

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
May 30, 2023**

A regular meeting of the La Salle City Council of La Salle, Illinois was held, Monday, May 30, 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 6:42 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Excused Absence – Alderman Lavieri, Alderman Herndon

A quorum was present.

Others Present: Finance Director John Duncan, Deputy Clerk Brent Bader, City Attorney Jim McPhedran, Econ. Dev. Director Curt Bedei, Fire Chief Jerry Janick, Police Chief Mike Smudzinski, City Engineer Brian Brown

PUBLIC HEARING

Moved by Alderman Ptak and seconded by Alderman Jeppson to open the Public Hearing regarding the Petition and Request of Streator Company, LLC for Annexation and Consideration and Approval of Potential Annexation in regard to a Small Parcel along Raccuglia Drive a/k/a LaSalle Road in Vicinity of Illinois Route 351 and St. Vincent Avenue, including adjacent right-of-way, as well as premises consisting of approximately 9.9 acres. **(Hearing began at 6:43pm)**

Attorney McPhedran stated that this public hearing is specifically in regard to the annexation agreement regarding these two parcels and there were two persons here on behalf on the petitioner. One parcel is in regards to a 9.9-acre parcel and the other is a small, slender parcel that is in a right-a-way. These premises are commonly known as by many as Machinery Maintenance, now owned by Streator Company, LLC, also known as Kotecki Group. The provisions on the annexation agreement have been on record for a period of time. The larger parcels provision would include the requested rezoning from M-1 on annexation, which normally come in as AG-1. There are provisions in addition to that in the larger parcel with an understanding that the parties agree as part of the annexation, never to be used for R-4, multi-family housing. This was also mentioned and accurate in the planning commission meeting. McPhedran also mentioned that two-thirds of the real estate tax for the city portion of the tax would be made and reimbursed on the small parcel that is pretty much unusable. This was negotiated by City representatives

for over a period of years. The mayor was involved in this along with Leah and Curt and Attorney Nick Balestri.

Mr. Don Kotecki, President of the Streator, LLC mentioned that in 1994, they were granted a building permit to build a new building and when they did so, they did not know that was not within city limits and evidently the city did not know either. They are trying to correct that now. They are looking to add on again and want to bring the whole parcel into the city and annex all of them.

Alderman Crane mentioned how the city does have a water main that runs through there. Mr. Kotecki is aware of this. It is marked on their property and there will not be any construction close to where that is. Engineer Brown mentioned how there is also an abandoned force main.

Mr. Kotecki mentioned that their reasoning for annexation is for continuing operations and utilization of Machinery Maintenance.

Mayor Grove thanked the Kotecki's continued investments in LaSalle.

Moved by Alderman Reynolds and seconded by Alderman Crane to close the public hearing and return to regular business. **(6:48pm)**

Voice vote, all ayes. Motion carried.

APPROVAL OF MINUTES

Moved by Alderman Reynolds and seconded by Alderman Bacidore to approve the Minutes of the Regular City Council meeting held May 15, 2023. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

DISCUSSION AND POTENTIAL ACTION ON THE FOLLOWING PETITIONS:

Moved by Alderman Bacidore and seconded by Alderman Reynolds to approve the requests from Ameren to break ground at 215 Sterling Street to install drop pole.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Bacidore and seconded by Alderman Thompson to approve the request from Jorge Hurtado to break curb for a driveway at 1016 Third Street.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Jeppson and seconded by Alderman Crane to grant the request from the Illinois Valley Building Trades Council of the AFL-CIO to hold a Tag Day Collection on Saturday, June 17 at the intersection of 11th and Bucklin streets for their Dollars Against Diabetes, Dad's Day.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Jeppson and seconded by Alderman Thompson to approve the request from LP High School Band Parents Association to hold a Tag Day Collection on Friday, August 11, 2023; Saturday, August 12, 2023; and Sunday, August 13, 2023 at the intersection of 11th and Bucklin Streets and LaSalle Businesses.

Voice vote, Mall ayes. Motion is carried.

