

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS,
745 SECOND STREET, LA SALLE, IL.
7:00 P.M., MONDAY, MAY 16, 2011**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

In memory of Peru Alderman Joe Mikyska.

ROLL CALL

PRESENT: Alderman Demes, Bacidore, Ptak, Edgcomb,
Lavieri, Duncan, Herndon, Schneider

ABSENT: None.

APPROVAL OF MINUTES

Moved by Alderman Ptak and seconded by Alderman Lavieri that the minutes of the last regular meeting held Monday, May 2, 2011 are accepted and placed on file; each and every alderman has a copy. Voice vote all ayes; motion carried.

PETITIONS

Moved by Alderman Ptak and seconded by Alderman Schneider that the request for a Solicitors License from Stephanie Belock for Acri Company is granted. Voice vote all ayes; motion carried.

Moved by Alderman Lavieri and seconded by Alderman Demes that the request from Pat Scanlon for permission to have a collection for Soldier's Angels outside of IV Food Center on May 21-22, 2011 is granted provided she has permission from the business. Voice vote all ayes; motion carried.

Moved by Alderman Bacidore and seconded by Alderman Lavieri that the request from Ameren Illinois to break ground on Rockwell Road to install valve box west of water works N. side is granted. Voice vote all ayes; motion carried.

Moved by Alderman Herndon and seconded by Alderman Duncan that the request from Fred Esmond to put a sign on city property, with a lease agreement, for Hickory Hollow Entrance Road.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

Moved by Alderman Ptak and seconded by Alderman Demes that a request from Gary Urbanski for a variance to the Zoning Ordinance related to construction of a garage at

1216 Sixth Street and related matters is referred to the Zoning Board of Appeals for a recommendation. Voice vote all ayes; motion carried.

REPORTS OF CITY OFFICERS

Moved by Alderman Lavieri and seconded by Alderman Herndon that the Building Inspectors' Report for April 2011 showing total value of construction of \$43,131.00 and total fees collected of \$408.00 is accepted and placed on file; each alderman has a copy. Voice vote all ayes; motion carried.

Moved by Alderman Ptak and seconded by Alderman Lavieri that the Treasurers' Report for April 2011 showing cash balances in the LaSalle State Bank of \$675,555.50 and in the Hometown National Bank of \$1,835,378.06 is accepted and placed on file; each alderman has a copy. Voice vote all ayes; motion carried.

COMMUNICATIONS

Moved by Alderman Ptak and seconded by Alderman Edgcomb that the Illinois Department of Transportation report showing the motor fuel tax allotment for April 2011 of \$20,218.15 is accepted and placed on file; each alderman has a copy. Voice vote all ayes; motion carried.

Moved by Alderman Ptak and seconded by Alderman Herndon that the Illinois Department of Revenue reports showing sales tax for February 2011 of \$71,848.55 and referendum approved sales tax of \$31,669.80 for a total of \$103,5618.35 are accepted and placed on file; each alderman has a copy. Voice vote all ayes; motion carried.

STANDING COMMITTEES

Moved by Alderman Ptak and seconded by Alderman Lavieri that, at the recommendation by the Finance Committee, a \$250.00 donation is given to Cops 4 Cancer.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

Moved by Alderman Herndon and seconded by Alderman Duncan that the recommendation by the Board of Police and Fire Commissions to hire Ian Muller as a full time patrolman is accepted.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

Moved by Alderman Bacidore and seconded by Alderman Demes that the recommendation by the License Committee to increase the number of coin operated amusement devices allowed in businesses is increased from 5 to 10 and the fee for each machine is increased from \$50.00 to \$60.00 for each new amusement device is accepted.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

APPOINTMENTS

Mayor Grove asked for council approval for his appointment of Mike Schmotzer to the Zoning Board of Appeals (2-year appointment to 2013)

Moved by Alderman Lavieri and seconded by Alderman Duncan that the Mayor's appointment of Mike Schmotzer to the Zoning Board of Appeals is accepted.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried

APPOINTMENT: Mike Schmotzer to the Zoning Board of Appeals to 2013

SPECIAL COMMITTEES

Several residents were present to address the request from Alissa Gearhart for variances for her property at 2154 St. Vincent.

Moved by Alderman Herndon and seconded by Alderman Lavieri that Bev Pilarek is allowed to address the council. Voice vote all ayes; motion carried.

Mrs. Pilarek said she feels that there is a safety issue regarding the proposed fence. If a solid fence is put up she would not be able to see on-coming cars coming from the West on Baker Avenue as she backs out of her driveway. Mrs. Pilarek also noted that three more trees have been planted on the 2154 St. Vincent property and she has a concern that as they grow they might block the North view at St. Vincent for west bound traffic on Baker Avenue.

