

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
December 17, 2018**

A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, December 17, 2018 at 6:30 p.m. with Alderman Tom Ptak acting as Mayor Pro-Tem in the absence of Mayor Jeff Grove with proper notice being duly and continuously posted.

The meeting was called to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present- Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Sellett, Herndon, Schneider

Absent: None

A quorum was present.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to appoint Tom Ptak as Mayor Pro-Tem for the duration of the meeting in the absence of Mayor Grove.

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

NAY: None **Absent:** None **Abstain:** None

Motion Carried 8-0

APPROVAL OF MINUTES

Mayor Pro-Tem Ptak announced that due to the extensive nature of the minutes from the Public Hearing and Regular City Council meeting held on Monday, December 3, 2018 and then recessed and reconvened on Wednesday, December 5, 2018 they will be approved at the January 7, 2019 meeting.

PETITIONS

Moved by Alderman Schneider and seconded by Alderman Reynolds to grant the request of the Rotary Park Music and Arts Board "Operation Santa Committee" for a 2018 Raffle license with proceeds going to the Officer Santa Program. 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 requests of the Better Fishing Association of Northern Illinois and the La Salle Peru Township High School Foundation for Educational Enrichment for 2019 Raffle Licenses. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

(Alderman Lavieri abstained from the vote for the Better Fishing Association of Northern Illinois as he is a member.)

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request of Designs and Signs on behalf of Viakable Manufacturing, LLC for a Sign Permit to install a 49 sq. ft. illuminated, double-faced ground sign at 2969 Chartres Street. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Bacidore and seconded by Alderman Lavieri to grant the request of John Pohar to break curb at 314 Raccuglia Drive to add 12' of culvert to widen drive from 24' to 34'. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Herndon and seconded by Alderman Schneider to refer the request of Thorntons Inc. to the Planning Commission for the approval of a Preliminary Plat of Thorntons Subdivision being a resubdivision of Lots 1, 2, 3 and 4 in Midwest Center Subdivision to the City of La Salle, Illinois. 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 Sellett to accept and place on file the Building Inspector's Report for November 2018 showing total fees collected of \$620.00 with total value of construction of \$115,789. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Reynolds and seconded by Alderman Sellett to accept and place on file the Monthly Police Income Report for November 2018 showing total fees collected of \$9,115.31. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept and place on file the Treasurer's Report for November 2018 showing cash balances in the La Salle State Bank of \$5,288,650.39 and in Hometown National Bank of \$5,393,512.94. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

COMMUNICATIONS

Clerk Brown read a thank you letter from LBA President, Bart Hartauer and a thank you from La Salle Elementary District 122.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to place the communications on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept and place on file the Illinois Department of Revenue Report showing sales tax collected for September 2018 of \$84,044.89 and municipal home rule sales tax of \$72,955.90 for a total of \$157,000.79. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

SPECIAL COMMITTEES

Moved by Alderman Demes and seconded by Alderman Reynolds to accept the recommendation of the Planning Commission regarding a potential amendment to the City of La Salle Zoning Ordinance No. 590, specifically La Salle City Code Section 153.023 regarding timing of display of political signs and related matters. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Attorney McPhedran stated for the record that there were no objectors at the Planning Commission hearing and the recommendation provided by the Planning Commission contained conditions that Sterling St. Solar, LLC owned indirectly by Greenkey Solar, LLC additionally comply with all rules and regulations of the City of La Salle in regard to obtaining building permits and other requirements in the City of La Salle ordinances. It was also agreed by the developers that part of those permitting processes aside from the Special Use Permit would include more specific provisions regarding decommissioning of the use in the event that it should occur. It was also agreed that as part of that there would be consideration of bonds being issued. There was also additional contingencies discussed that the Special Use Permit would be issued initially for a period of 30 years, however could be extended with the joint discretion of the Mayor, City Engineer and Director of Economic Development for a period of time deemed appropriate. That additionally any granting of the use would be conditioned on the developer having a lease in place with the current owners of the properties, Fred and Cynthia Carus within 9 months and if it went more than 9 months without it being operational, the right to the permit could cease or if the lease was not in place. In addition, there was consideration that the lease could be potentially assignable but only with the consent of the City Council of the City of La Salle and could not be unreasonably held. All of these conditions were discussed and approved by the owners, Ms. Green and Mr. Strader. Attorney McPhedran confirmed that to be true with the owners. Attorney McPhedran stated that these same conditions would pertain to the ordinance being voted on later in the meeting.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept the recommendation of the Planning Commission regarding the petition and request of Hunter Strader on behalf of Sterling St. Solar, LLC owned indirectly by GreenKey Solar, LLC on two parcels one which is owned by Frederick L. Carus and one owned jointly with Cynthia Carus for a Special Use Permit to construct a roof-mounted solar development endeavor with related fixtures and appurtenances on two parcels of real estate which premises are commonly known as 900 Sterling Street which premises are presently zoned M-2, Heavy Industrial within the City of La Salle subject to the conditions outlined. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