Moved by Alderman Reynolds and seconded by Alderman Ptak to approve the request from Starved Rock Runners to host the “Boo” Milby Memory 5K Run/Walk beginning at 8a.m. Saturday, August 19 at 2325 Donahue Street.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Bacidore and seconded by Alderman Reynolds to approve the request from Stacey Pohar for a special event permit to allow a street closure on Grant Avenue from LaHarpe Street east to Sterling Street, including a portion of Sterling Street for a graduation party on Saturday, June 10.

The petitioners did reach out to two of the neighbors that would be affected by this and to Brent’s understanding, there were no other concerns.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Ptak and seconded by Alderman Reynolds to approve the request from Kimley Horn on behalf of Flock Safety to install two license plate readers (LPRs) in city rights-of-way.

ROLL CALL

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

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

MOTION CARRIED: 6-0

APPOINTMENTS/RESIGNATIONS

Moved by Alderman Jeppson and seconded by Alderman Bacidore to accept the resignation of Timothy J. Margis as a patrolman.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Crane and seconded by Alderman Thompson approve the hiring of Valeria Aguilera to the position of patrolman. This comes from the recommendation of the Police and Fire Commission.

ROLL CALL

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

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

MOTION CARRIED: 6-0

STANDING COMMITTEES

Moved by Alderman Ptak and seconded by Alderman Thompson to approve the recommendation of the Finance Committee regarding a request for a monetary donation of \$250 to the LaSalle Little League Baseball.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Bacidore and seconded by Alderman Reynolds to approve the recommendation of the Streets, Alleys, and Traffic Committee regarding the addition of two "15-minute Parking" signs in front of 931 First Street.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Bacidore and seconded by Alderman Rerynolds to approve the recommendation of the Streets, Alleys, and Traffic Committee regarding the addition of "No Parking" sign on the north side of the 400 block of Sixth Street on east side of driveway.

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 regarding the addition of a "Caution: Children Playing" sign on Wright Street between 9th Place and 11th Street.

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 regarding the addition of a "Resident Only Parking" sign at 1015 6th St.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Bacidore and seconded by Alderman Reynolds to approve the recommendation of the Streets, Alleys, and Traffic Committee to install two “Dead End” signs south of 2295 Washington Street. These signs will be down my Baker Ave., before you enter Washington Street.

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 relocate the “No Parking Sign” to the North side of St. Mary's Park.

ROLL CALL

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

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

MOTION CARRIED: 6-0

SPECIAL COMMITTEES

Moved by Alderman Ptak and seconded by Alderman Reynolds to approve the recommendation of the City of LaSalle Planning Commission in regard to Petition for Rezoning of Streater Company, LLC a/k/a Kotecki Group in regard to a Small Parcel along Raccuglia Drive a/k/a/ LaSalle Road in Vicinity of Illinois Route 351 and St. Vincent Avenue, including adjacent right of way.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Jeppson and seconded by Alderman Reynolds to approve the recommendation of the City of LaSalle Planning Commission in regard to Petition for Rezoning of Streater Company, LLC a/k/a Kotecki Group premises consisting of approximately 9.9 acres.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Attorney McPhedran pointed out that these recommendations were approved unanimously by all present planning commission meeting members.

Mayor Grove also thanked the members of the Kotecki Group for their patience and due diligence in this matter.

OLD BUSINESS

Moved by Alderman Jeppson and seconded by Alderman Reynolds to confirm and ratify the straw vote regarding a request Rodeo Tacos for a Mobile Food Vendor permit. Deputy Clerk Bader mentioned that the fee has been paid.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Crane and seconded by Alderman Jeppson to confirm and ratify regarding approval of inlet repairs by John Pohar and Sons, as well as Universal Asphalt.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Alderman Thompson began the discussion in regards to filing LaSalle Fire Department bills to Carus Chemical's insurance.

Alderman Thompson met with Fire Chief Janick, Finance Director Duncan and Mr. Peruba, who was representing Carus. There was also a representative from Allied World, which is a Pollution Carrier. Thompson stated that they requested pictures of gear and the city provided gear as requested. Adjuster stated that he felt that 90-95% of invoices will be paid. They stated how every MABAS Dept. has to file claims. The city did also have to file claims through the Davies group. There were at least 6 local cities that have lost equipment and none of the cities have been reimbursed.

