

July 23, 2024 ~ REGULAR MEETING MINUTES

The Ladd Village Board met in regular session on Tuesday, July 23, 2024, in the Ladd Village Hall at 121 N. Main Avenue. Village President Frank Cattani called the meeting to order at 6:30 pm and led the pledge of allegiance to the American flag.

Roll Call: Present: Trustees Dave Margherio, Jan Martin, Brad Nicholson, Andy Ruggiero, Molly Thrasher (5)

Absent: Trustee Dan Nelson (1)

In attendance: Village Clerk Rhonda Bezely, Engineer Adam Ossola, Atty. Pat Barry, and Police Chief Jacob Frund

Thrasher motioned/Martin second to accept the July 9, 2024, regular meeting minutes as presented. Ruggiero requested that the minutes be changed to reflect the council rescinding the solar panels' approval that happened at the last meeting. Atty. Barry stated that the minutes reflect what happened at the meeting only – nothing that happens after the fact. They must remain as is.

Ayes: Margherio, Martin, Nicholson, Thrasher - Motion carried

Abstain: Ruggiero

Absent: Nelson

Ruggiero motioned/Margherio second to authorize payment of the bills for \$231,955.18.

Ayes: Margherio, Martin, Nicholson, Ruggiero, Thrasher - Motion carried

Absent: Nelson

Margherio motioned/ Nicholson second to accept the Treasurer's Report for June 2024.

Ayes: Margherio, Martin, Nicholson, Ruggiero, Thrasher - Motion carried

Absent: Nelson

Correspondence: None

Public Comment: None

Committee Reports: Cattani asked who is on the tree committee. Margherio stated he is on the committee along with Nelson. Cattani stated that we need to be more thorough when we look at the trees that residents bring to our attention. Recently a tree was cut down at 206 S. LaSalle Ave. and it was 100% healthy. With the Village planting 50 trees last year – we do not want to be cutting down healthy trees. This tree should not have been cut down. Perhaps just cutting it back should have been recommended.

Ruggiero brought up the resident at 505 N. Main Avenue lawn issue from the Main Avenue Water Main Replacement job. This resident's lawn needs to be cut out and reseeded, it is rocky and bumpy. The area is approximately 20-30 feet in size. The Village needs to get this taken care of.

Nicholson stated he noticed on 7/11/24 @ Taps the weeds in the grass at War Memorial Park were bad. He also visited Kennedy Park and the weeds were bad. Dandelions and clover are thick in both parks. Nicholson requested we reach out to D & M Landscaping and ask them if this is normal after being sprayed for weeds. Bezely will contact D & M Landscaping and ask.

Engineer's Report: New Business - Motor Fuel Project Final Payment Request & Change Order from Pavement Maintenance: Ossola reported that Pavement Maintenance submitted the final pay request for \$82,757.05 and a change order was for \$5,361.70 that was deducted from the total bid for the amount of chip, to balance out to what they actually put down. They will return to sweep in the next 2 weeks. Cattani stated there was no hurry for sweeping. To allow the rock to adhere.

Nicholson motioned/Thrasher second to Approve the Final Change order for the Motor Fuel Project and Approve the Final Pay Request for the Motor Fuel Project.

Ayes: Margherio, Martin, Nicholson, Ruggerio, Thrasher - Motion carried

Absent: Nelson

2023 SRTS Project: The kick-off meeting for this project is planned to take place before the next Village Council meeting. There was some talk about if we could request to move this project to the south side of East Cleveland Street. Cattani requested that Ossola reach out to IDOT for clarification as to whether or not this can even be done. Ossola spoke with Steve Chery from IDOT and explained the situation on the SRTS 2023 Project. Steve stated that there would have to be an environmental reason to change the location. Nothing else would qualify for the Village to change the location of the SRTS 2023. Ossola reiterated a structural reason or an environmental reason is the only possible way to get the sidewalk moved. The fact that the sidewalk will not be straight does not qualify for moving the location. The possible plan for the next application for Safe Routes to School Grant will be to do the blocks that feed the new sidewalk locations on Locust and E. Cleveland Streets and also to add more sidewalks to allow the subdivision families to be able to walk or ride to school. It would be ideal to get the sidewalk out by Jan Martin's home to allow for those kids to walk and ride to school. Everyone understands all the opinions regarding sidewalk locations and in the future, these locations will be considered.

