

## MINUTES OF THE REGULAR MEETING

### OF THE LA SALLE CITY COUNCIL

August 7, 2023

**A regular meeting of the La Salle City Council of La Salle, Illinois was held, Monday, August 7, 2023, at 6:30 p.m. with Mayor Jeff Grove presiding with proper notices being duly and continuously posted.**

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

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

**Present** - Mayor Grove, Aldermen Bacidore, Thompson, Ptak, Reynolds, Jeppson, Herndon, Crane

**Excused Absence** – None

A quorum was present.

**Others Present:** Finance Director John Duncan, City Attorney Jim McPhedran, Econ. Dev. Director Curt Bedei, Fire Chief Jerry Janick, Police Chief Mike Smudzinski, City Treasurer Virginia Kochanowski, Building Inspector Andy Bacidore

### **PUBLIC HEARING**

Moved by Alderman Lavieri and seconded by Alderman Jeppson to open the Public Hearing to receive comments concerning the submittal of an Open Spaces Lands Acquisition and Development (OSLAD) grant through the Illinois Department of Natural Resources. **(6:31 pm)**

Economic Development Director Curt Bedei said it is a \$600,000 matching grant due at the end of the month. Director Bedei said it would be for the installation for exercise equipment discussed at the last meeting as well as the construction of two pickleball courts, sledding hill with tow rope installation and resurface of a parking lot. Bedei said this is a backup to a previous grant submittal if that grant is not approved. Mayor Grove said the parking lot will be between the hill going down and the dog park which should be more convenient.

Mayor Grove asked for any input from the public in attendance and none responded.

Moved by Alderman Reynolds and seconded by Alderman Lavieri to close the public hearing **(6:34 pm)**

Voice vote, all ayes. Motion carried.

## APPROVAL OF MINUTES

Moved by Alderman Reynolds and seconded by Alderman Thompson to approve the Minutes of the Regular City Council meeting held July 24, 2023. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

## DISCUSSION AND POTENTIAL ACTION ON THE FOLLOWING PETITIONS:

Mayor Grove asked for the next request from Ameren Illinois to be separated.

Moved by Alderman Herndon and seconded by Alderman Crane to approve the request from Ameren Illinois to break ground at 2163 Crosat Street to replace pole along north property line on Baker Avenue

Voice vote, all ayes. Motion carried.

Moved by Alderman Crane and seconded by Alderman Herndon to approve the request from Ameren Illinois to break ground at 144 Cavalier Court to install street light pole.

## ROLL CALL

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Jeppson, Herndon, Crane

**NAY:** None **Absent:** None **Abstain:** Alderman Lavieri

## MOTION CARRIED: 7-0

Moved by Alderman Jeppson and seconded by Alderman Lavieri to approve the request from Designs and Signs on behalf of Lighted Way to install an illuminated, single-facing wall sign at 1445 Chartres Street

Voice vote, all ayes. Motion carried.

Alderman Bacidore referred a request from Nick Ross, owner of Quicke Subs, for one to two reserved for customers parking locations in front of the business at 113 Wright Street to the Streets, Alleys and Traffic Committee in two weeks following the Finance Committee meeting.

Mayor Grove asked Police Chief Mike Smudzinski if there have been any issues with amplified sound at Nick's on 6 following the earlier Special Event Permit approvals.

Chief Smudzinski said that Nick Hammers has not yet paid his outstanding ticket from a prior violation. Nick Hammers said his ticket went to the wrong address, but Chief Smudzinski said the ticket was given to him in person and what Hammers was referring to was a late notice in the mail. Nick Hammers discussed the ordinance with Chief Smudzinski who confirmed that he did receive the late notice but it went to the wrong address first. Smudzinski said he would address the error moving forward.

Moved by Alderman Thompson and seconded by Alderman Jeppson to approve the request from Nick Hammers for a Special Event Permit to allow an extension of hours for outdoor music and increase of allowed decibel readings on August 12, August 19, August 25, August 26, September 1, September 2, and September 3 and related matters.

Mayor Grove tabled a request from Bradley Gruenwald for a Special Event Permit to allow a street closure and the use of city-owned property to close 27<sup>th</sup> Street from St. Vincent Avenue to the Hennepin Street for a car show as the applicant was not in attendance, as is standard for their approval.

