

MINUTES OF THE REGULAR MEETING

OF THE LA SALLE CITY COUNCIL

January 8, 2024

A regular meeting of the La Salle City Council of La Salle, Illinois was held, Monday, January 8, 2024, at 6:30 p.m. with Mayor Jeff Grove 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 - Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Crane

Excused Absence – Alderman Herndon

A quorum was present.

Others Present: Deputy City Clerk Breny Bader, Finance Director John Duncan, City Attorney Jim McPhedran, Econ. Dev. Director Curt Bedei, Police Chief Mike Smudzinski, Building Inspector Andy Bacidore, Fire Chief Jerry Janick

COMMENTS

Dawn Hicks asked Alderman Jeppson for an update on the air monitor. Jeppson stated that there was an issue with the solar panel and the charging of the battery. The city will be coming up with a temporary solution to run an extension cord until they can get the panel hard-wired. Jeppson stated that the city was hoping to get out there by Wednesday to get the temporary solution going but was unsure due to the snowstorm coming through. Hicks then asked Bader if Carus contacted him in regard to their last spill on December 28th. She wondered what was said at the time of the phone call. Bader did not take a verbatim account of that, but he recalled them saying that they had a small spill. It was put into a dumpster, the dumpster was emptied into a truck, and as the truck was leaving it spilled out. They had mentioned to Bader that it was nonhazardous. By the time the call was placed, Carus had already cleaned up the spill but Bader did notify the Mayor. Bader did question Carus on how they knew there wasn't more of a spill outside of the plant. Carus had claimed to have driven the stretch of the truck route to verify that. Hicks stated that the spill did make it onto the street a little way and they have video footage to prove it. She has a hard time believing that it was nonhazardous because they were photographed using the exact same bottles with the exact same logos on them as they did in February and March when they had admitted to those spills containing potassium permanganate.

Dawn Hicks continued her comments with sharing a photo of a glass of water. She asked if anyone thought this jar looked safe to drink. She said that the jar had sat for 15 mins before she took the photo and sediment had formed at the bottom. Hicks mentioned a website ewg.org and they work with the reports from Illinois EPA and USEPA. She quoted the following from EWG's website:

"EWG's drinking water quality report shows results of tests conducted by the water utility and provided to the Environmental Working Group by the Illinois EPA as well as info from the US EPA enforcement and compliance history database. The latest quarter assessed by the US EPA was January 2021 through March of 2021. There were 17 contaminants detected with 12 of them exceeding health guidelines."

She continued by stating some of the EPA information and the contaminants mentioned, arsenic in LaSalle's water was 363 times the limit, romaform was 4.1 times, chloroform 74 times the limit, nitrate 15 times and radium 7.2 times. She has a hard time believing that the water is safe and the residents should continue to drink it. She would like the mayor to reconsider his statements saying the water is safe because she believes that there are professionals that would beg to differ.

Jamie Hicks, 4th Ward Resident, started out his comment section by stating that the Mayor did not make eye contact with Dawn Hicks because either the mayor knows the water is not good or he knows something about the water. He continued by saying that he would never personally drink the water or as mayor he wouldn't be telling people that it was ok to drink. He stated that the water was brown, smells, and is unacceptable.

Hicks continued by stating that he is 100% in agreement of live streaming of the meetings and he believes it to be essential for the transparency for this town. He also stated that he was concerned with the text that was sent to Hicks' wife, Brent, and Marty from the Mayor in regard to Carus Chemicals information. He believes that was done so they don't have to FOIA anymore. Hicks mentioned that the Mayor mentioned a building permit and has now peeked everyone's curiosity on what Carus is up to.

Hicks also asked the city to look into more grants for the infrastructure of our water mains instead of for the park district. He believes that the city has enough going on out at the parks and the city needs more on infrastructure. He continued by saying that spill protocol is not to call Brent Bader, who calls the mayor. He stated that the city officials are not the experts. There are laws and rules in the ERG book that are to be followed. Hicks stated that Mayor Grove informed him that the city cannot go on Carus property but Hicks had an ordinance in hand that he said had stated that the city has every legal right to go onto their property any time of the day, as long as the city has credentials. He is upset with the Mayor for telling him for the last year that he is unable to go onto someone's property. Hicks believes that the mayor is failing. He stated that the ordinance that he is referring to is an ordinance under a city sewer ordinance. He said that he has gone through all the ordinances. He believes that it is more important for the city to be focusing on Carus Chemical violations and fines than grass ticket ordinances.