Superintendent's Report: Not in attendance

Police Chief: Chief Frund mentioned a letter he received from a concerned citizen about the e-bikes & gas-powered bikes in town. The council was given a copy of the letter submitted. Frund will plan to use the state statute to manage these bikes. The letter submitted was excellent and the council appreciated the information. Frund asked if anyone had noticed issues on the blind hills out on East Cleveland Street. Nicholson mentioned that he noticed a car parked at the top of the hill about 100 yards from the Spring Creek stop sign. It seemed to be mostly off the road. Thrasher asked if the Electronic Speed Limit sign was removed. Frund stated that it is being charged. Frund is not hearing much back about this area. They do patrol this area.

Building Inspector: Not in attendance.

Village Attorney: There was a meeting on Labor Negotiations July 11, 2024. Jed was going to make some revisions and get back to Atty. Barry but he has not heard anything from him. He was on vacation last week so he expects to hear something this week. He will have a report for the board at the next meeting on August 13, 2024.

New Business: Accept Audit Report FY24: Kim Bird, CPA with Hopkins & Associates distributed the Audit to all council members. She explained what the pages show. There is a summary that Bird does yearly to break out by fund how things have been this year. Bird highlighted all funds and how they looked after the audit. Bird stated that the utility funds all had positive growth. Debt increased in the water fund due to our water main replacement last year. All the revenues are growing but the debt is

also growing due to projects going on in the Village. Bird showed the council how the CD investments have benefited the Village with the higher rates available currently. Bezely asked if the Water Main Replacement loan was being paid out of the Water Debt Fund and Bird confirmed it was. Bezely stated that the Council does not need to rename this debt service since it is still being used for an IL EPA loan for water infrastructure improvements. Bird explained the letters that are part of the audit. There is some cash in the general fund that is growing due to the restricted funds and balances on property taxes. Explanation revealed that we collect property taxes on Social Security, TORT (insurance), and IMRF. These funds are growing more than the expenses. Bird recommended the council look at documents starting with Page 42. This shows how the funds have increased and decreased over the years. It is quite detailed. There was not a lot of change in the revenues this year. They are very consistent. Margherio asked what the Village of Ladd's grade would be. Bird stated that she is not comfortable grading but feels that cash balances are significant so she feels we are in good financial shape. The Village does have debt but the rates are decent and we are paying them down as planned with the revenues we are taking in.

Margherio motioned/Martin second to Accept the FY 24 Audit from Hopkins & Associates.

Ayes: Margherio, Martin, Nicholson, Ruggerio, Thrasher - Motion carried

Absent: Nelson

Bezely announced that New 8 WQAD had to leave to cover a shooting that occurred in Sterling, IL, and apologized.

New Business: Ladd Solar 2 LLC & Ladd Solar 3 LLC BC Zoning Board of Appeals: Tim Pratt had a PowerPoint presentation prepared to explain the applications for a solar farm which will be located ½ mile north of Ladd Village limits. Pratt stated 2 applications have been filed for Ladd Solar 2 & Ladd Solar 3 for two solar arrays. They are here today due to concerns about this solar farm. The project seems as though it was rushed. The paperwork was received and all BC Zoning Board of Appeals mailed this paperwork out the 1st week of July. They were received around July 3rd and with the July 4th Holiday it was not much time to get information to the Village of Ladd to make them aware of their concerns. Maps received from Green Key were shown and the waterways for runoff were explained on this map. There is a risk of electromagnetic fields detected within all solar farms. Discussion of vegetation being maintained using Round-Up or similar products, along with an enhanced risk of electrical fires being a concern in a small village. Most solar panels are manufactured using toxic chemicals and if broken they can contaminate groundwater. 78% is the number of solar panels manufactured in China. There is concern about the quality control in China. The lease for this solar farm is approximately 20-30 years which is a long time for things to happen. All solar panels are considered hazardous waste when it is time to recycle or dispose of them. Mr. Pratt explained that the solar panels will be 12 feet tall by 6 feet wide. There will be a 7-foot chain link fence around the solar farm. The fact that 68 acres of prime farmland will be taken to erect this solar farm is a huge concern for the residents attending the meeting tonight. If a hail storm hit and broke several of these panels there would be concern for the environment. This would pose a concern to the groundwater. Multiple information facts were given by the 6 farm families presenting this information to the council. These solar panels will be 16 yards from the Nerad's farm. How would you like to host a picnic and all that you can see is 68 acres of solar panels. Chris Noll stated that the entire east side of Route 89 drains through a culvert under Route 89 and continues south down towards Ladd. 2660 feet from the

