

**MINUTES OF THE REGULAR CITY COUNCIL MEETING OF 09 MAY 2022****22C-0165 – 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 09 May 2022.

**22C-0166 – ROLL CALL**

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

**22C-0167 – ESTABLISHMENT OF QUORUM**

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

**22C-0168 – PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**22C-0169 - REPORTS OF STANDING COMMITTEE**

No reports.

**22C-0170 – CITIZENS COMMENTS**

**Wendy Clark, 1107 Fourth Street** – Clark read a prepared statement voicing opposition to the annexation agreement with True North Quality Homes and urged the council to consider the concerns raised.

Clark stated she has been trying for six months to keep her home from ending up right next to a big commercial development and she still has no idea why the city council wants to allow this. Clark questioned why we would put a large private resort in the city limits. She questioned what the city would gain that is worth taking on all of that infrastructure, oversight and maintenance. It is not like Wal-Mart which we needed to replace downtown grocery stores and drug stores. It is not like Midwest Medical replacing an outdated hospital. It is not like Shadow Bluff or Cobblestone Crossing that provide housing. This is different. There is no community need. It is an exclusive private resort twice the size of the downtown business district requiring far more complicated infrastructure for one single business. Mr. Westemeier said we will not know for a few years whether or not it will succeed or fail, and he is right. We have only seen a concept of what they wish to build and not what will actually work. We already know that parts of the concept will not work. For example, Clark stated she talked to a vineyard expert, and it turns out you really should not put cabins right next to a vineyard because people have to be kept away during and for a couple of days after each weekly spraying. Parts of the stormwater concept violate the city's ordinances about retention ponds. Should not the developer work these issues out before signing legally binding contracts. Clark voiced concern we have seen no business plan, no marketing study or anything to explain the city's fast track support. One reason given is trust in the architect. He is hired to design buildings and promote the project. Who knows what role, if any, he will have in the future of this contract, and he has also not been named on the contract. Approving this annexation is a commitment by the city to support the development forever no matter who ends up in charge or who winds up owning the land in the future, in this case, without any assurances of success and without knowing if the community will in fact gain anything. What we know is what we will lose. Mr. McCoy expressed some regret that this is not a win win, but no one has explained why the residents and the neighbors have been chosen by our City Council to be the losers. The residents will lose everything that makes their homes and neighborhood livable. We will lose privacy, peace and quiet, safety and potentially hundreds of thousands of

dollars in negative property values. What is the trade-off? What makes it acceptable to sacrifice all of that, sacrifice all of them? Clark urged the Council to consider these things.

**Jana Frolich, 405 Boggess Street** - Frolich read a prepared statement voicing opposition to the annexation agreement with True North Quality Homes.

Frolich stated here we find ourselves giving away our cherished town, not to someone who is local and truly invested in the community but to a developer who does not live here but will take the piece of Galena to his home community for the false promise of another windfall of money i.e., marijuana dispensary, 1 million tourists, yearly property tax increases. So, this money we are told is good for us is worth decimating neighbors' properties, pristine land and potentially Galena? The money is not going to be spent any differently than the previously mentioned revenues. Frolich asked the Council to please tell all of how this is going to be different. As reference to her last opportunity to speak in front of the council and as someone who studies and appreciates history, she stated she can pretty much guarantee that the roads will not be better, our taxes will continue to increase, and we will not be creating well-paying jobs. On the contrary, just more low paying unskilled labor that does not sustain a community, only a few. The decision based on the premise of responsible fiduciary governance, while historically never fulfilled, will rob future generations of the marvelous Galena as we know it. Frolich urged the Council to make this decision thru that lens.

