

5:20 p.m. Proclamation: 2020 Census

Galesburg City Council Regular Meeting
City Council Chambers
55 West Tompkins Street, Galesburg, Illinois
July 15, 2019
5:30 p.m.

Called to order by Mayor John Pritchard at 5:30 p.m.

Roll Call #1: Present: Mayor John Pritchard, Council Members Bradley Hix, Wayne Dennis, Corine Andersen, Wayne Allen, and Larry Cox, 6. Absent: Council Members Lindsay Hillery and Peter Schwartzman, 2. Also present were City Clerk Kelli Bennewitz, City Manager Todd Thompson, and City Attorney Bradley Nolden. Mayor Pritchard declared a quorum present.

The Pledge of Allegiance was recited.

Semenya McCord gave the invocation.

Council Member Dennis moved, seconded by Council Member Cox, to approve the minutes of the City Council meeting from July 1, 2019.

Roll Call #2:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

Fiscal Year 2018 audit presentation by the City's audit firm, Baker Tilly.

CONSENT AGENDA #2019-14

All matters listed under the Consent Agenda are considered routine by the City Council and is enacted by one motion.

19-3036

Approve the bid from Lockwood Excavating & Construction, Inc. in the amount of \$74,200 to complete south outdoor seating area improvements at the Amtrak Station.

19-4084

Approve letter to the Illinois Housing Development Authority regarding the Abandoned Property Program Round 4 Grant Insurance Verification requirement.

19-5004

Receive Motor Fuel Tax Compliance Review for January 1, 2018, through December 31, 2018.

19-8013

Approve bills in the amount of \$716,689.08 and advance checks in the amount of \$610,623.91.

Council Member Andersen moved, seconded by Council Member Hix, to approve Consent Agenda 2019-14.

Roll Call #3:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried by omnibus vote.

PASSAGE OF ORDINANCES AND RESOLUTIONS

19-1012

Council Member Dennis moved, seconded by Council Member Allen, to approve Ordinance 19-3588 on final reading amending Section 152.073 (C) of Chapter 152 of the Galesburg Municipal Code to allow a financial institution as an accessory use to a hospital or clinic in an Institutional (I) zoning district.

Roll Call #4:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

19-1013

Ordinance on first reading amending Section 31.55 of the Galesburg Municipal Code to establish the position of City Treasurer as an appointed position.

19-1014

Ordinance on first reading amending Section 130.116 of the Galesburg Municipal Code regarding the sale and possession of tobacco products.

19-2015

Council Member Andersen moved, seconded by Council Member Cox, to approve Resolution 19-15 supporting the adoption of reasonable zoning regulations and consider appropriate taxation of recreational cannabis businesses. It was also noted that the Act allows for the imposition of a municipal tax under the Municipal Cannabis Retailers' Occupation Tax Law. The tax may be up to 3% of the gross receipts of cannabis products, in addition to normal sales tax.

Roll Call #5:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

BIDS, PETITIONS AND COMMUNICATIONS

19-3037

Council Member Allen moved, seconded by Council Member Andersen, to approve the bid from Gunther Construction in the amount of \$1,110,371.34 for the reconstruction of Monroe Street from North Street to Losey Street.

Roll Call #6:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

CITY MANAGER'S REPORT

MISCELLANEOUS BUSINESS (Agreements, Approvals, Etc.)

19-4085

Council Member Hix moved, seconded by Council Member Dennis, to approve a contract in the amount of \$18,000 for architectural/engineering work to add additional RV/camper sites at Allison Campground required for the OSLAD grant submission.

Roll Call #7:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

19-4086

Council Member Hix moved, seconded by Council Member Cox, to approve an emergency payment in the amount of \$18,725.81 for fuel needed to run the generator at the well field at the Oquawka Water Treatment Plant from May 29 - June 12, 2019.