solar farm to Ladd Corporate limits is ½ mile. The map provided had multiple drainage areas that showed. Jim Dunseth spoke to the council regarding other concerns. He stated that under the solar panels, the ground will be bare. After many years the good microscopic critters will not be able to live in this land because there will be nothing to live on. The longer this solar farm exists, the more oxygen will not be happening through photosynthesis. The more soil we take out of production the less oxygen we will have to breathe. Mr. Pratt stated he cannot say how he knows this, but he has been told that Solar Companies are speaking to land owners to the East, West, and North about coming here to put up more solar farms. This is driven by House Bill 4412 which has made it easier for Solar Companies to get solar in and harder for counties to say no to them locating in our farm fields. The farmers are asking the Village of Ladd to oppose this Bureau County Zoning Board of Appeals request. Mr. Pratt stated that he knows that on July 9, 2024, the council voted not to oppose this request. Cattani mentioned he thought he heard that solar farms cannot be located less than 5 nautical miles from an airport. Peru airport is less than 5 miles from this proposed solar farm. BC Zoning Board of Appeals will have a public hearing where they hope the Village of Ladd opposes this variation allowing the Solar Farm to locate ½ mile from Ladd Corporate limits. Mr. Pratt stated that if Ladd does not oppose this it will likely go through. Ladd opposing this will not necessarily keep the solar farm from locating in our area, but it will have to be 1.5 miles from Ladd Corporate limits. The County cannot deny the project but they can deny the project going in ½ mile from Village limits if Ladd and/or Cherry denies this variance. The County will need to comply with the State law. Cattani stated he felt the Village council did not have a lot of information when this came before them on July 9, 2024. Brad Bastion stated he does not agree with prime farm ground being taken out of commission. He agrees with progress but feels it could be put somewhere else. Pam Flaherty asked the council if Ladd would benefit from any of this Solar Farm power. Solar Farm is likely not going to benefit the Village of Ladd. Karen Nerad stated that she spoke with a pilot who flies out of the Peru Airport. The main concern for a solar farm located less than 5 nautical miles from the airport is glare. Chris Noll stated there is also concern that the morning sun and the location where the panels are directed could cause terrible glare for grain trucks, busses, and cars traveling north and south on Route 89. There is new legislation pending that will move the distance that solar farms will be allowed 500 feet from a residence. Mr. Pratt mentioned eminent domain to locate power poles to satisfy a solar farm of this size. Atty. Barry stated that only a government entity can exercise eminent domain. Mr. Bastion mentioned that the gas company owning the substation located outside their home used the wording of eminent domain regarding the project speed to get work done. Bastion is concerned this can happen with this solar farm application. Cattani asked the council if they felt after hearing all the farmers concerns that were in attendance tonight if they felt they wanted to rescind their vote from 7-9-2024 meeting. Martin motioned/Nicholson second to Rescind the Prior No Objection Filed on 7-9-2024 for Ladd Solar 2 LLC and Ladd Solar 3 LLC and to File an Objection to be Filed 7-23-24 for Ladd Solar 2 LLC and Ladd Solar 3 LLC Projects for Reasons to be Outlined on Information that will be provided to Bureau County Zoning Board of Appeals.

Ayes: Margherio, Martin, Nicholson, Ruggerio, Thrasher - Motion carried

Absent: Nelson

Nicholson asked if there was any information on RF Interference from Solar Farms. Nicholson stated that he hears that amateur radio wreaks havoc from some solar. No definitive information was available tonight. Martin thanked all the people in attendance for the great presentation and for informing the council so thoroughly.

