

MINUTES OF THE REGULAR MEETING OF THE LA SALLE CITY COUNCIL

June 24, 2024

A regular meeting of the La Salle City Council of La Salle, Illinois was held, Monday, June 24, 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 – Mayor Grove, Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

Absent – NONE

Others Present: Deputy Clerk Brent Bader, Finance Director John Duncan, Economic Development Director Curt Bedei, City Building Inspector Andy Bacidore, Director of Public Works Kevin Fay, Fire Chief Jerry Janick, City Attorney James McPhedran, City Engineer Brian Brown, Police Chief Mike Smudzinski, City Treasurer Virginia Kochanowski

A quorum was present.

PUBLIC HEARING

Moved by Alderman Lavieri and seconded by Alderman Jeppson to open Public Hearing regarding proposed New Well Community Funding Project.

Economic Development Director Curt Bedei spoke in regard to the new well community funded project that the city received from Lauren Underwood's office. The city received \$500,000 to go toward this project and will go through the USDA rural development. Bedei believes that this reason for this project is because the city's current well is a shell well and located in a floodplain. The new well will be a deep well and will be located near the water treatment plant. Bedei mentioned that there will be no match by the city. This was something legislative through the representative Underwood's office. Attorney McPhedran mentioned that this recommended funding project was one that the city council passed a resolution on recently.

City Engineer Brian Brown mentioned that this funded project is specifically for drilling of the deep well. This will allow the city to assess the city's power needs based on the depth of the well and the city will be able to come up with the water quality also. This will give

the city backup or additional water source that the city may need for future growth and expansion. Brown also mentioned that the city is looking into another low interest loan from the EPA to complete the other parts of the well. This will be a loan in which the city can go back and recoup their monies within the low interest loan period. Brown believes this low interest loan amount maximum is \$5 million with up to 80% forgiveness. The city plans on maximizing their efforts to be able to get as much as they can. Brown also mentioned that the low interest does fluctuate based on the city's need, but he believes it to be around 1%. Mayor Grove appreciates Rep. Underwood's concerns and for her reaching out to the city in regard to this matter.

Public member asked about how many wells the city currently has. Director of Public Works Kevin Fay mentioned that the city currently has six wells. The city plans on replacing quite a few of the wells because this will be a deeper well with a bigger aquifer. The city's intention is not to abandon any of the wells, however. This just allows for the city to have additional capacity.

No further comments or questions were received.

Moved by Alderman Thompson and seconded by Alderman Reynolds to close public hearing. **(6:37p.m)**

COMMENTS

Mayor Grove opened up public comment and reminded the audience that this was the public's time to speak with any suggestions or comments. He also reminded all to state their name for the record.

Brianne Hicks expressed her concern again for trying to make the meeting packets available to public before the meeting, instead of just the agenda items. She also expressed her concerns about the appearance of M&H Park, including the lack of wildlife, the gravel lot next to the concession stand, and the deteriorating yellow caps on the fence line. She also suggested a compost alternative to the burn pile to improve the air quality. She stated that she has reached out to the Illinois EPA and the USEPA in regard to the empty containers of permanganate that are housed outside of Carus.

Dawn Hicks expressed her concern with Mayor Grove not contacting her back after she left her number with his receptionist. She also was concerned with the conditions for the worker at the yard waste dump. She stated that the Mayor mentioned, in October, giving the town a heads up in regard to when the city would burn the yard waste. She was not informed of it recently and had a severe asthma attack. She also wanted to address Mayor's allegation of her sexually harassing John Duncan. She stated that the mayor was unaware of what sexual harassment really is.

Angel Farmer stated that the city of La Salle has ticketed many property owners for high grass but the grass at the Grove Center had areas taller than her ruler, along with vines across both back doors. She stated that Daniel Duncan and Brett Bader did a great job with the Celebrate LaSalle videos, but the city still does not have money to replace the

City Council podium microphone. Farmer thanked Curt for sharing the garage sale map on the city's social media pages. During the week of high heat, Farmer was upset that the city did not open up any public buildings welcoming residents who may not have access to air conditioning. She stated that the people are not welcome, and the city does not care about the residents well being. Farmer recalled an incident that happened at City Hall and was upset with how the Chief handled it that day. She was also upset that the City did not notify the residents when they were burning the yard waste. She also asked why Rotary Park was not completed yet. Farmer then held a moment of silence for anyone that died or hospitalized due to heat exposure.