**David Hannah, 1107 Fourth Street** – Hannah read a prepared statement voicing opposition to the annexation agreement with True North Quality Homes. Hannah stated there has been a lot about the Parker that has been hard to understand. The public record is pretty clear. The public records show the required procedures and city ordinances were not followed. It shows that required information is lacking and that the preliminary PUD does not meet the zoning ordinance. It shows all the evidence and concerns provided by the neighbors and the community. It shows what the council did and did not consider. And it shows the reasons, opinions and feelings the council provided for its decisions. Tonight, the council is approving a modified version of the annexation agreement which speaks for itself as to what was addressed and what was not. The modified agreement still has many of the same problems in it mentioned two weeks ago plus more. One of the problems is that the agreement does not match what the developer and the Council have told us. For instance, the new agreement now gives the developer the right to restrict property access from the Galena River Trail to just the developer's guests. However, the developer, in his sworn testimony, stated we wants to improve walking trails for the public and our visitors. The architect stated if people are walking down the Galena River Trail, they are going to be able to come up here. The project will have 1.5 miles of trails available for use by the public with access to the existing Galena River Trail. The President of Bien Vie stated they are committed to providing public access. This includes walking trails. The city council gave public access as a justification for how the development would provide long-term benefits to the community. McCoy stated it would allow access to the historic Marine Hospital, a long-forgotten landmark, as well as vineyards and gardens for everyone to enjoy. Hahn agreed it would be open to the public. The annexation agreement never included a commitment to public access and now last-minute changes explicitly ensure that the developer can exclude the public from accessing the property from the trail. Hannah stated he was not advocating for or against public access but simply pointing out this is one of the many ways the agreement does not live up to what we have all been told and the record is clear on that as well.

**Nancy Hyman, 237 Winnebago Drive** - Hyman stated she can list 10-15 concrete factual reasons why the city should not proceed with this resort. She has no positive reasons why it should proceed. Hyman stated most of the increased tax dollars from the resort will go to the tourism bureau and what filters over to City Hall will go right back out the door providing services for the resort. Hyman stated the taxpayers and citizens see no reason for this resort and urged the council to listen to its constituents and not to the developer. The citizens are voting no.

**Kathleen Webster, 2170 Blackjack Road** – Webster stated she has lived here for more than 50 years. She chose to live here because of her love for the town and the life it gave her children.

Webster feels the project is moving way too fast. The proposals made now are not the proposals presented in the beginning and they are not for the better. Webster questioned if the city has figured out how much it is going to cost to provide this development with water, sewer and snowplowing? Will they be city streets or pathways and who will be responsible for those streets? Webster urged the council to slow down and reminded them we are in this together.

**Trisha Wollam, 8506 West Buckhill Road** – Wollam stated she has been following the Parker project virtually as well as in person. At this point with the way things are going, she is concerned the city is at risk of a lawsuit. In Illinois, a city council can be sued. Wollam stated if there is a lawsuit, we all pay, and she does not want to pay through increased taxes. The city council has been alerted to many risks associated with this project and is still willing to proceed. People have spoken about the potential for injury at Blackjack Road and Route 20 intersection along with IDOT's Critical A rating for personal injury. There has been concerns about water runoff and flood of Davis Creek and the use of pesticides and fungicides. Wollam urged the council to vote no for the project or put the project up for referendum and let the people of Galena decide this. This would dilute the risk the city would be taking on.

**Larry Priske, 4700 N. Council Hill Road** – Priske noted one of the major aspects of this project has to do with lodging. One hundred plus lodging facilities/cabins will be clustered all over this acreage. As a lodging owner for the past 35 years, Priske stated his lodging facility has been affected by Air B & B and VRBO (Vacation Rental by Owner) type listings that are a major part of downtown. There are over two hundred lodging facilities such as Air B & B and VRBO in this county. We also have our anchor facilities such as Chestnut, Eagle Ridge, DeSoto Hotel and others. Priske stated he does not feel we have a good handle on what our occupancy rate really is and questions if we really need the additional occupancy and what will the impact be on the existing lodging facilities. Priske questions at what point do we say enough tourism is enough. Priske urged the council to take a look at the impact this project will have on the neighborhood if it goes ahead. Those are the people that are really being impacted. Priske stated an alternative might be to cut back on the number of houses that will be dotting the hillside. Scale back so it is not affecting the neighborhood. We do not need 110. Priske questioned if we really need a walking path running behind the Geary property. Priske urged the council to make modifications and questioned why the Council feels this would be a good project for Galena.

**Karen Zehr, 1102 S. Third Street** – Zehr spoke in opposition to the Parker Development. Zehr recommended taking all of the cottages off the hillside along the top that will be seen from her property and leave the ones on the side facing the bike path.

**Janet Connor, 107 Kelly Lane** - Connor stated Galena has no place for another resort. She feels the council is pushing Galena in the wrong direction. Every town large or small has breweries, distilleries and wineries. This is trendy and not something she wants for Galena. She urged the council to listen to the people.

