

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
September 10, 2018**

A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, September 10, 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 6:31 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

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 27, 2018 are accepted and placed on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PROCLAMATION

Moved by Alderman Duncan and seconded by Alderman Schneider to proclaim September 2018 as National Suicide Prevention Awareness Month in the City of La Salle. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PETITIONS

Moved by Alderman Demes and seconded by Alderman Schneider to allow Max Ruppert to update the council on his Eagle Scout project and related matters.

Voice vote, all ayes. Motion carried.

Max Ruppert thanked the council for approving his project. He provided some photos of the completed project which he shared with the council. Mayor Grove commended Max for his hard work and wished him well as he continues to strive to achieve his Eagle Scout rank.

Alderman Ptak stated that the Finance Committee met and wondered if there were any funds available in the Promotional Fund to possibly contribute to NCAT. He added that it is a worthwhile service, but monies have not been budgeted. The City has not donated in the past.

Moved by Alderman Ptak and seconded by Alderman Reynolds to table the request from the City of Ottawa for a monetary donation to the North Central Area Transit (NCAT) until the next meeting to allow for further reviews. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request for a Sign Permit from Ottawa Savings Bank to install a 12.5 square foot illuminated wall sign at 757 First Street. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Herndon and seconded by Alderman Schneider to refer the request from Darryl Lewis and Brenda Palmer for a rear yard setback variance from 25' to 6' and a side yard adjacent setback from 25' to 9' to construct a garage on premises located at 1801 La Harped Street to the Zoning Board of Appeals. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Duncan to refer the request from Robert Baldin and Michael Eltrevoog for a zoning change from C-1 to C-3 and any necessary variances for premises at 2405 St. Vincent Avenue to the Planning Commission and/or Zoning Board of Appeals if necessary. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Alderman Duncan raised a concern that with the council meetings now being held at 6:30, he wondered if there is enough time to hold Zoning and Planning hearings on the same night as council meetings. After brief discussion, it was decided that the time/days of hearings will be determined on a case by case basis, with possible scheduling on an alternate day if necessary.

SPECIAL COMMITTEES

Attorney McPhedran indicated for the record and asked Attorney Barry to confirm on behalf his clients, which he did, that the recommendation of the Planning Commission and Zoning Board of Appeals is subject to the developers obtaining title and that the developers must comply with any and all applicable federal and state rules and regulations, including the American with Disabilities Act if applicable. In addition, variances are contingent upon the zoning change being approved. In addition, approval is contingent upon the buyer obtaining and providing evidence of financing necessary to accomplish the project. Attorney McPhedran also indicated that the Planning Commission and Zoning Board of Appeals voted unanimously in favor of granting the requests of the petitioners and there were no objectors present at the hearing.

Moved by Alderman Herndon and seconded by Alderman Reynolds to accept the Recommendation of the Planning Commission regarding request of B Brothers Real Estate, LLC, an Illinois Limited Liability Company, through their managing partners, Michael Bergagna and Daniel Bergagna, to rezone premises from R-3, Two Family Residential District to R-4, Multi-Family District commonly known as part of 905-11th Street (formerly used as St. Hyacinth's School) and related matters, including, but not necessarily limited to, potentially Subdivision Ordinance waiving of Preliminary Plat requirement and potential application of the Small Subdivision Ordinance. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Herndon, Schneider
NAY: Absent: None Abstain: Alderman Duncan from voting and any deliberation on the matter.

Motion Carried 7-0

Moved by Alderman Schneider and seconded by Alderman Reynolds to accept the Recommendation of the La Salle Zoning Board of Appeals regarding request of B Brothers Real Estate, LLC, an Illinois Limited Liability Company for variances, waivers, and/or exceptions from the City of La Salle Zoning Ordinances including, but not necessarily limited to, in relation to the number of square feet per unit, setback lines and maximum building height requirements and related matters. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Herndon, Schneider
NAY: Absent: None Abstain: Alderman Duncan from voting and any deliberation on the matter.