APPROVAL OF MINUTES

Moved by Alderman Reynolds and seconded by Alderman Thompson to approve the Minutes of the Regular City Council meeting held June 10, 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 Crane to approve the request from Ameren Illinois to break curb at 446 Joliet, 1437 Crosat, and 1016 1st Streets to retire gas services for demolition. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Bacidore and seconded by Alderman Thompson to approve the request for a curb cut to extend driveway seven feet from Sophear Hounsve at 2053 Crosat Street. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Reynolds and seconded by Alderman Thompson to approve the request for a 2024 Raffle License from The Center for Youth and Family Solutions. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Jeppson and seconded by Alderman Reynolds to approve the request from Starved Rock Runners to host the "Boo" Milby Memory 5K Run/Walk beginning at 8 a.m. Saturday, August 17, 2024 at the VFW, 2325 Donahue Street. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Alderman Thompson mentioned that came across a news article recently that stated that eight separate solar panel companies have filed for bankruptcy. He highly recommends for residents to have no soliciting signs, which the city provides for free. He will deliver one to any resident's house if they are unable to make it to city hall to

receive one. Thompson's number is on the website if anyone would like to contact him. He also suggested for all residents to do their research if they are serious about adding solar panels to their homes.

Deputy Clerk Brent Bader also mentioned that this may not be the last time the city sees Everbright on this solicitor's list. They have a lengthy list of solicitors that they want to send out all at varying times. This business does meet all the specifications. If the solicitors pass the police background check, they will also be put before the council at the next meeting or the next one after.

Mayor Grove also mentioned that the city has ordered more "No Solicitors" signs to replenish at city hall.

Moved by Alderman Thompson and seconded by Alderman Herndon to grant the request for a Solicitor's Permit for Taylor Bird from Everbright.

Voice vote, all ayes. Motion carried.

Moved by Alderman Herndon and seconded by Alderman Reynolds to approve the request for Solicitor's Permit for Prit Patel, Nicholas Stevenson, Chrisia Tolliver, Emily Woods, and Stephen Grant from AB Marketing.

Voice vote, all ayes. Motion carried.

Moved by Alderman Ptak and seconded by Alderman Thompson to approve the request from Robert "Chico" Perez of Abundant Life Fellowship for a Special Event Permit from Thursday, July 25, 2024, to Sunday, July 28, 2024, to use city owned property at the northeast corner of First and Tonti streets in La Salle for horse-riding event.

Alderman Thompson did ask that all messes get picked up. Deputy Clerk Bader stated that this approval is based of the fact that they still have to provide the required insurance to the city.

ROLL CALL

AYES: Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAYS: NONE **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 8-0

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 March 2024 of \$98,014.64 and Home Rule Sales Tax of \$83,718.35 for a total of \$181,732.99.

Voice vote, all ayes. Motion carried.

Moved by Alderman Jeppson and seconded by Alderman Reynolds to accept and place on file the Thank you letter from North Central Area Transit.

Voice vote, all ayes. Motion carried.

APPOINTMENTS/RESIGNATIONS

Moved by Alderman Herndon and seconded by Alderman Thompson to accept the resignation of LaSalle Police Officer Jordan Strange.

Voice vote, all ayes. Motion carried.

Mayor Grove mentioned that during this officer's exit interview he stated that he will not be continuing in his profession.

SPECIAL COMMITTEES

Attorney McPhedran stated that there was a representative from Green Monk, LLC at the Council meeting in case there were any further questions for him. McPhedran also mentioned that this request did pass unanimously before the Planning Commission, and it was brought up subject to other such conditions. He stated that it was also discussed with the Green Monk representative that some of the provisions, which are in the proposed special use allowance, if approved, included the granting of further subject to Green Monk required title ordinances to be enacted separately at that Green Monk would comply with all of the rules and regulations with the City of La Salle in regard to building permit requirements of La Salle ordinances. And additionally, obtaining a special use permit following governmental rules and regulations. It would also include but not limited to obtain any other necessary licenses or permits for government agency, such as will be required in regard to obtain permits in regard to cannabis. McPhedran continued by stating that the permits possibly may be assigned only with the consent of the city. He also stated that it would be subject to approval of the building inspector and the city engineer. This would automatically terminate if it was non-operable in a year and a half. McPhedran mentioned that these would be similar parameters in regard to the solar panels also.

