

# MINUTES OF THE REGULAR MEETING OF THE LA SALLE CITY COUNCIL

**February 20, 2024**

**A regular meeting of the La Salle City Council of La Salle, Illinois was held, Tuesday, February 20, 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, Ptak, Reynolds, Lavieri, Jeppson, Crane

**Excused Absence** – Alderman Thompson, Alderman Herndon

Moved by Alderman Lavieri and seconded by Alderman Crane to allow Alderman Herndon to attend meeting remotely via phone call.

## **ROLL CALL**

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

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

**MOTION CARRIED: 6-0**

## **ROLL CALL**

**Present** - Aldermen Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

**Excused Absence** – Alderman Thompson

Alderman Herndon joined the meeting remotely via phone call.

A quorum was present.

**Others Present:** Deputy City Clerk Brent Bader, Finance Director John Duncan, City Attorney Jim McPhedran, City Engineer Brian Brown, Econ. Dev. Director Curt Bedei, Director of Public Works Kevin Fay, Police Chief Mike Smudzinski, Fire Chief Jerry Janick, Building Inspector Andy Bacidore

## **COMMENTS**

Mayor Grove started the meeting by stating that public comment has taken on a new role at the city council meetings since January 11 of last year. Mayor Grove welcomes this public comment section because it is an opportunity for the city to learn different things and allow others a chance

to speak uninterrupted. Mayor Grove read a paragraph about new guidelines for the public comment section:

"The City of La Salle has historically not needed to adopt policy or former ordinances with respect to public comment, or disruptions to the meeting. However, as everyone knows, due to concerns that have recently arisen with regard to civility and decorum and keeping everyone safe, it's important to clarify these issues and recognize the more formal public comment ordinance last year. It is important to remember that council meetings are meant as an opportunity for the elected officials of this community to publicly convene and debate policy amongst ourselves and respect the public's right input. While it is a public meeting, it is still a formal meeting where businesses is being conducted. We have attempted to keep these meetings focused and civil, but also allowing the community to exercise our First Amendment rights publicly and address us a group during public comment. But it must be said that comments outside that window will not be accepted, as this is the time for the council to debate these issues ourselves after taking your input. We ask that you respect this process, just as we respect your comments in the proper time at the start of our meeting. If an individual interrupts or disrupts the meeting whether deliberately or accidentally, they'll be warned that the meeting is in progress and comments are not being accepted. If that behavior continues, they'll be warned a second time, noting the meeting cannot continue with disruptions from the public. If it then happens again the third time, they'll be asked to leave. If this behavior continues for a third time, the individual will be asked to leave the meetings, so that the meeting can continue. Interruptions especially when they become repetitive and ignoring the council warnings become a concern not only to professional civility and decorum, but also to public safety for both the council and the public. The city councilmen have no choice but to call for police assistance and recess the meeting until they are able to arrive and assist in addressing the issue. The council will then reconvene for the meeting to continue as scheduled. All we ask and all we ever asked is to please treat everyone in attendance with respect and allow us to continue these meetings uninterrupted. Residents have an opportunity to share their opinions on meetings topics and other matters of public interest for five minutes individually at the start of the meeting. During that time, you have the right to address the council and be heard. We respect that process and we do ask that you attempt to keep these comments civil and appropriate for public setting. If your comments pertain to something that the council is not voting on that night, you also have the right to contact myself or any city official or anyone at city hall or aldermen, via the phone. Numbers are on the city website, with emails, etc. And this has been policy for years. This is a statement in regard to the further evolution of general implementation of our public comment ordinance. The chair and city council as a whole reserve the right to modify that procedure with appropriate discretion depending on the circumstances. With that said, we appreciate everyone's participation and interest in our meetings. We hope that all can respect this process and keep the meetings focused and civil. Thank you."

Mayor Grove stated that the council will do their part as elected officials will make sure that they are being respectful to everybody in the audience. He stated that this is their commitment. He reminded that every will be allowed their five minutes. Mayor Grove didn't want to speak for the aldermen, but he does not plan to respond to any concerns or questions. He does ask if they could get a hold of the mayor individually. He said that he would be willing to talk outside the meeting, unless it is something that is on the agenda for the meeting tonight. They could then address it because it may be something that they will be voting on tonight.