Motion Carried 7-0

Mayor Grove indicated that he was not in favor of this project because he does not think there is a market for it, but the City has faith and confidence in them and will be there to support them.

OLD BUSINESS

There was no Old Business brought forth.

NEW BUSINESS

It had been suggested that in regard to the request from Robert Baldin and Michael Eltrevoog, the council could as an option, consider amending the Zoning Ordinance to make a garage repair business an allowable use in C-1 Zoning Districts. After discussion, the council decided no action would be taken to further pursue this option and the petitioners can individually have their request considered by the Planning Commission or Zoning Board of Appeals.

Moved by Alderman Reynolds and seconded by Alderman Demes to grant a Redevelopment Incentive Program award to Gary Hammers on behalf of Hammers Properties totaling \$25,000 for premises located at 527 First Street. Each and every alderman has a copy.

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

Motion Carried 7-0

Attorney McPhedran stated that LP High School already has a lease with the City for this property, but this will give the school more flexibility to protect the students and staff and will also put the responsibility of infrastructure repair and maintenance on the school. Attorney McPhedran stated that a publication and public hearing is necessary, so tonight's motion is solely to start the process.

Moved by Alderman Demes and seconded by Alderman Reynolds to begin the process of Vacating a Portion of City Right-of-Way on Chartres Street between 5th and 6th Street and related matters.

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

NAY: Absent: None Abstain: None

Motion Carried 8-0

Attorney McPhedran stated that the purpose of the next agenda item is to get the sense of the council if they support sending the question of making the position of City Clerk an appointed position versus an elected one. He added that often it is difficult to find qualified people to run for this office. The office is up for re-election in 2021. Attorney McPhedran stated that a number of municipalities have appointed clerks. To do so, a resolution must be acted upon by the council no later than January 14, 2019 to have the referendum added to the April ballot. If passed, for the next vacancy in 2021, the position would then be appointed. The City council has the authority as a home-rule municipality to do this, which Attorney McPhedran stated that he confirmed with both the Illinois Municipal League and the County Clerk. Mayor Grove stated that the Clerk's job is a specialized position, and without a lot of residents showing interest in running for the position, this will allow the City to interview and appoint a qualified candidate.

Moved by Alderman Reynolds and seconded by Alderman Demes to begin the process to pursue a referendum regarding changing the position of City Clerk within the City of La Salle from being an elected position within the City of La Salle to being an appointed position within the City of La Salle and related matters.

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

NAY: Absent: None Abstain: None

Motion Carried 8-0

Mayor Grove thanked the LBA and all involved with the BBQ and Blues and Jazz N'the Street event this past weekend.

Mrs. Moskaliewicz, resident of 960 Gooding, inquired as to when the City was going to make the repair in the street at the end of her driveway. Mayor Grove stated that the City will get to it before the next meeting.

ORDINANCES/RESOLUTIONS

Attorney McPhedran stated that the following Ordinance is subject to the developers obtaining title and that the developers must comply with any and all applicable federal and state rules and regulations, including the American with Disabilities Act if applicable. In addition, approval is contingent upon the buyer obtaining and providing evidence of financing necessary to accomplish the project to the City Engineer and Building Inspector. Attorney McPhedran indicated the the petitioners, under oath, indicated that obtaining financing would not be an issue.

Moved by Alderman Herndon and seconded by Alderman Reynolds to pass and place on file **Ordinance 2753:** An Ordinance authorizing zoning change from R-3, Two Family Residence to R-4, Multi-Family Dwelling District for premises commonly known as part of 905-11th Street (formerly used as St. Hyacinth's School) within the City of La Salle, and additionally waiving Subdivision Ordinance provisions regarding waiver of preliminary plat and authorizing application and use of Small Subdivision Ordinance. Each and every alderman has a copy.