## **REPORTS OF CITY OFFICERS**

Moved by Alderman Herndon and seconded by Alderman Reynolds to approve the Building Inspector's Report for July 2023 showing total fees collected of \$2,582.34.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Herndon and seconded by Alderman Reynolds to approve the Monthly Police Income report for July 2023 showing total fees collected of \$6,982.26.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Ptak and seconded by Alderman Lavieri to approve the Treasurer's Report for July 2023 showing total cash balances in LaSalle State Bank of \$14,113,753.66 and in Hometown National Bank of \$7,419,311.18

Voice vote, all ayes. Motion is carried.

## **BIDS**

Alderman Crane discussed the bids received and said the two high bids are \$1,090 apart from one another which he said was tight. The low bid was \$5,240 cheaper than the second highest bid. Alderman Crane said "that throws up a red flag that something is being missed." He said he'd rather pay more to ensure it is done right. Alderman Crane said the low bidder tore down the old Third Base building and he had received complaints regarding that teardown. Alderman Crane said the highest bid references dust control and that it will adhere to OSHA and Illinois Department of Public Health laws. Alderman Bacidore said the high bid also references abatement. Alderman Crane said they also reference dust and noise control measures would be used, which were not used previously by the low bidder. Alderman Lavieri said even if it's not referenced that the contractor would have to follow the bid specifications. Alderman Thompson said he had complaints as well regarding the low bidder's previous work. Prior to the vote, Alderman Herndon asked City Attorney Jim McPhedran if the City was "stepping out of its boundaries" by not taking the low bid. Attorney McPhedran said if aldermen believe it is in the best interests of the City and that the low bidder is not compliant with the specs and that quality of work may not be as good then the City can arguably go with a higher bidder. McPhedran said the general rule is that it should be given to the low bidder and all

aldermen should consider all of those points as they make their individual decisions. Alderman Bacidore asked if the City could go with the highest bid. Attorney McPhedran said only if they feel the second bid does not meet the parameters of the bid specifications. Alderman Bacidore said the City is familiar with the high bidder's work and know the quality but is unfamiliar with the second bidder's work.

Moved by Alderman Crane and seconded by Alderman Thompson to approve the bid award for 1554 Fifth Street of \$21,000 to Gillan Construction.

## **ROLL CALL**

**AYE:** Aldermen Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

**NAY:** Alderman Bacidore **Absent:** None **Abstain:** None

**MOTION CARRIED: 7-1**

## **STANDING COMMITTEES**

Moved by Alderman Ptak and seconded by Alderman Lavieri to approve the recommendation of the Finance Committee regarding a request from Thomas Siebert of Last Detail for a Redevelopment Incentive Program grant totaling \$1,500 for premises located at 347 Creve Coeur Street and related matters.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Bacidore and seconded by Alderman Reynolds to approve the recommendation of the Streets, Alleys, and Traffic Committee to deny the request to add stop signs at the intersection of Baker Avenue and Washington Street and related matters.

Alderman Crane reiterated from the earlier Committee, that the Committee recommended the Police Department's "slow traffic" speedometer to be placed at the location to deter speeding.

Attorney McPhedran reminded the Council regarding the earlier demolition bid discussion that the contractor will be subject to signing a written contract about the expectations of work completed.

Voice vote, all ayes. Motion is carried.

## **OLD BUSINESS**

Moved by Alderman Bacidore and seconded by Alderman Thompson to confirm and ratify a straw vote regarding a Special Event Permit to allow an extension of hours for outdoor music and increase of allowed decibel readings on August 5 at Nick's on 6 and related matters.

## **ROLL CALL**

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

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

**MOTION CARRIED: 8-0**

Moved by Alderman Ptak and seconded by Alderman Reynolds to confirm authorization of Pay Request #3 for Vissering Construction Company totaling \$189,544.66 for work completed to date on Water Treatment Plant Improvements 2022 project and related matters.

**ROLL CALL**

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

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

**MOTION CARRIED: 8-0**

Moved by Alderman Reynolds and seconded by Alderman Thompson to confirm authorization of Pay Request #10 for Vissering Construction Company totaling \$121,111.60 for work completed to date on Aerobic Digester Conversion project and related matters.