Thompson continued by stating that the company has had since March 2nd to tell the city that they wanted them to file claims. Carus pays their money to and is now saying city has to provide claims. Thompson spoke with Attorney McPhedran in regards on what the city could do. He mentioned enacting the City Ordinance to start charging interest on that loss. Alderman Thompson recommends removing truck route North on new street and to remove that route and void ordinance. He will also be "hard spent" to approve anything.

Fire Chief Janick has the equipment costs to be valued at \$93,730.65. This is direct replacement of everything that was damaged. In the past the city would bill Carus directly and they would reimburse. Duncan mentioned that at the meeting Mr. Peruba

spoke with Chris from Carus and he believed that Carus would be getting a check directly to the city. Duncan stated that it now has been a couple weeks later and they were informed that they will now have to submit claims.

Duncan mentioned that Peruba stated how the city's receipts were in the queue to be paid and will be paid in short order, but they have not yet to receive anything.

Alderman Thompson stated again that he does not see a need for the truck route. Mayor mentioned how at the town hall meeting, Carus committed to a resident that the building would not be used as a Tier 2 facility anymore. Crane asked if Thompson was talking about Porter Ave. to be the one to get rid of the truck route. That was the route Thompson was referring to.

Alderman Ptak stated how Carus is providing an example on how NOT to handle a situation.

Alderman Thompson did inform Carus through one of his email responses that the city will be discussing this topic and they were formally invited. No one from the insurance carrier or Carus was present.

Attorney McPhedran did mention how it is the responsibility of Carus to make a good on their end. It is up to Carus to deal with their insurance company and make sure they live up to whatever they are responsible for. The ordinance in place is one of the vehicles that could be used to get paid. McPhedran hopes that this isn't necessary.

Alderman Bacidore mentioned that Carus has lied now numerous times to the city.

Mayor Grove stated that they will be submitting their claims and if they do not get paid then the city will have to see what they can do legally. Attorney McPhedran mentioned how their submissions will be made without prejudice to submitting other claims for additional bills which is still in process.

Alderman Thompson mentioned that every city building, from Carus North, need to also be inspected. Carus seems to be negotiating in good faith, but no settlements have happened. He also asked who would be handling the claim process for the city. Duncan mentioned that the claim form seems to be relatively simple.

Alderman Crane continued with more old business discussions. He stated that since there were some concerns last meeting with softball league not getting the field granted to them when asked, maybe the city should be offering up the Rotary Park field. Crane recalls in 2005 a nice poster illustrating all the potential fields at Rotary Park. He questions what the status is of the Rotary parks and the baseball fields that were originally proposed. Brown mentioned that after Rotary was built, DNR declared that there were no more fields needed and funding would no longer be available from the OSLAD grant.

Engineer Brown stated that the original plan did get modified a couple of times.

Mayor Grove mentioned that with Lynda Kasik, they met with the softball and baseball. He stated how there were 4-5 games at M&H and seven games at Rotary, with 5 of them already being played by LP Freshmen. He doesn't see justification to worry about adding more fields. When Mayor and Lynda spoke, they mentioned having some of the LaSalle girls' softball at Hegeler and asking the adult leagues to choose from Rotary or M&H. Mayor Grove mentioned how unfortunately that the numbers in sports leagues have gone drastically so there should not be a need for more fields.

Alderman Bacidore mentioned that he noticed at least 12 new flower pots in the city parking lot. He is unsure what the city cannot do flowers in house. He stated there has been a barricade at Bucklin and 8th St. He mentioned the inlet jobs that will be going on around the city and hired out by other contractors to complete the work. He questions how the city has fallen so far behind on work and cannot do a lot of the jobs in house anymore. He is concerned that all the departments are understaffed and cannot keep up with all the work when they only have 5 ½ men under the street department. Duncan mentioned how there was one employee that moved over to the street department recently. The city added this employee to the Street Department due to a potential retirement in one year, so this person was added under a one-year term. Mayor also added how they will be adding two more employees this summer.

