

**MINUTES OF THE SPECIAL CITY COUNCIL MEETING BETWEEN THE CITY OF GALENA  
CITY COUNCIL AND THE JO DAVIESS COUNTY DEVELOPMENT AND PLANNING  
COMMITTEE  
24 MARCH 2005**

**CALL TO ORDER**

Mayor Richard D. Auman along with Marvin Schultz called the special meeting to order at 7:00 p.m. in the County Board Room (Third Floor), located at 330 N. Bench Street on 24 March 2005.

**ROLL CALL**

Upon roll call the following council members were present: Bookless, Brusch, Greene, O'Keefe, Sebanc, Auman. Mark Moran, City Administrator and Phil Jensen, City Attorney were also present.

Absent: Francomb

Upon roll call the following Jo Daviess County Development Planning Committee members were present: Ron Mapes, Marvin Schultz, Tim Petitgout, Vince Hasken, JoAnne Bielenda, Beth Baranski and Merri Berlage. Troy Brown, County Administrator and Terry Kurt, Jo Daviess County State's Attorney were also present.

**ESTABLISHMENT OF A QUORUM**

Mayor Auman and Schultz announced a quorum of both board members present to conduct business.

**DISCUSSION OF POSSIBLE AGREEMENTS BETWEEN THE COUNTY AND CITY IN THE  
MILE-AND-ONE-HALF EXTRATERRITORIAL ZONING AND SUBDIVISION AREA OF THE  
CITY OF GALENA**

Auman stated it was the City's hope to begin discussions on an intergovernmental agreement. He noted the goals in both the City's Comprehensive Plan and the County's Comprehensive plan are the same. This agreement would enable the City and the County to meet those goals as articulated. The agreement would also enable the City and the County to better deal with the concerns within the mile-and-one-half rezoning. Auman stated it was his hope that the County and the City could reach some type agreement that would satisfy both parties.

Sebanc advised he served on the committee to rewrite the City's Comprehensive Plan. He also had the opportunity to see a presentation of the Comprehensive Plan for the County. He agreed both plans contain the same goals and objectives. He felt it was very important for the City and the County to have an agreement.

O'Keefe feels an agreement makes sense as it pertains to Design Guidelines along the highway. He noted any new developer would need water and sewer. He felt it was important for the City and the County to work together to make things work.

Auman was asked to explain why he felt the agreement was needed. Auman stated that experience with recent development that has come to the County Board and City Council and the latest disagreement on the outcome calls for a need. Auman felt the agreement would eliminate the possibility for disagreement. He added he would be interested in hearing from the County any impediments they have in working out an intergovernmental agreement.

City Attorney, Phil Jensen, referred to State Statutes 50 ICLS which addresses this type of agreement. Jensen advised this type of agreement can be done and the statute gives broad authority.

Merri Berlage questioned why this couldn't be done without an agreement. Jensen advised the State Statute does give municipalities authority over subdivisions and the legislature felt it was important enough to encourage joint planning.

Auman noted with the proposed 4-lane bypass he is concerned with pressure on the west side. He fears if we are not careful and don't plan we will see signs 50 feet high advertising gas stations and fast food areas. He encouraged the County to get something in place so this doesn't happen. Absent an agreement, he felt it would be uncertain what the outcome would be when development comes in those areas.

Terry Kurt, State's Attorney, agreed with those comments made by Jensen. He preferred to see more of a showing of the problem. He did advise the committee members the County Board does have authority to do this.

Brusch advised he sees a need for control of the Highway 20 areas. He questioned how it would not be in the County's best interest to have the same goal. He also questioned why the County was concerned with this 2 mile stretch. Berlage advised that is where they would like to see development as well. Brusch felt an agreement would be beneficial.

O'Keefe noted a few years ago the City turned down a request for water and sewer at the Health Department. With an agreement, O'Keefe felt this wouldn't have happened.

