

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
August 27, 2018**

A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, August 27, 2018 at 6:30 p.m. with Mayor Jeff Grove presiding with proper notice being duly and continuously posted.

The meeting was called to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: Alderman Bacidore

A quorum was present.

APPROVAL OF MINUTES

Moved by Alderman Demes and seconded by Alderman Reynolds that the minutes of the Regular City Council meeting held on Monday, August 13, 2018 are accepted and placed on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PETITIONS

Moved by Alderman Herndon and seconded by Alderman Schneider to grant the request of Stacy Pohar to block off a portion of Grant Avenue from the northern portion of the 1900 Block of Sterling Street to the intersection of La Harpe and Grant Avenue on September 22, 2018 from 2:00 p.m. until 10:00 p.m. for an annual Block Party. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Duncan to grant the request of Trinity Catholic Academy for permission to hold a 5K Race on Saturday, September 29, 2018 at 9:00 a.m. utilizing City Streets. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Reynolds and seconded by Alderman Demes to grant the request of La Salle Peru Township High School for permission to hold the annual Homecoming Parade on Thursday, September 20, 2018 at 4:00 p.m. utilizing city streets. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Duncan and seconded by Alderman Reynolds to grant to request of Courtney McNutt to break curb at 427-10th Place to widen driveway. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

REPORTS OF CITY OFFICERS

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept and place on file Treasurer's Report for July 2018 showing cash balances in the La Salle State Bank of \$5,906,124.46 and in Hometown National Bank of \$5,281,286.98. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept and place on file the Monthly Police Income Report for July 2018 showing total fees collected of 45,523.67. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

SPECIAL COMMITTEES

Moved by Alderman Herndon and seconded by Alderman Schneider to accept and place on file the recommendation of the Zoning Board of Appeals regarding the petition of Megan Haynes requesting a variance for premises commonly known as 1732 Zinc Street, within the City of La Salle related to construction of an accessory structure reducing the front yard setback from 25' to 5' and a rear yard setback from 25' to 0'. Each and every alderman has a copy.

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

NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

OLD BUSINESS

Moved by Alderman Ptak and seconded by Alderman Lavieri to authorize, pay and place on file Pay Estimate #1 and Final to Cruz Concrete, Inc. totaling \$35,086 for the 2018 Fire Station No. 1 Concrete Entrance Replacement Project. Each and every alderman has a copy.

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

NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Alderman Demes revisited his concerns regarding our current ordinance pertaining to animals. He stated that since bringing his concerns forward last meeting he has heard from two groups of people, pet owners concerned about their pets being attacked by other dogs and from residents who walk and are concerned about being chased by dangerous dogs.

Alderman Demes proposed the following changes to our current ordinance:

1. Amend Item 2 in Section 90.15 which defines a Dangerous Dog, to read "A dog that, without justification, bites a person or animal and does not cause serious physical injury."
- 2.
3. \$5.00 fee for dog tags remain, but fines for non-registration of cats/dogs from amended from \$50.00 to \$750 to \$150 or \$250 to \$750.
- 4.
5. Transient owners/new residents should be given 30 days to register their dogs/cats.

Alderman Demes referenced Senate Bill 2386, known as Buddy's Law which addresses dangerous dogs attacking other dogs, as well as defines a reckless dog owners.

Alderman Demes also suggested that our ordinance should read that we "will" impound a dog if it is caught running loose by the Police Department. It currently reads that the City "may" impound the dog. Brief discussion continued.

Attorney McPhedran stated that the City of La Salle has had a strong ordinance for over twenty years regarding dangerous and vicious dogs and it is stronger than many surrounding

communities in regard to these matters. He continued by saying that "Buddy's Law" just signed by the Governor recently, does have provisions regarding reckless dog owners.

Attorney McPhedran believes we can use that statute as a foundation to amend our dangerous dog definition within the current ordinance as suggested by Alderman Demes because Buddy's Law does provide language for situations where a dog attacks or kills another dog. Attorney McPhedran stated that the council does have the right to raise the fine, as well as require a 30 day registration period for new/transient residents if they so choose.

In regard to the impoundment issue, Attorney McPhedran stated that there is significant expense and jurisdictional issues involved. He suggested more discussion is held with County representatives prior to any changes being made to the ordinance to ensure we are working in concert with them, not in conflict. He added that the City has a good relationship with the County when it comes to enforcement of issues.

Alderman Demes stated that we need to be pro-active in protecting our residents and pets in our City.

