

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, APRIL 17, 2023**

Mayor Hemann called the Regular Session to order at 7:00pm at the Senior Center. Council members Frey, Bellm, and Hipskind were present. Councilwoman Sloan was absent. Others in attendance were City Manager Conrad, City Attorney McGinley, Directors Cook, Gillespie, Ohren, Presson, Rosen, and Vazquez, Coordinator Hubbard, Treasurer Nicholaides, Deputy City Clerks Hediger and VonHatten, City Clerk Bellm, Councilman-Elect Napper, and 6 citizens.

MINUTES

Councilman Frey made a motion to approve the minutes of the April 3, 2023 Regular Session as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

PUBLIC HEARING

Mayor Hemann opened the public hearing to receive comments on final adoption of the Budget for the 2023-2024 Fiscal Year. City Clerk Lana Hediger stated no comments were received in via email prior to the meeting on this matter. Hearing no comments brought forth, Mayor Hemann closed the public hearing.

PUBLIC FORUM

Citizens' Requests and Comments:

Goat Yoga by Schlafly & Goat Yoga of Southern Illinois – Plaza Park Request – Christine Young, Representative. Setup will begin a 9:00am. Yoga will be from 10:00am – 11:00am. There will be some time afterward for participants to mingle with the goats and each other. They utilize a solar electric fence to maintain a parameter for the goats. Clean up will be done afterwards. Everything will be torn down and cleaned up by 12:00pm. Councilwoman Bellm made a motion to approve the request by Schlafly and Goat Yoga of Southern Illinois for use of Plaza Park to hold Goat Yoga on June 3, 2023, 10am – 11am as requested. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Jacob Rose, member of Historical Preservation Commission, stated he was present to speak with regards to Bill 23-34, the Eagle Inn Development project. Since Friday, we have received a lot of response about this project. We have had several conversations with Gale Frey, as owner of the property. They have tried everything they can to save it. The historical integrity of the building is gone. What we look at for the value would have been the brick structure; however, once the stucco façade was put on, it lost that. The brick is soft and the building is beyond saving. I reached out to the Lory Theater to see what their feelings were on it. They were disappointed to hear that it will be torn down; however, they understand. As far as the wall connecting between Lory Theater and Eagle Inn, it was not a structural firewall.

As far as this structure and others, we need to adapt our ordinance to where we are not telling people what to do, but rather actually doing something to preserve history. We need to look at how to recognize and make historical preservation happen. There are things that are historical, like the fountain, the old chapel, the bell tower, etc. We need to do more than just provide recognition. Over 60% of historical sites have been demolished since this committee was put into place. It is what it is. When something is past being saved, it is best to replace it with something contemporary. Maybe create a historic district or overlay district to work with the redevelopment, but refine what should be within that. We need to make well-informed decisions about what is historical and what is not. Homer Rusteberg's office is not something we need to save, and he may not like me saying that; however, it has been renovated and too many commercial changes made around it. We are trying to keep people as happy as we can. I am working with Councilwoman Bellm and City Manager Conrad with donating the city bell tower back. I thank Gayle Frey for the work he is doing.

Jonathan Pierce reminded the council that he is working on his Eagle Scout project, which is to put three planters around the bell tower. He provided a picture of the planters and stated he would like to have the Highland City logo in the centerpiece of the front planter. The three planters will surround the 1890's bell tower. It was the consensus of the council that the logo would look good on the front of the planter. Councilwoman Bellm asked where this will be located. City Manager Conrad report this will be located on the small square slab at the corner of Zschokke and Broadway, along the parking lot. Mr. Pierce reported the planters are ready to. We are just waiting on the bell tower to be relocated. Councilwoman Bellm made a motion to have the city logo on the center planter and to move the bell tower into place with the city's assistance as needed. Councilman Frey seconded the motion. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Electric Director Dan Cook added he will be going with Jeff Voss, tomorrow, to look at the tower and to see if we can move it with the equipment that we have.

Requests of Council:

No comments or requests were made.

Staff Report:

Nothing to report at this time.

NEW BUSINESS

Approve Mayor's Re-appointment of Darren Twyford to the Police Pension Board – Councilman Frey made a motion to approve the mayor's re-appointment of Darren Twyford to the Police Pension Board, for another two-year term, to expire May 1, 2025, as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Approve Mayor's Appointment of Susan Martz to the Cemetery Board of Managers – Councilwoman Bellm made a motion to approve the mayor's appointment of Susan Martz to the Cemetery Board of Managers for a two-year term, to expire March 1, 2025, as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-27/ORDINANCE Amending Fiscal Year 2022-2023 Budget – Councilman Frey made a motion to approve Bill #23-27/Ordinance #3261 amending Fiscal Year 2022-2023 Budget as attached.

Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Mayor Hemann voted aye. Motion carried.

Bill #23-28/ORDINANCE Adopting the Financial Budget of the City for the Fiscal Year Beginning May 1, 2023, and Ending April 30, 2024, and Authorizing the Expenditures Therein Contained – Councilwoman Bellm made a motion to approve Bill #23-28/Ordinance #3262 adopting the financial budget of the City for the fiscal year beginning May 1, 2023, and ending April 30, 2024, and authorizing the expenditures therein contained as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-29/RESOLUTION Approving and Authorizing A Tender of Defense, Indemnity, Hold Harmless, and Lease Agreement for Shared Space at the Korte Recreation Center Pool Between City and St. Joseph’s Hospital – Councilman Frey made a motion to approve Bill #23-29/Resolution #23-04-3020 approving and authorizing a Tender of Defense, Indemnity, Hold Harmless, and Lease Agreement for shared space at the Korte Recreation Center Pool between City and St. Joseph’s Hospital as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-30/RESOLUTION Making Separate Statement of Findings of Fact in Connection with Ordinance Granting Special Use Permit for a Drive-Through Within the C-3 Zoning District at 12547 State Route 143 (PIN #01-2-18-29-03-301-002) – Councilwoman Bellm made a motion to approve Bill #23-30/Resolution #23-04-3021 making separate statement of findings of fact in connection with ordinance granting Special Use Permit for a drive-through within the C-3 Zoning District at 12547 State Route 143 (PIN #01-2-18-29-03-301-002) as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-31/ORDINANCE Granting a Special Use Permit to Daniel King on Behalf of Heaterz Developments, LLC, to Allow a Drive-Through Establishment at 12547 State Route 143, Suite A – Councilman Frey made a motion to approve Bill #23-31/Ordinance #3263 granting a Special Use Permit to Daniel King on behalf of Heaterz Developments, LLC, to allow a drive-through establishment at 12547 State Route 143, Suite A as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-32/ORDINANCE Amending the Municipal Code, to Allow Ground Mounted Solar Energy Systems Within the C-3 and Industrial Zoning Districts as a Special Use and to Establish Supplemental Regulations – Councilwoman Bellm made a motion to approve Bill #23-32/Ordinance #3264 amending the municipal code, to allow ground mounted solar energy systems within the C-3 and Industrial Zoning Districts as a special use and to establish supplemental regulations as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-33/ORDINANCE Authorizing and Amending “Business District A” Commercial Building Façade Improvement Program for May 1, 2023 through April 30, 2024 – Councilman Frey made a motion to approve Bill #23-33/Ordinance #3265 authorizing and amending “Business District A” Commercial Building Façade Improvement Program for May 1, 2023 through April 30, 2024 as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-34/ORDINANCE Amending an Economic Development Agreement with Eagle Inn Highland, LLC, and Approving and Authorizing the City Manager to Execute the Amended Economic Development Agreement, Pursuant to 65 ILCS 5/8-1-2.5, and Other Actions Related Thereto –