Hicks then continued by asking Finance Director John Duncan about whether or not Carus gets paid for discharge. He stated that Duncan mentioned at last meeting that they do not get paid for discharges of their water other than what they flush down the toilets. Hicks stated that Carus is allowed so many gallons a day, up to a total of 255,000 gallons a day, can go down the City's pipe. He questioned how the city doesn't catch that until it hits the treatment plant, but yet Carus has a meter on their property. Hicks said that in the permit Carus should be paying for it and maintenance it. Hicks believes that this is going to fall on the new City employee that was just hired and he also believes that the water issues are going to fall back on TEST. He believes the City wants to continue to push the blame on other people instead of being truthful to the residents.

Hicks continued by asking the progress of Pohar Park. He said it was a straw vote and they were ready to start the work but Hicks questioned the status of the work.

Hicks was unhappy with the location of the public notice board in City Hall. He feels that it should not be that low and public notices should not be displayed that way. He also asked Bader when he posted public notices. Bader stated how he posts them on Fridays and is looking at using magnets rather than pins to avoid them falling.

Duncan informed Hicks that he was at five minutes. Hicks would like someone to address the Pohar Path that was promised and he also said that it was a disgrace that Zebron never received his 10-42. Hicks mentioned that mayor posted about Credi's 10-42 and feels it very disrespectful to Officer Zebron.

Marty Schneider started out his comment session with asking Mayor Grove if he still feels that there was something wrong with his water filter that was black when it brought it to the Council. He also asked the Mayor if he found something wrong with the maintenance filter because of the filter that Schneider had brought it. Schneider also questioned why it would take so long if the City was just changing a filter. Mayor Grove did not respond. Schneider was upset that Mayor Grove did not respond. Schnieder feels that his is a reason as to why the meetings do need to be streamed and the residents could see how the Mayor is failing to answer questions about topics as important as the water. Schneider believes that streaming meetings will be a good way for the residents to get involved with the city. Schnieder believes it to be a good thing for the residents also because many have to work and this would give them the opportunity to stay involved with the city without having to be present at the meetings. He hopes the council will vote in favor of the streaming.

Schneider asked Bader about if the city has discharged anything into the Illinois River in 2023. Bader was unable to answer that and said that would be a question for Public Works. Mayor Grove stated that Kevin Fay had an excused absence tonight because he was home with a sick family.

Alderman Lavieri asked Schneider if he was asking about the discharge of the untreated water. Schneider was asking about the discharge of the wastewater that the city puts into the river. Schneider stated that it was reported on the city's annual report that there was

no discharge at all in 2023. He also stated that from 2019 to 2022 it was filled out with the same number. Schneider questioned that paperwork. Schneider said that he will email to Lavieri once he does find that paperwork.

PRESENTATION

Moved by Alderman Lavieri and seconded by Alderman Reynolds to allow Jennifer Alvarez from Surf Internet to present to the council regarding fiber service for residents.

Voice vote, all ayes. Motion carried.

Jennifer Alvarez, along with the Illinois Construction Manager, began their presentation by stating that Surf Internet has been in business for over 20 years, and started off with wireless and has solely focused on fiber since 2018. She stated that Oglesby is their first 2G market, with Dixon being their 2nd 2G market. She mentioned that they do not do a franchise agreement, but they do a right of way agreement and discuss with the city during pre-construction meetings on how to access the right of ways for locates. They do make an effort, if there is interest outside of town, to work with city officials to find grant efforts to get the rural areas.

Alderman Jeppson asked if Surf Internet does use existing infrastructure. The construction manager mentioned that they do build their own. Each town is approximately a one-year project. Each phase of town being about 200 homes and taking about a month to build.

Alderman Crane asked where their infrastructure would be above ground or underground. The construction manager stated that majority is definitely underground.

