

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
February 12, 2018**

A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, February 12, 2018 at 7:00 p.m. with Mayor Jeff Grove presiding 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- Alderman Demes, Bacidore, Ptak, Reynolds, Duncan, Herndon, Schneider

Absent: Alderman Lavieri

A quorum was present.

APPROVAL OF MINUTES

Moved by Alderman Demes and seconded by Alderman Reynolds that the minutes of the regular City Council meeting held on Monday, January 29, 2018 are accepted and placed on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PETITIONS

Moved by Alderman Duncan and seconded by Alderman Reynolds to grant the requests of the Peru Education Foundation, North Central Illinois Artworks, Lighted Way Foundation, La Salle VFW Post 4668, Zonta Club of La Salle-Peru Area and Friends of Chris Krueger Benefit for 2018 Raffle Licenses.

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 Inspector's Report for January 2018 showing total fees collected of \$1,100 and total value of construction of \$670,700. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Ptak and seconded by Alderman Herndon to accept and place on file the Treasurer's Report for January 2018 showing case balances in the La Salle State Bank of \$3,993,251.39 and in Hometown National Bank of \$5,220,838.51. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

COMMUNICATIONS

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept and place on file the Illinois Department of Revenue Report showing sales tax collected for November \$81,281.89 and referendum approved sales tax of \$35,032.31 for a total of \$116,314.20. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

OLD BUSINESS

Alderman Bacidore inquired as to the plans for the Vendome. After a brief discussion, a straw vote was taken with all aldermen in favor of having the Building Inspector's prepare documents to go out for bid again for demolition of the Vendome. Notice will be given to parties that have shown interest in purchasing/developing the building that bids are being sought for demolition. The aldermen agreed that it needs to be a total demolition. Alderman Reynolds suggested the bricks be sold to the public due to their historic significance.

In addition, brief discussion took place concerning the recent fire on First Street. The aldermen expressed concern about it becoming another vacant building. Fire Chief Bacidore stated that he believes the building is salvageable and that the building was insured. The City has various legal option to ensure repairs are made on a timely basis.

NEW BUSINESS

Mayor Grove thanked Superintendent Bumgarner and his crews for the great job on snow removal during the recent snow. He also extended thanks to Hy-Vee, Jake's Pour House, John's North Star and Casey's for providing food to City workers. Thanks was also extended to the Fire Department for the great job concerning the fire on First Street this past Sunday. Appreciation was extended by Chief Bacidore to Sweet Sadie's for opening her business as a warming center to the firefighters and to Beck's and IV Food Center for coffee and food. Mayor thanked residents for their cooperation in moving cars off city streets during the snowfall in recent days.

ORDINANCES AND RESOLUTIONS

Mr. Kevin Steder, President of the local chapter of the Illinois Licensed Beverage Association addressed the council. He stated that in his understanding the change in the bar hours is a done deal and the change will be implemented, so he is asking that the council consider offering a cabaret type license on an individual basis to those bar owners who run a good business allowing them to remain open the extra hour. Attorney McPhedran indicated to Mr. Steder that nothing is a done deal until the council formally votes on it.

Mr. John Ebener, owner of the 9th Street Pub addressed the council. Mr. Ebener stated that he would like to keep the extra not so much for his bar business, but to keep the video gaming available until 3 a.m. He indicated that several locations such as Flying J, Becks and Shell are 24 hours, and make five to ten times more in gaming than other parlors and locations that have machines. He stated that if other businesses are allowed to let people gamble all night, then he should be able to have the hour available for gaming. He stated that the playing field needs to be fair. Mr. Ebener estimated he makes \$250 in gaming on Saturday nights or \$1,000 per month. He has patrons that do come to his establishment that work until midnight will play the machines until 3 a.m. Mr. Ebener stated that the State of Illinois shuts off your machines automatically. He added that he has spoken to various individuals about this issue and suggested a cabaret license be made available to those who qualify, allowing them to remain open the extra hour. He, too, indicated that he feels this is a done deal, but is asking that the council reconsiders as it will not only result in a financial loss to bar owners but lost revenue for the City as well.

Alderman Duncan stated that 45 days ago, the council requested that financials were gathered by bar owners showing calculations as to how much revenue would be lost between 2-3 a.m. Mr. Ebener stated that he was unable to secure that information in regard to gaming revenue. Mr. Ebener did indicate his liquor sales are not significant during that timeframe, but he is more concerned about gaming revenue.

Alderman Ptak questioned if the \$1,000 per month was his profit. Mr. Ebener stated that \$1,000 is his profit a month, but he acknowledged that he is estimating that number.

Aldermen Reynolds asked if he is able to check hourly income on his gaming machines that he has with Accel Entertainment. Mr. Ebener stated that he cannot do that and was unable to get figures from them for the timeframe in question.

Alderman Duncan asked again how much Mr. Ebener makes in a year on gaming. He stated it was about \$50,000 per year.

Alderman Herndon confirmed that if there was a trial with a cabaret license, the Mayor and Police Chief could have discretion as to who could and could not be open until 3. Mr. Ebener again stated that he just wants the playing field to be fair in regard to gaming, allowing all to have the right to compete.

Alderman Ptak asked Mr. Ebener if he thought it was fair to compare bars to convenience stores. Mr. Ebener stated he did not think it was in terms of liquor, but it is fair when it comes to gaming. If the City is going to make him quit gaming at a certain time, then they should do the same for others.

Alderman Schneider thanked Mr. Ebener for the respect he has shown and appreciated the manner in which he went about addressing this issue.