Alderman Herndon said he has received calls from 4 different people concerning safety issues pertaining to the variances.

Moved by Alderman Herndon and seconded by Alderman Duncan that Mr. John Pilarek is allowed to address the council.

Mr. Pilarek questioned how far back from the roadway that a fence needs to be placed. He said he hasn't seen anything in writing that was finally recommended by the Zoning Board of Appeals. Mayor Grove said he understood that the new fence will be put on the line of the old fence and on the south side along Baker Avenue the fence will be put just north of where the utilities are. Attorney McPhedran said that with reference to the shrubbery issue, the zoning Board made it specific in their recommendation that nothing contained in their recommendation was intended to affect in any manner the responsibility of the landowner to abide by whatever the lawful restrictions are in reference to shrubbery. Attorney McPhedran said it was his understanding that along St. Vincent the fence will be wrought iron. Mayor Grove asked if the landowner could have some flexibility for the neighbors and asked if the corner fence (near the Pilarek property on Baker Avenue) could be angled.

Moved by Alderman Demes and seconded by Alderman Schneider that the Recommendation by the Zoning Board of Appeals to approve the petition of Alissa

Gearhart for a Variance to the Zoning Ordinance to increase the height, style and setback for fencing along both the South side of her property at 2154 St. Vincent, along the Baker Avenue side and on the West side of St. Vincent in front of her property is accepted; each and every alderman has a copy, and that includes a part of the recommendation that no part of giving this recommendation is to affect in any manner the petitioners responsibility to abide by whatever ordinances we have in connection with shrubbery.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Schneider. NAY: Alderman Herndon. Motion carried.

OLD BUSINESS

Moved by Alderman Ptak and seconded by Alderman Schneider that authorization is given for payment to John Pohar & Sons, Inc. and for Sjostrom & Sons, Inc., pending approval of the IEPA.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

Alderman Bacidore said he talked to city personnel and they prefer that the city purchases a new Falcoln blacktop machine. The city of Peru has 2 of these machines and they are happy with them. Mayor Grove said he agreed with Alderman Bacidore but he wondered if the city could wait until after July when the funds were available, also he said he saw a demo with another type of technology and he thought that perhaps some aldermen could go and see a demonstration. Alderman Demes said he saw a demonstration with a patching machine last year and said he thought we should move forward and he said he agreed that employees using the equipment should have some say in what the city purchases.

Moved by Alderman Bacidore and seconded by Alderman Demes that the city purchases a new Falcon blacktop machine for \$13,750.00.

ROLL CALL: AYE: Alderman Demes, Bacidore, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: Alderman Ptak. Motion carried.

NEW BUSINESS

Moved by Alderman Ptak and seconded by Alderman Bacidore that Kathy DeSerf, representing IV Cellular, is allowed to address the council regarding the city's cell phone bid proposal.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

Ms. DeSerf said IV Cellular is the current carrier for the city's cell phone service, and she explained her proposal which each alderman has a copy.

Moved by Alderman Lavieri and seconded by Alderman Duncan that Mac Cawley, of is allowed to address the council.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

Mr. Cawley is a reseller for Verizon Wireless. He explained his proposal also. Each alderman has a copy of the proposal.

Moved by Alderman Ptak and seconded by Alderman Schneider that Jason McCauley, representing AT&T, is allowed to address the council.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

Mr. McCauley explained his proposal, of which each alderman has a copy.

Moved by Alderman Demes and seconded by Alderman Bacidore that the city renews the contract with IV Cellular for the cellular phone service.

ROLL CALL: AYE: Alderman Demes, Bacidore, Herndon. NAY: Alderman Ptak, Edgcomb, Lavieri, Duncan, Schneider. Motion defeated.

Moved by Alderman Schneider and seconded by Alderman Ptak that the city split the contract. IV Cellular would provide service for 18 phones and Verizon Wireless will provide service for 3 smart phones at \$242.73 per month total.

ROLL CALL: AYE: Alderman Ptak, Lavieri, Duncan, Schneider. NAY: Alderman Demes, Bacidore, Edgcomb, Herndon. Mayor Grove voted AYE. Motion carried.

Mayor Grove announced that there would be a Special Meeting of the City Council in the Council Chambers of City Hall beginning at 6:30 P.M. on Monday, May 23, 2011. Also, there will be an informal meeting held following the Special Meeting.

Mayor Grove said he has a request for a Stop Sign at 8th and Marquette for East bound/West bound traffic.

Moved by Alderman Demes and seconded by Alderman Herndon that that request for stop signs for east and west bound traffic at the intersection of 8th and Marquette is referred to the Streets, Alleys and Traffic Committee for a recommendation. Voice vote all ayes; motion carried.

