

**MINUTES OF THE REGULAR MEETING AND PUBLIC HEARING
OF THE LA SALLE CITY COUNCIL
June 4, 2018**

A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, June 4, 2018 at 7:00 p.m. with Mayor Jeff Grove presiding with proper notice being duly and continuously posted.

The meeting was called to order at 7:02 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present- Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

Absent: Alderman Bacidore

A quorum was present.

PUBLIC HEARING

7:02 p.m. Moved by Alderman Duncan and seconded by Alderman Lavieri to open the Public Hearing to provide interested parties an opportunity to express their views on the proposed federally funded Community Development Block Grant (CDBG) project.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Mr. Kevin Lindemann, representative of North Central Illinois Council of Governments conducted the public hearing regarding the grant application to DCEO for a Community Development Block Grant (CDBG) for the Hegeler Park Sewer Separation project. Minutes compiled by NCICG are included as Exhibit A.

There were no public comments or objections.

7:14 p.m. Moved by Alderman Duncan and seconded by Alderman Schneider to close the public hearing.

Voice vote, all ayes. Motion carried.

APPROVAL OF MINUTES

Moved by Alderman Demes and seconded by Alderman Reynolds that the minutes of the regular City Council meeting held on Monday, May 21, 2018 are accepted and placed on file.

Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PETITIONS

Moved by Alderman Schneider and seconded by Alderman Demes to grant the request of Caryn Brown on behalf of the Illinois Valley Youth Dolphins Swim Team for a Tag Day collection at the intersection of 11th and Bucklin Streets and at area businesses on October 12-14, 2018.

Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Reynolds and seconded by Alderman Ptak to grant the request of RJ Newell on behalf of Club 55 and Koncz's Bar to block off a portion of First Street on Friday, July

20, 2018 from 4-8 p.m. for a block party being held in connection with the Peek Into La Salle event. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Demes and seconded by Alderman Schneider to refer the request of Laura Borowiec, resident of 660 Bucklin for "No Parking" signs on the north side of 7th Street between Bucklin and Wright Streets and on the south side of 7th Street near the driveway of her residence to the Streets, Alleys and Traffic Committee. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

The Streets, Alleys and Traffic Committee will meet on Monday, June 18, 2018 at 6:45 p.m.

Moved by Alderman Demes and seconded by Alderman Reynolds to approve the request from First Federal Savings Bank for a sign permit for an 18" x 27" ground sign for premises at 475 Third Street. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

BIDS

Attorney McPhedran explained that the Fire Chief Andy Bacidore and City Engineer Brian Brown, who also serve as co-Building Inspectors for the City, prepared bid specs and held a bid opening in regard to the possible demolition of 540 First Street. Part of the notice to bidders included the mandatory attendance by potential bidders at a pre-bid meeting at the site. The three bidders who tendered a bid did attend at the pre-bid meeting. Attorney McPhedran continued by saying that as with any project, bids must be scrutinized not only for the amount of the bid but also to discern if the respective bidders are compliant with the specifications to the extent that they are not materially deficient in order to be considered a responsive bid. He continued by explaining that while the bid from Omega Demolition was the lowest in amount (\$272,950), there were several deficiencies in the bid proposal identified by Chief Bacidore and Mr. Brown. Attorney McPhedran stated that he also agreed with their analysis.

On June 1, 2018 Chief Bacidore and Mr. Brown jointly drafted a letter to the Mayor and City Council that set forth these deficiencies. Attorney McPhedran requested that the letter be made part of the record, which has been included as Exhibit B.

Attorney McPhedran continued by highlighting some of the deficiencies in the Omega bid. They include, but are not limited to the following:

1. The bids were to be based on the site visit, which allowed the City to fairly compare bottom line bids. Omega's bid stated that it was a budgetary proposal and a site visit must be performed before entering into an agreement.
2. Omega wanted the City to take the lead regarding asbestos by providing a letter stating that the site was asbestos free. Chief Bacidore stated that it was made clear in the pre-bid meeting that the material shall be handled as asbestos contained materials.
3. Omega requested a Certification that the site was never used for a commercial purpose. This particular site was a commercial building, so the City would be unable to meet that request. In addition, Omega required certification from a licensed professional engineer

that the soil at the site is uncontaminated. Again, the City would have no way to provide this type of certification.

4. The Omega bid does not specifically state it will comply with Prevailing Wage.

Attorney McPhedran stated that Omega bid included a list of general conditions which appeared to be in more of a boilerplate format. The list contained reference to Cook County permits which clearly would not apply and there were other items that simply were not given the attention to detail to ensure it met our specifications.

