

REGULAR CITY COUNCIL MEETING

CITY OF HOOPESTON

TUESDAY, NOVEMBER 5, 2024

7:00 PM – CITY HALL

- I. CALL TO ORDER – Clerk Hardcastle called the meeting to order at 7:00 pm following the pledge of allegiance.
- II. ROLL CALL – The following 8 alderpersons were present: Eyrich, K. Ferrell, M. Ferrell, Garrett, Lawson, McElhaney, Porth and Scharlach. Mayor Wise was on Zoom. Eric Eves was present on Zoom in Attorney Miller’s place.
- III. APPOINTMENT OF MAYOR PRO-TEM – Clerk Hardcastle entertained motions to appoint a mayor pro-tem in Mayor Wise’s absence. Alderman Eyrich moved to nominate Alderwoman Lawson to serve as mayor pro-tem. Alderman Garrett seconded the motion. A roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Garrett, Lawson, McElhaney, Porth, Scharlach – Nays: None) and the nomination was approved 8-0.
- IV. AMENDMENT OR APPROVAL OF THE AGENDA – Alderwoman Lawson asked for Nexamp Solar to be moved under presentations. Alderwoman K. Ferrell moved to approve the agenda as amended. Alderman M. Ferrell seconded the motion. Motion was carried 8-0.
- V. APPROVAL OF THE MINUTES FROM THE PREVIOUS COUNCIL MEETING – Clerk Hardcastle noted that there were 2 grammatical errors that will be fixed in the official minutes. One was under Alderman Eyrich’s report – the word o was fixed to be of. Under Alderman Garretts report it put in the minutes that dogs were now allowed in the cemetery. It was changed to that dogs were not allowed in the cemetery. Alderman Eyrich moved to approve the amended minutes. Alderman Scharlach seconded the motion. Motion carried 8-0.
- VI. APPROVAL OF THE PAYMENT OF THE BILLS – Alderman Garrett moved to approve the payment of the city’s bills. Alderman Porth seconded the motion. A roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Garrett, Lawson, McElhaney, Porth, Scharlach – Nays: None) and the bills were approved 8-0.
- VII. PRESENTATIONS – Jack Curry from Nexamp Solar gave a presentation on the proposed solar farm that is planned just east of the city limits.
- VIII. PETITIONS TO THE COUNCIL – None
- IX. PUBLIC COMMENT – None

X. EXECUTIVE SESSION – None

XI. REPORT OF OFFICERS

a. EYRICH

- i. ERH/TEASDALE AGREEMENT – Alderman Eyrich moved to table the approval of the agreement between the City, ERH, and Teasdale Foods. Teasdale has several questions about this agreement, and it will be brought up at a future meeting.

b. K. FERRELL

- i. TIRE COLLECTION – Parks Superintendent Don Stebbins reported a total of 591 tires have been collected for recycling. They will be collecting tires until November 14, 2024, at which point they will be transported to Danville. Alderman Garrett asked if this was for Hoopeston residents only. Alderwoman K. Ferrell answered that outside people can bring their tires in as long as they contact their local authorities first.

c. M. FERRELL

- i. Nothing to report.

d. GARRETT

- i. DOGS IN CEMETERY – Alderman Garrett reiterated that dogs are not allowed in the cemetery. The ordinance officer may start sending out letters.

e. LAWSON

- i. ANIMAL CONTROL – The County Board will vote on the intergovernmental agreement to provide animal control services in Hoopeston at their November 12, 2024, meeting. After their vote, the city council will vote on the agreement.

f. MCELHANEY

- i. LEAF PICKUP – Street and Alley will begin leaf pickup on November 12.

g. PORTH

- i. Nothing to report.

h. SCHARLACH

- i. AMBULANCE CONTRACT – Alderman Scharlach reported that he is working with Attorney Miller’s office on the new ambulance contract.

XII. COMMUNICATIONS TO THE COUNCIL

- a. CLIFTON LETTER – Clerk Hardcastle distributed a letter from Josh Clifton addressed to the city council.

XIII. UNFINISHED BUSINESS

- a. BULK GARBAGE – Alderman Garrett reminded residents that the location for bulk garbage is at the landfill, not the city slab.