**ROLL CALL**

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

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

**MOTION CARRIED: 8-0**

Moved by Alderman Reynolds and seconded by Alderman Bacidore to confirm authorization of Pay Request #5 for Vissering Construction Company totaling \$9,971.10 for work completed to date on Water Treatment Plant Improvements 2022 project and related matters.

**ROLL CALL**

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

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

**MOTION CARRIED: 8-0**

Moved by Alderman Herndon and seconded by Alderman Reynolds to confirm authorization of Pay Request #2 for Universal Asphalt & Excavating, Inc. totaling \$24,000 for work completed to date on Universal Inlet Repairs – 2023 project and related matters.

**ROLL CALL**

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

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

**MOTION CARRIED: 8-0**

Alderman Crane asked where the City was with the above project. Engineer Brown said Universal finished their portion on Monday and the City has to fill holes and do curb on a couple of them with Pohar's beginning their portion on Tuesday. Brown said 45 are done currently with roughly 45 left to finish. Mayor Grove said there was a short delay due to a contractor's father having passed.

Alderman Bacidore said a water line was put in the alley between Hennepin, Joliet, First and Second streets and they were supposed to fix the alley. He said it hasn't been fixed in over a month and asked if that should be forwarded to the Streets, Alleys and Traffic for discussion or if the City can fix the alley and send them the bill. Mayor Grove said he reached out to them regarding the alley and was told they would fix it, but they have not. Alderman Bacidore said gravel was put down, but it is sinking again. Alderman Crane recommended reaching out to the contractor again. Alderman Bacidore said it's been a month.

Alderman Jeppson said he worked with Deputy Clerk Bader and Superintendent of Public Works Patrick Watson regarding the air monitor installation at Rotary Park. Alderman Jeppson said the battery and solar panel have been installed at the park. He said the staff are still working on the technology side, specifically getting the monitor connected to a 4G network. He said it should be completed in the next week or two. Alderman Jeppson said once installed he will present information on how to download the app and access the information online. Mayor Grove asked if an administrator will be needed to manage it. Alderman Jeppson said it should be managed online. Alderman Crane asked if Wi-Fi is needed. Alderman Jeppson said the City was gifted three years of 4G network with the monitor.

Alderman Herndon said he's heard good feedback regarding the inlet repairs and removing barricades. Resident Jamie Hicks said he still sees a lot of barricades. Alderman Herndon said there are still more inlets to be fixed as Engineer Brown mentioned earlier. Engineer Brown said the City started south and are working north through the City. Universal worked on streets south of Sixth and Seventh streets and Pohar will work on everything north of there. Engineer Brown said they are hoping to get to a place where the City's public works department can take it from there.

Alderman Reynolds said he's receiving calls from those who have alleys that have been finished and advised the City is not responsible for the "overrun" of the water now that the level is higher and runs to their property. City Engineer Brown said there shouldn't be any issue with tying things in but if there's a specific location, he can review it. Resident Dawn Hicks said her alley has pooling water after work was completed between Joliet, Hennepin, 7<sup>th</sup> and 8<sup>th</sup> streets.

**DISCUSSION AND POTENTIAL ACTION ON THE FOLLOWING ADDITIONAL ORDINANCES/RESOLUTIONS:**

Moved by Alderman Lavieri and seconded by Alderman Jeppson to approve the OSLAD Grant Program Resolution of Authorization related to Rotary Park Project 2024

**ROLL CALL**

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

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

**MOTION CARRIED: 8-0**

Moved by Alderman Reynolds and seconded by Alderman Thompson to approve the Ordinance approving and authorizing the execution of an amended Intergovernmental Agreement entered into by the City of La Salle, the City of Mendota, the City of Oglesby, and the City of Peru for the continuation of an Intergovernmental Cooperative Venture known as the “Illinois Valley Regional Dispatch” for the operation and maintenance of a Combined Dispatch and Communication System

**ROLL CALL**

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

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

**MOTION CARRIED: 8-0**

Mayor Grove called IVRD a “smart move” from years ago so there is no duplication of services.