Resident Dawn Hicks asked if this would be in writing. Mayor Grove stated that he could definitely make a copy of his statement. Jamie Hicks also asked for a copy.

Resident Jamie Hicks stated that Mayor's ordinance speech was about him. Hicks questioned if Mayor Grove knew what civil rights were and he also asked if Mayor was aware of the "fine line your walking" and that will get him "caught up". Hicks questioned how the councilman can agree. Hicks does agree to order and decorum but does not agree "when a man attacks you and is doing so deliberately at you because you asked for a minute to speak and he's talking because he didn't read the ordinance that you guys approved". Hicks mentioned that the ordinance does state about asking for more time. Hicks stated that he knew what a trick is and what Mayor Grove and what Chief Smudzinski are up to. Hicks said that his respect for the Chief is a little bit to none. He cannot believe that the council thinks that a person that talks on a turn, needs to be treated the way that he treated him. Hicks said that when the mayor mentioend not talking for five minutes is his way of being nontransparent while being recorded. Hicks does not think the mayor can sit up there and attack people and tell mistruths about the EPA letter. Hicks was upset that the mayor and none of the councilmen stopped Bacidore from talking. Hicks mentioned that everything that was done to him is on video and audio. Hicks asked Chief Smudzinski how many people he has treated like that when there is no camera running. Hicks questioned why body cameras have been in police possession since November and are not being used. Hicks informed the council that he is now wearing a body camera. He stated that the council has become a disgrace. Hicks felt that the Mayor should have felt one ounce of remorse for the people affected by Carus Chemical. Hicks believes that the city make votes and vote on whatever they want because they are a Home Rule town. Hicks believes the city thinks they can do what they want with the Open Meetings Act, but he said that there are laws and government that the city needs to follow. Hicks said that the Mayor incriminated himself in the audio. He also stated that the Mayor created this problem but the lack of disrespect and he is putting everybody in this town at danger. Hicks asked the Mayor to tell the public the real reason that the city is paying Vissering \$380,000 for the water problem.

Dawn Hicks started out by stating that she does stand with Jamie and his family. She reminded the council that it was her time to speak, and she would appreciate not being interrupted or spoken over. She asked that if anyone had any questions or comments that they please wait until she is finished.

She said that she never addresses Alderman Bacidore because in the last year he has shown zero interest in helping the citizens in this town. She continued by stating that the only time that she had witnessed Bacidore being passionate about things within LaSalle are when he has mentioned how many times, he drives by LP High School and how long he sits at a traffic light up by Ancare and also when he wants to complain about giving someone their First Amendment rights. Hicks mentioned that Bacidore makes \$200 a meeting "to sit there and be a jerk". She said that Bacidore is "supposed to be helping people not trying to shut them up". Hicks continued by telling Mayor Grove that women are not less than him and do not need to check in with their husbands for their responses. She referred to the last two meetings when Mayor Grove reminded the audience that if anyone had questions or concerns, they could call or email the mayor. Hicks stated that the mayor had lied to their faces about the quality of our water, about why the water treatment plant isn't running properly, and anything regarding Carus. Hicks invited all to a hearing at the South Courthouse in Ottawa on February 29 at 10am in regard to the city's water. She stated that this hearing involves the Attorney General and the EPA versus the City of LaSalle.

Hicks then stated that Chief Smudzinski mentioned that he is unable to make traffic stops for no reason, even though she has shown multiple times Carus was carrying product, without placards on their semis. She was unsure as to why Smudzinski wouldn't want to help keep our community safe. She mentioned seeing a FOIA memo about Carus wanting to hire police officers for security. She believes this to be a conflict of interest. She stated that Chief Smudzinski brushed it off when it was mentioned that there was potassium permanganate in the Apollo, even after she said that Officer Zebron confirmed it. She said that Brent Bader also said that there was potassium permanganate in there also. She also said that she found it funny how police are required to inspect massage parlors twice a year for the health and safety of people, but unable to inspect Carus.