Chief Uranich stated that all of these ideas are good, but in reality it is difficult to find owners and impound animals. Alderman Demes stated that the main goal is to get residents to register their pets.

Moved by Alderman Demes and seconded by Alderman Duncan to have Attorney McPhedran draft an ordinance for the aldermen to review and consider at the next meeting which includes the revision of the definition of a dangerous dog to include the word animal in addition to person, to raise the fine for the non-registration of dogs/cats and to allow new residents 30 days to register their dogs/cats.

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

NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Moved by Alderman Ptak and seconded by Alderman Demes to schedule a meeting of the Streets, Alleys, and Traffic Committee on Monday, September 24, 2018 at 6:00 p.m. to further study traffic issues in the vicinity of North Marquette Street and Gooding Street between 11th Street and Lindberg Avenue, as well as move the Finance Committee meeting from 6:00 p.m. to 5:45 p.m. for that date only.

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

NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Streets, Alleys and Traffic Committee will meet September 24, 2018 at 6:00 p.m.

Finance Committee will meet at 5:45 p.m. on that evening only.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept and place on file Acknowledgement of Termination for Cost Sharing Agreement Entered into by then City of La Salle, The City of Oglesby and the City of Peru to Conduct a Cost and Operational Feasibility Assessment to Explore and Pursue the Sharing of Multi-Jurisdictional Law Enforcement Services and Constructing and Operating a Centralized, Jointly Staffed Multi-Jurisdictional Law Enforcement Facility to Serve as a Law Enforcement Headquarters, a Potential 911 Dispatch Center and a Jail Facility and related matters. (City of La Salle, City of Oglesby and City of Peru) Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Alderman Reynolds reminded the public that they are responsible for their animals which includes cleaning up after their pets on public streets and others' private property. Violators can be fined \$50 to \$750. This also includes cleaning up after pets in dog parks.

Alderman Schneider stated that with Oglesby no longer part of the Shared Services project, he suggested that some type of procedure is put in place in the event of a tie. Mayor Grove stated that he has expressed the same concern, but hopes that if this situation were to occur negotiations would take place. Mayor Grove explained that when this concern was brought up to the attorney working with the Shared Services group, he indicated that this can be solved in some situations by a coin toss if the group were to agree to that. However, the attorney also indicated that if a point were that contentious, then perhaps it is not meant to be part of the agreement. Mayor Grove stated that on the City's end, the hope is to have issues resolved prior to a vote so as to avoid the situation in the first place.

NEW BUSINESS

Alderman Demes reminded the public of the upcoming BBQ-n-Blues and Jazz n-the Streets being held September 7 and 8, 2018. This will also be the kick-off of 50/50 sales. Fireworks will be Saturday evening.

ORDINANCES/RESOLUTIONS

Moved by Alderman Schneider and seconded by Alderman Herndon to pass and place on file
Ordinance 2750: An Ordinance Authorizing Variance Concerning Premises as Requested by Megan Haynes regarding premises at 1732 Zinc Street within the City of La Salle.

Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

**Ordinance 2750: An Ordinance
Authorizing Variance Concerning
Premises as Requested by
Megan Haynes regarding
premises at 1732 Zinc Street
within the City of La Salle.**

Moved by Alderman Ptak and seconded by Alderman Reynolds to pass and place on file
Ordinance 2751: An Ordinance Approving and Authorizing the Execution of a Cost Sharing Agreement Entered into by the City of La Salle and the City of Peru to conduct a Cost Sharing and Operational Feasibility Assessment to Explore and Pursue the Sharing of Multi-Jurisdictional Law Enforcement Services and Constructing and Operating a Centralized, Jointly Staffed Multi-Jurisdictional Law Enforcement Facility to Serve as a Law Enforcement Headquarters, a Potential 911 Dispatch Center and a Jail Facility. (City of La Salle, La Salle County, Illinois.) Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Ordinance 2751: An Ordinance Approving and Authorizing the Execution of a Cost Sharing Agreement Entered into by the City of La Salle and the City of Peru to conduct a Cost Sharing and Operational Feasibility Assessment to Explore and Pursue the Sharing of Multi-Jurisdictional Law Enforcement Services and Constructing and Operating a Centralized, Jointly Staffed Multi-Jurisdictional Law Enforcement Facility to Serve as a Law Enforcement Headquarters, a Potential 911 Dispatch Center and a Jail Facility. (City of La Salle, La Salle County, Illinois.)