McPhedran asked Jeff Scales, owner of Green Monk, LLC., a series of questions. Mr. Scales agreed to and understood all questions that Mr. McPhedran asked before him. He is willing to abide by all that was discussed with the Planning Commission. He also understood that there are nuisance ordinances regarding the city and the state that he would abide by and also looking forward to working with and cooperating with the City in this endeavor. Mr. Scales mentioned that they would start with 20-25 to start the craft grow. They would then have others in as seasonal work for harvest. He stated that they would be bringing in employees every 5-8 weeks. It was mentioned that Scales is also a contract purchaser from the owner at the present time.

Alderman Reynolds asked about planting and harvesting. Scales mentioned that they do run a cycle system, and they plan to have about five harvests a year. He said that their facility is a 55,000 square foot building and breaking up rooms into 1,500 square foot spaces. This will be for the growing process from seedling to flowering to allow for a constant process. Scales stated that from the 55,000 square foot building, they are only allowed 15,000 square feet of canopy. The remaining portion of the building will be for the processing, packaging, and marketing. He said that this would be a hub site center for packaging and producing edibles and other products. Mr. Scales mentioned that nothing will be sold from this facility. This will not be open to the public and it will be a very secure space. He said that everything that leaves the facility will be all finished products and will go through to dispensaries throughout the state. There will be no retail sales.

Mayor Grove pointed out that Alderman Ptak and Alderman Lavieri were at the Planning commission meeting when Mr. Scales spoke, and he was very forthcoming when asked many questions at the meeting.

Mr. Scales then spoke in regard to the solar farm that he also hopes to get approved here tonight that was brought in front of the City Council also. He stated that growing cannabis or marijuana is a very, electric heavy industry. He mentioned how the HVAC and lights are constantly running. He would like to offset the carbon footprint by partnering with the solar field. He mentioned that is a reason why they wanted to purchase this 50 plus acre piece of property. He did mention that they did plan on using the solar field to pump electricity back into the grid for local residents. He stated that they planned on using about 15% of the solar field for their facility. The rest of it will come back to Ameren and the city of La Salle.

Alderman Crane asked Scales timeline on starting the project. Scales stated that plans to continue are dependent of the council's bid tonight. He stated that they do have their suppliers, growers, and general contractor, Grow America, all lined up. Alderman Crane asked if they would use local contractors also. Scales said that they would go out for bids locally.

Attorney McPhedran asked Mr. Scales to share the estimated cost of the project. Scales stated that the solar fields would be about a \$7.5 million-dollar expenditure. For the craft grow, they plan to do a 55,000 square foot pre engineered metal building which is about \$800,000-\$900,000 with approximately \$1.2 million for the foundation and infrastructure for the building. He mentioned that the build out for the craft grow can be \$3-\$12 million and that can go either way because of fluctuating material prices.

Alderman Thompson asked if they had room to grow on this site and Scales stated that they do have room to grow but they are building for what they need. Scales even believes that 55,000 sq.ft. may even be a little too large, but they plan on just seeing how things go.

Mayor Jeff Grove hopes that the City has been very welcoming to Mr. Scales so far and believes that the discussed location is the right location for him.

Chairman Ptak asked why they did choose this property and Scales was honest and said that it just fit the criteria and they have looked all across the State. This was his fourth attempt with a city. He said that he does like La Salle and has visited before with his wife at Starved Rock.

Moved by Alderman Ptak and seconded by Alderman Jeppson to approve and accept the Planning Commission recommendation regarding the request of Green Monk, LLC contract purchaser from Cannon Farm Venture, LLC (Lyle Sitterly) for the issuance of a special use permit related to proposed construction and operation of a 55,000 square foot cannabis craft grow facility on premises commonly known as 745 Cannon Parkway, La Salle, Illinois. Each and every alderman has a copy.

ROLL CALL

AYES: Aldermen Thompson, Ptak, Reynolds, Jeppson, Herndon, Crane, Bacidore

NAYS: NONE **Absent:** Alderman Lavieri **Abstain:** NONE

MOTION CARRIED: 7-1

Moved by Alderman Ptak and seconded by Alderman Thompson to approve and accept the Planning Commission recommendation regarding the request of Green Monk, LLC contractor purchaser from Cannon Farm Venture, LLC (Lyle Sitterly) for the issuance of a special user permit regarding the installation of a solar farm at premises commonly known as 745 Cannon Parkway, La Salle, Illinois. Each and every alderman has a copy.

