

**MINUTES OF THE REGULAR MEETING  
OF THE LA SALLE CITY COUNCIL  
August 14, 2017**

**A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, August 14, 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, Demes, Bacidore, Reynolds, Lavieri, Duncan, Herndon, Schneider

**Absent:** Alderman Ptak

A quorum was present.

Moved by Alderman Demes and seconded by Alderman Reynolds that the minutes of the regular City Council meeting held on Monday, July 31, 2017 are accepted and placed on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

**PETITIONS**

Moved by Alderman Schneider and seconded by Alderman Demes to grant the request of Starved Rock Runners Ltd. to conduct its 35<sup>th</sup> Annual Canal Connection 10K race on November 5, 2017 beginning at LP High School and utilizing City streets to the I & M Canal with assistance and traffic control provided by the Police and Fire Departments and related matters. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Bacidore and seconded by Alderman Reynolds to grant the request of the LP Band Parents Association to conduct its annual door-to-door candy bar sale on September 12 and September 14, 2017 within the City of La Salle between the hours of 5-8 p.m. 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 for a Sign Permit from Edmund Curry of the Abundant Life Fellowship Church to install a 3' x 10' double-faced banned located on the Route 6 side of premises located at 450 Hennepin Street. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Herndon and seconded by Alderman Demes to grant the request of the La Salle Peru Township High School Net Club for a 2017 Raffle License. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Herndon and seconded by Alderman Schneider to grant the request of Ameren Illinois to break ground at 118 Vermilionvue Trace to install gas and electric service. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

**REPORTS OF CITY OFFICERS**

Moved by Alderman Bacidore and seconded by Alderman Reynolds to accept and place on file the Building Inspectors Report for July 2017 showing total fees collected of \$1,360.20 with total value of construction of \$167,566. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Herndon to accept and place on file the Treasurer's Report for July 2017 showing total cash balances in the La Salle State Bank of \$3,583,269.06 and in Hometown National Bank of \$5,188,591.48. Each and every alderman has a copy.  
Voice vote, all ayes. Motion carried.

### **COMMUNICATIONS**

Moved by Alderman Lavieri and seconded by Alderman Herndon to accept and place on file the Illinois Department of Revenue Report for May 2017 showing sales tax collected for May 2017 of \$88,746.46 and referendum approved sales tax of \$38,164.17 for a total of \$126,910.63. Each and every alderman has a copy.  
Voice vote, all ayes. Motion carried.

### **STANDING COMMITTEES**

#### **SPECIAL COMMITTEES**

Moved by Alderman Bacidore and seconded by Alderman Demes to accept the recommendation of the Zoning Board of Appeals regarding the request of Jeff and Kim Filipiak for a side yard variance from 3 feet to 0 feet to construct an accessory structure (deck) for premises commonly known as 416 9<sup>th</sup> Place and related matters. Each and every alderman has a copy.

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

NAY: None Absent: Alderman Ptak Abstain: None

**Motion Carried 7-0**

Attorney McPhedran explained that the variance request from Jim and Lynn Jakse scheduled to be heard by the Zoning Board of Appeals earlier this evening has been recessed and rescheduled for Monday, September 11, 2017 at 5:00 p.m. in the City Hall Council Chambers. The petitioners were not present at the hearing, therefore no action can be taken by the council at this time.

Moved by Alderman Bacidore and seconded by Alderman Reynolds to accept the recommendation of the Zoning Board of Appeals regarding the request of Enrique Delgado for a rear yard variance from 25 feet to 0 feet and side yard variances from 5 feet to 0 feet to construct an accessory structure (carport) at premises commonly known at 636 Hennepin Street. Each and every alderman has a copy.

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

NAY: None Absent: Alderman Ptak Abstain: None

**Motion Carried 7-0**

### **OLD BUSINESS**

Attorney McPhedran reviewed a motion with wording for a proposed Ordinance based on discussions that took place during the City Council meeting on July 31, 2017. The proposed verbiage concerning the limitation of the number of dogs/cats within the City is as follows:

A. That prospectively, the number of dogs and/or cats combined per household be no more than a combined total of six per household, all of which must be registered with the City of LaSalle, subject to the following further conditions and/or exceptions:

1. That in the event of the birth of a dog and/or cat through breeding within a household, the above limited number shall not apply to the dogs and/or cats within the litter for a period of six months following the birth of the dog and/or cat.