Mrs. Alvarez shared a slide show with the council but only hit on a couple main points from some of the slides. She mentioned that they had packages up to 2Gigs and also have ACP, Affordable Connectivity Program, where low income, if they qualify can get credit from the state to get free or reduced plans. She also mentioned that they have a streaming tool.

Mayor Grove asked about 2G and how fast that is compared to a standard speed. Alvarez mentioned that 1G is standard and 2G is now just launching. She mentioned that 2G for her company ran around \$85-95/month and this would include the router and modems. There is no charge for install or no contracts. She displayed the modems and routers that are used with their company. A homeowner can use their own router and modems if they choose. She also displayed the I-fiber. Alvarez also mentioned that their company does have a restoration crew and will go door to door when restoration is complete.

Mayor Grove asked if she had numbers on residents that have Surf Internet in Oglesby, Ottawa, and Rock Falls. She stated that she will email out those numbers to the mayor. She did state that Surf Internet has hit 30% in Rock Falls which is a big number.

Alderman Ptak asked if there was a number that was needed to sign up before the City agrees to such a thing. Alvarez mentioned that they do not need a number to start, they

would just need the city to agree to allow them into the city and start building their infrastructure. She said they would like to see a partnership with the City first.

The Construction Manager mentioned having to tap into other IFiber but also using their own infrastructure to tap in and set up other infrastructure locations. He mentioned that the city and engineers and design team sit down to figure out what would be the best way to build and use two or three locations across the town to distribute from.

Alvarez is looking to just get an agreement with the city and then they would set up a preconstruction meeting to go over locates and design ideas. She also asks that if the city agrees to work with Surf Internet, if the city would be able to share through social media some information but also to let residents know that they are supposed to be in town.

Alvarez shared a slide from her presentation in regard to mailings that are sent out. She stated that they would send out a letter to any home in a certain area before locates happen. She mentioned that they usually do place signs in areas where work is getting done, if the city allows. She mentioned that they do have the crew at the end of each phase to go house to house to make sure everything is fully complete for each homeowner.

Alderman Crane asked what Surf Internet was founded and Alvarez mentioned that it was about 2001, with majority of focus going to fiber in 2018.

Alvarez also shared a slide of the fiber construction phases. Surf Internet does update the city often in regard to their phases and the progress being made.

Mayor Grove asked how long it takes to get a town started. They mentioned that it takes about one month to get a phase going, but they do stack phases because they do have multiple crews out there working on different phases.

Mayor Grove asked if there was any hangups with any community with their requests. The only thing that Alvarez mentioned was that they do not have cable and they will not be able to do a franchise agreement.

Alvarez mentioned that they launched last March in Oglesby, it will almost be a year. Chairman Ptak did some research online and stated that some reviews stated that people have complained that Surf Internet does not produce the speeds that have promised. Alvarez believes that this may be due to the homeowner's technology. They stated that their average downtime per year is about 15 minutes per household. They mentioned that they do not have any data caps or limits on households either.

They mentioned that they have ran into problems occasionally with underground infrastructure, but they work very well with communicating with the town to resolve the issues. They also mentioned that their customer service is local and live, with closest office to be Coal City. There is also access to fiber for smaller businesses with discounts and options to make it available to them.

Mayor Grove thanked Surf Internet for their time in their presentation tonight.

APPROVAL OF MINUTES

Moved by Alderman Reynolds and seconded by Alderman Crane to approve the Minutes of the Regular City Council meeting held December 27, 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 Ptak and seconded by Alderman Thompson to approve the request from Dean A. Tieman of Tieman Builders, Inc. for a curb cut at 801 Joliet Street to extend the width of the driveway on the south side of the property to approximately 60 feet.

Brian Brown has been made aware of this. Brent Bader spoke with him and he mentioned that this would be extending the driveway on the south side of the property. Bader mentioned that there are currently two driveways there, the east side one will be extended and the west side one will be removed. They will be extended roughly 55 to 60 feet. The council can approve the break curb application today but there will be a resolution next meeting. Bader stated that Brown did not have any concerns with this.

