

REGULAR COUNCIL MEETING

CITY OF HOOPESTON

TUESDAY, MARCH 5, 2024

7:00 PM – CITY HALL

- I. CALL TO ORDER – Mayor Wise called the meeting to order at 7:00 pm following the pledge of allegiance.
- II. ROLL CALL – The following 7 alderpersons were present: Eyrich, K. Ferrell, M. Ferrell, Garrett, Highfill, Lawson, Scharlach. Alderman Porth was absent. Mayor Wise and Clerk Hardcastle were also present. Brian Lawlyess was present in place of Attorney Miller.
- III. AMENDMENT OR APPROVAL OF THE AGENDA – Alderman Garrett moved to approve the agenda as presented. Alderwoman K. Ferrell seconded the motion. Motion carried 7-0.
- IV. AMENDMENT OR APPROVAL OF THE MINUTES FROM THE PRIOR COUNCIL MEETING – Alderwoman Lawson moved to approve the minutes of the previous council meeting. Alderwoman Highfill seconded the motion. Motion carried 7-0.
- V. PAYMENT OF THE BILLS – Alderwoman K. Ferrell moved to approve the payment of the city’s bills. Alderman Scharlach seconded the motion. A roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Garrett, Highfill, Lawson, Scharlach – Nays: None – Absent: Porth) and payment of the bills was approved 7-0.
- VI. PRESENTATIONS – None
- VII. PETITIONS TO THE COUNCIL – Randy Wallace of rural Hoopeton presented the council with signed petitions from area residents opposed to the placement wind turbines close to the city limits.
- VIII. PUBLIC COMMENT –
 - a. Bre Wallace of 11491 St. Rt. 9 asked the council not to pass the reduction of the buffer zone for the wind turbines.
 - b. Malley Wallace of Maple St in Hoopeton told the council that approving the ordinance change would encircle the city in wind turbines and they would be too close to the city limits.
 - c. DJ McCalla of 12180 St. Rt. 9 advised that the wind turbines would interrupt the peace and quiet of living in the country. The proposed wind turbines would be visible from McFerren Park and placement of the wind turbines that close to the city

limits would land lock Hoopeston from growing.

- d. Randy Wallace of 11491 St. Rt. 9 believes that the city should adopt a 3-mile buffer zone for wind turbines. He also stated that bringing them in 1.5 miles from the city limits would prevent Hoopeston from growing.
- e. Bitsy Johnson, who owns property 3 miles west of Hoopeston, asked how this will impact her ability to build a structure on their property. Greg Vasilion with Invenergy answered that the setbacks are for wind facilities only, it does not include any future buildings.
- f. Don Frichtl from Ford County gave some positives from the placement of wind turbines in his area. This included added property tax money to the taxing bodies where the turbines were placed.
- g. Mike Hatfield, landowner of property 2 miles from Hoopeston, thanked Invenergy for putting the project together. He went on to list the taxing bodies that would benefit from the placement of the turbines. He stated that he was in favor of the project and asked the council to approve the revised ordinance.
- h. Sandy Cramer, a resident of Hoopeston for 72 years, asked how many extra turbines would be put in the buffer zone area. Greg Vasilion answered that they are asking for the ability to place 5 turbines within the buffer zone. Approval of the ordinance change would not open up other areas. Sandy asked if they could be moved, and Greg answered that they could not. The way the project is engineered is for a certain amount of energy be generated by turbines. Also, landowners would have to agree to giving the company easements to place the equipment necessary. If a landowner does not agree to an easement, they cannot be placed there.
- i. Alderwoman K. Ferrell asked if Hoopeston said no, would that kill the project? Greg Vasilion answered that it would not kill the project. Mayor Wise asked if Hoopeston turned it down, would the county turn it down. Vasilion answered that they would not necessarily.
- j. Cody Moore, chairman of the Planning and Zoning Commission, noted that the commission asked that the wording of the ordinance be changed a little. The wording allowed Vermilion County to approve any future projects. The commission asked that the city council be added to that as well.
- k. Andy Byers from Invenergy emphasized the economic impact placement of the turbines would have on the Hoopeston Area school district. The landowners made a personal decision to allow these and allowing the taxing bodies to benefit from them. DJ McCalla asked if removing the 5 turbines would impact the amount that the school district would get. Byers answered that it would receive less.