ROLL CALL

AYES: Aldermen Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane, Bacidore, Thompson

NAYS: NONE **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 8-0

Attorney McPhedran wanted to review a little about the next ordinance that was also brought forward to the Planning Commission tonight. He mentioned that it was discussed before the planning commission that a container storage unit and/or container buildings is hereby defined as including each and all of any of the following:

1. Any unit and/or structure that utilizes an intermodal shipping container as a structural or design element thereof; and/or
2. Any unit originally and/or specifically used or designed to store goods or other merchandise during shipping and/or hauling via vehicle, including, but not limited to rail cars of any kind, truck trailers, or multi-modal shipping containers; and/or

3. Any building, including, but not limited to any dwelling that has been converted from a steel shipping container.

All these are the types were indicated in the recommendation and the planning commission recommendation was to recommend to the City Council. McPhedran continued by paraphrasing, but in general, to allow these prospectively only zoned M-1 and M-2 and then only if the specific premises obtain the special use permit in regard to the premises. McPhedran also stated that it was brought up for it to be subject to such other conditions as the City Council deemed appropriate.

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept the recommendations of the Planning Commission on the request of the La Salle City Council for consideration of potential amendment to the La Salle Zoning Ordinance #590, as the same may have been from time to time amended, and corresponding Code sections thereunder, regarding consideration of clarification and amendment of Zoning Ordinance regarding further regulation of that which are commonly referred to as container units and/or container buildings. Each and every alderman has a copy.

ROLL CALL

AYES: Aldermen Reynolds, Lavieri, Jeppson, Herndon, Crane, Bacidore, Ptak

NAYS: Alderman Thompson **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 7-1

Moved by Alderman Herndon and seconded by Alderman Thompson to accept the recommendations of the Planning Commission on the request of the La Salle City Council for consideration of potential amendment to the La Salle Zoning Ordinance #590, as the same may have been from time to time amended, and corresponding Code sections thereunder, regarding consideration of clarification and amendment of Zoning Ordinance regarding further regulation of that which are commonly referred to as smoke shops, tobacco shops, and/or e-cigarette shops.

Attorney McPhedran wanted to explain a little in regard to the definitions of such things that pertained to this ordinance. He mentioned that this does include grocery stores and/or gas stations or anywhere else that may happen to sell some cigarettes. A “retail tobacco store” is defined in the ordinance as “retailer whose main purpose is the sale of regulated smoking products for either on premises and/or off-premises consumption at a retail establishment that devotes more than 15% of its total floor area to regulated smoking products and/or receives 40% or more of its revenue to either related regulate its ‘smoking products’”. “Regulated smoking products” are further defined as including any or all of the following: cigarettes, electronic cigarettes, tobacco products, alternative nicotine products and smoking accessories.” He stated that this will not affect the regulation of cannabis dispensaries which is regulated by other ordinances within our Ordinances and will be contained within the ordinance. They discussed how current businesses are grandfathered. McPhedran also noted that with this ordinance and the

one in regard to the container storage unit provides that it is also subject to, as it is required by law to the provisions regarding preexisting uses, which means by practical standpoint, that they are grandfathered in their current form. The other exception in regard to that would be the ordinance in regard to the container units that will be discussed that the ordinance will not affect any storage container unit for storage purposes provided it is there for temporary use only, not more than 30 days.

Alderman Herndon pointed out and Attorney McPhedran agreed with that the language only applies to establishments that have more than 50% of their core area for regulated smoking products, and/or more than 40% of their income from the tobacco products.

ROLL CALL

AYES: Aldermen Lavieri, Jeppson, Herndon, Crane, Bacidore, Thompson, Ptak, Reynolds

NAYS: NONE **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 8-0

OLD BUSINESS

Moved by Alderman Bacidore and seconded by Alderman Reynolds to approve authorization of Pay Request #4 for Otto Baum Company, Inc. totaling \$51,764.66 for work completed to date on Masonry Restoration project.

Alderman Herndon mentioned that the city hall looks better and better everyday.

ROLL CALL

AYES: Aldermen Jeppson, Herndon, Crane, Bacidore, Thompson, Ptak, Reynolds, Lavieri

NAYS: NONE **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 8-0

Mayor Jeff Grove updated the council with some pictures of two deck areas that were installed at Rotary Park for families to sit and picnic at. Dean Tieman sent some pictures that Deputy Clerk Bader shared with the council of the progress. This will allow for a sitting space for families as they will add a few picnic tables and Tieman will be adding some sunshades when he returns from vacation.