Auman pointed out one of the problems is the County has different requirements on subdivisions than the City. Chances are the property is eventually going to become part of the City. The County doesn't require subdivisions to have sidewalks, lights, etc. and the City does.

Berlage questioned why no one from City brings these concerns to the committee. Suzanne Hollingworth, Zoning Administrator, advised the committee receives a written recommendation from the Zoning Board.

Auman stated the City is interested in developing an agreement that would wrestle with the problems and the City's need to come to testify before the County.

Berlage was concerned if the County were to enter into this type of agreement with the City of Galena they would receive requests from other municipalities in the County as well.

Beth Baranski advised she talked with Linda Delvaux, County Zoning Administrator and Suzanne Hollingworth, City Zoning Administrator. There seems to be a gap. There is no policy for accepting or denying an application. She recommended a blanket policy that would recognize what needs to be amended.

Berlage recommended both Zoning Administrators as well as the State's Attorney sit down and talk about what is possible. She felt they could layout what the possibilities are and work in cooperation to determine what steps need to be taken to go further.

Auman questioned if the County was concerned with giving up an authority over the mile-and-one-half. Berlage responded "possibly".

Auman felt the policy would be mutually beneficial to both the City and the County.

Berlage questioned where the problems were.

Auman pointed out there were problems with the Wiene Subdivision and with the Galena Green House on Blackjack Road. Auman advised the area on Blackjack Road is zoned non-commercial. He felt this could have been resolved with some type of agreement.

Berlage again questioned if anyone from the City expressed these concerns. She urged the City to give testimony at the hearing when there is a problem.

Auman advised this would require council action and the timeframe wouldn't allow it. Hollingworth explained the process and agreed it is a very tight timeframe.

Brusch felt to handle things on a case by case basis would not be fair. He was in favor of an agreement or a policy.

O'Keefe noted some subdivisions would never be a part of the City. He felt there were certain areas where an agreement makes sense.

Schultz advised the committee did take the concerns of the city to heart when discussing the commercial area across from McDonald's.

Auman stated he isn't concerned with what has happened in the past. He is concerned for the future. He felt the City, County and staff should look at their Comprehensive Plans and identify things that may be a problem and try to solve them before it is too late. He felt it was very short sighted to think everything will just fall in place. He felt it would be irresponsible to not do something to assure the City gets what they want. He questioned if the County was willing or interested in identifying areas and possible solutions.

Schultz advised the County is looking to move forward. The County is currently doing a rewrite on their Zoning Ordinance. He was in agreement with looking into the future and trying to get the City's problems incorporated into the County's vision for the future. He felt a happy medium could be met.

Greene felt the City wants cooperation on the Highway 20 Corridor and not the outlying areas.

Berlage again suggested that staff, 2 City Council members and 2 County Board members meet to see if they can determine the problems and report back to the respective attorneys.

Sally Toepfer was happy both sides talked. She felt the City needs to attend the County Zoning Hearings in order to get the information to the County. The County is not opposed to hearing the City's concerns.

Joanne Bielenda also recommended someone representing the City attend these meetings to let the County know what the City's feelings are.

Toepfer felt the Zoning Administrators need to make sure when there is a concern they work out a distinct separation in time. Delveaux advised if the applicant agrees, she does allow more lead time, however, the applicant doesn't always agree.

### **DISCUSSION OF HOTEL/MOTEL TAX AND CONVENTION AND VISITOR BUREAU**

Auman advised the City is concerned with what has happened over the past several months with the loss of the Executive Director and the process in hiring a new one. He noted the City of Galena has maintenance and infrastructure costs to guests in the City, however, revenues are limited to Sales Tax. Auman also voiced concern about the marketing of Galena. He felt it would be helpful if the City had more input into the decisions the CVB makes and added the City has talked about the possibility of collecting the hotel/motel tax within the corporate limits.