Moved by Alderman Reynolds and seconded by Alderman Ptak to pass and place on file
Ordinance 2752: An Ordinance Approving and Authorizing the Execution of a Tax Increment Financing (TIF) District Redevelopment Agreement by and between the City of La Salle, La Salle County, Illinois and 801 First Street, La Salle, LLC. Each and every alderman has a copy.
ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: Absent: Alderman Bacidore Abstain: None
Motion Carried 7-0

Ordinance 2752: An Ordinance Approving and Authorizing the Execution of a Tax Increment Financing (TIF) District Redevelopment Agreement by and between the City of La Salle, La Salle County, Illinois and 801 First Street, La Salle, LLC..

APPOINTMENTS

Moved by Alderman Lavieri and seconded by Alderman Reynolds to appoint Mayor Grove, Finance Director John Duncan, Police Chief Rob Uranich, Alderman Tom Ptak, City Engineer Brian Brown, Fire Chief Andy Bacidore, Sergeant Scott Samolinski, Citizen Representative Dave Margis to the La Salle-Peru Shared Services Committee.

ROLL CALL: AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: Absent: Alderman Bacidore Abstain: None
Motion Carried 7-0

Appointments: Jeff Grove, John Duncan IV, Rob Uranich, Tom Ptak, Brian Brown, Andy Bacidore, Scott Samolinski, Dave Margis to the Shared Services Committee

Alderman Herndon inquired who Peru had appointed on the Shared Services Committee. Finance Director Duncan stated that they have appointed Mayor Harl, Alderman Potthoff, Finance Director Justin Miller, Police Chief Doug Bernabei, City Engineer Eric Carls, Sergeant

Art Smith, Citizen Representative Joe Hogan and Administrative Assistant Melissa Carruthers who will act as the recording secretary if approved.

COMMENTS

Alderman Lavieri stated that part of the summer Music and Arts Festival at Rotary Park, 55 mosaic stepping stones were made by children and adults. This past Saturday the stones were installed at Rotary Park on the west side of the playground. Morgan Wilson donated the gravel. Alderman Lavieri thanked Susan Thorton, Chris Coughlin and other members of the North Central Illinois Valley Artworks for this permanent addition to the park.

Mayor Grove stated that the council would be entering into Executive for the purpose of reviewing and potentially releasing past Executive Session minutes, which would be done in Open Session upon return to the Regular meeting. He welcomed the press and those present to stay, however indicated the council will only be acting on the minutes and approving bills.

7:15 p.m. Moved by Alderman Schneider and seconded by Alderman Lavieri to enter into 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 and further discussion regarding certain lawfully closed session minutes and related matters for potential approval and/or release pursuant to 5 ILCS 120/2 (c) 21 and/or potential action thereafter in open session including potential motions and/or resolutions regarding approval and/or release of certain closed session proceedings/minutes, related potential authorization for destruction of certain verbatim tapes of certain closed session meetings which took place more than 18 months prior to this meeting and related matters.

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

NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Mayor Grove left at 7:25 p.m.

7:39 p.m. Moved by Alderman Reynolds and seconded by Alderman Lavieri to exit Executive Session and resume regular session.

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

NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Moved by Alderman Herndon and seconded by Alderman Reynolds to appoint Tom Ptak as Mayor Pro-Tem for the remainder of Regular Session.

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

NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

Alderman Lavieri asked where the release of minutes was listed on the agenda. Attorney McPhedran stated that it was stated as part of the motion read prior to entering into Executive Session in the portion that read "and/or potential action thereafter in open session including potential motions and/or resolutions regarding approval and/or release of certain closed session proceedings/minutes, related potential authorization for destruction of certain verbatim tapes of certain closed session meetings which took place more than 18 months prior to this meeting

and related matters.” In addition, Attorney McPhedran responded to Alderman Lavieri’s question by stating that Mayor Grove also announced, when the press was still present, that the potential release of minutes may be acted upon when the council came out of Executive Session. Therefore, the council has been transparent and the public has been fully informed.

Moved by Alderman Lavieri and seconded Alderman Duncan that we approve the lawfully closed minutes for meeting dates indicated on Attached Exhibit A, that we further find that the entirety of closed session minutes for dates and topics indicated on Exhibit B no longer require confidential treatment and that we release the minutes portion only of said meetings; that we further find that the specific portions of minutes indicated on attached Exhibit C no longer require confidential treatment and that we release the minutes only portions of said meetings related to topics indicated on Exhibit C, and that we further find that all other closed session meetings and proceedings remain confidential and that there is still a need for confidentiality pending further review and consideration at a later time of all other closed/Executive session meetings and proceedings.

