

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
July 31, 2017**

A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, July 31, 2017 at 7:00 p.m. with Mayor Jeff Grove presiding and with proper notice being duly and continuously posted.

The meeting was called to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Grove, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

Absent: Alderman Herndon

Excused Late Arrival: Alderman Demes

A quorum was present.

Moved by Alderman Duncan and seconded by Alderman Reynolds that the minutes of the regular City Council meeting held on Monday, July 17, 2017 are accepted and placed on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PETITIONS

Alderman Demes entered the meeting at 7:02 p.m.

Moved by Alderman Ptak and seconded by Alderman Lavieri to grant the request to begin the process on a petition for Annexation and consideration of Potential Annexation Agreement including request for rezoning to M-2 (Heavy Industrial) and Special Use Permit between the City of La Salle and Illinois Cement Company for properties located at 3129 and 3131 E. 3rd Road and 155 acres at the NE Corner of Illinois Route 251 and North 31st Road, excluding 3140 and 3146 N. Route 251.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Schneider

NAY: None Absent: Alderman Herndon Abstain: Alderman Duncan

Motion Carried 7-0

Moved by Alderman Bacidore and seconded by Alderman Duncan to grant the request of Trinity Catholic Academy to hold and 5K race on Saturday, September 30, 2017 at 9 a.m.

Voice vote, all ayes. Motion carried.

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request of Signarama Aurora for a Sign Permit to install a 21'6" by 1-2" single face, non-illuminated wall sign and new awning cover below the sign at 210 Marquette Street subject to the approval of the Building Inspectors and related matters. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

Moved by Alderman Reynolds and seconded by Alderman Ptak to grant the request of Ameren Illinois to break ground at 944 First Street to repair bad us for streetlight. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Duncan and seconded by Alderman Schneider to grant the request of Mark J. and Cinnamon Bosnich for a variance and waiver from the requirement of providing a sewer ejector pump pursuant to Ordinance 2157 for premises being constructed at Lot 13, Vermilionvue Subdivision commonly known as 118 Vermilionvue Trace.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: Alderman Lavieri

Motion Carried 6-0

REPORTS OF CITY OFFICERS

Moved by Alderman Bacidore and seconded by Alderman Demes to accept and place on file the Monthly Police Income Report for June 2017 totaling \$6,042.60. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

BIDS

Moved by Alderman Demes and seconded by Alderman Ptak to award the low bid to Kirsch and Company totaling \$14,280 for the demolition of premises located at 646 Wright Street subject the bidder entering into the proper contract and meeting all Federal, State, OSHA, EPA and other requirements. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

Bids:	Kirsch and Company	\$14,280
Boehm Brothers		\$17,430
John Pohar & Sons		\$19,589
Glynn Demolition		\$21,342

OLD BUSINESS

Moved by Alderman Schneider and seconded by Alderman Duncan to pay and place on file Pay Estimate #1 to John Pohar & Sons, Inc. totaling \$65,572.20 for the Baker Avenue Storm Sewer Separation project. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

Moved by Alderman Schneider and seconded by Alderman Demes to pay and place on file Pay Estimate #1 to Universal Asphalt & Excavating, Inc. totaling 73,496.70 for the 2017 Sidewalk Improvement Project. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

Moved by Alderman Demes and seconded by Alderman Reynolds to pay and place on file Invoice Number 156 to Don's Custom Canvas totaling \$1,375 to re-cover awning and signage at Meraki Beauty Room located at 641 First Street as part of the Redevelopment Incentive Grant. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

NEW BUSINESS

In regard to the possibility of limiting the number of dogs and cats allowed in the City, Alderman Reynolds stated that this has always been a concern of his and there are problems in a number of neighborhoods. He does not want to deprive people of pets, but a number of owners do not take responsibility for their dogs. He referenced a situation in his neighborhood where two people were bit by dogs who were part of a small household with five dogs. Alderman Reynolds would like to see the City limit the number of dogs and cats permitted. Alderman Reynolds stated that he is also against dogs in the parks. Mayor Grove and Attorney McPhedran reiterated that we have an ordinance that prohibits dogs from parks other than the dog park at Rotary Park.

