

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
April 9, 2018**

A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, April 9, 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, Lavieri, Duncan, Herndon, Schneider

Absent: None

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, March 26, 2018 are accepted and placed on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PROCLAMATIONS

Moved by Alderman Reynolds and seconded by Alderman Demes to proclaim April 21, 2018 as Comcast Cares Day and April 18-24 as National Cleaning for a Reason Week. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PETITIONS

Moved by Alderman Bacidore and seconded by Alderman Reynolds to allow Luke Tomsha to address the council.

Voice vote, all ayes. Motion carried.

Mr. Tomsha of the Perfectly Flawed Foundation spoke briefly about the Earth Day clean up event being held on Saturday, April 21, 2018 and being sponsored by his organization. Volunteers will clean up a portion of the I&M Canal, as well as the hillside located on Canal Street south of First Street. For every volunteer hour, \$24 is received as an in-kind match from the National Park Service. Last year over \$4,000 was donated to the Canal Corridor Association. This year there will be a balloon artist, face painting, a hot dog cart and coffee. In addition there may be yoga, music and possibly a prescription medicine take back. He stated that the DNR will pick up any garbage that is collected. He indicated that the City will provide a dump truck to haul away brush.

Mr. Tomsha also updated the council on the status of the Perfectly Flawed Foundation. He stated that the foundation now has an office in the old train depot located at 240 First Street in La Salle and has brought on a Director and an Intern from ISU. Mr. Tomsha expressed the importance of providing social services in our area, as they are very scarce, both for addicts and family members. He stated that his foundation, through its successful fundraising efforts, has donated new chairs to the La Salle library, donated to the Officer Santa Program, given money

to the schools as well as to the local baseball and softball programs to be used at the discretion of the receivers to assist those affected by substance abuse.

Mr. Tomsha stated that he has been networking on a larger scale and has made connections with an organization called Live4Lali located in Lake County. Mr. Tomsha stated that if someone comes to him for help, he can now use this resource to lead them to help within 24 hours. He stated that they are receiving more calls for counseling.

He stated the foundation is hosting a Kentucky Derby fundraiser on May 5, 2018 and will also be hosting a private/ public community forum. This type of forum is meant to bridge the gap between users and the police. There will be representatives from the State's Attorney's office, Mundelein's Chief of Police who was Illinois' Chief of Police of the Year and a user with a success story. There will be a portion where local Mayors and Police Chiefs can meet with the panel in a private setting, and then a public forum to follow. The forum will be held at Stage 212 with the date to be determined.

Mayor Grove thanked Mr. Tomsha for his efforts and is happy to see his foundation is growing. Alderman Schneider commended Mr. Tomsha as well for his efforts and his ability to remain open to all views.

Moved by Alderman Lavieri and seconded by Alderman Schneider to allow Chris Miller to address the council.

Voice vote, all ayes. Motion carried.

Chris Miller, resident of 720 Lincoln Court addressed the council regarding matters related to his property. The City filed a lawsuit in March against Mr. Miller for barricading an east-west alley that runs on the north side of his home and is directly south of the Lincoln School parking lot. Mr. Miller stated his purpose in coming before the council was to provide some history of his home and property. Mr. Miller referenced a PowerPoint presentation containing photos and aerial photos while giving history of his home and his subdivision. A copy of which has not yet been provided to the City.

Mayor Grove explained that since the case is in court right now, the council will not be able to comment on the matter.

Mr. Miller stated that he purchased the home which was built in 1894-1896 in October of 2014 and has been doing research since that time to find documentation that shows that the alley directly north of his home was originally a driveway. He stated that the original plat shows that the area now used as a public alley is part of his property. He expressed complaints about the level of noise coming from Lincoln students during recess and noise from vehicular traffic in front of his house. He stated that his intention is to plant trees in the barricaded area to create a natural border along the northern portion of the property as a means to buffer this noise.

Mr. Miller stated that traffic issues (including semi trucks) precipitated the barricades going up. He stated that he did not do it to inconvenience the school or his neighbors and has support from most of the neighbors with the exception of a few.

Mr. Miller expressed concern about drainage and water runoff from the school parking lot and how it affects his property.

Mr. Miller allowed a portion of a video to play while there was continued discussion. A copy of this video has not yet been provided to the City.

La Salle Public Schools Superintendent Brian De Bernardi stated that the conversations the District had began with Mr. Miller expressing concerns about water and sheet flow and then turned into a question of property issues. Mr. De Bernardi stated that he was unsure if Mr. Miller's issues with the school are one issue or two. Mr. DeBernardi stated that he has been at Lincoln Junior High School for ten years and in the District for 18 years and the alley under discussion has always been used as a passageway for students, bikes and vehicles. He added that it is regularly used as an area where cars park off of St. Vincent Avenue to pick up students. He stated that the District recognizes that St. Vincent Avenue is a highly traveled route. The District is looking at ways to relocate the student concentration off of St. Vincent Avenue by trying to push more to the north for arrival and dismissal, but they still need to provide a safe and secure and convenient route for students who live south of the school, especially those who reside southwest of the school.

Mr. Dennis Murdock, resident of 1123 St. Vincent Avenue, expressed concern about the ability for emergency vehicles to safely navigate with the barricades being in place. Mayor Grove responded by stating that is part of the reason we are in court as the City shares the same concerns.

Amy Lambert, resident of 707-11th Street expressed the same concern about the safe passage of emergency vehicles. She has rented at this property since June from Chris Miller and believes the alleys in the vicinity of her home are dangerous in terms of entering and exiting, as well as having the ability for two cars to pass each other. She suggested making the alleys one way to curb some of these concerns. The Mayor stated that this idea was offered to Mr. Miller but was not an acceptable solution. The Mayor hopes the court can come up with solution that will be agreeable to everyone.