Moved by Alderman Ptak and seconded by Alderman Demes to accept the recommendation of the City Engineer and Fire Chief who are also Co-City Building Inspectors and find that for the reasons stated above on the record and as is apparent in comparing the bid of "Omega" with the project specifications, that we find that the bid of "Omega" in regard to demolition of the premises at 540 First Street, La Salle is not fully responsive to the bid specs and thus the "Omega" bid cannot and will not, in the best interest of the City of La Salle, be considered as the low responsive bid on the project. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Moved by Alderman Ptak and seconded by Alderman Reynolds that we award the bid on demolition of the building and related work on premises at 540 First Street, La Salle, Illinois to River City Demolition the lowest responsive responsible bidder (\$331,250) subject and contingent on River City Demolition entering into a written contract in a form acceptable to the Mayor, City Engineer and Fire Chief.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Bids: River City
Demolition \$331,250
American Demolition
Corp. \$340,500
Omega Demolition Corp.
\$272,950

OLD BUSINESS

Moved by Alderman Duncan and seconded by Alderman Demes to confirm action on straw vote taken regarding request from PirTano Construction on behalf of Comcast to install 2" conduit by direction bore from 101 First Street to 85 Chartres for new coax to extend plant to new customer. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Schneider and seconded by Alderman Lavieri to authorize, pay and place on file Pay Request #3 from Universal Asphalt & Excavating, Inc. totaling \$60,677.85 for the 2018 Non-MFT Program-2nd and Wright Street, 1st and Gooding Street Parking Lot Improvements and Lindberg Road Bus Lane at Lincoln School. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Mayor Grove thanked the Rotary Park Foundation, Jeff Bumgarner, Lynda Kasik and the 50/50 Committee for their efforts at the recent Music and Arts Festival held to benefit Rotary Park.

NEW BUSINESS

Moved by Alderman Reynolds and seconded by Alderman Lavieri to grant the request of Ed Kopidlansky on behalf of Precision Vision, Inc. for a Redevelopment Incentive Program Grant totaling \$4,495.05 for premises located at 944 First Street and related matters.

Voice vote, all ayes. Motion carried.

The council discussed the possibility of allowing golf carts and potentially other off-highway recreational vehicles within the City of La Salle. Mayor Grove stated he has been approached by several people requesting that golf carts be allowed in the downtown area, especially during festivals, etc. Mayor stated that they could not be allowed on Route 6 or Route 351. Attorney McPhedran stated that he provided some sample ordinances from other communities to each alderman in order for them to consider what types of items they would want to regulate. Items to consider would be minimum age of drivers of either 16 or 18, route restrictions, permit fees, what types of vehicles to allow and equipment requirements. Chief Uranich was asked for his opinion on this issue. He stated that he would like to review the ordinances of other communities, but had concerns about allowing these types of recreational vehicles in dense traffic areas. He indicated that it may be feasible in the downtown area. Further discussion followed. Attorney McPhedran stated that he will prepare a draft for the council to consider. It was suggested that it could be done on a trial basis. The topic will be further discussed at the next meeting.

Alderman Schneider stated that he noticed a sink hole on the newly paved portion of Maple Street. City Engineer Brown stated that he will check on it.

Alderman Schneider also reminded residents that they do not control parking on City Streets. If there is a problem with parking on residential streets, they should contact their aldermen.

Alderman Schneider left the meeting at 7:46 p.m.

City Clerk Brown indicated that she has received two requests to operate a stationary food carts within the City of La Salle. The ordinances currently on the books do not address stationary food carts, only those that move along city streets. The ordinance would need to be amended to allow this type of business. Economic Development Director Katherine Toraason stated that in order to be sensitive to brick and mortar food service businesses, it could be specified that these food carts would need to be located 500 feet or more from a restaurant and operate during specified hours. Attorney McPhedran stated that in addition, the ordinance could specify that vendors must be located in commercial districts or other specified areas, pay sales tax, meet all health department requirements and obtain some type of permit from the City with an associated fee. Discussion followed. Alderman Demes was opposed to the idea stating that it would compete with existing businesses and did not think we needed these in the downtown area. Alderman Reynolds agreed. Alderman Ptak indicated that he would support the idea if local restaurants were protected. Attorney McPhedran stated that he would draft an ordinance for the council to review. He would also like time to investigate some litigation in the City of Chicago concerning this matter before we pass anything. Further discussion followed.