Chief Uranich was asked by Alderman Duncan as to the magnitude of this issue. Chief Uranich stated that he could not put a number on it, but in terms of the number of dogs in a house, they do not receive calls often on this matter, but enforce the ordinances already in place when complaints come in.

Alderman Schneider stated that he was surprised surrounding towns did have limits. Mayor Grove stated that he has not personally heard a lot of issues concerning the number dogs and cats and had concern in terms of monitoring and enforcing. He stated that we want residents to register their dogs and cats and tag them, but we cannot force registration.

Alderman Reynolds asked Chief Uranich how many of the dogs in the incident he referenced earlier had dog tags. Chief stated that he did not believe any of them did. Alderman Reynolds stated that he does not think the fines for failure to get a dog tag are strict enough.

Alderman Demes suggested raising the fine for failure to register a dog/cat to \$200. He added that by doing so, residents might be more willing to register their pets to avoid a hefty fine which also assists the City in having a better idea of how many dogs residents have. When questions arose about the need to register cats, Attorney McPhedran confirmed that the City ordinance does require that both cats and dogs require registration.

Alderman Reynolds also expressed concern about residents not cleaning up after their pets. Alderman Ptak questioned how you ask someone to get rid of a pet if we institute a limit and they are over the limit. The Mayor stated that some type of grandfathering plan would have to be included.

Moved by Alderman Schneider and seconded by Alderman Duncan to allow Chris Ellberg of IVAR to address the council.

Voice vote, all ayes. Motion carried.

Chris Ellberg stated that she thinks a limit would be difficult to enforce and those who already have pets over the limit would have to be grandfathered in. She stated that it would help IVAR in the long run to have a limit, as there are occurrences where households have a large number of animals. She stated that IVAR is currently dealing with two situations of hoarding, one with cats and one with multiple animals including snakes, lizards and pigs. When asked, Ms. Ellberg stated that she was in favor of a limit and believes a limit of 5-6 total animals would be reasonable but was in favor of grandfathering in people who already are over the limit. Attorney McPhedran stated that the City does not allow certain animals. Mayor Grove stated that this discussion pertains solely to cats and dogs not other animals. Ms. Ellberg also stated that she encourages people to get their City tags.

Alderman Ptak asked how many dogs the hoarder she referred to has in their home. She stated they have fifteen dogs in addition to other animals.

Attorney McPhedran explained that Ms. Ellberg's suggestion of grandfathering in those who currently have a number of pets over the suggested limit would not solve the hoarding problem she referred to. He added that the council has authority to do nothing on this issue, to set limits or consider grandfathering in with or without a time limit. However, he stated that if the council is going to consider grandfathering there must be a way to enforce it. Alderman Lavieri stated that it could be done through registration during a 90-120 day period. Attorney McPhedran added that if the council chose to use registration to govern grandfathering, then the public must be given notice and a period of time to register their pets. If residents were to register their dogs and cats within that timeframe, the grandfathering would apply.

Alderman Demes suggested a free 90 day dog tag registration period and in addition raise the fine for not having a dog tag to \$100-\$200. Alderman Duncan suggested raising the dog tag fee from \$5.00 to \$10.00. Alderman Bacidore had concerns as to how this would be enforced and was not in favor of having our police department spending time on dog tag enforcement.

Debate continued with various options being considered.