STANDING COMMITTEES

Moved by Alderman Schneider and seconded by Alderman Lavieri to accept the recommendation of the Finance Committee and renew Property, Liability and Worker's Compensation insurance with the Illinois Municipal League's Min/Max policy for a total of \$371,980 for a policy period of 12/31/2018 to 12/31/2019.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

OLD BUSINESS

In regard to joining IVAC, Alderman Bacidore expressed concerns about what the organization can do for the City. Alderman Bacidore stated that past investments with Retail Strategies and Ivan Baker's group have not produced results. He stated that all of our stores are full and we have no room for factories. Tom Ptak stated that we do have spots open downtown and there are places within the City for larger developments. Mayor Pro-Tem Ptak stated that he believes it gives our Economic Development Director another tool to utilize and he believes it is what

Katherine would like the council to consider. Alderman Lavieri stated that he believes 72 businesses individually belong to IVAC. He stated that he realizes it is only \$3,000, but is unsure what we are going to get. He stated that he would prefer giving \$100 every meeting to organizations like the Boy Scouts or other charitable organizations. Aldermen Demes stated that he was originally not in favor of joining, he stated that he would be comfortable voting in favor if we can re-evaluate in one year. Alderman Schneider stated that he was not defending Retail Strategies, but his understanding was that initially the Thorntons connection came from them.

Moved by Alderman Reynolds and seconded by Alderman Lavieri to accept the recommendation of the Finance Committee and renew our membership with the Illinois Valley Area Chamber of Commerce beginning in 2019 on a trial basis for one year for a total of \$3,000.

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

Motion Carried 7-1

Alderman Reynolds asked residents to assist the City by removing leaves and debris from storm sewers to prevent back-ups.

NEW BUSINESS

Alderman Schneider announced that the City is currently on track to have the best year for sales tax since 2009.

ORDINANCES/RESOLUTIONS

Attorney McPhedran explained that the first ordinance under consideration, if it passes, will be certified by our Clerk and sent to the County Clerk in order for the question to appear on the April 2, 2019 ballot. The referendum is in regard to the position of City Clerk. Voters will decide if the position should remain an elected position or become an appointed position. Attorney McPhedran stated that from his understanding from the Mayor, this is being placed on the ballot because in recent years there has not been a great deal of interest shown by the public in regard to running for the position.

Alderman Bacidore asked if this position will remain a part-time job. Attorney McPhedran stated that at this time, it is solely a question for voters to decide if the position should remain an elected position or become an appointed position. He explained that compensation is a separate issue and cannot be increased or decreased during term of a City Official. Attorney McPhedran continued by stating that what may or may not happen as to the specifics of the position is not something being discussed at this time.

Attorney McPhedran stated that this question has been posed in other communities, which some have passed and some haven't. Alderman Herndon asked if the referendum should pass, if the Clerk would become an appointed position. Attorney McPhedran confirmed that to be correct and stated that the appointment would be for the same term as the Mayor is office.

