

**CITY COUNCIL OF THE CITY OF HILLSBORO, ILLINOIS**  
**HILLSBORO CITY HALL**  
**Minutes of the Regular Meeting – Tuesday, August 6, 2024**

1. The meeting was called to order by Mayor Downs at 7:00 p.m.
2. Roll Call was taken:

Present: Mayor Don Downs  
Commissioners Fred Butler, Tommy Justison, Patrick Ward and Kendra Wright

Absent: None.

Also Present: City Clerk David Jenkins  
City Attorney Chris Sherer  
Community Planner Sarah McConnell  
Public Properties Supervisor Jim May  
Police Chief Randy Leetham  
Water & Sewer Plant Supervisor Tim Ferguson  
City Engineer Jeremy Connor

3. The Pledge of Allegiance was recited.
4. **Public Comment:** Terri Casey, owner of the Corner Block Building, addressed the Council regarding the fence around their property. She stated a lot of work has been completed on the property, including removing the exterior fire escape, buttoning up holes and leaks, removing chimneys, removing six dumpsters of debris, adding safety rails to the stairwell. She reported they have not used any City or TIF funds to complete these tasks to this point, and their dedication to this project is beyond question. She stated she is sympathetic to the concerns surrounding the fence, and updates to the project may be found at [facebook.com/cornerbuilding](https://facebook.com/cornerbuilding). She also thanked the City and members of the public for their continued support.

The following members of the public addressed the council regarding a potential ordinance regulating food trucks in the City: Zach Wygal, Kory Brink, Cary Eisentraut, Ed Delaney, Toby O'Donnell, Matt Sands, Caitlyn Voyles, Kayla Brauer, Anthony Marcolini and Jim Hewitt. Wygal he has been involved in some successful events that included food trucks. Brink, owner of Shug's Smoke Shack, said if the council studied what food trucks do for communities, they would find they bring a following to the towns they visit. Eisentraut, owner of Eisentraut Theatres, asked if food trucks were really causing a problem or if this was a matter of government trying to be too big. Delaney, owner of Jed's Food Shed, said he sets up at the sports complex to serve ice cream and wonders if a revised ordinance will prevent that from being allowed. He also reminded food trucks not to forget to charge the extra one percent sales tax when setting up inside the TIF district. O'Donnell, owner of Toast of the Town, said some of the restrictions in the proposed ordinance would

not allow private businesses on main street who do not have parking lots to invite food trucks to set up. Sands, owner of Gold Pan Record Store, stated they invite a food truck to set up in front of their business during their annual record store day event, and restrictions would affect that. Voyles, representing Imagine Hillsboro, stated continuing regulations will make it difficult for people to continue volunteering. Brauer, owner of Ground to Grounds Coffee, stated a food truck is like a small business, and said a percentage of the profits from their Traveling Grounds food truck goes to schools in the district they set up. She said she supports Hillsboro, even though they are not on wheels yet. Marcolini, owner of Opera House Brewing Company, thanked Commissioner Wright and Mayor Downs for returning his calls. He spoke about the many businesses who got their start from food trucks, including Jed's Food Shed. Hewitt, owner of The Abbey on Broad and The Lodge on Main, stated he believes it would be better for everyone to get together and discuss these issues. He stated they started this issue after the City made a change to its food truck ordinance, adding the distance between the location food trucks are allowed to set up from existing restaurants was removed. He stated it has become extremely difficult to keep the Abbey and the Lodge open. He said they love food trucks, and love them on private property. He also stated communication with the City has been an issue.

5. Minutes of the July 16<sup>th</sup>, 2024 regular meeting were approved as presented.

6. **Mayor and Commissioners' Departmental Reports:**

Written reports from the Public Properties, Streets, Water and Sewer Departments were submitted prior to the meeting.

7. **Economic Development & Community Planner Report:**

McConnell submitted her written report prior to the meeting.

8. **City Engineer Report:**

Connor had nothing new to report.