XIV. NEW BUSINESS – None

XV. MAYOR COMMENTS – Alderwoman Lawson was speaking for Mayor Wise.

- a. 310 E MAIN ST – Information was distributed to the council and Alderwoman Lawson asked everyone to look it over. The city council will have a special meeting on Thursday, November 7, 2024, at 6:30 pm to vote on the agreement. Gail Lane stated that it would have been nice if she was notified ahead of time.
- b. ORDINANCE 2025-9 – CONDITIONAL USE ORDINANCE – NEXAMP SOLAR PROJECT – Andrew Keyt, retained by the city for solar issues, gave an overview of the conditional use permit. Alderman Garrett asked if the property would be annexed into the city. Attorney Keyt noted that there are 2 additional conditions included in the ordinance that the Planning and Zoning Commission did not include in their language. One of the conditions is that there would be a development agreement with the city and that an annual amount of money would be paid to the city. The agreement has not been drafted yet but will be completed prior to the permit being issued. The other condition included in the ordinance pertains to compliance with IDNR and USFWS recommendations. Clerk Hardcastle noted that he had issues with the posting requirements for the public hearing. The applicant sent out notices in the city’s name and named city officials. Normally those posting requirements are processed by the city clerk’s office, not an outside entity. Attorney Keyt answered that the mayor asked if the applicant could do it to save cost to the city, but that the city could do it in the future. Alderwoman Lawson moved to approve the ordinance with the 2 additional conditions noted. Alderman M. Ferrell seconded the motion. A roll call vote was taken (Ayes: Eyrich, K. Ferrell, M. Ferrell, Lawson, McElhaney, Porth, Scharlach – Nays: Garrett) and the ordinance was approved 7-1.

- c. IT COMMITTEE – IT issues will be under the purview of the finance committee.
- d. COMMITTEE ASSIGNMENTS – Clerk Hardcastle noted that the new committee assignments were included in the meeting packet.

XVI. ATTORNEY COMMENTS

- a. SALE OF FIRETRUCK – Eric Eves, reporting for Attorney Miller, gave an overview of how the city can dispose of surplus property. Alderman Garrett asked if the truck could be sent to auction. Mr. Eves answered that yes, it could if the ordinance declaring its surplus specifies it will go to auction.
- b. 819 S. FIFTH ST – Packets have been sent to the heirs of the property.
- c. 408 S. SECOND AVE – Lawsuit regarding this property has been filed in circuit court.
- d. 325 N DIXIE HWY (ESSEX PROPERTY) – Court action to deal with this has been filed and a summons has been issued and served to Mr. Acton, but he has not filed a response. If he does not file a response, he will be found in default.
- e. 517 S. DIXIE HWY (HENNING’S) – The motion for default has been issued to Mr. Acton. Someone from the city will need to testify in court as to the condition of the building. The hearing is scheduled for December 6 at 11:30 am. The order of demolition could be issued at that point. Alderman Garrett asked if there was a new owner of the property? Mr. Eves answered that was possibly in relation to a different property but it does not effect the granting of judgement against Mr. Acton. Mr. Eves stated that he will investigate that issue further.
- f. GARRISON/HERMAN LAWSUITS – These are in the process of being prepared.
- g. TENTH AVE LOTS – A question was asked if the city can combine lots. This is not done throughout the city. The property owner needs to go through the supervisor of assessments office.
- h. 310 E MAIN ST – The settlement agreement has been prepared but there are still several questions that need answered.
- i. BURNED OUT BUILDINGS – Alderman Garrett asked where we were at with the burned-out properties? Mr. Eves answered that several of them are being dealt with through the courts. Alderwoman K. Ferrell answered that notices have been sent to 4 of the property owners through the building inspector. They have until December 1 to answer the complaints.

XVII. ADJOURNMENT – There being no further action to come before the council, Alderwoman K. Ferrell moved to adjourn the meeting. Alderman M. Ferrell seconded the

motion. Motion was carried 8-0.

Respectfully submitted,

Bradley Hardcastle

City Clerk