## **PUBLIC HEARINGS**

### **22C-0171 – PUBLIC HEARING ON PROPOSED LEAD SERVICE LINE PROJECT PRELIMINARY ENVIRONMENTAL IMPACTS DETERMINATION AND PROJECT PLANNING**

**Motion:** Hahn moved, seconded by Kieffer, to open the public hearing on the proposed lead service line project preliminary environmental impacts determination and project planning, 22C-0171.

**Discussion:** None.

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

The motion carried.

**Testimony:** Nack advised the city is conducting a public hearing on a proposed forgivable loan from the Illinois EPA to the City of Galena for replacing all lead water service lines in Galena.

The city is proposing to replace approximately three hundred lead service lines throughout the city. The project work would occur from the City's public watermain to the private houses or businesses, wherever lead is present.

A project summary and environmental assessment has been prepared by the IEPA to assist the loan applicant in complying with the public notice requirements. Information in this report was obtained, in part, from the following source: the October 2021 Lead Service Line Replacement project plan for the City of Galena, Planning Submittal Checklist, Existing User Charge and O, M, and R Certification Sheet, with cover letter dated November 1, 2021, all prepared by Origin Design and Community Funding and Planning Services, Inc.

Using current data, the City of Galena is eligible to receive a 0.83% small community interest rate and lead service line principal forgiveness with a maximum of \$4 million annually. Principal forgiveness and/or a reduced interest rate will reduce the loan payment amount and the associated increases to the user charges. Principal forgiveness is not guaranteed until a loan agreement is issued.

No testimony was given.

**Motion:** Hahn moved, seconded by Westemeier, to close the public hearing on the proposed Lead Service Line Project Preliminary Environmental Impacts Determination and Project Planning, 22C-0171.

**Discussion:** None.

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

The motion carried.

### **CONSENT AGENDA CA22-09**

**22C-0172 – APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 25, 2022**

**22C-0173 – APPROVAL OF EMPLOYEE APPOINTMENTS FOR THE PERIOD MAY 10, 2022, THROUGH MAY 8, 2023**

**22C-0174 – APPROVAL OF THE PURCHASE OF A MINI EXCAVATOR, SKID LOADER, AND BUCKET TRUCK FOR THE PUBLIC WORKS DEPARTMENT**

**22C-0175 – APPROVAL OF A RESOLUTION TO CHANGE THE CITY OF GALENA'S AUTHORIZED AGENT WITH THE ILLINOIS MUNICIPAL RETIREMENT FUND TO JENNIFER SCHMIDT**

**22C-0176 – APPROVAL OF THE PURCHASE OF 300 CHAIRS FOR TURNER HALL**

**Motion:** Bernstein moved, seconded by Wiene, to approve Consent Agenda, CA22-09.

**Discussion:** Wiene noted a correction to the minutes on page 16 of the packet. The motion incorrectly reflects Renner as being absent. Clerk Hyde advised that correction has been made.

**Roll Call:** AYES: McCoy, Westemeier, Wiene, Bernstein, Hahn, Kieffer, Renner

NAYS: None

The motion carried.

**UNFINISHED BUSINESS**

**22C-0153 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT WITH TRUE NORTH QUALITY HOMES, LLC FOR 56.17 ACRES SOUTH OF RIVES STREET AND BLACKJACK ROAD IN EAST GALENA TOWNSHIP, JO DAVIESS COUNTY, ILLINOIS**

**Motion:** Hahn moved, seconded by Wiene, to approve the second reading of an ordinance authorizing the execution of an annexation agreement with True North Quality Homes, LLC for 56.17 acres south of Rives Street and Blackjack Road in East Galena Township, Jo Daviess County, Illinois, 22C-0153.

**Discussion:** Bernstein stated she feels it is important for the council to answer some of the questions that have been asked about why we think this is an important project.

Renner stated some of the questions asked should be answered by the developer, but he still feels the council has to be good neighbors and listen to what the people are telling us as it is their neighborhood.

Westemeier advised the city will not be taking care of the streets and they will not be gravel roads. They will be regulation roads to allow for the Fire Department to maneuver without having to back up. The sewer and water will be paid for by the developer. The City of Galena will not take over any of the lines for the first year. The city will not be required to cut grass or maintain.

Renner stated he is not opposed to progress. The Environmental Protection Agency will get involved with the storm water runoff. The Department of Natural Resources will get involved. Everything will be permitted and checked to meet ordinances. FEMA will have things to do. A traffic study will be done. It is up to the developer to meet the specifications.