**COMMENTS**

Resident Jamie Hicks thanked Alderman Crane for his vote on the demolition contractor. He said he notified the City and complained when the low bidder tore down the former Third Base building regarding uncontrolled dust and no barricades around the building and more. Hicks also thanked Alderman Jeppson on working to get the air monitor at Rotary Park running. He asked if the OSLAD grant Public Hearing was earlier at this meeting or for another date. Hicks asked if there was notice to the community. Deputy Clerk Bader said a notice was placed in the newspaper as is consistent with all municipalities. Alderman Lavieri said it was discussed at the last meeting as well. Hicks said the small notice does not properly notify the community should they want to comment on the grant.

Resident Marty Schneider said the money should be put towards the water department as Schneider does not think it is drinkable water.

Resident Jared Sell said a lot of money has been spent on Rotary Park and believes other areas of town needs to be addressed such as plugged drains. He said he hasn’t

seen the street sweeper in three years. Mayor Grove asked Sell for his neighborhood and noted the money used to match the grant at Rotary is TIF money reserved for specific areas. He said they do want to know which ones are bad so they can be cleaned up. Sell said years ago there were increases in the water bills to pay for water improvements. Mayor Grove said most of the work being done is because of increases so the City has not had to bond for projects. Grove said Finance Director Duncan and Water Superintendent Brad Reese are available for specific questions on water improvements.

Resident Jamie Hicks asked if Carus Chemical had anything to do with issues at the Water Treatment Plant sludge. City Engineer Brian Brown said no as what Carus Chemical did never went to the sludge lagoon but went to the treatment plant. Brown said the City worked with them so the Wastewater Plant didn't go into "storm mode." All water discharged from the treated lagoon at the plant went to the treatment plant. Hicks said he believed it had killed all the bugs at the treatment plant. Brown said for years the plant has needed cleaning and the sludge removed. Brown said there are gates that allow so much to come to the plant depending on rainfall and the pump station will let so much flow come through. When it exceeds what the gate allows, it goes to the pump station. Brown said during heavy rain events, it gets pumped over to the first flush lagoon then pushed back to the plant for treatment when flows have been reduced.

Resident Dawn Hicks asked if it was connected to the potable water that overflows on the west side of the plant. Brown said that water comes from the wellfield for Carus Chemical's use. Alderman Crane said that happens when City staff doesn't notice an alarm and overflows the tower. Brown said that should happen less now that the SCADA system is intertwined through alerts. Brown said non-potable water is not recommended for drinking but is still safe. It doesn't go through the full treatment process for residents but is still from the City's wellfield and runs through the treatment plant.

Resident Leonard Keenan asked if the City is doing anything for the water line on Rockwell as there have been many main breaks. Mayor Grove asked Finance Director Duncan to look into that. Brown said some work has been done to reduce the number of breaks.

Alderman Crane addressed some concerns by saying he agrees with Sell regarding drainage. Crane said if it was up to him the whole City would have curb, gutter and storm drains all new. But, he said that is done through sewer grants. He addressed Schneider, saying the City has an EPA requirement that when they come across lead lines that has to be changed. Economic Development Director Curt Bedei said a grant was received for that and a process is in place to inventory the City's lead lines. Alderman Crane said none of the City mains are lead, but it's the lines going into the house. Director Bedei said another grant will likely be available at a later date to assist in removing them. Alderman Crane said his meeting with Carus Chemical at Uptown was canceled and that the whole committee will meet when it is rescheduled.

Resident Gary Hammers asked if the City is putting \$300,000 or \$600,000 into the OSLAD matching grant and it was confirmed it's \$300,000. Hammers and Duncan discussed the process by which the City is reimbursed and where the grant funds come from.

Mayor Grove said Kittilson's Garage is adding an addition, but ABC Wire Drive does not extend far enough for them. Mayor Grove took a straw vote if the Council is supportive of a roughly \$60,000 extension of the road with Universal as the contractor. Mayor Grove said it also assists the Mertel property nearby. Alderman Crane said it should be put out to bid. The rest of the aldermen were supportive.

Grove said the softball state tournament was in La Salle and it went well and was well attended.

County Board Member Mike Kasap addressed the Council and saying he feels he has been a target after using the yard waste drop off site. He said he made an error and disposed of two carboard boxes into the yard waste site. A police officer cited him for the error and Kasap acknowledged the signs denoting what is accepted at the site. He asked the officer if he could fix his error but was advised he could not. He said he wanted a compromise from Police Chief Smudzinski and everything from there was "misunderstood." Kasap said he doesn't plan on resigning after the Mayor's comments to the newspaper. He apologized to Chief Smudzinski, Finance Director Duncan, and Deputy Clerk Bader. He said he tried to negotiate a compromise and instead give his fine to Operation Santa if the City would reconsider his citation. He said the room knows his support of the community.

