

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

**July 22, 2024**

**A regular meeting of the La Salle City Council of La Salle, Illinois was held, Monday, July 22, 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**

Mayor Grove asked for a moment of silence for Gerald Washzkowiak, longtime member of the La Salle Library Board and a strong member of La Salle and of the community, who passed away recently.

**ROLL CALL**

**Present** – Mayor Grove, Aldermen Bacidore, Thompson, Reynolds, Lavieri, Herndon, Crane

**Excused Absence** – Alderman Ptak, Alderman Jeppson

**Others Present:** Deputy Clerk Brent Bader, 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 Herndon to open hearing in regard to the proposed Appropriation Ordinance for fiscal year 2024-2025.

Voice vote, all ayes. Motion carried.

Mayor Grove mentioned that this was the time for any more public input to the appropriations before it would be approved by the council tonight.

Finance Director Duncan stated that pursuant to 65ILCS582-9, Chapter 24 which the city is applicable to, because they are a community of less than 500,000. He stated that the city shall pass an ordinance within the first quarter of the fiscal year, which is May 1. He said that also “pursuant to 65ILCS, the city has 10 days before the adoption of the ordinance, that corporate authorities of municipalities over 2000 population shall make the proposed appropriation ordinance formally prepared and appropriated or budget document which the annual appropriation ordinance made conveniently available for public inspection”. Duncan mentioned that Deputy Clerk Brent Bader posted it on the

city's website along with the two bulletin boards located in the city's lobby area. Finance Director John Duncan and City Attorney Jim McPhedran stated that they see the city to be compliant with 65ILCS.

Mayor Grove stated that Alderman Ptak and Alderman Jeppson would not be present tonight to vote on it, but he was unaware that they had any concerns at all in regard to this ordinance.

No comments were received.

Moved by Alderman Crane and seconded by Alderman Thompson to close the public hearing. (6:41 p.m)

Voice vote, all ayes. Motion carried.

## **COMMENTS**

Lisa Dyas, 4th Ward resident, asks about her broken concrete and when it would be repaired. City Engineer Brian Brown mentioned that it will get fixed and is on the list with the sidewalk program this year.

Dawn Hicks mentioned that the air monitors zeroed out again. She also shared a photo from May 5, 2024 when all the windows were intact at the Maytag building and no building permit was present. Hicks also questioned why the city wasn't saving up for a street sweeper years ago because it was already in bad shape and 18 years old. She also expressed her frustration with changes that may be made again to some city ordinances and First Amendment rights.

Deana Hicks wanted to mention for the public that the water bills had a reminder of who to contact if any residents had issues with their EPA cleanup.

Chris Miller expressed his frustration with elected officials nitpicking and limiting public speech, emphasizing First Amendment rights. He feels that the elected officials should be able to take criticism as part of the job. He expressed his disagreement with proposed changes to the ordinance. He feels as though things can be done in a more mature manner within the city council and hopes there is no coercive decision-making happening while discussing these proposed ordinance changes.

Eric Dyas, 4<sup>th</sup> Ward resident, asked about an update to the short cut to the fishing pond at Rotary Park. He also asked about fines in the contract for the Maytag building not being done in time. Mayor Grove said that their fine is that they will not be receiving their TIF money.

Angel Farmer expressed her frustration with council members disrupting her moment of silence last meeting. Farmer is also not supportive of the proposed changes to the public comment. She states that she advocates for transparency and accountability in public comments and listed potential constitutional violations. She disagrees with the city ordinance restricting free speech and assembly in city buildings.

Gary Hammers, 1<sup>st</sup> Ward residents, declared that he will be running for the Mayor of La Salle. He feels that it is embarrassing that the city officials and aldermen do not have enough freedom of speech to answer a resident's comment or question. Alderman Thompson stated that he will answer questions or concerns when it is his time to make his comments. Dawn Hicks stated that Thompson was not the problem.

Hammers questioned who wrote up the proposed ordinance changes. Alderman Lavieri stated that there have been personal attacks, which they can handle and take, but they also have to protect the city employees under law from personal attacks.

Mayor Grove gave Dawn Hicks her 2<sup>nd</sup> warning for disruption. Angel Farmer then received her 1st warning from the Mayor.

Hammers stated that it is upsetting how much the city council does not talk or express themselves to the people.

Chris Miller received his first warning from the mayor for disruption and Angel Farmer received her 2<sup>nd</sup> warning.

Alderman Thompson moved to allow Chris Miller an additional minute for public comment. There was not a second.

### **APPROVAL OF MINUTES**

Moved by Alderman Reynolds and seconded by Alderman Bacidore to approve the Minutes of the Regular City Council meeting held July 8, 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 Lavieri and seconded by Alderman Reynolds to send the request to the Zoning Board for variance from Anthony Sondgeroth regarding construction of 2 ½ car garage with 10-foot addition to existing home on premises commonly known as 578 Union Street.

Voice vote, all ayes. Motion carried.

### **REPORTS OF CITY OFFICERS**

Moved by Alderman Bacidore and seconded by Alderman Thompson to accept, approve and place on file the Building Inspector's report for June 2024 showing total fees collected of \$3,230 with total value of construction of \$351,571.