- l. Nikki Wilson of south Market St, Hoopeston, asked if there is an alternative for the 5 turbines to go somewhere else. Vasilion answered that where they are placed right now, they are optimized for maximum power generation.
- m. Stan Steiner of McNeil St, Hoopeston, stated that with the amount of acreage that they are covering, he does not understand why they do not have enough room to move the 5-6 turbines in question. He also stated that no matter how many tax dollars that they generate, his tax bill will not go down and his utility bill will not go down. Mr. Steiner also went on to state that he is tired of having to pay the bills to take buildings down.
- n. Red Wallace of 501 E. McNeil stated that he heard that these turbines would be the tallest in the state of Illinois. How does that tell how far they have to be setback? These turbines are at least 300 ft in the air. While under construction these turbines will be hard to get them down the roads. Vasilion answered that it will generate a lot of wear and tear on the roads. Invenergy will get signing agreements with the county and the townships to upgrade the roads and when the project is complete, the roads will be restored to how they were or be left in better condition. Mr. Wallace asked how many other municipalities have agreed to this ordinance change. Vasilion answered that Rankin passed their ordinance change.
- o. Greg Vasilion from Invenergy then spoke and appreciated everyone hearing them out. He is excited at what this project is going to bring. Trying to put together a complete project is complex with engineering and placement of the turbines for maximum generation. He thanked the council for the patience and allowing them to make their case. The Village of Rossville turned down their ordinance change. Their jurisdiction extended pretty far due to the country club being in the village limits. The village council did not have as much economic impact since most of the turbines were outside the Rossville school district.
- p. Mayor Wise close public comment after the allocated 30 minutes had passed.

IX. EXECUTIVE SESSION – None

X. REPORT OF OFFICERS

a. EYRICH

- i. Nothing to report.

b. K. FERRELL

- i. GRANT WRITER CONTRACT – Alderwoman K. Ferrell presented the new contract for the grant writer. There were no changes from the previous

contract. Alderwoman K. Ferrell made the motion to approve the new contract. Alderman Eyrich seconded the motion. A roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Garrett, Highfill, Lawson, Scharlach – Nays: None – Absent: Porth) and the contract was approved 7-0.

- ii. HEN ORDINANCE – Alderwoman K. Ferrell presented a draft hen ordinance for discussion. This is essentially Champaign’s hen ordinance with a few changes. She went on to state that there was a disagreement in prior years when former Alderman Ankenbrand presented this ordinance. With Tractor Supply having their chickens for sale and putting on classes, she thought it needed to be brought back up. This ordinance will be brought to a vote at the next council meeting.
- iii. 308/310 E. MAIN ST PARTY WALL – Alderwoman K. Ferrell gave a history of these buildings. 310 E. Main St. was built on to 308 E. Main St. There is no interior wall for 310 as the west wall is the exterior wall for 308. The demolition crew is going to have to leave the east wall of 308 up as support for 310. The pockets where the beams for 310 go into 308 are not secured. Alderwoman K. Ferrell invited Gail Lane, the owner of 310, to come forward if she had anything to state. She approached and said that she would not say anything without speaking to someone directly. Mayor Wise stated that the building will be condemned if it is not repaired. He spoke with the structural engineer, and he said that it is an unsafe building and if it is not repaired, it would have to be condemned. Alderman M. Ferrell asked where the property line is. Mayor Wise stated that needs to be worked out still. Nevertheless, if we leave the wall, work will still need to be done to secure the wall.

c. M. FERRELL

- i. Nothing to report.

d. GARRETT

- i. CEMETERY CLEAN UP – The annual cemetery clean up will begin on March 8, 2024. He reminded residents to remove things that they do not want thrown away prior to March 8.

e. HIGHFILL

- i. 2003 FORD EXPLORER BIDS – Alderwoman Highfill moved to approve Sean Scudera’s bid of \$1500 for the Parks Department’s 2003 Ford Explorer. 5 bids were received and his was the highest bid. Alderwoman K. Ferrell seconded the motion. A roll call vote was taken (Ayes: Eyrich, K. Ferrell, M.

Ferrell, Garrett, Highfill, Lawson, Scharlach – Nays: None – Absent: Porth) and the bid was approved 7-0.