Angel Farmer stated that she is an investigative journalist and she was there to address a few of the city's many issues. She mentioned that Alderman Bacidore has interjected himself into the public comment time on numerous occasions yet he has suggested there should be no time extensions. She also mentioned how she has heard Bacidore belittle Hicks' adult children and where they choose to live. She believes that he has knowingly and aggressively attempted to trample on the rights of the people". Farmer said that she heard Bacidore yell "'whoa' over the use of the word 'motherfucker'. And then blurted out and 'Don't let him back in, that would be the best thing' and then 'Keep him out for good' all during the people's time to speak". She stated that as Bacidore was yelling these comments and "didn't know if he had a weapon or if he punched the Chief". Farmer said that Alderman Bacidore chose to agonize the situation. Farmer said that Bacidore claimed that Hicks was violent but all violence that Farmer saw she said had come from the council. Farmer stated that she hopes the voters take a closer look before the next election.

Farmer then spoke to the Mayor in regards to the conversation that she wanted to have with him. She mentioned that Julie had called her back requesting the meeting. She said that they did meet on Valentine's Day. Farmer said that she met with the Mayor, but he also had John Duncan, Julie, and Brent. Farmer said that the Mayor referred to them as his "entourage". She said that she found it interesting to meet with the Mayor and be surrounded by others without warning. She said that she "deemed this to be intimidating and disappointing" as he was the one that requested that meeting. Farmer believed the conversation to be productive. She mentioned that the Mayor was prepared to record and she wasn't there to talk politics, she was only there to gather information to understand. She continued stating that the Chief was featured in her second video published and other videos since then. She also said that "aside from failing to properly comply with FOIA", she's never had an issue at the city. She said that the Mayor had accused her of berating the chief, but she said that she has never done that. Farmer stated that the Chief had admitted to her that the removal of a man from the last meeting was under the Mayor's previous direction. She does not want to say too much more until she reads the police report. She said that the city is attempting to take away his freedom after what they did.

Farmer spoke to Chief Smudzinski and said that they both have a job to do she would rather question him to his face. She continued by stating that Mayor Grove had accused her of posting a video before she ever saw the city's video, but she said that was not true. Farmer said that the Mayor and John both claimed that Jamie was telling his wife to "shut up" at the last meeting but she had reviewed that video multiple times and she has not heard it. She asked for them to send her the time stamp. Farmer said that the Mayor started public comment at 3:45 in the video and then he continued for :36 seconds saying that the public can reach out to the mayor in various forms. Farmer continued stating that the Mayor, at 4:22 in the video, announced that he would go first for public comment although he already started from 4:22 to 7:21. She continued

by saying that from 7:22 to 9:23 the Mayor and Council were continuing conversation. She said that all of this was being done during their comment time. She said that the Mayor's public comment time took about 5:37. She mentioned that Dawn did not arrive at the podium until about 9:38 when the Chief got up to remove Mr. Hicks.

Farmer then shared a poster that she made of timestamps when Dawn Hicks spoke at last meeting. She said that Dawn started speaking at 10:30 on the video. She said that the timestamps she shared are of the council "abusing her speaking time". Duncan mentioned that Farmer had 30 seconds left. She stated that she was "almost done. It's important if you couldn't tell. If you couldn't tell what it was regarding." She continued stating that at 15:39 John Duncan said Dawn Hicks' time was over. Farmer noted that Hicks was allowed 300 seconds, equally five minutes, but city council members spoke for 127 of her seconds. She said that this left Dawn with 173 seconds of her own time. Farmer said that the council took over their own public comment, but they also extended their own alleged comment time without a vote. Duncan warned Farmer a second time that her five minutes was up. Farmer continued speaking by stating that the city "had a man forcibly removed". And she said that once Hicks was gone, the city "hijacked" Dawn's speech by speaking over 42% of her time and then ended her time. Duncan warned Farmer a third time that her five minutes was up and would need a motion to continue. She asked if Duncan wanted a motion for her last sentence. Duncan stated that it was not up to him, but the council. She ended her comment by saying that the city "cannot distinguish between where perceived authority begins and ends. Do better."