9. **Discussion / Action – Ordinance No. 1795 an Ordinance Implementing a Non-Home Rule Municipal Retailers Occupation Tax and a Non-Home Rule Municipal Service Occupation Tax for the City of Hillsboro:** Ward reported this one-percent sales tax will mainly be used to fund the pool, but after that is paid for, the funds will be used for infrastructure projects. He said the City anticipates bringing in approximately \$17 million over a 20-year span. He said the City will not wait the 10 years to start the new pool project, however, as they can issue bonds. **Motion by Wright and second by Justison to adopt Ordinance No. 1795. Motion carried with a 5-0 vote in favor.**

10. **Discussion / Action – Ordinance No. 1802 an Ordinance Regarding Funding for Boat Slips at Lake Glenn Shoals and Directing the Allocation of Certain Revenues:** Ward reported adopting this ordinance would require future councils to rescind the ordinance if

they choose not to repay the reserves for the boat slips. **Motion by Ward and second by Butler to adopt Ordinance No. 1802. Motion carried with a 5-0 vote in favor.**

- 11. Discussion / Action – Ordinance No. 1803 an Ordinance Authorizing Negotiation and Execution of a Lease of City-Owned Real Estate:** Butler reported this is to lease the Eagle Zinc property, and they'll be leasing a total of 33 acres in order to put in solar panels. He said the agreement is for around \$114,000 a year, with the possibility to be more if the TIF district is extended. **Motion by Butler and second by Ward to adopt Ordinance No. 1803. Justison and Wright abstain. Motion received three votes in favor but failed to receive a vote of three-fourths and failed to pass.**
- 12. Discussion / Action – Resolution No. 2024-15 a Resolution for Improvement Under the Illinois Highway Code Regarding Tremont Street & Jefferson Street:** Motion by Butler and second by Ward to adopt Resolution 2024-15. Motion carried with a 5-0 vote in favor.
- 13. Discussion / Action – Addendum to Collective Bargaining Agreement Between the City of Hillsboro and Laborers Local 773 Regarding Deputy Supervisor of Lakes and Parks:** Downs reported this addendum is in regards to a \$1.00 per hour deputy supervisor. He stated two employees will split the amount. Ward asked if it will cost the City any more money. Butler said it will not. **Motion by Ward and second by Wright to approve the addendum to the Collective Bargaining Agreement between the City of Hillsboro and Laborers Local 773 Regarding the Deputy Supervisor of Lakes and Parks. Motion carried with a 5-0 vote in favor.**
- 14. Discussion – Tim and Jill Ulrici from Q-1-7 to Address Council Regarding Food Truck Ordinance:** Tim Ulrici, owner of Q-1-7, stated he and his wife Jill built their dream house in Nokomis before deciding to relocate to Hillsboro. He said they have concerns with some parts of the proposed ordinance, including Section 4(c). He said he doesn't not know what civic minded events means. Downs said that refers to events held by organizations such as the Lions or Sertoma clubs. Tim Ulrici also said he does not necessarily have an issue with the \$150 food truck license, but believes it should be tiered for residents of Hillsboro. Jill Ulrici said she was surprised the ordinance mentioned food trucks as being a public safety issue. Downs said that is what was included in the original food truck ordinance. Jill Ulrici stated it sounds like ordinance is a work in progress.
- 15. Discussion / Action – Creating Ordinance Mandating Food Trucks on Private Property or with Permission on Closed Roads During Festivals:** Downs stated a good discussion has taken place so far, but he does not believe the Council is ready to act on an ordinance. Butler said there are things they need to look at to make the ordinance work, but he believes not allowing food trucks on public property as a blanket restriction is a mistake. He also stated he would like to see the City requiring food trucks to seek council permission before setting up on public property. Wright stated there are limited parking spaces available and food trucks that set up on the streets take up those parking spots. She also said whenever food trucks set up, the trash in the city waste cans fill up quickly and

end up overflowing. Regarding the events, Wright stated she believes it should read “festivals” and not “civic-minded” events. No action was taken.