Voice vote, all ayes. Motion carried.

### **COMMUNICATIONS**

Moved by Alderman Lavieri and seconded by Alderman Herndon to accept, approve, and place on file the Illinois Department of Revenue report showing sales tax collected for April 2024 of \$107,764.82 and Home Rule Sales Tax of \$93, 982.21 for a total of \$201,747.03. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

## **BIDS**

Moved by Alderman Herndon and seconded by Alderman Reynolds to approve the bid award to Vissering Construction Company of \$189,136 for the East Wastewater Treatment Plant Gate Replacement project. Each and every alderman has a copy.

## **ROLL CALL**

**AYES:** Aldermen Bacidore, Thompson, Reynolds, Lavieri, Herndon, Crane

**NAYS:** NONE   **Absent:** Alderman Ptak, Jeppson      **Abstain:** NONE

**MOTION CARRIED: 6-0**

## **STANDING COMMITTEES**

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept the recommendation of the Finance Committee regarding request for a monetary donation of \$4,000 to Illinois Valley PADS Homeless Shelter.

## **ROLL CALL**

**AYES:** Aldermen Thompson, Reynolds, Lavieri, Herndon, Crane, Bacidore

**NAYS:** NONE   **Absent:** Alderman Ptak, Jeppson      **Abstain:** NONE

**MOTION CARRIED: 6-0**

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept the recommendation of the Finance Committee regarding the purchase of a Pierce Enforcer Fire Engine with 10 annual payments of 133,710.81 per year.

## **ROLL CALL**

**AYES:** Aldermen Reynolds, Lavieri, Herndon, Crane, Bacidore, Thompson

**NAYS:** NONE   **Absent:** Alderman Ptak, Jeppson      **Abstain:** NONE

**MOTION CARRIED: 6-0**

Moved by Alderman Bacidore and seconded by Alderman Reynolds to accept the recommendation of the Streets, Alleys, and Traffic Committee regarding adding two "Hegeler Carus Mansion Parking" signs to the north side of 7<sup>th</sup> Street, between Sterling and Union Streets, one on each side of the mansion driveway.

## **ROLL CALL**

**AYES:** Aldermen Reynolds, Lavieri, Herndon, Bacidore

**NAYS:** Alderman Crane, Thompson   **Absent:** Alderman Ptak, Jeppson   **Abstain:** NONE

**MOTION CARRIED: 4-2**

## **SPECIAL COMMITTEES**

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept the recommendation from the Planning Commission regarding the request of MAV Restoration, LLC by Mark Voss, request for Special Use Permit related to proposed construction and operation of an approximate one-half acre solar farm on a portion of the premises commonly known as Starved Rock Family Campground, 757 E. 3029<sup>th</sup> Rd., LaSalle, Illinois, aka Four Brothers Road, with a specific location of the proposed solar farms to be the Northwest of the present campground structures and to be further more specifically described as being approximately one-half acre to the south of the northernmost tip of the parcel. Lavieri moves that he finds the petitioners request to be in the overall public good, further consistent with the purpose and intent of the La Salle Comprehensive Plan Zoning Ordinance that is further compliant with the City of La Salle Ordinances in regard to the granting of Special Use Permits, thus he also recommended that the petitioner's request to be granted subject to other terms and provisions as the La Salle City Council deems just and appropriate. This was approved unanimously by the planning commission also.

## **ROLL CALL**

**AYES:** Aldermen Herndon, Crane, Bacidore, Thompson, Reynolds, Lavieri

**NAYS:** NONE   **Absent:** Alderman Ptak, Jeppson   **Abstain:** NONE

**MOTION CARRIED: 6-0**

## **NEW BUSINESS**

Alderman Herndon felt that a discussion of ordinance 3032 needed to wait for another meeting or hold a separate meeting for all alderman to be able to sit down and discuss at further length.

Mayor Grove appreciated Fire Chief Janick and all others that responded quickly to the fire this afternoon. He also mentioned that the La Salle swimming pool's last day will be Saturday August 11<sup>th</sup>.

He also mentioned that on August 3<sup>rd</sup>, bids will be going out for road work.

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

Moved by Alderman Lavieri and seconded by Alderman Herndon to accept, approve, and place on file an ordinance appropriating for all Corporate Purposes for the City of LaSalle, LaSalle County, Illinois for the Fiscal year beginning May 1, 2024 and ending April 30, 2025. Each and every alderman has a copy.

## **ROLL CALL**

**AYES:** Aldermen Crane, Bacidore, Thompson, Reynolds, Lavieri, Herndon, Mayor Grove

**NAYS:** NONE   **Absent:** Alderman Ptak, Jeppson      **Abstain:** NONE

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

Alderman Thompson questions the time and money that was or will be put into this proposed ordinance change. He questions that if it does not abide by the US Supreme Court then how the city is able to enforce it. He feels an ordinance is not necessary because most is covered by state law. Thompson also feels that many of the words in the proposed ordinance are arbitrary and capricious. He stated that if there is a violation of a law, Chief Smudzinski is present and is the one person who he supports and who will take care of the violation. He asks that his fellow council members read through this thoroughly.