Alderman Bacidore said he noticed Deputy Clerk Bader was working on FOIA for Jamie Hicks for Alderman Bacidore's work over past months. Alderman Bacidore asked Hicks what he uses his FOIAs for. Jamie Hicks asked if Alderman Bacidore watches his channel, as he's sharing it with the world and citizens. Hicks said some people ask for three years of paperwork and its his right as a citizen to FOIA the government. Hicks said if he "wipes his ass with them" that it is his business. Alderman Bacidore said if Hicks found someone was embezzling or something that it should be brought up and used against them. He said he doesn't see Hicks using the FOIAs. Hicks said the Bacidore FOIA was relating to the Third Base demolition and Mayor Grove recommended them to the owner. Hicks said when he complained nothing was done except for barricades being dropped off. Hicks wants to know if Bacidore is reviewing the whole City or just the poor neighborhoods. Alderman Bacidore said if Hicks just came to the City and sat down with Andy Bacidore or Brent Bader, it would be easier and more productive. Alderman Bacidore said the Deputy Clerk has many other responsibilities. Jamie Hicks said he is not putting Deputy Clerk Bader in that position. The two continued the conversation about recent FOIAs. Jamie said to Alderman Bacidore he's working to show people what happens behind "their desks."

Mayor Grove wanted to respond to Kasap's prior comments and asked Police Chief Smudzinski to update the public. Chief Smudzinski said the City previously worked with the EPA regarding the site and that it is now monitored, and illegal dumping of other materials is enforced. He said it's a zero-tolerance policy. Resident Gary Hammers asked if County Board Member Mike Kasap should be present for this conversation. Kasap left following his comments and Mayor Grove had Chief Smudzinski ask him to return to the Council Chambers, but he declined to do so. Chief Smudzinski said Kasap dropped cardboard boxes off at the yard waste site and he was given a citation for it. Mayor Grove said that's not the issue and said the Police Department has the flexibility to reduce the fine if the cited individual admits fault and makes an effort to rectify the situation, but the citation remains on their record. Chief Smudzinski offered the same option to Kasap. Finance Director Duncan said Kasap advised the City he would use his seat on the board to influence the City's façade grant application. Director Duncan said city staff notified the County Board to ensure the grant remained in good standing. Kasap discussed the issue at length at a recent Rotary Meeting which brought further attention to the citation. Duncan said the City's concerns and frustration regarding his comments were communicated back to Kasap. Kasap then described the comments as a "get back" following the police citation. Deputy Clerk Bader said the compromise suggested by Kasap would be that the City rescind the violation and he would donate \$200 to the Police Department's Operation Santa charity. Bader said it was explained to Kasap that they are unable to rescind the violation. Members of the public discussed the difference between what Kasap said and the City said as well as the media coverage of the comments. Mayor Grove said he felt uncomfortable by the comments and what it could mean for the City's future application for County grants. Gary Hammers referenced past comments from Grove publicizing Mertel Gravel Company's attempts to de-annex from La Salle. Grove said this is a separate issue and relates to a County Board member using their position. Jared Sell spoke relating to work previously done at the Mertel property to improve drainage and Grove asking for assistance from State Representative Lance Yednock. Grove said the work was to improve the property for development and that the work was successful. Sell said the land still does not drain well.

## **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.

## **APPROVAL OF BILLS**

Moved by Alderman Ptak and seconded by Alderman Herndon to accept, pay, and file the bills from July 10, 2023: Total Submitted: \$980,447.44 (Total Payroll \$210,821.71, Bills to be Paid \$111,395.57, Total Bills Paid \$658,230.16).

**ROLL CALL**

**AYE:** Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

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

**MOTION CARRIED: 8-0**

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

Voice vote, all ayes. Motion is carried.

**ADJOURNED**

7:48pm

A handwritten signature in black ink that reads "Amy Quinn". The signature is fluid and cursive, with "Amy" on the first line and "Quinn" on the second line, slightly overlapping.

Amy Quinn, City Clerk

/prepared by Deputy Clerk Brent Bader