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

NAY: Absent: None Abstain: Alderman Duncan

Motion Carried 7-0

Ordinance 2753: An Ordinance authorizing zoning change from R-3, Two Family Residence to R-4, Multi-Family Dwelling District for premises commonly known as part of 905-11th Street (formerly used as St. Hyacinth's School) within the City of La Salle, and additionally waiving Subdivision Ordinance provisions regarding waiver of preliminary plat and authorizing application and use of Small Subdivision Ordinance.

Moved by Alderman Reynolds and seconded by Alderman Schneider to pass and place on file **Ordinance 2754**: Ordinance authorizing zoning variances in regard to the premises commonly known as part of 905-11th Street, La Salle, IL (formerly used as St. Hyacinth's School) subject to the developers obtaining title and that the developers must comply with any and all applicable federal and state rules and regulations, including the American with Disabilities Act if applicable. In addition, approval is contingent upon the buyer obtaining and providing evidence of financing necessary to accomplish the project to the City Engineer and Building Inspector. Each and every alderman has a copy.

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

Motion Carried 7-0

Ordinance 2754: Ordinance authorizing zoning variances in regard to the premises commonly known as part of 905-11th Street, La Salle, IL (formerly used as St. Hyacinth's School)

Prior to the vote concerning the acquisition of Casey's, Mayor Grove explained that when Casey's moved across the street, as part of their agreement with the City, they had many conditions as to what type of business could operate from their former location. It excluded retail, gas stations or other businesses who sold certain food items for a period of 15 years. The City reached out to the company about possibly obtaining this property. The thought was that the building could be renovated on the exterior to match the other fire buildings and then be utilized as a training center for the Fire Department, a community meeting room and potentially provide an additional bedroom or two for firefighters. Casey's will donate the property, however the City will be responsible for closing costs and any title work. However, the EPA has not issued a letter of No Further Remediation to Casey's.

Chief Bacidore explained that the City had a Phase 1 study done by Midwest Environmental regarding the environmental issues. The bottom line of the study suggested that there was a small amount of benzene on the property. This is not an issue unless the City were to dig the property up. Chief Bacidore confirmed that the former tanks on the property have been removed. Mayor Grove stated that we would have to make future administrations aware of the conditions set by Casey's as well as the environmental issues. Chief Bacidore stated that the State Fire Marshall cleared the property. However, the EPA may have other standards which is the reason the letter of no further remediation was not issued. Chief Bacidore stated that they would clean up the inside and make it look nice with minimal cost. He also indicated that the Fire Department has tables and chairs that could be brought over. He hopes that the facility can also be used for certain fundraising events.

Mayor Grove stated that the same restraints Casey's put on us, would follow if we obtain the property.

Alderman Duncan was not comfortable with the environmental issues. Attorney McPhedran stated this acquisition will require six affirmative votes to pass and the Mayor may vote.

Moved by Alderman Demes and seconded by Alderman Reynolds to pass and place on file **Ordinance 2755**: An Ordinance authorizing acquisition of real estate commonly known as 302-

5th Street, formerly known as a Casey's Store, from Casey's Retail Company, an Iowa Corporation. Each and every alderman has a copy. Each and every alderman has a copy.

ROLL CALL: AYE: Mayor Grove, Alderman Demes, Bacidore, Reynolds, Lavieri, Herndon, Schneider

NAY: Alderman Ptak, Alderman Duncan Absent: None Abstain: None

Motion Carried 7-2

Ordinance 2755: An Ordinance authorizing acquisition of real estate commonly known as 302-5th Street, formerly known as a Casey's Store, from Casey's Retail Company, an Iowa Corporation. Each and every alderman has a copy.

COMMENTS

Alderman Demes complimented the fireworks show held on Saturday evening.

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri that bills submitted totaling \$320,735.76 (Total Payroll \$179,757.84, Total Bills Paid \$140,977.92) be accepted, paid and placed on file. Each and every alderman has a copy.

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

NAY: None Absent: None Abstain: None

Motion Carried 8-0

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

ADJOURNED 7:17 p.m.



Carrie Brown, City Clerk