Ali Braboy introduced herself to the council and wanted to announce that she was running for LaSalle County Board District 13, which encompasses a large part of the LaSalle as well as a portion of Peru. She invited all council members the opportunity to sit down with her and discuss any issues as that they see as big concerns for the city and anything that the county board can do better to serve the city and residents. Braboy is an Illinois Valley native who graduated from IVCC and the U of I. She worked for the News Tribune as a reporter who covered LaSalle County Board, Putnam County Board and City of LaSalle. She has been working with economic development, grant writing and community planning. Some topics that she is extremely passionate about include increasing our access to health care, increasing our access to affordable housing and increasing economic development. She left her contact information with the clerk's office.

## **APPROVAL OF MINUTES**

Moved by Alderman Reynolds and seconded by Alderman Lavieri to approve the Minutes of the Regular City Council meeting held February 5, 2024. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

## **DISCUSSION AND POTENTIAL ACTION ON THE FOLLOWING PETITIONS:**

Moved by Alderman Jeppson and seconded by Alderman Reynolds to approve the request from Ameren Illinois to break ground at:

- 552 First Street to install drop pole.
- 19 Lauren Court to repair bad underground street light wire.

Voice vote, all ayes. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to approve the request from LP Band Parents to hold a Tag Day Collection on Friday, August 16, 2024; Saturday, August 17, 2024; and Sunday, August 18, 2024 at the intersection of 11<sup>th</sup> and Bucklin Streets.

Voice vote, all ayes. Motion carried.

Moved by Alderman Bacidore and seconded by Alderman Reynolds to approve the request from Irene Santos, owner of Diaz Family Market, to install a non-illuminated, single facing wall sign on the front of the building at 135 Joliet Street.

Voice vote, all ayes. Motion carried.

Moved by Alderman Crane and seconded by Alderman Jeppson to approve the request from Dani Piland, owner of Sanctuary, to install one non-illuminated, single-facing wall sign and one illuminated, double-facing sign in existing sign housing at 516 First Street.

Alderman Ptak did mention that it was brought to his attention about the content of the sign. There is a symbol on the sign, but Ptak mentioned that he did not think there was anything that the city can do to control such content. Mayor Grove did mention that falls under Freedom of Speech and not much that can be done.

Voice vote, all ayes. Motion carried.

## **REPORTS OF CITY OFFICERS**

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept, approve, and place on file the Treasurer's Report for January 2024 showing total cash balances in LaSalle State Bank of \$11,311,995.82 and in Hometown National Bank of \$7,919,060.16. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

## **COMMUNICATIONS**

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept, approve, and place on file the Illinois Department of Revenue report showing sales tax collected for November 2023 of \$92,063.28, Home Rule Sales Tax of \$82,314.74, and Non-Home Rules Sales Tax of \$43.86 for a total of \$174,421.88.

Voice vote, all ayes. Motion carried.

## **STANDING COMMITTEES**

Moved by Alderman Bacidore and seconded by Alderman Reynolds to accept the recommendation of the Streets, Alleys, and Traffic Committee regarding adding an

additional handicapped parking space in the 1000 block of Tonti Street per the City Engineer's recommendation on location of sign.

### **ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

### **SPECIAL COMMITTEES**

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept the Planning Commission Recommendation regarding Request for Special Use Permit by John M. Hurst regarding authorization of operation and use of Crematory and related services on premises at 650 Fifth Street, LaSalle, Illinois.

City Attorney Jim McPhedran mentioned that the Planning Commission did have a hearing earlier this evening. It was recommended unanimously to authorize the request. The owner agreed that the premises would not be used for a multi-family housing. There were also no objectors at the meeting tonight.

Mayor Grove appreciated the Hurst Family for all their businesses, not only in LaSalle, but all around the surrounding communities.

### **ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

### **OLD BUSINESS**

Moved by Alderman Lavieri and seconded by Alderman Reynolds to approve authorization of Pay request #4 for Tieman Builders, Inc. totaling \$60,979.00 for work completed to date on New Public Works Building Wash Bay project. Each and every alderman has a copy.