Bernstein stated the more information the city can provide will give the people a better understanding of the project. Renner agreed stating the developer also has to listen.

Hahn advised this is not a rubber stamp. Every part of this project will go through the zoning board again. The developer will have to abide by all of the rules and regulations.

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

The motion carried.

**22C-0155 – SECOND READING AND POSSIBLE APPROVAL OF AN ORDINANCE AMENDING CHAPTER 154 AND CHAPTER 110 OF THE GALENA CODE OF ORDINANCES TO PERMIT MOBILE FOOD TRUCKS IN CERTAIN ZONING DISTRICTS**

**Motion:** Kieffer moved, seconded by McCoy, to approve the second reading of an ordinance amending Chapter 154 and Chapter 110 of the Galena Code of Ordinances to permit mobile food trucks in certain zoning districts, 22C-0155.

**Discussion:** Bernstein questioned how the city would monitor where the food trucks are located on any given day? Renner advised he was unsure, but he would check with the Zoning Administrator.

**Roll Call:** AYES: Wiene, Bernstein, Hahn, Kieffer, McCoy, Westemeier, Renner

NAYS: None

The motion carried.

**NEW BUSINESS**

**22C-0177 – DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY THE GALENA ART AND RECREATION CENTER AND CORE FITNESS OF GALENA TO CONDUCT A DEKA STRONG FITNESS EVENT AT THE GREEN STREET PLAZA, JUNE 4, 2022, FROM 8:00 A.M. TO 2:00 P.M.**

**Motion:** Westemeier moved, seconded by Kieffer, to approve the request by the Galena Art and Recreation Center and Core Fitness of Galena to conduct a DEKA Strong fitness event at the Green Street Plaza, June 4, 2022, from 8:00 A.M. to 2:00 P.M.

**Discussion:** None.

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

The motion carried.

**22C-0178 – DISCUSSION AND POSSIBLE ACTION ON CHANGE ORDER #2 FOR THE WEST SIDE WATER SYSTEM IMPROVEMENT PROJECT**

**Motion:** McCoy moved, seconded by Bernstein, to approve Change Order #2 for the West Side Water System Improvement Project in the amount of \$114,796.75, 22C-0178.

**Discussion:** None.

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

The motion carried.

**22C-0180 – WARRANTS**

**Motion:** Wiene moved, seconded by Westemeier, to approve the Warrants as presented, 22C-0180.

**Discussion:** None.

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

The motion carried.

**22C-0181 – ALDERPERSONS' COMMENTS**

**Air B & B** – Hahn advised he has been getting a lot of questions with regard to the limits set for Air B & B's. He advised some new ones have become known that are in ok areas and have off street parking. He recommended putting it back on the agenda for discussion.

**Water Mains** – Westemeier stated it is unfortunate that we have to do the emergency replacement work by the high school and added that this is why the city needs to get a handle on the infrastructure underneath the roads rather than just on top.

**Zoom** – Bernstein recommended the city consider having all meetings available via zoom. It would be nice for people to attend and is just another part of open government. Bernstein noted we may need to upgrade equipment in order to do so.

**22C-0182 – CITY ADMINISTRATOR’S REPORT**

**Water Main** – Moran advised work on the water main approved this evening will begin tomorrow and should be done by the end of the week. This will allow us to continue on and wrap up the West Side Project.

**Trees** – Moran advised the new trees planted are the first 95 of 250. More trees will be planted in the fall. They are waiting for the Spring Street Project to be completed and will continue to plant them in the corridor.

**22C-0183 – MAYOR’S REPORT**

Mayor Renner urged everyone to stay cool and stay safe.

**22C-0179 – MOTION FOR EXECUTIVE SESSION**

**Motion:** Wienen moved, seconded by Kieffer, to recess to Executive Session to discuss the following:

- Employee hiring, firing, compensation, discipline and performance, Section 2 (c) (1)
- Review of Executive Session Minutes, Section 2(c) (21)

**Discussion:** None.

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

The motion carried.

The meeting recessed at 7:17 p.m.

The meeting reconvened at 7:35 p.m.

**22C-0184 – ADJOURNMENT**

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

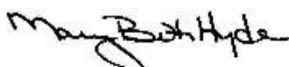
**Discussion:** None.

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

The motion carried.

The meeting adjourned at 7:36 p.m.

Respectfully submitted,



Mary Beth Hyde

City Clerk