Alderman Crane does agree with Alderman Bacidore on the infrastructure of the city going down. Crane also agrees with how the department could use up to 10 employees, but they should currently have 8 soon. They will have to make that work. He did suggest some overtime for the departments to get caught up on some work.

Alderman Bacidore mentioned that since he is Chairman of Streets, Alleys, and Traffic committee he would like a text in regards to another barricade going up. He would like to be in charge of how long each barricade stays up.

Finance Director stated that if the city does fall behind, it is cheaper to use an outside contractor to get caught up on work rather than hiring out another employee.

Bacidore's biggest concern is that the city keeps falling behind on infrastructure, but they have time to put up more flowerpots. Alderman Bacidore just wants to be informed of barricades that go up every time from here on out.

Crane restated how some of these city workers and departments need to step up and work more to get caught up.

Alderman Ptak believes that the city is taking the right steps to improve these things, including someone to install the Christmas lights and to repair the catch basins.

Duncan stated how if the city carried one additional employee for the last three years, it still does not equal \$130,000. Duncan still believes it is cheaper to outsource. He stated how the city does have to live in their means and be efficient with their spending.

Bacidore wants to see the city get into this “hole” again with work and hopes that the additional new hires will help the city stay caught up.

NEW BUSINESS

Economic Development Director Curt Bedei discussed what this letter of support was in regards to. It would be a letter of support to come forward for the Chicago Hub Improvement Program, which is essential to the Rail Passenger that they are proposing from Peoria to Joliet. This would help make improvements to the Union Street Station in Chicago, so that the Rock Island line could go from our location to and into Union Station instead of LaSalle Street Station. This is their recommendation and letter of support for that project.

Moved by Alderman Ptak and seconded by Alderman Reynolds to approve to submit a letter of support to the U.S. Department of Transportation and the Federal Railroad Administration for Amtrak’s grant application for a Federal/State Partnership for Intercity Passenger Rail to help fund the Chicago Hub Improvement project.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Ptak and seconded by Alderman Reynolds to approve to submit a letter of support to the Illinois Department of Transportation for Fajitas Mexican Restaurant, 254 3rd Street, to allow outdoor seating.

ROLL CALL

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

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

MOTION CARRIED: 6-0

DISCUSSION AND POTENTIAL ACTION ON THE FOLLOWING ADDITIONAL ORDINANCE/RESOLUTIONS:

Moved by Alderman Reynolds and seconded Alderman Thompson to approve the resolution requesting permission of the Illinois Department of Transportation to close off a portion of U.S. 6 during the City’s Celebrate LaSalle 5K Run/Walk.

Voice vote, all ayes. Motion is carried.

Moved by Alderman Reynolds and seconded by Alderman Ptak to approve the ordinance amending ordinance regarding certain aspects of compensation, hiring and

residency of paid on call firefighters, first responders, members of MABAS teams. Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Attorney McPhedran stated that this is just clarifying what the city already has. He stated that it is also making it clear that the applicant for an outdoor permit in regards to the noise ordinance is the owner that has a liquor license and that the liquor license holder has to be one of the applicants. He also wanted to point out that it was clarified by all councilmen that all outdoor amplified music was prohibited after 10pm. This has clarified that this has always been the intent, not just for a bar but anywhere. He also stated that there was no consensus at the time in regard to limiting the number of permits.

Moved by Alderman Ptak and seconded by Alderman Bacidore to allow Gary Hammers to speak in regards to the noise ordinance.

Voice vote, all ayes. Motion is carried.