Moved by Alderman Ptak and seconded by Alderman Lavieri, that a request for funding from the Central States Tournament being held in Peru and Oglesby be referred to the Finance Committee for a recommendation. Voice vote all ayes; motion carried.

Alderman Demes gave a reminder to residents to keep their lawns mowed and trimmed and not to blow the grass clippings on to the street.

ORDINANCES/RESOLUTIONS

Moved by Alderman Schneider and seconded by Alderman Demes that Ordinance No. 2272: An Ordinance Granting Variance to the Zoning Ordinance of the City of LaSalle, LaSalle County, Illinois (Gearhart property at 2154 St. Vincent on the West side of St.

Vincent and on the South side on Baker Ave.) is accepted and passed; each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Schneider. NAY: Alderman Herndon. Motion carried.

Ordinance No. 2272: An Ordinance Granting Variance to the Zoning Ordinance of the City of LaSalle, LaSalle County, Illinois (Gearhart property at 2154 St. Vincent on the West side of St. Vincent and on the South side on Baker Ave.)

Moved by Alderman Lavieri and seconded by Alderman Bacidore that Resolution No. 201110: IDOT Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (Streets to be improved 2011 GTM) is accepted and passed; each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

Resolution No. 201110: IDOT Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (Streets to be improved 2011 GTM)

Moved by Alderman Demes and seconded by Alderman Bacidore that Resolution No. 201111: Resolution Authorizing Potential Sale of Surplus City Real Estate at the Northeast Corner of 2nd Street and Wright Street (commonly known as the City parking lot) within the City of LaSalle is accepted and passed; each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Edgcomb, Lavieri, Duncan, Herndon, Schneider. Nay: None. PASS: Alderman Ptak, as he is a Trustee of the DBLM Land Trust which is contingent on the sale. Motion carried.

Resolution No. 201111: Resolution Authorizing Potential Sale of Surplus City Real Estate at the Northeast Corner of 2nd Street and Wright Street (commonly known as the City parking lot) within the City of LaSalle

Moved by Alderman Schneider and seconded by Alderman Lavieri that Resolution No. 201112: Resolution Authorizing Potential Sale of Surplus City Real Estate Located on 2nd Street, Between Wright Street and Gooding Street within the City of LaSalle (commonly known as the parking lot located at the south side of 2nd street east of the city garage) is accepted and passed; each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Edgcomb, Lavieri, Duncan, Herndon, Schneider. Nay: None. PASS: Alderman Ptak, as he is a Trustee of the DBLM Land Trust which is contingent on the sale. Motion carried.

Resolution No. 201112: Resolution Authorizing Potential Sale of Surplus City Real Estate at the

**Northeast Corner of 2nd Street and Wright Street
(commonly known as the City parking lot)
within the City of LaSalle**

Moved by Alderman Herndon and seconded by Alderman Lavieri that Ordinance No. 2273: Ordinance Regarding Lease of Municipal Property (entrance to Hickory Hollow Campground owned by Fred Esmond – 2 year lease) is accepted and passed; each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

**Ordinance No. 2273: Ordinance Regarding
Lease of Municipal Property (entrance to
Hickory Hollow Campground owned by Fred
Esmond – 2 year lease)**

Moved by Alderman Ptak and seconded by Alderman Edgcomb that Resolution No. 201113: Resolution Opposing Reduction of State Collected Revenues Due Municipalities is accepted and passed; each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried.

**Resolution No. 201113: Resolution Opposing
Reduction of State Collected Revenues Due
Municipalities**

COMMENTS

Engineer Furlan informed the council that work would be starting on North Joliet, Sobieski and Walnut Streets in the morning and asked residents to be careful and he said that streets would be closed off and on while work is being done.

8:45 P.M. Moved by Alderman Demes and seconded by Alderman Duncan that the regular meeting is adjourned and the council goes into Executive Session to address the performance and/or compensation of Park District city employees and related matters.

ROLL CALL: AYE: Alderman Demes, Ptak, Bacidore, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried. `

EXECUTIVE SESSION to address the performance and/or compensation of Park District city employees and related matters.

9:33 P.M. Moved by Alderman Demes and seconded by Alderman Herndon that the executive session is closed and the council returns to the regular meeting.

ROLL CALL: AYE: Alderman Demes, Ptak, Bacidore, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried. `

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri, that bills submitted totaling \$338,065.35 (Payroll \$152,441.38; bills to be paid \$100,077.43; bills paid \$85,546.54) be accepted, paid and placed on file; each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Bacidore, Edgcomb, Lavieri, Duncan, Herndon, Schneider. NAY: None. Motion carried. `

ADJOURNMENT

Moved by Alderman Duncan and seconded by Alderman Herndon that the meeting be adjourned. Voice vote all ayes; motion carried.

ADJOURNED 9:35 P. M.

Virginia Kochanowski Clerk