ROLL CALL

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

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

MOTION CARRIED: 7-0

Moved by Alderman Ptak and seconded by Alderman Thompson to send the request to the Planning Commission from John M. Hurst for a Special Use Permit to add an onsite crematorium to Hurst Funeral Home, 650 5th Street.

ROLL CALL

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

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

MOTION CARRIED: 7-0

REPORTS OF CITY OFFICERS

Moved by Alderman Reynolds and seconded by Alderman Thompson to accept, approve, and place on file the Monthly Police Income report for December 2023 showing total fees collected of \$2,279.10. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept, approve, and place on file the Treasurer's Report for December 2023 showing total cash balances in LaSalle State Bank of \$12,636,147.96 and in Hometown National Bank of \$7,791,850.48. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

APPOINTMENTS/RESIGNATIONS

Moved by Alderman Reynolds and seconded by Alderman Thompson, with regret, to accept the resignation of Nikki Baer from the Planning Commission and Zoning Board of Appeals.

Mayor Grove thanked Nikki Baer for her time on the Planning Commission and Zoning Board. Mayor appreciated all her time spent volunteering for the city.

ROLL CALL

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

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

MOTION CARRIED: 7-0

Moved by Alderman Jeppson and seconded by Alderman Reynolds to accept the appointment of John Sienkiewicz to the Planning Commission and Zoning Board of Appeals.

Mayor mentioned that John Sienkiewicz approached him recently looking to see how he could get involved in a small way with the city.

ROLL CALL

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

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

MOTION CARRIED: 7-0

Moved by Alderman Ptak and seconded by Alderman Reynolds, both with regret, to accept the resignation of Brian Zebron from the LaSalle Police Department.

Chief Mike Smudzinski mentioned how Officer Zebron and him started on the department together on the same day in 1997. Zebron was a patrolman, K-9 Officer, and went to the Task Force and then came back to the department. Smudzinski mentioned that many officers discuss leaving once they hit their 20 years. He was very happy for Zebron. Mayor Grove stated that he appreciated Officer Zebron for all of his work. Mayor Grove stated that he was also just not a "9-5 guy". Zebron was very active in many of the city's events.

ROLL CALL

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

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

MOTION CARRIED: 7-0

STANDING COMMITTEES

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept the recommendation of the Finance Committee regarding a request from Mike Bird of M Bird Estates for a Redevelopment Incentive Program grant totaling \$25,000 for two sides of the corner building located at 502 First Street.

ROLL CALL

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

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

MOTION CARRIED: 7-0

OLD BUSINESS

Moved by Alderman Lavieri and seconded by Alderman Jeppson to approve authorization of Pay request for Vissering Construction Company totaling \$46,602.00 for work to date on LaSalle Public Works Facility Remodel project. Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 7-0

Deputy Clerk Brent Bader mentioned that he had shared the estimates with the councilmen in their packets. The City currently uses Computer Spa, who also works for City of Ottawa. They will set up the city's access for streaming similar how they do for Ottawa. Bader mentioned that they would have two cameras set up, one on the Council and one on the audience, to allow for a full view of the room. This would also tie into the city's audio equipment. Bader believes that the meetings will be live streamed to YouTube. Bader stated that the original quote was for \$2,500 but he had found some inconsistencies in the labor rate and they had corrected it for \$2,260.00 with 6 hours of labor. Bader suggested that the city would stream all city council meetings, finance, streets, planning, and zoning meetings. Bader thanked city of Galena, Seneca, Wheaton, Streator, Peru, Oglesby, and Ottawa. There will be no additional charges after the initial purchase. The City will be able to run the meetings and not need the assistance of Computer Spa to do so. Alderman Jeppson asked if the City of LaSalle would have their own YouTube channel since they would be streaming through

YouTube. Bader confirmed that the city would have their own channel. Bader also mentioned that both Ottawa and Streator do not accept public or other comments on their channels. All meetings would be live, recorded, and saved for later. Bader believes that Peru does read their comments as they come in. Duncan believes that Peru summarizes comments that come in but he is apprehensive of doing such a thing because he does not believe it to be a good idea for an employee to pick and choose the comments to read. Bader stated that the current situation would not even allow comments while the live streaming is occurring. Alderman Crane asked for a number of those who attend remotely from the area cities. Bader stated that Peru has roughly 20 to 40 and Oglesby has about 5 or 6, but they also have ones that view videos after the meetings. Videos will be archived for later viewing. Bader said that he would look into whether or not the city would be able to download the videos off YouTube to keep them internally.