Gary Hammers handed out a few packets in regards to the complaints that they have had at Nick's on Six. Mayor sent out a letter to residents about over 20 complaints that Nick's on Six has received. He asked to explain his position in this matter. He believes that there is a lot of information out there that councilmembers may not know and he believes this to be an "eye-opening" experience for some. The first thing he shared with the council was the letter sent out to all residents of the 1st Ward and posted on City's Facebook page. It stated Nick's bar received over 20 complaints going past the time allowed for amplified music. In his packet he had included the copies of all the complaints and the Facebook post against Gary Hammers before the election in April. Hammers noted that all 16 complaints were given by James Demes. He states that he is tired of being harassed by one person in the community that does not want any music at Nick's. He FOIA'd all 16 complaints. He also noted that all four tickets were signed by Diz Demes. He stated that each of these tickets were for going over the noise level or the noise ordinance. Hammers reinstated that they have not done anything to anyone else in that neighborhood. It is coming all from one person and he does not believe it to be fair. He stated how they have to then go to the ordinance court to prove that they didn't do anything wrong. He mentioned how it was easier to pay the tickets rather than hiring a lawyer to fight the case. He also FOIA'd the text messages between Mayor and Diz. He said it seemed to be clear that they were issuing tickets to DJs and bands. He believes this is the reason the mayor wrote a letter to the bars to try to establish registration. This ordinance change would not allow any sound after 10pm. They have fought for this for two years. There has only been one person fighting for

this. He would understand if there were 20 to 30 people fighting for this change. They have kept quiet for a while and have tried to keep doing business but it has come to a point that they no longer can't. Hammers mentioned Diz's interpretation of the ordinance. He states that Demes admits that their position is correct and they can have music after 10pm, as long as it's under 65 dBs, but he continues to call the police and sign citations.

Alderman Reynolds asked if any of these times they were beyond their time limit.

Hammers states that it doesn't matter if they are beyond the ordinance. There is one person complaining and trying to tell them what to do. He mentioned calls and complaints that were at 730pm and 715pm. Hammers compared his complaints that Demes has accumulated for him to garbage violations. If he called the police and issue an ordinance violation against him for having garbage outside, Demes would then have to prove that he didn't do it. He says this is exactly what he is having to do with the noise ordinance citations. He believes that he is continuing to call and say these things are happening to just be able to build up a bigger case.

Alderman Reynolds asked if the decibel level was beyond what was allowed. Hammers states that they are not even asking about decibel levels anymore. The police reports do mention that the levels are 50 to 60 which are well below what they should be for commercial.

Hammers read how Demes wrote to the mayor how the police need to stop give warnings and start getting citations. He states that's when they started giving citations. He also said they were not always signed by the chief or another police officer but they are signed by Diz Demes. He is not trying to blame the council but he just wants everyone to understand the story and what has been going on. He mentioned how they are going on two years of being in business and this is how it has worked out.

Alderman Bacidore said that he has mentioned this before about Demes when they tried to put no parking signs up. He stated how Demes thinks he owns the alley.

Hammers asks that they just be left alone. Hammers recalls when Demes was last in the council room how Demes stated that he had more power now than before.

Alderman Crane was a little confused as to what Hammers had mentioned because he believes that the ordinance discussed tonight doesn't have to do with his concern.

Hammers disagrees. He believes that this noise ordinance does have a lot to do with his concern. He mentioned that there will be no more allowed amplified noise after 10pm.

Crane is still confused because they just approved the special use permits to do so for Hammers' business. Special use permits allow music to go till 11pm.

Hammers asked if anyone present tonight had authority to ask Diz to stop and leave them alone. Hammers mentioned how they do \$1,000/month in sales tax and \$500 in

gaming for the city. Hammers mentioned that changing this ordinance would not allow them to have any music at any level after 10pm.

Hammers asked Attorney McPhedran if he told Demes that it would be a good idea to do that before there's any litigation against the city. McPhedran stated that all he remembers telling Demes was to comply with the law. He does not believe he has spoken with Demes since he has resigned. Hammers stated that he felt Demes' resignation was done for him to gain more power outside of being an alderman. Hammers is asking for the council to vote against this ordinance and not let one person control people from speaking outside after 10pm. He asked for the council to vote against someone that trying is to keep the businesses in LaSalle down.

Alderman Ptak stated that the city granted Hammers all the special use permits that he can have music to 11pm. There was no number on the amount of special use permits granted. He believed that this solved the problem.