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

NAY: Absent: Alderman Bacidore Abstain: None

Motion Carried 7-0

APPROVAL OF BILLS

Moved by Alderman Duncan and seconded by Alderman Herndon that bills submitted totaling \$262,231.34 (Total Payroll \$165,994.57, Bills to be Paid from \$87,253.58, Total Bills Paid \$8,983.19) be accepted, paid and placed on file. 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 Reynolds and seconded by Alderman Herndon to adjourn the meeting.
Voice vote, all ayes. Motion is carried.

ADJOURNED 7:43 p.m.



Carrie Brown, City Clerk

Exhibit A

Executive Session Meeting Dates

6/25/2013	1/17/2017
7/18/2013	1/30/2017
7/31/2013	3/13/2017
8/24/2013	3/27/2017
11/5/2013	4/6/2017
12/17/2013	4/10/2017
2/11/2014	4/24/2017
3/3/2014	5/8/2017
3/11/2014	5/22/2017
4/22/2014	6/19/2017
5/6/2014	7/10/2017
5/20/2014	7/31/2017
10/21/2014	8/14/2017
11/18/2014	8/28/2017
1/13/2015	9/25/2017
3/10/2015	10/23/2017
4/6/2015	12/4/2017
4/21/2015	12/18/2017
6/8/2015	2/12/2018
8/3/2015	3/26/2018
9/14/2015	4/9/2018
1/4/2016	5/21/2018
2/1/2016	
2/29/2016	
3/28/2016	
5/9/2016	
5/23/2016	
6/20/2016	
9/12/2016	
9/26/2016	
10/10/2016	
11/7/2016	
11/21/2016	
12/5/2016	
12/19/2016	

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City of LaSalle

La Salle County, Illinois

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Exhibit C Executive Session Minutes Portions No Longer Confidential

2/11/2014		Released portions concerning Potential Litigation/Conway Tax Appeal
3/11/2014		Released portions concerning Collective Negotiating Matters
4/22/2014		Released Pages 1, 3, 5, 6, 7 concerning Collective Negotiating Matters, Employment and Compensation of Non-Union Personnel, Potential Litigation as related to the EPA and the Long Term Control Plan, Acquisition of City Real Estate (Beck's Development)
5/6/2014		Released portions, Item 2 concerning Pending/ Potential Litigation (Heller Property-610 Bucklin)
10/21/2014		Released portions concerning Acquisition of Real Estate/Pending Litigation (Giving Garden east of Fire Station, Vendome)
11/18/2014		Released portions concerning Potential Litigation concerning discharge and NPDES Permit, Maxim Corporation
1/13/2015		The Setting of Price for sale or lease of property) 8th and Joliet Property, Collective Negotiating Matters, Pending Litigation (Conway Freight)
4/6/2015		Released portions concerning Collective Bargaining
4/21/2015		Setting of Price for sale or lease of property (8th and Joliet)
6/8/2015		Released portions concerning compensation of non-union personnel (Supt. of Public Works, Economic Development Director)
8/3/2015		Released portions concerning Setting of Price for City Owned Property at 1034 5 th Street
1/4/2016		Released portions concerning potential litigation relating to the wall at the old train depot
3/28/2016		Released portion concerning Collective Negotiating Matters (IVRD Dispatchers)
6/20/2016		Released portions concerning compensation for Elected Officials
12/5/2016		Released portions concerning Litigation (Merle Dahm property)
12/19/2016		Released portions concerning Purchase or Lease of Property by City (459 First Street/Mike Bird)
1/17/2017		Released portions concerning Personnel, Litigation (Conway Freight, Administrative Hearing System, Long Property 646 Wright Street)
3/13/2017		Released portions concerning Litigation (Civic Water Tower Painting Project)
3/27/2017		Released portions concerning Litigation, Employment of non-union personnel, acquisition of real estate (Civic Water Tower Painting Project, Huff and Huff/EPA re: industrial pre-treatment program, hiring of Parks and Recreation Director, possible purchase of Jackson School)
5/8/2017		Released portions concerning Litigation, Purchase of Real Estate, Setting of Price for property owned by the City (EPA, Kaskaskia)
5/19/2017		Released portions concerning Employment of union/non-union personnel, Potential Litigation (Karun Property E. Third Road)

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