Moved by Alderman Reynolds and seconded by Alderman Herndon to pass and place on file **Ordinance 2790:** An Ordinance Providing for the Submission to Electors of the City of La Salle, La Salle County, Illinois the question of Whether the City Clerk Shall be Appointed Rather than Elected. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Ordinance 2790: Ordinance Providing for the Submission to Electors of the City of La Salle, La Salle County, Illinois the question of Whether the City Clerk Shall be Appointed Rather than Elected.

Moved by Alderman Reynolds and seconded by Alderman Demes to pass and place on file
Ordinance 2791: An Ordinance Authorizing Agreement between the City of La Salle and Ameren Illinois Company. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Ordinance 2791: Authorizing Agreement between the City of La Salle and Ameren Illinois Company.

Moved by Alderman Demes and seconded by Alderman Reynolds to pass and place on file
Ordinance 2792: An Ordinance Amending City of La Salle Zoning Ordinance 590, specifically La Salle City Code Section 153.023 regarding the timing of display of political signs. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Ordinance 2792: Amending City of La Salle Zoning Ordinance 590, specifically La Salle City Code Section 153.023 regarding the timing of display of political signs.

Attorney McPhedran stated for the record that the authorization of a Special Use Permit will take five favorable votes to pass.

Moved by Alderman Reynolds and seconded by Alderman Demes to pass and place on file
Ordinance 2793: An Ordinance Authorizing the Granting of a Special Use Permit within the City of La Salle, La Salle County, Illinois (Sterling St. Solar, LLC owned indirectly by GreenKey Solar, LLC for parcels owned by Frederick L. Carus and Cynthia Carus with the same conditions previously stated. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Ordinance 2792: Authorizing the Granting of a Special Use

Permit within the City of La Salle, La Salle County, Illinois (Sterling St. Solar, LLC owned indirectly by GreenKey Solar, LLC on premises owned by Frederick L. Carus.

The next Resolution is the formalization of an informal agreement worked out over a number of years between the City and the Library Board. The library board has approved this agreement. Finance Director John Duncan explained that years ago when the personal property replacement tax was established in the State of Illinois, the library lost some tax on that. The library gets a portion that goes back to 1983. They receive a portion to recover taxes lost in that year. What the City has been doing was retaining that revenue and using the revenue to pay a portion of their IMRF and gas and electric bill. This is nothing new, it just formalizes what has been done. With new members of the Library Board and Council, it makes it clear how this tax is being handled.

Moved by Alderman Demes and seconded by Alderman Reynolds to pass and place on file
Resolution 201818: An Resolution formalizing Intergovernmental Agreement with the La Salle Public Library through its Board of Trustees. Each and every alderman has a copy.

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

Motion Carried: 7-1

Resolution 201818: A resolution formalizing Intergovernmental Agreement with the La Salle Public Library through its Board of Trustees.

COMMENTS

Alderman Demes thanked all involved with the Celebration of Lights and encouraged everyone to take a ride through and stated that there have been many positive comments posted on Facebook.

There were no comments from the public.

APPROVAL OF BILLS

Moved by Alderman Lavieri and seconded by Alderman Sellett that bills submitted totaling \$412,299.30. (Total Payroll \$171,718.85, Bills to be Paid \$206,877.07, Total Bills Paid \$33,703.38) be accepted, paid and placed on file. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Alderman Demes recognized and thanked Attorney McPhedran for his expertise as our City Attorney and his attention to detail and always looking out for the City. Alderman Demes stated that the newspaper recently had a headline about a City close to us who had a problem with an agenda. Alderman Demes stated that this would never happen here because of Attorney

McPhedran's thoroughness. Attorney McPhedran replied that he is only doing his job and mistakes can happen anywhere.

Moved by Alderman Reynolds and seconded by Alderman Demes to adjourn the meeting.
Voice vote, all ayes. Motion is carried.

ADJOURNED 7:03 p.m.

Carrie Brown

Carrie Brown, City Clerk