- f. LAWSON
 - i. HANDBOOK CHANGE – Alderwoman Lawson brought up a potential employee handbook change relating to someone working under and family member. Currently, this is prohibited. We are looking at the possibility of a part time dispatcher coming back that would be working under a family member. The change to the policy would be that if the employee is part time and is not a direct report, then they could work. Garrett asked if the handbook was changed before when that dispatcher previously worked for the city. Mayor Wise stated that part of the handbook was re-written when the parties involved got married.
- g. PORTH
 - i. Absent
- h. SCHARLACH
 - i. Nothing to report.
- XI. COMMUNICATIONS TO THE COUNCIL – Clerk Hardcastle stated that the county clerk’s office sent out the annual economic interest statements. These are due back to the county clerk by May 1, 2024. After that, penalties will be incurred.
- XII. UNFINISHED BUSINESS – None
- XIII. NEW BUSINESS – None
- XIV. MAYOR COMMENTS
 - a. 209-211 E. MAIN ST. AGREEMENTS – Attorney Lawlyess went over the agreements. They are largely similar, and the owners will grant ownership to the city and the city will demolish the structures. Attorney Miller did ask for a provision to be added to cover personal property still in the structure. Any personal property in the structure after March 14, 2024, will become property of the city. Preliminary review by the title company showed no issues, but we are still waiting on the final clearance. The property owners are responsible for the 2023 property taxes. Alderman Garrett asked what the \$86,250 was listed on paragraph A of the agreement. Mayor Wise said that was a mortgage on the property but that has since been cleared. Alderman Garrett moved to approve the agreements. Alderman Eyrich seconded the motion. A roll call vote was taken (Ayes: Eyrich, Garrett, Highfill, Lawson, Scharlach – Nays: K.

Ferrell, M. Ferrel – Absent: Porth) and the agreements were approved 5-2.

- b. LEE FARMS EXCAVATING PARTIAL PAY APPROVAL – Mayor Wise reviewed the work that has already been done and the work that remains. Alderman Garrett moved to approve partial payment in the amount of \$377,900. Alderman Scharlach seconded the motion. Stan Steiner asked from the audience if the dumping fees were paid, since they have not been paid on a previous project. Mayor Wise stated that the city has nothing to do with the previous project and that the city is paying the dumping fees for this project. A roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Garrett, Highfill, Lawson, Scharlach – Nays: None – Absent: Porth) and partial payment was approved 7-0.
- c. WIND ORDINANCE CHANGE ORDINANCE 2024-17 – Mayor Wise presented the re-draft written by Planning and Zoning Commission Chairman Cody Moore. Alderman Eyrich moved to approve the ordinance change. Alderwoman Lawson seconded the motion. Alderwoman Lawson stated that this is a hard decision. Greg Vasilion was invited to make a statement. He stated the zoning approval must come before the city and Vermilion County. The overall intent of the exemption is due to the private transmission lines and where they will be placed. This ordinance governs the transmission lines, not the siting agreement. DJ McCalla asked from the audience where the transmission lines will be placed. He was given a map of the transmission lines. Alderwoman K. Ferrell commented that the turbines are an eyesore, and she has heard that they are loud. She took a drive out to an operating turbine, and she could not hear anything from them. Alderwoman K. Ferrell did make a comment about the blinking red lights on top of the turbines. Vasilion advised that they are waiting for approval from the FAA to install an AELS system on the turbines which would alleviate the red lights constantly blinking. They would only activate if there was a plane overhead. Mayor Wise stated that if we want the county to approve it, then the city needs to approve it. These turbines would add \$1.5 million in tax revenue for the school district, and we would not be able to make up that kind of money if it is not passed. A roll call vote was taken (Ayes: Eyrich, M. Ferrell, Highfill, Lawson, Wise – Nays: K. Ferrell, Garrett, Scharlach – Absent: Porth) and the ordinance 2024-17 was approved 5-3 with Mayor Wise casting the fifth vote.

XV. ATTORNEY COMMENTS – None

- I. ADJOURNMENT - There being no further action to come before the council, Alderwoman K. Ferrell moved to adjourn the meeting. Alderwoman Lawson seconded the motion. Motion carried 7-0.