

Regular meeting of the Council of the City of Ottawa, Illinois.

Present: Wayne A. Eichelkraut Jr., Thomas G. Ganiere, Marla K. Rodriguez,
James J. Less, and Mayor Daniel F. Aussem.
Absent: None.

Commissioner Eichelkraut presented minutes of previous meeting.
Moved by Commissioner Eichelkraut that the minutes of a regular meeting of the Council of the City of Ottawa, Illinois, held on Tuesday, July 21, 2020, be approved as recorded in the permanent files of the City Clerk.
Second by Less.
Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.
Nays: None. Motion carried.

A public hearing was held on the annexation agreement for Douglas and Paula Carroll for property located at 1644 Timber Lane. Christina Cantlin, Corporation Counsel, told the Council that the property is contiguous to the City, zoned for a single family home, and will connect to the water and sewer systems when the need arises. With no one publicly commenting, the Mayor declared the hearing closed at 7:05 p.m.

Commissioner Eichelkraut presented Biweekly Salary Payroll.
Moved by Commissioner Eichelkraut that the Biweekly Salary Payroll of July 24, 2020, in the amount of \$420,909.47, be approved and warrants issued.
Second by Ganiere.
Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.
Nays: None. Motion carried.

Commissioner Eichelkraut presented Monthly Expense Report.
Moved by Commissioner Eichelkraut that the Monthly Expense Report of August 4, 2020, showing expenses in the amount of \$521,539.00, be approved and warrants issued.
Second by Rodriguez.
Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.
Nays: None. Motion carried.

Commissioner Eichelkraut presented Monthly Salary Payroll.
Moved by Commissioner Eichelkraut that the Monthly Salary Payroll of August 3, 2020, in the amount of \$775.00, be approved and warrants issued.
Second by Rodriguez.
Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.
Nays: None. Motion carried.

Commissioner Eichelkraut presented Resolution.
Moved by Commissioner Eichelkraut that a Resolution authorizing the execution of a transit service agreement between the City of Ottawa and BEST Inc., which has been on file for public inspection since July 21, 2020, be adopted.
Second by Less.
Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.
Nays: None. Motion carried.

Commissioner Eichelkraut presented Quote.
Moved by Commissioner Eichelkraut that the Quote received from H & H Builders Inc. in the amount of \$14,950.00 for the NCAT overhead door replacement, be approved and paid for from the NCT Fund.
Second by Ganiere.
Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.
Nays: None. Motion carried.

Commissioner Ganiere awarded Bid.

Moved by Commissioner Ganiere that the Low Bid received from Gensini Excavating Inc. in the amount of \$494,159.00 for the Long Term Control Plan Element 8.2 for First and Second Avenue, be approved and paid for from the CSO Fund.

Second by Eichelkraut.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Commissioner Ganiere presented Resolution.

Moved by Commissioner Ganiere that a Resolution authorizing the execution of a lease purchase agreement between the City of Ottawa and Deere Credit Inc., for a 2020 backhoe loader, be received and placed on file for public inspection.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Commissioner Ganiere presented Quote.

Moved by Commissioner Ganiere that the Quote received from Layne Christensen Company in the amount of \$24,800.00 to pull and inspect Well #10, be approved and paid for from the Water Fund.

Second by Eichelkraut.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Commissioner Rodriguez presented Quote.

Moved by Commissioner Rodriguez that the Quote received from Marseilles Sheet Metal in the amount of \$8,750.00 for a 2 ton Mitsubishi air conditioning split system for the Fire Department, which has been on file for public inspection since July 21, 2020, be approved and paid for from the General Corporate Fund.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Commissioner Rodriguez presented Quote.

Moved by Commissioner Rodriguez that the Quote received from NuToys in the amount of \$23,888.00 for the Lincoln Douglas PIP Park surface, be approved and paid for from the General Corporate Fund.

Second by Less.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Commissioner Rodriguez presented Request.

Moved by Commissioner Rodriguez that the Request to purchase a 2021 Freightliner truck from Custom Truck One Source in the amount of \$142,500.00 for the Public Works Department be approved and the Mayor and City Clerk be authorized to execute the loan documents with Ottawa Savings Bank.

Second by Eichelkraut.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Commissioner Less presented Report of Police Chief.

Moved by Commissioner Less that the Report of Police, Brent A. Roalson, for the month of July 2020, be received and placed on file.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Commissioner Less presented Report of Fire Chief.