Mayor Grove feels that both himself and the other council members give everyone their public comment time and then they try to circle back to other comments or questions that was brought up throughout the meeting. Mayor Grove has zero tolerance for the berated comments that have been made. His job is to make sure the workplace safe and harassment free environment for all the city workers.

Deputy City Clerk Bader explained that there was an incident that occurred in the lobby area that led to the proposed ordinance change relating to a Code of Conduct. He mentioned that upon speaking to the city's legal team, there was nothing on the books in regard to treating staff with respect in any of the public gathering places, like at City Hall. Bader stated that he understood that other municipalities did have language already established. He mentioned that while it covers the Council Chambers as well, the instance that set this off was something that happened outside the Council Chambers.

Attorney McPhedran did state that according to the Municipal League reducing to three-minutes for public comment is satisfactory. It has been indicated that other cities like Peru and Streator area also at three minutes for public comment.

Mayor Grove pointed out that the De Bennett Shortcut for the lake discussion was during a Streets, Alleys, and Traffic committee meeting, not just a regular council meeting. Mayor Grove also reminded everyone that they had since Friday to contact him about any of the items on the agenda and he did not hear from anyone that wanted to discuss or had questions on these agenda items.

Mayor Grove did also remind city staff and officials that when one notices things like the agenda not getting posted online needs to be brought to the city's attention because they had to waste time and money on a FOIA request as to why that wasn't posted, when it was just a glitch on the city's end.

Alderman Crane asked that there to be open discussions of ordinances before the city has to waste legal fees on drafting of this items.

Alderman Herndon did ask about what would happen if excessive language was used during the public comment portion.

Attorney Jim McPhedran mentioned that there are two different ordinances to look at tonight. The one about public comment pertains to shortening the time from 5 minutes to 3 minutes. The other is in regard to conduct in the city buildings.

Mayor Grove gave Gary Hammers 1<sup>st</sup> warning for disruption.

Alderman Herndon asked if this would supersede the regular ordinance. Attorney McPhedran stated that there are no fines for public comment as it's presently written and even in the proposed ordinance.

Alderman Reynolds reminded all that there is a state law that requires all public employees to have sexual harassment training.

Alderman Bacidore feels that this seems to be a very important topic and they should wait for all council members to be present before anything is voted on.

Moved by Alderman Bacidore and seconded by Alderman Crane to table an ordinance amending the LaSalle City Code Provisions, including, but not limited to, Ordinance Number 3032, further amending rules concerning regulation of Public Comment.

## **ROLL CALL**

**AYES:** Aldermen Bacidore, Thompson, Reynolds, Lavieri, Herndon, Crane

**NAYS:** NONE **Absent:** Alderman Ptak, Jeppson **Abstain:** NONE

## **MOTION CARRIED: 6-0**

Moved by Alderman Bacidore and seconded by Alderman Herndon to table an ordinance amending the La Salle City Code to further regulate and provide for Rules of Conduct for City Buildings and City Real Estate.

## **ROLL CALL**

**AYES:** Aldermen Bacidore, Thompson, Reynolds, Lavieri, Herndon, Crane

**NAYS:** NONE **Absent:** Alderman Ptak, Jeppson **Abstain:** NONE

## **MOTION CARRIED: 6-0**

Alderman Crane stated that Mr. Miller handled his comments with respect tonight and he appreciated that. Mayor Grove also agreed with this comment.

Moved by Alderman Herndon and seconded by Alderman Reynolds to accept, approve, and place on file an ordinance authorizing granting of a Special Use Permit within the City of La Salle, La Salle County, Illinois Regarding an approximate One Half-Acre Solar Farm on a portion of the premises commonly known as 757 E 3029<sup>th</sup> Rd., La Salle, Illinois. Each and every alderman has a copy.

### **ROLL CALL**

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

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

### **MOTION CARRIED: 6-0**

Mayor Grove mentioned that under Public Comment stated that Parks & Rec Dept. will be ordering 5 Maples to on the west side of M&H Park on the 3<sup>rd</sup> base side.

Mayor Grove also mentioned that a compost option will not be an option at this time at the city yard waste site.

### **APPROVAL OF BILLS**

Moved by Alderman Lavieri and seconded by Alderman Crane to accept, pay, and file the bills from July 8, 2024: Total Submitted: \$1,128,414.26 (Total Payroll \$229,910.49, Bills to be Paid \$287,149.85, Total Bills Paid \$611,353.92). Each and every alderman has a copy.

### **ROLL CALL**

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

**NAYS:** NONE **Absent:** Alderman Ptak, Jeppson **Abstain:** NONE

### **MOTION CARRIED: 6-0**

Alderman Herndon wanted to say that all though some of us may disagree on certain topics, we do not need to show anger or disrespect to others.

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

Voice vote, all ayes. Motion is carried.

**ADJOURNED**

**7:44**

**pm**

*Amy Quinn*

Amy Quinn, City Clerk