Mayor Grove thanked John Ebener for his participation in many City events and the support he has shown. Mayor explained that the consideration of eliminating the one hour on Saturdays stemmed from a request some time ago from our Police Officers, not so much from the incident at 516 on First. Mayor stated that the council has had to weigh the pros and cons and he would have broken the tie vote months ago in favor of closing at 2 a.m. if a vote had been taken at that time. By closing at two, we will not have people rushing to La Salle for the last hour from other towns. The officers indicated that people come to La Salle from other areas where the bars close earlier and that is not always a good thing. Mayor stated that he is more comfortable keeping the hours the same across the board for all owners than picking and choosing who can receive a cabaret type license. In addition, Mayor Grove stated that he wants to do what is right for our officers.

Alderman Bacidore stated that he believes it is not just the last hour we are talking about in terms of lost revenue. He indicated that people will leave a few hours before closing time to go to other towns that have bars that remain open later.

Alderman Duncan stated that our police officers prompted this and other communities are doing this.

Moved by Alderman Duncan and seconded by Alderman Schneider to pass and place on file **Ordinance 2718**: An ordinance amending La Salle City Code, Title XI: Business Regulations, Chapter 110-Alcoholic Liquors, regarding hours of Operation going into effect May 1, 2018 and related matters. Each and every alderman has a copy.

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

NAY: Alderman Bacidore, Alderman Herndon Absent: Alderman Lavieri Abstain: None

Motion Carried 5-2

Ordinance 2718:
amending La Salle City
Code, Title XI: Business
Regulations, Chapter
110-Alcoholic Liquors,
regarding hours of
Operation. (effective May
1, 2018)

Moved by Alderman Duncan and seconded by Alderman Reynolds to pass and place on file
Ordinance 2719: An ordinance Enacting and Adopting an Additional Supplement to the Code of Ordinances for the City of La Salle (S-6). Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Duncan, Herndon, Schneider
NAY: None Absent: Alderman Lavieri Abstain: None

Motion Carried 7-0

Ordinance 2720: An
ordinance Enacting and
Adopting an Additional
Supplement to the Code
of Ordinances for the
City of La Salle (S-6).

Brief discussion followed regarding how liquor licenses and video gaming licenses apply to places such as Becks and Flying J. This will be looked into further to ensure they are complying with our rules.

COMMENTS

City Engineer Brian Brown stated that we have several bid openings coming up for the Chlorine Contact Tank, Rotary Park Baseball Field lighting and the Second Street parking lot.

Alderman Demes asked when water and sewer will be brought out to Rotary Park. City Engineer Brown stated that both are currently being investigated. He stated that sewer is not an issue, it is getting water. Alderman Schneider stated that the Junior and Senior leagues will play at Rotary and the league is assembling a wish list of items that are businesses can assist with.

EXECUTIVE SESSION AND RELATED MATTERS

Mayor Grove indicated for the press and the public that the council will enter into Executive Session. A FOIA request was received requesting minutes from previous Executive Sessions pertaining to the consideration of the Shared Police Services. Attorney McPhedran added that the law requires the council to consider the release of the minutes in closed session, but will come back to open session to approve the release.

Alderman Schneider reiterated that the City of La Salle is not committed to anything with the Shared Police Services other than investigating the process. There was some confusion circulating in the public that the City of Peru had approved the payment of \$70,000 to an architectural firm to work on the engineering of a new building. This led to the perception in the public that the cities were already further into the process than indicated. Peru explained that they had selected this firm for their own plans for a new building, and will offer the information as far as selection of a firm to the Building and Grounds Committee of the Shared Police Services. They will have the option to work with this architect or begin the process again. Mayor also reminded the public that they are welcome to attend any meeting of the Shared Police Services committees.

8:02 p.m. Moved by Alderman Schneider and seconded by Alderman Duncan 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 pursuant to the Open Meetings Act including 5-ILCS 120 Section 2(c)1-3,5,6,and 11 and further discussion regarding certain lawfully closed session minutes and related matters for potential approval and/or release pursuant to 5 ILCS 120/2 (c) 21 and potential action thereafter in open session regarding approval and/or release of certain closed session proceedings/minutes and related matters.

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

NAY: None Absent: Alderman Lavieri Abstain: None

Motion Carried 7-0

9:37 p.m. Moved by Alderman Herndon and seconded by Alderman Demes to exit Executive Session and return to regular session.

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

NAY: None Absent: Alderman Lavieri Abstain: None

Motion Carried 7-0

Moved by Alderman Ptak and seconded by Alderman Demes to approve the lawfully closed meeting minutes for meeting dates of 11/06/2017, 11/20/2017, 01/08/2018 and 01/16/2018, that we further find that certain portions of said meetings minutes no longer require confidential treatment and that we release the minutes portion only (not the audio at this time) of said closed meeting minutes for the dates of 11/06/2017, 11/20/2017, 01/08/2018 and 01/16/2018 related to the following topics only:

1. Investigating the sharing/consolidation of police/department services, including, but not limited to, those related to the potential acquisition/construction of a shared police/public services facility as among the communities of LaSalle, Peru, Oglesby and Spring Valley. (all four meeting dates)
2. Regarding the possible use of Jackson School premises which was in the process of being acquired. (11/06/2017)
3. Related to the release of insurance company funds that had been held up because of alleged damage, which would include potential ordinance violations needing remediation concerning premises on Tonti Street. (11/20/2017)
4. Related to sewer issues at 1026 11th Street (January 8, 2018)

With all other closed meeting minutes and proceedings to remain confidential pending further review.

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

NAY: None Absent: Alderman Lavieri Abstain: None

Motion Carried 7-0

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Herndon that bills submitted totaling \$399,105.16 (Total Payroll \$169,528.94, Bills to be Paid \$178,042.61, Total Bills Paid \$51,533.61) be accepted, paid and placed on file. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Duncan, Herndon, Schneider
NAY: None Absent: Alderman Lavieri 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 9:41 p.m.



Carrie L. Brown, City Clerk