Auman asked to discuss how the City can have more input into this process. Brusch pointed out approximately 1/3 of the Hotel/Motel Tax comes from Galena, however, only 5 of the 15 members on the Advisory Board are from Galena. Auman felt having representation on a board that has no power is no power. Auman questioned if there was a way in which Galena could have some power.

Again, Merry Berlage asked where the problem was. O'Keefe felt the problems is with the tougher economy and business not being as good, will businesses come.

Greene felt the problem is without an advisory board member from the City, it takes too long to get things thru and back to the County.

Brusch was in favor of the City having more representation. Both sides agree it is not a good split.

Sebanc questioned if the advisory board could make decisions on spending funds. He was advised they could only make decisions on those items that are budgeted items.

Berlage advised that of the 15 members on the committee, 9 are either Galena businesses or have Galena addresses.

Bookless advised the City is concerned with the administration of funds allocated to the CVB. Currently the County Board takes a 10 percent fee off of the top of the Hotel/Motel Tax for administration. He voiced concern with money that was being collected for advertising being spent on administration.

Berlage explained what administration is necessary on the Hotel/Motel Tax. She advised it wasn't simply collecting the tax. They spend a great deal of time on the Hotel Motel Tax as well as there is a lot of paper work.

Bookless requested a full report to the City and the public on where this money goes and how it is used.

Schultz advised the Development Committee reserves the bulk of the funds for advertising. The reserves are set up for cash flow purposes. He urged the City to come to the advisory board meetings to be heard. He noted grant money rolls over from year to year because people don't apply for it.

Bielenda added that tourism brings in money. She noted it is called the "Galena" Convention and Visitors Bureau and lodging is the number one product in Galena.

Brusch noted there are only 2 CVB's in the State of Illinois that are run by County Boards; Galena is one of them.

O'Keefe felt everyone would be well served if the City felt it had some input.

Petitgout advised people like to come to Galena because it is safe, nice views and they are able to relax and walk the streets. This is what is marketed.

Toepfer felt the most important issue is communication. She urged the City to get involved in the process, participate and think outside of the box.

Jess Farlow pointed out very few merchants in the downtown market their own businesses. He feels the CVB is being run by professionals that have been hired and are qualified to do the job. As for collecting the tax to relieve infrastructure problems, Farlow noted the tax is not meant to be used for infrastructure but for marketing only.

Auman felt it was important for the City and the County to get together to identify and eliminate possible future conflicts. Auman clarified he didn't mean to use the Hotel Motel Tax to deal with infrastructure problems. He understands what it has to be used for but has some concerns with all of the money coming into the coffers of the County Board. He noted a Home Rule community can use the money.

Cheryl of the Cloran Mansion questioned the status on the Executive Director position. She felt getting the issue of the Executive Director resolved would resolve a lot of problems.

Betsy Eaton, Interim Executive Director, explained what the CVB does for the City of Galena. Galena is the focus and draw for marketing. Approximately \$170,000 of their budget goes to visitor services.

Auman expressed frustration with the slow process on hiring a new Executive Director. The economy depends on an effective CVB.

Berlage advised they are currently doing everything possible at this time to fill the Executive Director position. They should have an answer shortly.

Shultz felt the County and the City are on the same page. He felt the meeting was a great start and all that needs to be done is to work out the details. He noted the County Board feels for those businesses who don't have any business right now. It is in the best interest of the County and the City when business is up.

Kathy Farlow of the Farmers Guest House also questioned why the County can't let anyone know what is going on with the Executive Director position. She added it has been 9 months and still nothing.

Berlage advised they received 40 applications and they are in the final stages. She added they currently have a capable person at the helm. They are taking their time to find the best person to do the job.

All felt the meeting was a good meeting and recommended meeting on an annual or bi-annual basis.

**Motion:** O'Keefe moved, seconded by Greene, to adjourn the meeting. Motion carried by voice vote. The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Mary Beth Hyde  
City Clerk