- 16. Discussion / Action – Purchasing Fan(s) from Dinges Fire Company for City of Hillsboro Fire Department: Motion by Justison and second by Butler to approve purchasing fan(s) for the Hillsboro Fire Department from Dinges Fire Company for a cost of \$5,739.95. Motion carried with a 5-0 vote in favor.**
- 17. Discussion / Action – Agreement for Municipal Electrical Aggregation: Wright reported Mayor Downs signed the agreement with Constellation, locking in a rate of \$0.07719 per kilowatt hour. This rate is effective October 2024 thru June 2025. This also means Hillsboro residents will be receiving opt-out cards again; this time, because of the new agreement. **Motion by Wright and second by Justison to approve the Aggregation Program Agreement with Constellation NewEnergy Inc. from October 2024 through June 2025. Motion carried with a 5-0 vote in favor.****
- 18. Discussion / Action – Community Solar Agreement and the Third Party Electric Supply Contract for the City of Hillsboro Electric Bills: Zach Resmann from Resolute Energy Solutions addressed the council regarding a community solar agreement for the City’s energy bills. Resmann stated Mike Mudge and Rock River Energy can beat his prices on the shorter-term energy agreement, but his three-year rate with Homefield Energy is a lower rate than Rock River’s. Ward stated he has concerns with signing a 20-year agreement. Downs said Rock River, in the past, got the city five to seven bids but only received three this year. Resmann stated the market has been flat. Ward said he would like to table this issue until a future meeting and discuss it later. **Motion by Butler and second by Wright to table this matter until the next City Council meeting. Motion carried with a 5-0 vote in favor.****
- 19. Discussion / Action – Purchase of Pump(s) and Equipment for Water Treatment Plant from Illinois Electric Works: Ferguson reported this quote from Illinois Electric Works is for two pumps with starting kits and three guide rail assemblies to make repairs at the lift stations. **Motion by Butler and second by Justison to approve purchasing the pumps and equipment from Illinois Electric Works for a cost of \$14,241.50. Motion carried with a 5-0 vote in favor.****
- 20. Discussion / Action – Proposal from Hurst-Rosche Engineers for Elevated Water Tower Project and Painting of Water Tower with Approved City of Hillsboro Design: Wright reported the proposal includes engineering design and bidding services for the 1 million gallon elevated water storage tank for a lump sum fee of \$12,650. **Motion by Wright and second by Butler to approve the proposal from Hurst-Rosche Inc. for a cost of \$12,650. Motion carried with a 5-0 vote in favor.****
- 21. Discussion – Displaced Citizens of Hillsboro and the Surrounding Communities: Wright reported she has observed several homeless persons throughout town, and she has been told the City cannot have an ordinance to remedy the situation. Sherer said it has been**

an issue Springfield has been trying to address for 28 years. Justison stated you can't criminalize being homeless. Downs said he was unaware of the answer.

22. **Discussion– Hillsboro Library Drain and Blocked Street Parking Spaces:** Wright reported she gets asked about the drain at the library about 15 times a day. Butler said he was under the impression this would be completed in the next month or so.
23. **Discussion – Chain Link Fence Around Corner Block Building:** Downs stated he spoke with Chris Casey about the Corner Block Building last week, and they will be putting the fence back where it was since it has been hit a few times and pushed inwards. Butler stated he believes there is still a safety concern with people walking downtown. When asked about a timeline for when the fence might come down, Terri Casey stated the footings will be poured and after that, the construction crew should be able to get the shorings in. Once that is done, Christ Hartsook, who the Caseys have contracted with for construction work on the building, said they should be able to get on the mason's schedule. Hartsook said, weather permitting, they should be able to get back inside the building on September 3. Ward stated the council could put this item back on the agenda during the first September meeting.
24. **Discussion / Action – Closed Session in Accordance with 5 ILCS 120 Section 2(C)(1) and Section 2(C)(11):** Motion by Wright and second by Ward to approve a closed session in accordance with 5 ILCS 120 Section 2(C)(1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor in a park, recreational, or educational setting, or a volunteer of the public body or against legal counsel for the public body to determine its validity; and 2(C)(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Motion carried with a 5-0 vote in favor. The council entered into Closed Session at 8:36 p.m. The council returned to Open Session at 9:01 p.m.
25. **Discussion / Action – Wage Increase for Part-time Public Property Department Employees:** Motion by Butler and second by Ward to approve increasing the wages of part-time public property employees Mike Cerutti, Dave Davidson and Brett Reeves by \$0.75 per hour and to put them on the annual performance review schedule. Motion carried with a 5-0 vote in favor.
26. **Discussion / Action – Directing City's Attorneys Regarding Pending Litigation:** Motion by Butler and second by Ward to ratify all prior actions of Mayor Downs and the City's attorneys related to the property at Turkey Lane, including any necessary eviction and related claims, and that we approve and authorize the City's attorneys

**to continue to litigate the matter on behalf of the City under Mayor Downs' direction, including the assertion of any other claims or defenses against the defendants. Motion carried with a 5-0 vote in favor.**

- 27. Discussion / Action – Adjourn: Motion by Justison and second by Wright to adjourn the meeting. Motion carried with a 5-0 vote in favor. The meeting adjourned at 9:03 p.m.**

Respectfully submitted,  
David Jenkins, City Clerk