Attorney McPhedran mentioned how there were different interpretations on the prior ordinance. Hammers and his lawyer interpreted one way and the city has not necessarily accepted that way.

Hammers asked if Demes was the one that forced the city to start changing that ordinance. McPhedran does not believe so. It was the entire council to decide. It is not just one person.

Attorney McPhedran mentioned that this was discussed two meetings ago and he can pull the minutes up for Mr. Hammers to explain what was discussed in regards to this ordinance. Hammers mentioned that he was there at that meeting and he was told 5 times that day to make sure his son was present at the meeting because he may need to answer to the liquor license since he is the bar owner. Hammers stated that he was never asked at that meeting if it was fair. His son asked if it was fair and he stated that it was because he just wants to stay in business. Hammers believes that none of the councilmen present want to come to their business because one might be alienated if they are seen at their bar. He also stated that if the city puts this ordinance up, Hammers might as well close down his business.

Alderman Thompson does not understand how this ordinance would close down Hammers' business. Hammers says that it ruins the moment at 10pm when a cop car is sitting in their drive or across the street at Becks. He believes that if the city passes this ordinance, it will give Demes the "ammunition" to call the police and have them outside 5 minutes to 10pm every Friday and Saturday night. Hammers wants to continue to run a successful business and make the city more prosperous. Hammers also stated that he is not on Facebook but he knows that the mayor is on Facebook supporting a lot of other local businesses. He asked the mayor how many times he has been on Facebook supports Nick's on Six.

Chairman Ptak reinstated how the city did grant them all the permits for music till 11pm and how that is showing support to Hammers and his business. Hammers said that they would have like to ask for both Friday and Saturday night but they figured they would be pushing it by asking for two in one weekend.

Alderman Bacidore agrees with Hammers that all these discussions, conversations, and arguments over this one noise ordinance are generated from one guy. It is unfair to Hammers to deal with this weekly.

Mayor Grove stated how there was a call at 1015pm one night recent and the cops just asked him to close the door and Nick was very gracious about it. Mayor also stated how Nick was very kind to promote Arts in the Park to his patrons.

Alderman Crane stated how both Ptak and himself seem to be on the same page. Hammers should be good to go with music for this year because the city approved their special use permits till 11pm.

Hammers stated that the last sheet of paper that he shared is a recommendation from Diz Demes to pull out some ordinances that are unclear. Its language that would allow for no gray area for there to be noise after 10pm. He believes that Demes will be signing citations at 10pm. Hammers mentioned how every citation issued will cost them and if Demes continues to write them every weekend, they may be up to \$2000 a citation and they will not be able to run a business if it comes to that.

Chairman Ptak asked if the city's attorney and Hammers' attorney had different interpretations of this ordinance. Hammers says that they do and he has a letter from his attorney explaining this matter. McPhedran stated that different lawyers can have different interpretations and they do respectfully disagree. Hammers did state that they did just pay the last two tickets because it was just easier to pay. But looking back, he sees that it is just doubling the tickets.

Attorney McPhedran asked the for the council's position in this discussion. He wanted the council to determine if after 10pm amplified music is not to be played. McPhedran asked if the council wanted to stay with their position from two meetings ago or reconsider. McPhedran stated that he is there to draft any ordinance based on recommendations and the input from the council.

Moved by Alderman Thompson and seconded by Alderman Reynolds to approve the rewritten ordinance further clarifying and amending LaSalle City Code Sections 91.40 et seq., and specifically 91.43 and 91.47 regarding Noise Pollution within the City of LaSalle, Illinois.

ROLL CALL

AYE: Aldermen Thompson, Ptak, Reynolds, Jeppson, Crane

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

MOTION CARRIED: 5-1

Alderman Jeppson and Alderman Crane wanted Hammers to know that they will continue to vote for the special use permits to support his business but they are voting in favor of this ordinance.

Hammers asked if they would be allowed to have a special use permit for every Friday and Saturday night in the summer. Alderman Ptak mentioned how the council did not put a limit on it so it should be ok to possibly allow that. Ptak understands both sides of this debate.