Roll Call #8:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

19-4087

Council Member Andersen moved, seconded by Council Member Cox, to approve the contracts for professional and technical services with the Western Illinois Regional Council for each of the following grants: HUD Lead-based Paint Hazard Reduction Program 18-306001, the HUD Health Homes Program 18-307001, and the DCEO RLF Program 18-248221.

Roll Call #9:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

PUBLIC COMMENT

Angela Bastian addressed the Council in response to the delayed internal investigation and the pending vote to use the James Kelly law firm on tonight's agenda. She stated that it was unfortunate that the reputable firm of Heyl Roster had a conflict of interest with another client and is not able to conduct the independent investigation. She feels it is a poor decision to hire the James Kelly law firm since it was also hired by the City to defend David Jones. She added that she believes there is a conflict of interest from that point and that the City would be swaying and influencing the course of the investigation if they hired the Kelly law firm.

Bastian stated that she feels people will not be willing to talk to the law firm for that reason and will not be providing names to them if the Council votes to hire the Kelly law firm. She implored Council to hire someone who is impartial, independent, and unbiased to the Jones case or any other City business.

19-4088

Council Member Hix moved, seconded by Council Member Cox, to approve Change Order #1 from Leander Construction for Division B work in the amount of \$11,700.68 for well #5 at the Oquawka Water Treatment Plant.

Roll Call #10:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Member Hillery and Schwartzman, 2.

Chairman declared motion carried.

19-4089

Council Member Allen moved, seconded by Council Member Hix, to approve an engagement letter with the James M. Kelly Law Firm. City Attorney Nolden stated that an engagement letter was approved with Heyl Royster, however due to a potential conflict they are not able to provide the services.

Roll Call #11:

Ayes: Council Members Hix, Andersen, Allen, and Cox, 4.

Nays: Council Member Dennis, 1.

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

Council Member Allen moved, seconded by Council Member Hix, that the City Council sit as the Town Board. The motion carried by voice vote.

TOWN BUSINESS

19-9017

Trustee Allen moved, seconded by Trustee Cox, to approve Town bills and warrants be drawn in payment of same.

Fund Title	Amount
Town Fund	\$7,513.33
General Assistance Fund	\$3,048.90
IMRF Fund	
Social Security/Medicare Fund	
Liability Fund	\$177.19
Audit Fund	
Total	\$10,739.42

Roll Call #12:

Ayes: Trustees Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Trustees Hillery and Schwartzman, 2.

Chairman declared motion carried.

Trustee Allen moved, seconded by Trustee Cox, to resume sitting as the City Council. The motion carried by voice vote.

CLOSING COMMENTS

Council Member Andersen stated that the Council talked extensively with James Kelly and that it is not unusual for a law firm to represent different sides for a client and believes that the assumption of being biased in this case is not true. She is in favor of moving forward with the investigation and not delaying it further and realizes that individuals may not want to talk to any attorney and be on the record to be presented to the Council.

Council Member Dennis stated that he has nothing against the Kelly law firm but was not able to review the information provided or take action to hire them due to his absence.

Council Member Hix invited the public to participate in the GHS Alumni Golf Outing benefiting the Galesburg Public Schools Foundation. The event will be held this Saturday at Bunker Links Golf Course. Anyone interested can contact him directly.

Council Member Allen thanked the organizers of the Knox County Fair, which was able to double its size in participation due to good weather. He also stated that in response to the public comment made tonight that there is no place for hate in Council Chambers.

Mayor Pritchard thanked everyone involved with the fireworks celebration for their hard work and appreciated all those in attendance. He is also excited to see all the projects going on in the downtown area.

The Mayor also thanked the Council for their vote to move forward to not delay the internal investigation.

There being no further business, Council Member Dennis moved, seconded by Council Member Andersen, to adjourn the regular meeting at 6:04 p.m.

Roll Call #13:

Ayes: Council Members Hix, Dennis, Andersen, Allen, and Cox, 5.

Nays: None

Absent: Council Members Hillery and Schwartzman, 2.

Chairman declared motion carried.

John Pritchard, Mayor

Kelli R. Bennewitz, City Clerk