Alderman Schneider stated we need to give tools to both IVAR and the Police for these rare situations, but we do not want to create more issues for ourselves. He is in favor of a limit of six, but is not in favor of increasing tag fees and fines. Following continued debate with multiple ideas being presented, Alderman Demes made the following motion:

Moved by Alderman Demes and seconded by Alderman Schneider to:

1. Allow each household to have a total of 6 dogs or cats combined per household.
2. Dogs and cats must be registered or a fine will be imposed.
3. Any dogs and cats above the set limit will be grandfathered in only if no complaints have been received within the last year by the City, IVAR or any other entity and if the dogs/cats are properly registered within a 90 day window.
4. A fine of \$100 per cat or dog will be imposed for each dog or cat over the limit and owners must do something with the animal.
5. Breeding is excluded.

Alderman Bacidore questioned if the City has a kennel license ordinance in place. Mayor Grove then suggested the issue is tabled until the next council meeting giving the council time to develop and vote on a more concise plan.

Moved by Alderman Ptak and seconded by Alderman Schneider to table the motion made by Alderman Demes until the next council meeting.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

For the record, Attorney McPhedran stated that in addition to the potential limitation of the number of dogs and cats per household being posted as part of the Agenda, there was also some discussion of this issue on the radio, therefore there was some notice to the public. However, he pointed out, other than Chris Ellberg from IVAR and members of the press no members of the public were present to comment on this issue.

In other New Business, Alderman Schneider stated that he would like to suggest utilizing our Class B liquor license ordinance to restrict the addition of stand-alone gambling parlors in the downtown area. He stated that some of the downtown business owners do not like them as neighbors and he would like to see other types of businesses in the downtown area. Alderman Schneider stated that he realizes gambling parlor owners have the right to operate and the City welcomes the extra revenue, but he stated we have quite a few already and with available space becoming fewer and fewer, he would prefer not to have them filled with gambling parlors. Alderman Schneider stressed that he is talking about stand-alone gambling parlors, not machines in bars, gas stations or other facilities. Mayor Grove and Alderman Lavieri suggested that the free market will determine which parlors are successful and which are not and it is not for the City to regulate. Alderman Demes stated that he welcomes any business that comes into La Salle and brings in revenue. Alderman Bacidore added that the parlors do draw visitors to the downtown area and those same visitors may also spend money on gas or food while in town which brings more revenue to the City. Brief debate followed. Alderman Duncan suggested the issue is added to the next meeting agenda for further consideration and potential action.

ORDINANCES AND RESOLUTIONS

Moved by Alderman Duncan and seconded by Alderman Schneider to pass and place on file **Ordinance 2695** Allowing Waiver and Variance to Mark J. and Cinnamon Bosnich regarding Sewer Ejection Pump provision in Sewer Ordinance 2157. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: Alderman Lavieri

Motion Carried 6-0

Ordinance 2695: Allowing Waiver and Variance to Mark J. and Cinnamon Bosnich regarding Sewer Ejection Pump provision in Sewer Ordinance 2157.

COMMENTS

Mayor thanked the LBA and all who attended Peek Into La Salle. He added that the pool will close on Monday, August 14.

There were no comments from the public.

7:48 p.m. Moved by Alderman Schneider and seconded by Alderman Lavieri to exit regular session and enter into Executive Session regarding pending and/or potential imminent litigation and related matters: Collective bargaining and related matters, and acquisition and/or sale of city real estate and related matters and the employment, appointment, performance and/or compensation of non-union personnel and related matters pursuant to the Open Meetings Act including 5-ILCS 120 Section 2(c) 1-3,5,6, and 11 thereof.

ROLL CALL: AYE Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

9:20 p.m. Moved by Alderman Bacidore and seconded by Alderman Lavieri to exit Executive Session and resume regular session.

ROLL CALL: AYE Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri that bills submitted totaling \$879,233.37 (Total Payroll \$422,172.73, Bills to be Paid \$356,016.10, Total Bills Paid \$101,044.54) be accepted, paid and placed on file. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: Alderman Herndon Abstain: None

Motion Carried 7-0

Moved by Alderman Reynolds and seconded by Alderman Demes to adjourn the meeting.

Voice vote, all ayes. Motion is carried.

ADJOURNED 9:21 p.m.



Carrie L. Brown, City Clerk