Mayor Grove mentioned that the city had a great weekend for Celebrate LaSalle. He thanked Attorney McPhedran and his law firm for sponsoring the 5K race. They had a record number of 88 runners. He thanked Alderman Jeppson and Alderman Thompson for their help with traffic control during the race. Also thanked Alderman Crane for a

night of bartending and Alderman Lavieri for selling 50/50. He thanked all city departments for helping out to make this happen.

NEW BUSINESS

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept and approve the annual downtown sidewalk program.

Mayor Grove mentioned that City Engineer Brian Brown and him went through the list of potential areas of concerns that they would like to address once the bids come back. Mayor Grove hopes for Stage 212 to be potentially one that is done as soon as they can. Mayor Grove said that the council can look at the list again once they get the bids back in case, they need to scale back on some or go with the full project.

City Engineer Brown plans on getting the bids out tomorrow as he would like the Council to be able to approve bids next meeting. Brown also plans on including the National Fitness Campaign ads to get the exercise facility out at Rotary Park. That will be a separate bid item, but it will be in that bid packet.

ROLL CALL

AYES: Aldermen Herndon, Crane, Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson,

NAYS: NONE **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 8-0

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

Moved by Alderman Jeppson and seconded by Alderman Crane to accept, approve, and place on file an ordinance authorizing the granting of Special User Permit within the City of La Salle, La Salle County, Illinois, regarding a cannabis craft grow facility (Green Monk, LLC contractor purchaser from Cannon Farm Venture, LLC {Lyle Sitterly}). Each and every alderman has a copy.

ROLL CALL

AYES: Aldermen Crane, Bacidore Thompson, Ptak, Reynolds, Jeppson, Herndon

NAYS: Alderman Lavieri **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 7-1

Moved by Alderman Thompson and seconded by Alderman Reynolds to accept, approve, and place on file an ordinance authorizing the granting of Special User Permit within the City of La Salle, La Salle County, Illinois, regarding solar farm (Green Monk, LLC contractor purchaser from Cannon Farm Venture, LLC {Lyle Sitterly}). Each and every alderman has a copy.

ROLL CALL

AYES: Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAYS: NONE **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 8-0

Moved by Alderman Reynolds and seconded by Alderman Ptak to accept, approve and place on file an ordinance amending Zoning Ordinances, including #590 of the City of LaSalle regarding further regulation that which are commonly referred to as container storage units and/or container buildings. Each and every alderman has a copy.

ROLL CALL

AYES: Aldermen Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane, Bacidore

NAYS: Alderman Thompson **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 7-1

Moved by Alderman Reynolds and seconded by Alderman Herndon to accept, approve and place on file an ordinance amending Zoning Ordinances, including #590 of the City of LaSalle regarding further regulation that which are commonly referred to as smoke shops, tobacco shops, and/or e-cigarette shops. Each and every alderman has a copy.

ROLL CALL

AYES: Aldermen Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane, Bacidore, Thompson

NAYS: NONE **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 8-0

Mayor Grove mentioned that he has spoke with a group from other cities and they will be looking into grants to plant larger, more mature trees throughout the city and in Mathessian park, as this has been a concern mentioned by a LaSalle resident. Another concern that was mentioned in regard to Mathessian park were the yellow capping on the fence. He will have someone take a look at that. He also agrees with painting the curb areas by fire extinguishers but maybe not necessarily every corner in neighbor hoods were there is "No Parking".

Alderman Bacidore had some questions from residents about the empty lots that are for sale. It was mentioned that it has never been an issue in the past to get rid of these. lots. Signage for these lots to be sold does have to be 30 days posted and will be in the newspaper. The Mayor does plan on doing closed bids and council does have final say. Alderman Crane does believe that the city does need to get rid of them. It is only costing the city money for upkeep.

Attorney McPhedran did want to point out in regard to the cannabis and the solar farm request, there were questions by the members of the public but no objections by any member of the public.

Alderman Reynolds mentioned that the LP auditorium had a great turnout for the celebration of Buddy Holly and Ray Orbison. He mentioned that the auditorium was about $\frac{3}{4}$ full and very well organized.

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept, pay, and file the bills from June 10, 2024: Total Submitted: \$1,163,330.69 (Total Payroll \$237,790.05, Bills to be Paid \$453,177.72, Total Bills Paid \$472,362.92). Each and every alderman has a copy.

ROLL CALL

AYES: Aldermen Bacidore, Thompson, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAYS: NONE **Absent:** NONE **Abstain:** NONE

MOTION CARRIED: 8-0

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

Voice vote, all ayes. Motion is carried.

ADJOURNED

7:31

pm

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

Amy Quinn, City Clerk