Alderman Ptak stated that the stop signals at 11th and St. Vincent seem to be longer than normal. City Engineer Brown stated that he will speak to Superintendent Bumgarner to see if we can fix it, if not we will contact IDOT.

Mayor Grove stated that he has added some reflectors and a planter on the island on First Street.

Mayor thanked Chief Uranich, his officers and the Better Fishing Association for the recent Kid's Fishing events. He reminded residents that the Farmer's Market will be held on Tuesdays between June and September at Hegeler Park from 3-6 p.m.

ORDINANCES/RESOLUTIONS

Moved by Alderman Duncan and seconded by Alderman Lavieri to pass and place on file

Resolution 201808: A Council Resolution of Support. Each and every alderman has a copy.

ROLL CALL: AYE: Mayor Grove, Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon

NAY: None Absent: Alderman Bacidore, Alderman Schneider Abstain: None

Motion Carried 6-0

Resolution 201808:
Resolution of Support
(CDBG)

Moved by Alderman Lavieri and seconded by Alderman Reynolds to pass and place on file

Resolution 201809: A Resolution to Enter into an Agreement for Administration and Coordination Services for a Community Development Block Grant (CDBG) Program on behalf of the City of La Salle. Each and every alderman has a copy.

ROLL CALL: AYE: Mayor Grove, Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon

NAY: None Absent: Alderman Bacidore, Alderman Schneider Abstain: None

Motion Carried 6-0

Resolution 201809:
Resolution to Enter into
an Agreement for
Administration and
Coordination Services
for a Community
Development Block
Grant (CDBG) Program
on behalf of the City of
La Salle.

Moved by Alderman Reynolds and seconded by Alderman Demes to pass and place on file

Ordinance 2734: An Ordinance Authorizing The Lease of Real Estate from Illinois Cement Company, LLC in the vicinity of east side newer La Salle Wastewater Treatment Plant. Each and every alderman has a copy.

ROLL CALL: AYE: Mayor Grove, Alderman Demes, Ptak, Reynolds, Lavieri

NAY: None Absent: Alderman Bacidore, Alderman Schneider Abstain: Alderman Duncan, Alderman Herndon

Motion Carried 5-0 (2 abstentions)

Ordinance 2734:
Ordinance Authorizing
The Lease of Real Estate
from Illinois Cement
Company, LLC in the
vicinity of east side
newer La Salle
Wastewater Treatment
Plant

Moved by Alderman Herndon and seconded by Alderman Reynolds to pass and place on file
Ordinance 2735: Ordinance Authorizing Grant of Expansion of Easement to Ameren Illinois Company d/b/a Ameren Illinois, an Illinois Corporation in Regard to Premises Involved in Real Estate Tax ID Number 18-11-312-000. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon

NAY: None Absent: Alderman Bacidore, Alderman Schneider Abstain: None

Motion Carried 6-0

Ordinance 2735:
Ordinance Authorizing
Grant of Expansion of
Easement to Ameren
Illinois Company d/b/a
Ameren Illinois, an
Illinois Corporation in
Regard to Premises
Involved in Real Estate
Tax ID Number 18-11-
312-000 and related
matters.

Moved by Alderman Herndon and seconded by Alderman Reynolds to pass and place on file
Ordinance 2736: Ordinance Authorizing Grant of Expansion of Easement to Ameren Illinois Company d/b/a Ameren Illinois, an Illinois Corporation in Regard to Premises Involved in Real Estate Tax ID Number 18-10-209-008 and related matters. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon

NAY: None Absent: Alderman Bacidore, Alderman Schneider Abstain: None

Motion Carried 6-0

Ordinance 2736:
Ordinance Authorizing
Grant of Expansion of
Easement to Ameren
Illinois Company d/b/a
Ameren Illinois, an
Illinois Corporation in
Regard to Premises
Involved in Real Estate
Tax ID Number 18-10-
209-008 and related
matters.

COMMENTS

Kevin Lindemann of NCICG informed the council about their upcoming Economic Development Summit being held on July 12, 2018. Mayor thanked NCICG for their continued partnership.

Mayor Grove thanked Lynda Kasik and Jeff Bumgarner for their hard work getting the pool ready as well as the Rotary Park baseball field lights.

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri that bills submitted totaling \$1,642,279.41 (Total Payroll \$334,916.68, Bills to be Paid from 5/21 \$229,940.44 and 6/4 \$127,251.18, Total Bills Paid \$950,171.11) be accepted, paid and placed on file. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon

NAY: None Absent: Alderman Bacidore, Alderman Schneider Abstain: None

Motion Carried 6-0

Moved by Alderman Reynolds and seconded by Alderman Demes to adjourn the meeting.
Voice vote, all ayes. Motion is carried.