2. That the above referenced limit of a combined six dogs and/or cats per household shall not apply to a State of Illinois licensed veterinarian's office premises and/or to a kennel which kennel shall be further regulated to be allowed only within commercial and/or industrial zoning districts within the City of LaSalle.

3. That dogs and/or cats presently being housed within existing households of the City of LaSalle as of the effective date of this Ordinance shall be exempted from the above limits provided there has been

no complaint as to any such dog and/or cat made to the City of LaSalle and/or to the Illinois Valley Animal Rescue within the last year proceeding the date of passage of the Amendatory Ordinance, and further provided that any such dog and/or cat is appropriately licensed with the City of LaSalle within 90 days following the passage of the Amendatory Ordinance; that additionally the annual \$5.00 per dog and/or cat licensing fee is waived by the City of LaSalle for this year in regard to any dog and/or cat licensed within further in regard to the licensing of any dog and/or cat within said 90 day period.

4. That violations of the Ordinance shall be subject to fines as provided within the Ordinance (presently, amongst other things, Section 90.99 of our Code of Ordinance provides that a fine can be assessed of not less than \$50.00 nor more than \$750.00 for each offense).

Attorney McPhedran stated that we already have ordinances concerning dangerous dogs.

Alderman Bacidore stated that having an ordinance that limits the number of dogs/cats is very hard to enforce unless a complaint call is received. He stated that we are making an ordinance that we don't really need and can't enforce. Mayor Grove stated that Alderman Bacidore was correct that we would only enforce this on a complaint basis. Alderman Bacidore asked if we are going to give money back to those who already paid for a tag this year.

Alderman Demes responded that he suggested the proposed the 90 day amnesty period to encourage those with dogs/cats over the limit to register. Alderman Demes once again suggested raising the fine for unlicensed dogs to a minimum of \$100.

Mayor Grove wanted to make it clear the proposed ordinance would not apply to boarding facilities and dog walking services.

Linda Russell resident of 1155 Third Street expressed concerns about her feral cat. She indicated that she feeds and has had the cat fixed, but it roams the neighborhood. She is concerned her cat is not protected as she has heard the City is trapping cats. Mayor Grove confirmed that the City does trap stray cats and they then are picked up by IVAR. The Mayor encouraged Ms. Russell to get a license for her cat, so in the event it is picked up, they will know if belongs to her. Attorney McPhedran stated that we do have an ordinance that a dog/cat must be on a leash or kept in a fenced in yard or an owner can be fined.

Mayor Grove stated that the changes being considered are similar to policies in other communities. He added that the proposed ordinance is not meant to punish responsible pet owners, but gives the City tools to enforce problem issues.

Julie Pinn resident of 717 Hennepin Street stated that she has run a home business for 43 years where she raises and trains dogs and many times she will have more than six dogs at her home. Mayor stated that the proposed ordinance would not affect her because it is a business. Ms. Pinn noted that many people she works with do not register their dogs. Mayor Grove asked her to inform those people of the new policies and encourage her clients to register their dogs with the City.

Alderman Reynolds stated that he is in favor of limiting the number to 3 dogs or cats.

Moved by Alderman Duncan and seconded by Alderman Herndon to move forward with the motion as read by Attorney McPhedran. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes Lavieri, Duncan, Herndon, Schneider

NAY: Alderman Bacidore, Alderman Reynolds Absent: Alderman Ptak Abstain: None

**Motion Carried 5-2**

Julie Pinn asked what she is to do when she has multiple dogs at her house. Once again, Mayor Grove stated that because it is her business, this would not apply. In addition, those who currently have a number of dogs and cats over the limit will be grandfathered in, however they must register those dogs/cats within the established time period in order to avoid fines.

It was decided that those who have already purchased dog tags will not be refunded. Brief discussion followed about how the grandfathering procedure will work. Attorney McPhedran will prepare a draft ordinance to be considered at the next council meeting on August 28, 2017.

In regard to limiting the number of stand-alone video gaming parlors downtown, Alderman Schneider revisited his points raised at the July 31, 2017 Council meeting. Alderman Schneider explained that he sees the face of La Salle as the downtown and believes we need to treat it as such. He added that the City has an application in for a Historic District and gaming parlors do not fit in that district. Alderman Schneider stated that he has spoken to many downtown business owners and he was unable to find any owners in favor of adding more gaming parlors. At this time, he stated, we have five stand-alone parlors and seven other establishments with machines with a total of 29 sites within the City of La Salle where video gambling is available.