Councilwoman Bellm made a motion to approve Bill #23-34/Ordinance #3266 amending an economic development agreement with Eagle Inn Highland, LLC, and approving and authorizing the city manager to execute the amended economic development agreement, pursuant to 65 ILCS 5/8-1-2.5, and other actions related thereto as attached. Motion seconded by Councilman Frey. Councilwoman Bellm stated she talked to Gayle Frey and toured that building. It is hopeless to save that building. They tried with all the removal of stuff inside, including asbestos issues; however, it is beyond saving. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-35/ORDINANCE Approving and Authorizing the City Manager to Execute an Economic Development Agreement Pursuant to 65 ILCS 5/8-1-2.5, with MH Equipment Company, 1 Ultra Way Drive, Highland, Illinois, and Other Actions Related Thereto – Councilman Frey made a motion to approve Bill #23-35/Ordinance #3267 approving and authorizing the city manager to execute an economic development agreement pursuant to 65 ILCS 5/8-1-2.5, with MH Equipment Company, 1 Ultra Way Drive, Highland, Illinois, and other actions related thereto as attached. Motion seconded by Councilwoman Bellm. Councilman Frey asked if we can be told a little about MH Equipment. Director Breann Vazquez reported MH Equipment is a company that has locations all around the country, but primarily the Midwest. They rent specialized equipment that companies need only for intermittent or one-time use. They will be using Highland as their Illinois site to ship from. Councilman Frey asked if they will have a showroom. Director Vazquez replied not initially; however, we would be happy to work with them on that, if they decide to do that at some point. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-36/ORDINANCE Approving and Authorizing the City Manager to Execute an Economic Development Agreement Pursuant to 65 ILCS 5/8-1-2.5, with Xtreme Muscle Carz, and Other Actions Related Thereto – Councilwoman Bellm made a motion to approve Bill #23-36/Ordinance #3268 approving and authorizing the city manager to execute an economic development agreement pursuant to 65 ILCS 5/8-1-2.5, with Xtreme Muscle Carz, and other actions related thereto as attached. Motion seconded by Councilman Frey. Councilwoman Bellm inquired this is at The Windows on Broadway location. City Attorney McGinley stated yes, and formerly the 4-5-6 location, also. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-37/RESOLUTION Approving and Authorizing the Fair Solar Credit for May 1, 2023 through April 30, 2024, Pursuant to Section 78-185 of the Highland Municipal Code – Councilman Frey made a motion to approve Bill #23-37/Resolution #23-04-3022 approving and authorizing the Fair Solar Credit for May 1, 2023 through April 30, 2024, pursuant to Section 78-185 of the Highland Municipal Code as attached. Motion seconded by Councilwoman Bellm. Electric Director Dan Cook reported that, about one year ago, state legislators allowed us to offer money back to customers generating solar power. The credit is based upon the value of energy at the moment it is generated and the impact it makes on our generation and transmission cost. The credit was \$0.0541 per kilowatt-hour (kWh), last year. This year \$0.1014 per kWh, due to a wild auction this year. Regulation have been put into place on the auction, and I do not anticipate it being that high in the future. I would say next year and following years, it will be around .06 per kWh. Councilman Frey clarified it can go up and down. Director Cook replied yes. Councilman Frey asked are people aware that it can go up and down. Director Cook responded some are. When some people look at going solar, they will inquire with us, and I try to educate them on these things. Others will call after the fact and say they are not saving what they were promised. My response is that they have the wrong number, because I did not make any promises. This year, people with solar should be happy with the rate. Councilwoman Bellm asked these rates will be published. Director Cook reported we will have it posted that from May 1, 2023 through April 30, 2024, the fair solar credit will be this rate. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #23-38/ORDINANCE Amending City Code Chapter 64 – Special Events, Adding Definition for Ongoing Event, and Article VII – City Fees for Special Events and Ongoing Event – Councilwoman Bellm made a motion to approve Bill #23-38/Ordinance #3069 amending City Code Chapter 64 – Special Events, adding definition for ongoing event, and Article VII – City Fees for Special Events and Ongoing Event Code as attached. Motion seconded by Councilwoman Bellm. Councilwoman Bellm asked how we are letting people know that we are doing this. Director Carole Presson reported Deputy City Clerk Megan Von Hatten is working with all departments to make it part of our special events application. Mayor Hemann noted it is not that much money monetarily; however, it is something new. Director Presson reported the biggest one we have going on, right now, is the races; we have been talking to them about these fees. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

REPORT

Accepting Expenditures Report #1240 for April 1, 2023 through April 14, 2023 – Councilman Frey made a motion to accept Expenditures Report #1240 for April 1, 2023 through April 14, 2023 as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to temporarily adjourn this regular session to enter into executive session under the Illinois Open Meetings Act under the following exemption: 5 ILCS 120/2(c)(21) to discuss approval of executive session minutes. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried. Open Meeting temporarily adjourned at 7:36pm.

Mayor Hemann reconvened the Regular Session at 7:41pm. Council members Frey, Bellm, and Hipskind were present. Councilwoman Sloan was absent. Others in attendance were City Manager Conrad, City Attorney McGinley, Deputy City Clerks Hediger and Von Hatten, and City Clerk Bellm.

Councilwoman Bellm made a motion to adjourn. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Motion carried. Meeting adjourned at 7:41pm.

Kevin B. Hemann, Mayor

Barbara Bellm, City Clerk