Mr. Murdock stated that he has lived in his home for 28 years and has never seen a semi truck go through the alley nor has run into the problems that Mr. Miller cites and stated that the prior owner of Mr. Miller's home did not either. (Mr. Miller responded by showing video footage of a semi-truck utilizing the alley under discussion. A copy of this video has not yet been provided to the City.)

Alderman Duncan stated that this alley most likely was always used by the public therefore adverse possession would apply.

Mayor Grove thanked everyone for their comments.

Moved by Alderman Herndon and seconded by Alderman Schneider to grant the request of the La Salle VFW to hold its annual "Buddy Poppy Distribution" on May 31-June 2, 2018 at La Salle businesses. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request of Ameren Illinois to break ground at 602 First Street to replace pole and related matters. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Demes and seconded by Alderman Bacidore to grant the request for a Sign Permit to install a temporary 5' x 6' portable, non-illuminated ground sign at 851 First Street (Suzi's) through June 28, 2018 with the exception that the sign must be removed if it creates a safety concern or is too large. Each and every alderman has a copy.

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

NAY: Alderman Duncan Absent: None Abstain: Alderman Reynolds

Motion Carried 7-1

Moved by Alderman Herndon and seconded by Alderman Lavieri to grant the request for a Sign Permit to Imperial Crane located at 301 N. 30th Road to install a 10' x 14' illuminated sign. 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 Duncan and seconded by Alderman Herndon to grant the request of Mark and Michelle Sekula for a variance and waiver from the requirement of providing a sewer ejector pump pursuant to Ordinance 2157 for premises being constructed at Lot 12, Vermilionvue Subdivision commonly known as 116 Vermilionvue Trace and related matters.

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

NAY: None Absent: None Abstain: Alderman Lavieri

Motion Carried 8-0

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept the recommendation of the Finance Committee and deny the request from the Starved Rock Country Community Foundation for a monetary donation to the 3rd Annual TBM Avenger Reunion and Salute to Veterans being held at Illinois Valley Regional Airport on Saturday, May 19, 2018. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

COMMUNICATIONS

Moved by Alderman Herndon and seconded by Alderman Duncan to accept and place on file a thank you from the family of Gary Carey. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

APPOINTMENTS

Moved by Alderman Lavieri and seconded by Alderman Schneider to appoint Lynda Kasik as Park and Recreation Director to May 1, 2021.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

**Appointment: Lynda
Kasik as Park and
Recreation Director to
May 1, 2021.**

Moved by Alderman Demes and seconded by Alderman Reynolds to appoint Katherine Toraason as Economic Development Director to May 1, 2021.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Appointment: Katherine Toraason as Economic Development Director to May 1, 2021.

OLD BUSINESS

Moved by Alderman Herndon and seconded by Alderman Schneider to authorize, pay and place on file Pay Estimate #1 to Universal Asphalt & Excavating, Inc. totaling \$68,862.99 for the 2018 Non-MFT Program 2nd and Wright Street and 1st and Gooding Street Parking Lot Improvements and Lindberg Road Bus Lane at Lincoln School. 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

NEW BUSINESS

No new business was brought forth.

Moved by Alderman Herndon and seconded by Alderman Schneider to pass and place on file **Ordinance 2725:** an ordinance allowing Waiver and Variance to Mark and Michelle Sekula Regarding Sewer Ejection Pump Provision in Sewer Ordinance 2157. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: Alderman Lavieri

Motion Carried 8-0

Ordinance 2725 - ordinance allowing Waiver and Variance to Mark and Michelle Sekula Regarding Sewer Ejection Pump Provision in Sewer Ordinance 2157

Moved by Alderman Reynolds and seconded by Alderman Ptak to pass and place on file **Ordinance 2726** an Ordinance Clarifying That The Total Retailers' Occupation Tax and Municipal Service Occupation Tax Imposed by Ordinance of the City of La Salle, a Home Rule Municipality Since 2006 1% and Addressing Related Matters. 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 2726 - Ordinance Clarifying That The Total Retailers' Occupation Tax and Municipal Service Occupation Tax Imposed

**by Ordinance of the City
of La Salle, a Home Rule
Municipality Since 2006
1% and Addressing
Related Matters**

Moved by Alderman Reynolds and seconded by Alderman Demes to pass and place on file **Ordinance 2727** an ordinance Approving and Authorizing the Execution of a Tax Increment Financing (TIF) District Redevelopment Agreement by and between the City of La Salle, La Salle County, Illinois and J.J.R. Next Level Training and Fitness and related matters. 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 2727 -
Approving and
Authorizing the
Execution of a Tax
Increment Financing
(TIF) District
Redevelopment
Agreement by and
between the City of La
Salle, La Salle County,
Illinois and J.J.R. Next
Level Training and
Fitness**

COMMENTS

EXECUTIVE SESSION

8:23 p.m. Moved by Alderman Schneider and seconded by Alderman Demes to enter in Executive Session regarding pending and/or potentially 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, discipline, appointment, performance and/or compensation of non-union and/or union personnel and related matters pursuant to the Open Meetings Act including 5-ILCS 120 Section 2(c)1-2,5,6,11 thereof.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

8:59 p.m. Moved by Alderman Schneider and seconded by Alderman Reynolds to exit Executive session and return to Regular Session.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri that bills submitted totaling \$398,433.62 (Total Payroll \$172,806.35, Bills to be Paid \$193,909.36, Total Bills Paid \$31,717.91) 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 9:00 p.m.



Carrie Brown, City Clerk