ADJOURNED 8:08 p.m.

Carrie Brown, City Clerk

EXHIBIT A

ILLINOIS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Summary of Public Hearing

City of LaSalle, 2018 CDBG-RLF Close Out Grant Application

June 4, 2018 – 7:00 p.m. – LaSalle City Hall

INTRODUCTION

Jeff Grove called the public hearing to order at 7:02 pm. Kevin Lindeman from North Central Illinois Council of Governments (NCICG) introduced himself. Mr. Lindeman stated the purpose of the meeting was to obtain citizen views concerning the city's plans to submit a grant application to the Illinois Community Development Block Grant Program (CDBG)-Revolving Loan Fund Close Out (RLF). Mr. Lindeman explained that the City intends to submit a \$136,352.55 CDBG RLF grant application to the Illinois Department of Commerce and Economic Opportunity (DCEO). The application will be for funds to complete the Hegeler Park sewer separation. The grant funds requested are for only construction costs.

PROJECT DESCRIPTION

Brian Brown of the City of LaSalle shared a detailed description of the proposed project. Mr. Brown outlined the condition of the situation, a list of past efforts to control the situation, current threats posed by the current sewer, and the urgent need for the sewer separation.

Mr. Brown described the scope of the proposed improvements, and the purpose of the project is to separate storm sewer flows from sanitary/combined sewer system. By performing this separation, it is estimated from flow monitoring, that it will eliminate the need to treat approximately 1 million gallons of storm water for every inch of rainfall. By removing the storm water flows from the sanitary/combined sewer system, it will minimize the frequency of Combined Sewer Overflows (CSOs) discharging directly into the Little Vermillion River. This in turn, will minimize the threat to health and safety of discharging Combined Sewer Overflows, which includes raw sewage, into the Little Vermillion River.

The scope of the proposed improvements includes the construction of a new 48" sanitary sewer to replace an aging and undersized sanitary sewer. This will allow the storm flows in the construction service area to be separated and conveyed in an existing 54" concrete overflow sewer that will be used exclusively as a storm sewer. This storm sewer will by-pass the existing CSO structure on Sterling Street and connect to the existing CSO 006/007 outfall sewer that discharges to the Little Vermillion River.

Work includes 270 feet of 6 inch service sewer, 194 feet of 12 inch sanitary sewer, 119 feet of 24 inch sanitary sewer, 1520 of 48 inch sanitary sewer and 17 manholes to serve existing flow located North of Eleventh Street between Hennepin and Sterling Street with discharge to an existing 36 inch combined sewer tributary to the above indicated sewage treatment plant.

LaSalle Public Hearing Summary

CDBG 2017

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The total cost for the CDBG project is estimated to be \$1,034,916. This figure is for construction of the project. The \$136,352.55 CDBG RLF Close Out grant will be leveraged with additional funds of \$500,000 from a 2017 CDBG grant application and \$398,563.45 from the City's Sewer Fund. Construction engineering is planned to be done by the City Engineer.

No City residents will be displaced as a result of this project. The City has on file an anti-displacement and relocation assistance plan.

Those in attendance at the public hearing were offered the opportunity to ask questions or make comments.

Questions or comments: None

PROGRAM DETAILS

The Revolving Loan Fund was granted to the City of LaSalle in 1994.

PROJECT STATUS

Brian Brown of the City of LaSalle has completed design specifications and plans for the project. The City of LaSalle has the IEPA for this project.

LOW TO MODERATE INCOME BENEFIT

Funds for the IL CDBG RLF Program were granted to the State from the U.S. Department of Housing and Urban Development (HUD). The IL Department of Commerce and Economic Opportunity then distributed the funds throughout Illinois (except for those communities and counties that get direct entitlement funds from HUD). The RLF Close Out funds must meet the national goal of benefiting 51% low-to-moderate income (LMI) individuals. Please note that an income survey was conducted in 2014 to determine if the community would meet that standard. The survey results were then analyzed by the DCEO staff. The results indicate that the community exceeds the LMI goal - showing an LMI benefit of 52.21%. Of the \$136,352.55 of CDBG funds, \$71,189.67 will directly benefit low-to-moderate income individuals.