Alderman Demes stated that people like to go from one gambling parlor to another. He felt this could hurt businesses wanting to include gaming as part of an establishment. Alderman Schneider again expressed that he is only talking about stand-alone gaming parlors and these restrictions would not apply under that scenario.

A lengthy debate continued. Alderman Bacidore expressed concerns about loopholes that could be utilized under this new plan.

Alderman Reynolds disclosed that he is employed by Suzy's in La Salle. From his observation, he stated that those who enjoy gambling but may not be comfortable going to a bar and prefer the stand alone establishments over a bar. He also added that it allows an option for those who do not want to drive to a gambling boat.

Amanda Andreoni, La Salle business owner addressed the council. She thanked the council for their time and dedication to La Salle. Mrs. Andreoni stated that she runs two businesses on First Street and owns one property downtown. She stated that the gambling parlors do not line up to her own and other people's vision for downtown. Her personal belief is that the gambling parlors do not promote proper growth and add zero value to the growing retail space. The parlors take up prime real estate and when it comes to recruiting inspired entrepreneurs it is detrimental as far as a recruiting aspect. She continued by saying that there are a few other progressive downtowns in our area that may be more appealing to those entrepreneurs if this continues and suggested we keep the momentum in order to stay competitive with those downtowns. She stated that many have worked hard to change the persona of the downtown and make it a place where residents and visitors want to shop, eat and stay.

Dani Brzozowski, who owns Sweet Sadies in downtown La Salle, a children's play facility, is surrounded by three gaming parlors in one block. She stated that there is prime real estate in the area, but believes it will be very hard to attract new businesses in this area who hold the same values as she and many other owners hold with the amount of gaming parlors in that portion of the downtown.

Economic Development Director Katherine Toraason explained that as she reviewed the Comprehensive Plan, approved by the Council in 2014, everything she read about retail stressed making the downtown the best it could be. She stated, we do not want to put anyone out of business or take away from the people who are there, but to grow according to the comprehensive plan, we want to move forward by making our downtown the best it can be and be the best of our competitors. She added that, this ordinance would allow people to go from gambling place gambling place, just in a different part of town.

Alderman Bacidore again expressed concern about loopholes. Alderman Schneider stated that the Mayor as liquor commissioner has the discretion to issue licenses. Discussion continued as to how loopholes could be avoided. Attorney McPhedran stated that we could check our ordinances and possibly do some regulations if the council so chooses.

Finance Director Duncan stated that the City receives approximately \$160,000 in revenue from all gaming within the City of La Salle.

Carol Zellmer stated that she is from Peru and has heard wonderful things about the downtown and how nice it is. Mayor Grove stated that we want to continue the momentum.

Debate and discussion continued about shopping trends and sales tax generators.

Alderman Lavieri asked Attorney McPhedran if the Liquor Commissioner will have some authority to decide which licenses are issued. Attorney McPhedran stated that the Mayor can decide what is in the best interest in the City but has to do it rationally and reasonably. Attorney McPhedran stated we can look at what other cities have done in terms of restricting. Attorney McPhedran also reiterated we are only discussing stand-alone gaming parlors located within the historic district.

Moved by Alderman Schneider and seconded by Alderman Demes to restrict the addition of any further stand-alone video gaming parlors in the Historic District and ownership of current parlors is non-transferable.

**ROLL CALL:** AYE: Mayor Grove, Alderman Demes Lavieri, Duncan, Herndon, Schneider

NAY: Alderman Bacidore Absent: Alderman Ptak Abstain: Alderman Reynolds

**Motion Carried 7-0**

(Note: The Historic District as applied for consists of First and Second Streets between Bucklin and Joliet, Third Street between Gooding and Marquette Streets, and the north side of First Street Between Hennepin and Crosat Streets)

## **NEW BUSINESS**

Alderman Lavieri relayed a concern from a resident about cars traveling at excessive speed on 24<sup>th</sup> Street. The Police Department will place a speed monitoring device at this location if possible.