Moved by Alderman Ptak and seconded by Alderman Jeppson to approve purchase of live streaming equipment and installation for LaSalle City Hall Council Chambers.

ROLL CALL

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

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

MOTION CARRIED: 7-0

Alderman Bacidore stated that the Chartres and 24th St light has still not fixed, it is still on the full cycle. Bacidore asked if the city could change it back to the blinking stop, just because it had worked so well when there was construction going on. Chief Mike Smudzinski mentioned that he had also received compliments about it when it was the blinking light. Duncan suggested waiting for Brian or Kevin to be present before making a decision. Brian was informed of this issue two weeks ago at the last meeting. Alderman Bacidore asked if they could put this topic on the agenda of Streets and Alleys for two weeks from tonight.

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

Finance Director Duncan started the discussion in regard to an agreement with TEST and how the city could potentially have a longer relationship with TEST because the city does not have any internal candidates with the proper licensing. He stated that the city is currently talking to the union in regard to keeping a longer-term relationship with TEST. Alderman Crane is concerned with this because he does not like to give away positions and hire outside. Mayor Grove stated that the plan would be to hire three people in addition to TEST, with them being the operator in charge and handling the paperwork, along with all the EPA reporting. Duncan mentioned that they city did get the feedback from the Union that they were in favor of this. Crane stated that he has a

hard time understanding how the city struggles to find an operator, but TEST can hire operators for significantly lower than what the city pays.

Moved by Alderman Lavieri and seconded by Alderman Ptak to approve an ordinance authorizing agreement with Total Environmental Service Technologies, Inc. (TEST) and City of LaSalle regarding Management and Supervision of Water Treatment Plant. Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 7-0

Moved by Alderman Ptak and seconded by Alderman Thompson to approve a resolution authorizing Appropriation of Funds for Improvements relating to Traffic Signal Upgrade Improvements (Intersection of Third and Bucklin and Third and Creve Coeur). Each and every alderman has copy.

Mayor Grove mentioned the city has a joint partnership with IDOT. Attorney McPhedran mentioned that Brian Brown was in approval of this resolution.

ROLL CALL

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

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

MOTION CARRIED: 7-0

COMMENTS

Alderman Thompson wanted to mention that he has had some residents reach out to him in regards to the immigrant issues. He stated that the city of La Salle is unable to do much in regard to this issue. He stated the city is unable to stop what is going on at the local level. He hopes that the area churches are able to reach out and help out if the situation were to arise. He is unsure as to why some believe that himself or any alderman or the mayor would be able to come up with any way to resolve this situation that the federal government or the State has not yet resolved. Alderman Lavieri believes that the county may be working on something.

Attorney McPhedran stated that everyone needs to address the larger humanitarian concern, rather than worrying about confiscating buses. The City is researching things internally. McPhedran stated that no other City that he is aware of has taken any formal actions.

Resident Mike Bird asked if there were federal grants for cities to take in immigrants. McPhedran believed that Aurora ra had done something but unsure of the specifics.

McPhedran also reminded all that the county has indicated to contact the County EMA and the Governor had passed a proclamation on Friday, indicating that resources might be available on a temporary basis. He stated how none of the PADS shelters are set up for such a thing. McPhedran said that all need to be vigilant for the event immigrants getting dropped off in towns, but everyone also needs to protect their own health and safety and wellbeing.

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept, pay, and file the bills from December 27, 2023: Total Submitted: \$1,183,169.21 (Total Payroll \$218,228.81, Bills to be Paid \$471,587.66, Total Bills Paid \$493,352.74). Each and every alderman has a copy.

ROLL CALL

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

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

MOTION CARRIED: 7-0

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

Voice vote, all ayes. Motion is carried.

ADJOURNED

7:29

pm

A handwritten signature in black ink that reads "Amy Quinn". The signature is written in a cursive, flowing style.

Amy Quinn, City Clerk