### **ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

Moved by Alderman Reynolds and seconded by Alderman Ptak to approve authorization of Pay request #5 for Tieman Builders, Inc. totaling \$24,280.00 for work

completed to date on New Public Works Building Office/Breakroom project. Each and every alderman has a copy.

**ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

Moved by Alderman Reynolds and seconded by Alderman Crane to approve authorization of Pay Request #3 for Tieman Builders, Inc. totaling \$81,708.00 for work completed to date on New Public Works Building Wash Bay Ceiling Project. Each and every alderman has a copy.

**ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

Moved by Alderman Lavieri and seconded by Alderman Reynolds to approve authorization of purchase of Water Filter Meter at a cost of \$11,126.55 for the Water Treatment Plant/Maintenance/Repairs project.

**ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

Moved by Alderman Bacidore and seconded by Alderman Reynolds to approve authorization of payment of Performance Pipelining, Inc. totaling \$53,066.00 for work completed on Sanitary Sewer Lining project in alley north of 9<sup>th</sup> Street between Bucklin and Wright Streets.

**ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

Deputy Clerk Brent Bader and Alderman Jeppson shared a YouTube video in regard to the Use of AirVisual Air Monitor service. Deputy Clerk Bader mentioned that he will post to the city's Facebook page. Deputy Clerk Bader mentioned that he had spoken



with AirVisual in regard to the outages. They mentioned that the outages have been very brief, and all the data is retained, except for the one time the city did have power issues, which has been addressed. Alderman Jeppson did question if the AirVisual website would have a little more concrete data over the app.

## **NEW BUSINESS**

Alderman Crane mentioned how the streets look with all the debris after the snow has melted. He asked Director of Public Works if had looked into renting a street sweeper for the city. Fay was unable to get a price at the time. Crane asked if the city could look into renting one, if so, would they need to go through the Finance Committee. Fay did mention that the current one is repairable, but it will be a minimum of 45 days. Crane suggested to move forward to rent one and get the city's money's worth by putting an employee in it for a solid 10 hours to get as much done as possible because they would be renting it by the day. Alderman Lavieri did agree with this because he has heard about the dirty road complaints from other residents and that the debris can also affect the city's sewers. Mayor stated that if the council is giving Fay the direction to move forward with getting a rental and touch base with the price once he does get one. City Attorney McPhedran stated that there was no need to go through Finance Committee if they are just giving general direction to get quotes for a rental. The Finance Committee will need to discuss and authorize any repairs.

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

Moved by Alderman Ptak and seconded by Alderman Reynolds to approve an ordinance authorizing granting of Special Use Permit within the City of LaSalle, LaSalle County, Illinois (Hurst d/b/a Hurst Funeral Homes). Each and every alderman has a copy.

## **ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

## **MOTION CARRIED: 7-0**

Moved by Alderman Reynolds and seconded by Alderman Lavieri to approve an ordinance authorizing the Amendment to Grant Agreement between the State of Illinois Environmental Protection Agency and the City of LaSalle regarding Lead Service Line Inventory. Each and every alderman has a copy.

## **ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

**COMMENTS**

Moved by Alderman Ptak and Alderman Reynolds to allow a comment from the audience.

**ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson **Abstain:** None

**MOTION CARRIED: 7-0**

Angel Farmer asked if the city was live streaming tonight. Deputy Clerk Bader mentioned that the city was. Farmer asked if the comments were still disabled online. She asked that if so, how does that not violate their First Amendment protections, in regard to redress and Freedom of Speech. Bader mentioned that the city is not taking comments online and it has been addressed with the city's attorney. The city was told that they were in their right, along with other local cities, Ottawa and Streator, that do the same. Farmer asked if it was the same attorney that allowed the city to do what they did two weeks ago.

**APPROVAL OF BILLS**

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept, pay, and file the bills from February 5, 2024: Total Submitted: \$1,386,142.31 (Total Payroll \$206,739.63, Bills to be Paid \$520,050.01, Total Bills Paid \$659,352.67). Each and every alderman has a copy.

**ROLL CALL**

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

**NAY:** None **Absent:** Alderman Thompson, 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**

**7:12**

**pm**

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

Amy Quinn, City Clerk