REGULAR COUNCIL MEETING

CITY OF HOOPESTON

TUESDAY, DECEMBER 5, 2023

7:00 PM – CITY HALL

1. CALL TO ORDER – Mayor Wise called the meeting to order at 7:00 pm following the pledge of allegiance.
2. ROLL CALL – The following 6 alderpersons were present: Eyrich, K. Ferrell, M. Ferrell, Garrett, Highfill, and Porth. Lawson and Scharlach were absent. Mayor Wise and Attorney Miller were also present. Clerk Lane was absent, and Brad Hardcastle was filling in as clerk.
3. APPROVAL OF AGENDA – Alderwoman K. Ferrell moved to approve the agenda as presented. Alderwoman Highfill seconded. Motion carried 6-0.
4. MINUTES FROM PRIOR COUNCIL MEETING – Alderwoman K. Ferrell moved to approve the minutes from the previous council meeting. Alderman Eyrich seconded. Motion carried 6-0.
5. PAYMENT OF BILLS – Alderman Garrett moved to approve the payment of bills with the following exception: 1 NAPA bill for $30 and another bill at NAPA for $339. Both bills are for hose clamps, and he is waiting for clarification on the price of the clamps. M. Ferrell seconded the motion. Roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Garrett, Highfill, Porth – Nays: None – Absent: Lawson, Scharlach) and payment of the bills was passed 6-0.
6. PRESENTATIONS – Mary Roberson, field representative from Congresswoman Robyn Kelly’s office gave an overview of Congresswoman Kelly’s background and what she has done for her district. Ms. Roberson passed out her contact information to the council.
7. PETITIONS TO THE COUNCIL – None
8. PUBLIC COMMENT – Josh Clifton addressed the council, thanking Mayor Wise for hosting City Chat at the library. Mr. Clifton commented on the burned-out buildings around town and that the city does not need a warrant to board up the houses. Mr. Clifton then asked the council to review city ordinances and make sure they are solid.
9. EXECUTIVE SESSION – None
10. REPORT OF OFFICERS  
    1. EYRICH:  
       1. COMMERCIAL WASTE HAULER’S ORDINANCE – Alderman Eyrich presented the Commercial Waste Hauler’s Ordinance. This would regulate companies depositing sanitary waste into the sewer system. Alderman Eyrich worked with Randy Hiltz and the water committee to compose this ordinance. The permit would be a 3-year permit and cost $50. Permit holders must be based in Hoopeston. Dumping fees would be $10 per 1000 gallons deposited or $15 per 1000 gallons if the waste contains cooking grease. This will work on the honor system as the company will be required to self-report how much they dump, and they will be billed on a monthly basis. Alderman Eyrich moved to approve the ordinance. Alderwoman K. Ferrell seconded the motion. Roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Garrett, Highfill, Porth – Nays: None – Absent: Lawson, Scharlach) and Ordinance 2024-13 was passed 6-0.
    2. K. FERRELL:  
       1. CHRISTMAS EVENT: Read a flyer about a Christmas event at Autumn Fields on December 18 and 21.
       2. LAND BANK DEMOLITIONS: Announced 419 W. Penn, 310 W. Penn, and 706 E. McNeil were demolished by the land bank. These properties are up on their website and they are accepting bids for the properties.
       3. DOWNTOWN DEMOLITIONS: Downtown building demolitions have been delayed until December 27. Utility shut offs were just signed off on by Ameren.
    3. M. FERRELL:   
       1. Nothing to report.
    4. GARRETT:   
       1. Nothing to report.
    5. HIGHFILL:  
       1. Nothing to report.
    6. LAWSON:   
       1. ANIMAL CONTROL CONTRACT: Mayor Wise advised that due to Alderwoman Lawson’s absence, the animal contract will be voted on at the next meeting.
    7. PORTH:   
       1. TAX LEVY ORDINANCE: Alderman Porth presented the 2024-2025 tax levy. Alderman Eyrich reminded the council that the water department is a self-supporting entity and does not levy a property tax. Alderman Porth moved to approve. Alderman Eyrich seconded. Roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Garrett, Highfill, Porth – Nays: None – Absent: Lawson, Scharlach) and Ordinance 2024-14 was passed 6-0.
       2. INSURANCE: Alderman Porth circulated insurance estimates for the city. He noted that building and contents values have increased 41% as compared to last year’s premium. Overall, there is only a 9.75% across all the categories. Mayor Wise asked what the Gallagher Fee was. Alderman Porth answered that Gallagher is the insurance broker and that is their fees for shopping around. M. Ferrell asked if it was a specific building that drove up the costs. Alderman Porth answered that we had to submit actual square footage for all the insured buildings and along with the increased prices for replacement is what went into the increase. Alderman Garrett asked what the grant line item was. Alderman Porth advised that each year the Illinois Municipal League gives a grant. For the past couple of years, they increased that grant but now it is going back to normal, which is usually around $3500. The insurance contract will be brough to the next council meeting for a vote.