Moved by Commissioner Less that the Report of Fire Chief, Andrew Borkowski, for the month of July 2020, be received and placed on file.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Commissioner Less presented Request.

Moved by Commissioner Less the Request to purchase a 2 2020 Ford interceptor squads in the amount of \$72,205.00 for the Police Department, be approved and paid for from the General Corporate Fund.

Second by Eichelkraut.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Report of Registrar.

Moved by Mayor Aussem that the Report of Registrar, Shelly L. Munks, for the month of July 2020, be received and placed on file.

Second by Less.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Report of Parking Administration.

Moved by Mayor Aussem that the Report of the Parking Administration showing fines collected of \$760.00, for the month of July 2020, be received and placed on file.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Report of Building Official.

Moved by Mayor Aussem that the Report of Building Official, Mathew W. Stafford, for the month of July 2020, be received and placed on file.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Report of Sidewalk Program.

Moved by Mayor Aussem that the Report of the Sidewalk Program showing 1 participant in the amount of \$505.50, for the month of July 2020, be approved and paid for from the General Corporate Fund.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing the execution of an annexation agreement between the City of Ottawa and Douglas and Paula Carroll for property located at 1644 Timber Lane, which has been on file for public inspection since July 21, 2020, be adopted.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Ordinance.

Moved by Mayor Aussem that an Ordinance annexing certain territory to the City of Ottawa owned by Douglas and Paula Carroll for property located at 1644 Timber Lane, be passed and approved.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Ordinance.

Moved by Mayor Aussem approving and authorizing the execution of a tax increment financing district redevelopment agreement between the City of Ottawa and Simons Enterprise LLC for property located at 205-207 W. Main Street, which has been on file for public inspection since July 21, 2020, be passed and approved.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Ordinance.

Moved by Mayor Aussem that an Ordinance amending Chapter 18 of the Municipal Code of the City of Ottawa, LaSalle County, Illinois, adding cat regulations, be passed and approved.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing the execution of 3 musical performance agreements between the City of Ottawa and multiple artists for 2020 Music in the Park, which has been on file for public inspection since July 21, 2020, be adopted.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing the execution of 2 musical performance agreements between the City of Ottawa and 2 artists for 2020 Music in the Park, be received and placed on file for public inspection.

Second by Eichelkraut.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing the execution of a license agreement between the City of Ottawa and the YMCA, allowing the City to use a shed on the property, which has been on file for public inspection since July 21, 2020, be adopted.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing the execution of lease agreement #5423 between the City of Ottawa and the Illinois Department of Natural Resources, regarding a parcel of land on the I & M Canal between Chestnut and Sycamore Streets, which has been on file for public inspection since July 21, 2020, be adopted.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution reappointing Connie Brooks, Bill Cairns, Troy Callaway, Scott Clinch, Jeremy Fowler, Judie McConville, Dave Noble, Bob Rick, Brent Roalson, Mat Stafford, Steve Swett, Bill Vogel, and Tom Walsh, and appointing Andy Borkowski, Kevin Bressendorf, Tom Duttlinger, Robb Hasty, Jeff Hetrick, and Amanda Los all to the Flood Commission, terms to expire February 2022, be adopted.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing legal action against the property located at 110 15th Avenue, be adopted.

Second by Eichelkraut.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing the execution of a master services agreement between the City of Ottawa and Premise Health Employer Solutions LLC, regarding employee wellness screenings, be received and placed on file for public inspection.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing the execution of a contract for service agreement between the City of Ottawa and MTCO Communications Inc., be received and placed on file for public inspection.

Second by Rodriguez.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution ratifying actions taken by the Mayor under the Declaration of Emergency and extending the Declaration of Emergency to September 1, 2020, be adopted.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Resolution.

Moved by Mayor Aussem that a Resolution authorizing and approving intervention in pending proceedings in the Circuit Court of LaSalle County, Illinois, regarding Ottawa Firefighter's Pension Board administrative review, be adopted.

Second by Eichelkraut.

Ayes: Eichelkraut, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried. Ganiere abstained.

Mayor Aussem presented Report of Plan Commission.

Moved by Mayor Aussem that the Report of the Plan Commission meetings held on Monday, June 1, 2020, and Monday, July 27, 2020, considering a text amendment to the Zoning Ordinance for the Class "D-Commercial and Light Industrial District", be received and placed on file. Be it further moved, the Council concur with the recommendations of the Plan Commission and the district be renamed Class "D-Office, Research and Light Industrial District", freight stations and trucking terminals be removed as permitted uses, dwelling units as accessory to principal use be permitted, outdoor storage as a principal use be a conditional use, and regulations for outdoor storage, screening requirements, and exterior lighting be added and the follow up Ordinance be passed and approved.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Report of Plan Commission.