CLOSING OF PUBLIC HEARING

Application records are on file at the NCICG office at 613 W. Marquette Street in Ottawa, IL. The office is open Monday through Friday from 8:00 a.m. to 4:00 p.m. Anyone interested in viewing the file or discussing the project further may call the NCICG office at (815) 433-5830 or

visit during office hours. There being no further comments the public hearing adjourned at 7:13 p.m.



City of LaSalle

La Salle County, Illinois

City Offices - 745 Second Street - La Salle, Illinois 61301-2599

Bus: 815-223-3755

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EXHIBIT

B



June 1, 2018

Mayor, City Clerk and City Council

Re: 540 First Street (Vendome Demolition)

To the Mayor, City Clerk and City Council:

On the morning of May 17, 2018, bids were opened for the Vendome Demolition, with the apparent low bidder being Omega III, LLC in the amount of \$272,950.00. The second low bidder was River City Demolition in the amount of \$331,250.00

Upon review of the Omega III LLC proposal, we found many items not in conformance with the bid specifications and the items discussed at the mandatory Pre-Bid meeting: The items of concern are as follows:

Under the heading of "Work to Be Done by Others:"

1. Item #2 states "Asbestos survey as required to obtain demolition permit".
In the Pre-bid meeting, it was stated that the material shall be handled as asbestos contained material.
2. Item #3 states "Utility disconnects or relocation services of any type".
The specifications clearly state that the contractor is responsible for sewer and water removal and capping.
3. Item #4 states "Site Demolition".
I am not sure what this is implying, but seems very vague and could put the city in an unknown position.

Under the heading of "General Conditions:"

1. Item #5 states "This proposal does not include removal, handling, transportation or disposal of any hazardous, toxic, controlled or regulated substances whatsoever."
In the Pre-bid meeting, it was stated that the material shall be handled as asbestos contained material.
2. Item #15 states "Project delays caused by hidden conditions, unspecified hazardous materials, or other trade scheduling conflicts will result in additional costs."
This may open the door for additional costs beyond our control. (LaSalle).
3. Item #16 states "requires all material to be free of contamination."
In the Pre-bid meeting, it was stated that the material shall be handled as asbestos contained material.

"The City of La Salle is an equal opportunity provider and employer"

Jeff Grove
Mayor
815-223-3755 Ext. 5026

Carrie Brown
City Clerk
815-223-3755 Ext. 5028

Katherine Toraason
Economic Development Director
815-488-4442
815-223-3755 Ext. 5021

Brian Brown, P.E.
City Engineer
815-223-3755 Ext. 5019

Jeff Bungarner
Superintendent of Public Works
815-223-3755 Ext. 5022

Building Department
815-223-3755 Ext. 5020

**Attorney: James McPhedran of
Anthony Raccuglia & Associates**
815-223-0230

Rob Eranich
Chief of Police
815-223-2131

John Duncan
Finance Director
815-223-3755 Ext. 5029

Andy Bacidore
Fire Chief
815-223-0834

Virginia Kochanowski
City Treasurer
815-224-1191



City of LaSalle

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RXHIBIT B



4. Item #18 states" requires the owner (LaSalle) will provide Omega with a letter stating the site is asbestos free.

In the Pre-bid meeting, it was stated that the material shall be handled as asbestos contained material.

5. Item #20 states" The owner or contractor will provide Omega with a letter for Clean Construction and Demolition Debris (CCDD) that states the following; a) certification from the owner or operator of the site of origin that the site has never been used for commercial or industrial purposes and is presumed to be uncontaminated soil; OR b) certification from a licensed professional engineer that the soil is uncontaminated."

In the Pre-bid meeting, it was stated that the material shall be handled as asbestos contained material. The City cannot provide this letter

6. Item #22 states" This Omega proposal is budgetary and a site visit must be performed to verify existing conditions prior to entering into an agreement."

The bid was not for budgetary dollar amount. The bid was to be based on a site visit.

With our concerns stated above and the fact that this project is an emergency demolition per IEPA because the structure is unsafe for asbestos remediation, all material generated shall be handled as asbestos contaminated and transported to a suitable landfill for proper disposal. The bid from Omega III is based on the building being clear of asbestos, making it a non-responsible bid.

From our review of the other bids, they are in compliance with the bid specs.

Therefore, we recommend that River City Demolition be awarded the bid in the amount of \$331,250.00.

Enclosed please find the Contractor Bid Proposals for your review and approval.

Sincerely,

Andy Bacidore
LaSalle Fire Chief/Co-Building Inspector

Brian D. Brown, PE
City Engineer/Co-Building Inspector

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