       3. PAID LEAVE ACT: Due to the upcoming implementation of the Paid Leave Act by the State of Illinois, the city is having to adjust its paid leave policy. If the city does not do anything by the end of the year, we will be forced to give everyone 40 hours of paid leave. The Illinois Municipal League is still arguing the point that municipalities have been given an unfair burden regarding paid leave. Nevertheless, the city must pass an ordinance governing paid leave by the end of the year. Mayor Wise asked if the police union contract would have to be re-opened. Alderman Porth answered no. Alderman Porth advised he will present an ordinance at the next meeting. Alderman M. Ferrell asked if part time employees are covered. Alderman Porth advised that they are, but seasonal employees are different.
    8. SCHARLACH:  
       1. Absent.
11. COMMUNICATIONS:  
    1. HERITAGE HEALTH: Acting Clerk Hardcastle read a notice from Heritage Health about their Christmas walk on December 15, 2023, from 1:00 pm – 5:00 pm.
12. UNFINISHED BUSINESS:
    1. INVENERGY: Mayor Wise opened the floor up to representatives from Invenergy and advised that a contract would be coming before the council at the next meeting regarding zoning of wind turbines and their transmission lines within the city’s zoning jurisdiction. Attorney Miller asked the representatives if a developer may install ancillary equipment, does the city have any say on where they put them within the zoning jurisdiction? The representative answered essentially, they can put them wherever they have landowner approval. The area where the turbines and transmission lines are placed have to go through various regulatory approval and the transmission route is relatively locked in. Alderman Garrett asked who makes the decisions on where it goes. Invenergy answered that their engineers and developers work with the landowners in the determined transmission route area. Attorney Miller commented that he is worried about the transmission lines impacting the ability for the city to expand and develop into the area of the lines. Mayor Wise asked to hold and meeting with Invenergy and Attorney Miller prior to the next meeting to help alleviate these issues.
13. NEW BUSINESS: None
14. COMMENTS BY THE MAYOR:  
    1. 511 W MAIN ST: The owners have finally agreed to sign the property over to the city. Taking possession of the property will be brought to the council for a vote at the next meeting since it is a contract. Once the contract is signed it will probably take 3-4 weeks to take complete ownership.
    2. BURNED OUT BUILDINGS: Mayor Wise commented that there are several burned out buildings in town and he is tired of staring at them, these buildings need to come down. Mayor Wise came up with 6 buildings off the top of his head that need to go in the next 3 months. Alderman Garrett commented that the house caddy corner from the fire station is finally being cleaned up. Mayor Wise reiterated that we need to get aggressive about these buildings and focus everything we do from this point forward on them until they are gone. Alderman Garrett asked if we can bring the banks that own these homes to court and force them to clean it up. Attorney Miller stated that unless they take possession of the property through foreclosure, they are not responsible. Alderwoman K. Ferrell stated that she would be going around taking pictures of homes for the new building inspector. These would be for non-burned buildings.
15. COMMENTS BY THE ATTORNEY:  
    1. OPINION LETTER: Attorney Miller wrote an opinion letter pertaining to a state grant that the city applied for. This letter certified that the city is actually a city.
    2. AUTUMN FIELDS: Currently looking into what remaining liabilities that the city has under the development agreement with Autumn Fields.
    3. TAXES: Successfully got the taxes voided on Bzzz Bar and the Zarate Rentals buildings that the city has recently taken possession of.
    4. WARDS VS AT LARGE: Eric has researched the matter on how alderman are elected; via wards or at large seats. The city is limited in what changes can be made. Mayor Wise advised that essentially, we cannot do it since it would change our form of government. However, one scenario that is workable is to have 1 person elected from each ward and then 4 at large seats. Mayor Wise commended Eric from Attorney Miller’s office for the thorough work that he did on the memo. Attorney Miller stated that if the council wanted the question on the upcoming primary election ballot, the council would have to have the paperwork, which includes 90 signatures, into the county clerk by January 2, 2024. Alderman Garrett asked if we had to do it by January 2 or could we do it at anytime. Attorney Miller answered that the council could do it at any time but to get on the primary election ballot, it had to be done by January 2. If the council submitted the paperwork later, it would be on the general election ballot in November.
16. ADJOURNMENT:  
    1. There being no further business to come before the council, Alderwoman K. Ferrell moved to adjourn the meeting. Alderwoman Highfill seconded. Motion carried 6-0. Council stands adjourned until Tuesday, December 19, 2023.