Moved by Mayor Aussem that the Report of the Plan Commission meeting held on Monday, July 27, 2020, considering the Final Plat of Lot 4 for the Janko Planned Unit Development, be received and placed on file. Be it further moved, the Council concur with the recommendation of the Plan Commission and the Final Plat of Lot 4 be approved and the follow up Ordinance be passed and approved.

Second by Rodriguez.

Commissioner Eichelkraut said that a car wash was not a good use for the area. He felt that the entrance cannot handle the number of vehicles considering the traffic on Etna Road. He stated that he feels that the Council already made mistakes on Main Street, Columbus Street, and Norris Drive. Corporation Counsel added that a car wash is a permitted use. Commissioner Ganiere noted that car washes are permitted uses in C-3 zoning, but drive thru's need a conditional use permit. The Mayor asked, how do we tell someone who has property for sale that they can't sell it to a certain business?

Ayes: Rodriguez, Less, and Mayor Aussem.

Nays: Eichelkraut and Ganiere. Motion carried.

Mayor Aussem presented Report of Plan Commission.

Moved by Mayor Aussem that the Report of the Plan Commission meeting held on Monday, July 27, 2020, considering a rezoning request from James and Kathryn Troccoli for property located at 1915 Champlain Street from Class "C-2 General Business District" to Class "C-3 Special Business District", be received and placed on file. Be it further moved, the Council concur with the recommendation of the Plan Commission and the rezoning request be denied.

Second by Rodriguez.

Commissioner Ganiere noted that he has no issue with the zoning change. The City made the mistake in the first place. Commissioner Less added that he had no issue from changing the zoning from C-2 to C-3. He drove down Champlain Street and noted the commercial uses of other businesses along the street. The comprehensive plan calls for commercial and industrial. The property owner has applied for State permits and the City made a mistake. He felt that the zoning is appropriate for the site and area. Mayor Aussem said that the former liquor commissioner issued the permit and read of list of items that the Troccolis had done. Also, they did not pull any building permits or request any inspections. Ganiere added that the mistake that was made was replied on and isn't fair. Commissioner Eichelkraut drove down Champlain Street before the meeting and felt that C-2 or C-3 would work. Mayor Aussem believes that former Mayor Bob Eschbach pushed this through. Commisisoner Rodriguez requested the advice of Counsel.

Christina Cantlin, Corporation Counsel, said that the issue isn't about voting against the Plan Commission. The findings of fact were not done. The City Council could refer it back to the Plan Commission to complete the findings of fact. If we approve the rezoning, we would have a primary residence on the parcel, which is illegal. A vote was taken on the original motion.

Ayes: Rodriguez and Mayor Aussem.

Nays: Eichelkraut, Ganiere and Less. Motion failed.

Commissioner Less then moved to approve the rezoning from C-2 to C-3 for 1915 Champlain Street and issue the liquor license.

Mayor Aussem said no, that's illegal.

Commissioner Less then changed his motion to approve the rezoning only from C-2 to C-3. It was then said that the only option was to refer it back to the Plan Commission.

Commissioner Less then moved that the Council refer the matter back to the Plan Commission to complete the findings of fact.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, and Less.

Nays: Mayor Aussem. Motion carried.

Mayor Aussem awarded Bid.

Moved by Mayor Aussem that the Bid received from Superior Excavating in the amount of \$354,300.00 for the Canal rewatering water source project, be accepted and paid for from the Canal Rewatering Fund.

Second by Eichelkraut.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented Request.

Moved by Mayor Aussem that the Request for a side yard setback variance from Edward and Carol Thorsen for property located at 528 6th Avenue, be received and referred to the Zoning Board of Appeals for review and recommendation.

Second by Ganiere.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried.

Mayor Aussem presented motion to adjourn.

Moved by Mayor Aussem that this regular meeting be adjourned.

Second by Less.

Ayes: Eichelkraut, Ganiere, Rodriguez, Less, and Mayor Aussem.

Nays: None. Motion carried. Council adjourned at 7:43 p.m.

Respectfully submitted,

Shelly L. Munks

Shelly L. Munks City Clerk