if the City owns the Blacksmith Shop. Moran advised the City owns the building and leases it to the History Museum.

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

The motion carried.

15C-0266 – ALDERPERSONS' COMMENTS

Sidewalk – Fach reported the sidewalk on Spring Street between Prospect and Main has a two inch drop off where the gas company did excavation. Fach also voiced concern with some water turn off casements that are sticking above the sidewalk. He feels they are a hazard and should be lowered to even with the sidewalk,

Safe Room – Fach feels the City should have some type of ordinance that would require new construction such as Casey's to have a safe room. This room would need reinforced concrete block and rebar to withstand tornados.

Telephone Pole – Westemeier stated he received a complaint with regard to the old telephone pole by 509 Franklin Street. When the new pole was installed, the old one was left. He questioned who is responsible to take the pole down and fill the hole. Moran advised he would contact Jo Carroll Energy.

Police Department – Westemeier visited the new Police Department last week. It is very nice and he is glad they have a nice work environment now.

15C-0267 – CITY ADMINISTRATOR'S REPORT

Banking Services – Every 5 years the City has to go out for bid on banking services. We have been with First Community Bank for 5 years. RFP's have been sent out and are due back July 31, 2015.

LED Lights – The LED lights have been ordered. George Petitgout is prepared to install them when they arrive.

Blacksmith Shop – The stucco on the front of the building was repaired. They are currently organizing a paint party to paint the entire building.

Mowing/Landscaping – Moran asked for patience with the mowing and landscaping. It is a challenge for the guys to keep up.

15C-0268 – MAYOR’S REPORT

The 4th went well and the auditors will be at City Hall next week.

15C-0269– MOTION FOR EXECUTIVE SESSION

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

- Sale or lease of public property, Section 2 (c) (6)
- Pending, probable or imminent litigation, Section 2 (c) (11)
- Review of Executive Session Minutes, Section 2 (c) (21)

Discussion: None.

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

The motion carried.

The meeting recessed at 7:27 p.m.

The meeting reconvened at 7:54 p.m.

15C-0270 - ADJOURNMENT

Motion: Bernstein moved, seconded by Hahn to adjourn.

Discussion: None.

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

The motion carried.

The meeting adjourned at 7:54 p.m.

Respectfully submitted,



Mary Beth Hyde
City Clerk