## **ORDINANCES AND RESOLUTIONS**

Mayor Grove explained that the ordinance being considered is a result of Illinois Valley Waste moving its assets to Republic Services. Mayor Grove thanked Mike O'Malley of IV Waste for the level of service he and his company has provided and acknowledged Jim Pozzi of Republic Services and stated that we look forward to working with his company and receiving the same service we are accustomed to. Mayor Grove stated that this change will not affect residents either in service or in terms of cost. Alderman Demes expressed his appreciation as well to IV Waste and referred to them as a great friend of the City.

Moved by Alderman Schneider and seconded by Alderman Herndon to pass and place on file **Ordinance 2696:** Ordinance Authorizing Amendment to Ordinance 2620, which Amendment will Authorize Assignment of Garbage Disposal Agreement with RHD Holding Company d/b/a/ Illinois Valley Waste Services, Inc. to Allied Waste Services of North America, LLC d/b/a/ Allied Waste Services of Ottawa//Republic Services of Princeton and related matters.

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

NAY: None Absent: None Abstain: None

**Motion Carried 7-0**

**Ordinance 2696: Authorizing Amendment to Ordinance 2620, which Amendment will Authorize Assignment of Garbage Disposal Agreement with RHD Holding Company d/b/a/ Illinois Valley Waste Services, Inc. to Allied Waste Services of North America, LLC d/b/a/ Allied Waste Services of Ottawa//Republic Services of Princeton and related matters.**

Moved by Alderman Bacidore and seconded by Alderman Demes to pass and place on file **Ordinance 2697** an Ordinance authorizing variance concerning premises as requested by Jeff and Kim Filipiak regarding premises at 416 9<sup>th</sup> Place within the City of La Salle. Each and every alderman has a copy.

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

NAY: None Absent: Alderman Ptak Abstain: None

**Motion Carried 7-0**

**Ordinance 2697: authorizing variance concerning premises as requested by Jeff and Kim Filipiak regarding premises at 416 9th Place within the City of La Salle.**

Moved by Alderman Bacidore and seconded by Alderman Reynolds to pass and place on file **Ordinance 2698:** an Ordinance authorizing variance concerning premises as requested by Enrique Delgado regarding premises at 636 Hennepin Street within the City of La Salle. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

**Motion Carried 8-0**

**Ordinance 2698: authorizing variance concerning premises as requested by Enrique Delgado regarding premises at 636 Hennepin Street within the City of La Salle**

#### **COMMENTS**

Julie Pinn asked if the alley between 7<sup>th</sup> and 8<sup>th</sup> on Hennepin could be checked. She stated there is a big dip in the alley which fills with water. Mayor Grove stated that the City Engineer will look into this.

Mayor Grove wished Chief Uranich a Happy Birthday. Katherine Toraason thanked the council for passing the motion concerning the downtown. She stated it makes her job easier to attract retail. Brian Brown stated they have one block of the new downtown sound system completed and hope to have the remaining four blocks done within the next week and a half.

Mayor stated that the pool had its last day of operation for the season as of today. He thanked Lynda Kasik, her staff and the lifeguards for the great job they did. Finance Director stated that we were up about \$10,000 from last year. Mayor stated that the new building for the ladder truck on Fifth Street is being constructed with hopes to have the truck moved in by November. The Mayor said much of the work is being done in-kind, but we are still accepting donations for the building. Donors will be recognized on a plaque inside the building. Mayor Grove thanked Jeff Bumgarner and his staff for the new signage and camera at the leaf drop-off area. The signs clarify that the drop-off is for La Salle residents only and not for landscaping businesses. Violators will be fined.

**8:19 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 Mayor Grove, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: Alderman Demes, Bacidore Absent: Alderman Ptak Abstain: None

**Motion Carried 6-2**

**8:52 p.m.** Moved by Alderman Bacidore and seconded by Alderman Reynolds to exit Executive Session and resume regular session.

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

NAY: None Absent: Alderman Ptak Abstain: None

**Motion Carried 7-0**

**APPROVAL OF BILLS**

Moved by Alderman Duncan and seconded by Alderman Lavieri that bills submitted totaling \$595,786.80 (Total Payroll \$196,123.83, Bills to be Paid \$176,509.08, Total Bills Paid \$223,153.89) be accepted, paid and placed on file. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

**Motion Carried 8-0**

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

Voice vote, all ayes. Motion is carried.

**ADJOURNED 8:54 p.m.**



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Carrie L. Brown, City Clerk