Mayor Grove suggested making the time 11pm for all on Fridays and Saturdays if there is no limit to the special event permits.

Alderman Bacidore asked for the 11pm discussion to be put on the agenda for the next meeting.

Mayor Grove mentioned how he originally thought the council was only going to agree to 8 special use permits for a business, but they ended up agreeing to Hammers' 11 permit requests. Hammers mentioned how much it would increase his business, the sales tax, and the gaming if they were allowed to have music till 11pm on both nights of the weekend. They were in fear of asking for both originally. Alderman Crane felt that the initial proposal of 11 permits was a very appropriate number.

Deputy Clerk Bader asked for clarification. The ordinance has passed and stays here for now. Hammers can come in and get a special use permit for every Friday and Saturday night. There is no limit on special use permits. Alderman Thompson asked that once a permit is granted if the council can come back and rescind if there are any issues. Bader stated that the council can reassess if there are any future issues.

Alderman Thompson stated Hammers should come in and request the special permits for the weekend nights that he has not already been granted. He believes that Nick is doing a phenomenal job. He stated his attitude in regards to violations and how one should not go past the time granted.

Moved by Alderman Reynolds and seconded by Alderman Jeppson to approve an ordinance approving and authorizing the Execution of an Annexation Agreement between the City of LaSalle and Streator Company, LLC, an Illinois Limited Liability Company a/k/a Kotecki Group (Small Parcel Along Raccuglia Drive a/k/a LaSalle Road in Vicinity of Illinois Route 351 a/k/a St. Vincent Avenue, including any adjacent right of way. Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Jeppson and seconded by Alderman Bacidore to approve an ordinance annexing certain territory to the City of LaSalle, LaSalle County, Illinois (Streator Company a/k/a Kotecki Group – Small Parcel along Raccuglia Drive a/k/a LaSalle Road in vicinity of Illinois Route 351 a/k/a St. Vincent Avenue, including any adjacent right-of-way. Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Reynolds and seconded by Alderman Thompson to approve an ordinance authorizing zoning changes within the City of LaSalle, LaSalle County, Illinois (Streator Company a/k/a LaSalle Road in Vicinity of Illinois Route 351 a/k/a St. Vincent Avenue, including any adjacent right-of-way. Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Reynolds and seconded by Alderman Bacidore to approve an ordinance approving and authorizing the Execution of an Annexation Agreement between the City of LaSalle and Streator Company, LLC, and Illinois Limited Liability Company a/k/a Kotecki Group (Approximately 9.9-acre parcel having LaSalle County PIN of 18-03-145-000). Each and every alderman has a copy. Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Reynolds and seconded by Alderman Thompson to approve an ordinance annexing certain territory to the City of LaSalle Streator Company a/k/a Kotecki Group - Approximately 9.9-acre parcel having LaSalle County PIN of 18-03-145-000). Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 6-0

Moved by Alderman Reynolds and seconded by Alderman Thompson to approve ordinance authorizing zoning changes within the City of LaSalle, LaSalle County (Streator Company a/k/a Kotecki Group - Approximately 9.9-acre parcel having LaSalle County PIN of 18-03-145-000). Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 6-0

COMMENTS

Alderman Bacidore was concerned that he would be missing out on Appropriations meeting and this will come back to him when things are discussed and he wasn't available for the appropriations meetings. Duncan reminded him that they will be meeting after the June 5 meeting to sit down and discuss one on one.

Mayor Grove asked for an agenda item to be added to next Streets, Alleys, and Traffic Committee meeting. Resident on Sycamore and Argyle is looking to have a three way stop added.

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 Reynolds to approve the bills from May 15, 2023: Total Submitted: \$635,890.10 (Total Payroll \$188,349.10, Bills to be Paid \$166,524.21, Total Bills Paid \$281,016.79).

ROLL CALL

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

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

MOTION CARRIED: 6-0

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

Voice vote, all ayes. Motion is carried.

ADJOURNED

8:17

pm

Amy Quinn