New Business: CD Renewal SSD Fund: Bezely explained the Storm Sewer Debt – Sewer Fund EPA CD was due for renewal on 7-31-2024. Rates were provided with different investment timeframes. Bezely recommended not adding any additional money to this CD from the SSD fund.

Nicholson motioned/Thrasher second to Renew Sewer Fund EPA CD for 12 months @ 4.80% APY

Ayes: Margherio, Martin, Nicholson, Ruggerio, Thrasher - Motion carried

Absent: Nelson

New Business: Pass Appropriations for FY25: Atty. Barry explained that all monies we plan to spend must be appropriated for. There was not a significant amount of change to this FY appropriations. Margherio stated that if there were no major changes or if anything needs to be pointed out to the council to go over those line items. Line items that needed to be increased were increased to allow for inflation. Atty. Barry went over several line items with the council and the reasons for these changes. Trustees were encouraged to ask questions.

Martin motioned/Margherio second to Pass an Ordinance Providing for Annual Appropriation of Sums of Money for Necessary Expenditures in the Village of Ladd 2024-2025 Fiscal Year.

Ayes: Thrasher, Ruggerio, Martin, Margherio, Nicholson, President Cattani – Motioned carried

Absent: Nelson

New Business: HPTK, LLC Requests First Net Status from Village of Ladd: The Village got no response to the council's request for HPTK, LLC to attend the meeting and explain this situation. We will wait to hear from them.

Announcements: Kennedy Park & Baseball/Softball: Bezely told the Council that Steve Bosi who has volunteered to take care of the baseball fields and be the liaison for the Village of Ladd is looking to form a committee to bring baseball and softball games back in Ladd. He is reaching out to several Ladd parents and residents to form a committee to help make good decisions for the future of Kennedy Park. He states that a request has been heard to remove the grass out of the infield on the smaller diamond. This will be a costly endeavor but it was mentioned that they would speak with Joe Brandner who indicated he has the equipment to do this to see if he would be willing to help. Thrasher has agreed to be on the committee along with President Cattani to carry any necessary items needing to be brought to the council. 2024 Freightliner Bucket Truck is being delivered tomorrow. Storm Sewer Project: Cattani stated that during the last storm with excessive rain, 2-3 basement backups occurred that we were notified about. Cattani would like to move forward in speaking with the 7 landowners to obtain permission along with easements to allow for the storm sewer to run out along West Cleveland all the way to Adam's Creek. He requested help from council members Martin, Margherio, and Ruggerio. 30% Forgiveness through the IL EPA with a low interest 1.4% IL EPA Loan. Ossola has provided a map of the residents who need to be approached regarding this project. Cattani stated they are proposing Central Ave. and Chicago Ave. storm sewer would run out to the west to Adam's Creek. They are hoping this can be open-ditch draining. Ossola stated that his ballpark would be a 24" pipe.

Nicholson motioned/Martin second to move out of regular session into executive session Section 2 (c) Collective Negotiating Matters Between Public Employers and Their Employees or Representatives at 8:11 pm.

Ayes: Margherio, Martin, Nicholson, Ruggerio, Thrasher - Motion carried

Absent: Nelson

Continued 7-23-2024

Returned to regular session at 8:32 pm.

Roll call was taken.

Ayes: Margherio, Martin, Nicholson, Ruggiero, Thrasher - Motion carried

Absent: Nelson

Also present were President Cattani, Atty. Pat Barry, and Clerk Bezely

Atty. Barry requested a motion to approve, not release, approve the executive session minutes provided to the council members.

Nicholson motioned/Martin second to accept the Executive Session Meeting Minutes as presented from the following dates: 8-22-2023, 1-9-2024, 4-9-2024, 5-14-2024, 6-11-2024, 6-25-2024, and 7-9-2024.

Ayes: Margherio, Martin, Nicholson, Ruggiero, Thrasher - Motion carried

Absent: Nelson

Martin asked about computers. Bezely stated that we are holding off until we have ample time to review the system before moving forward.

Margherio motioned/Thrasher second to adjourn.

Ayes: Margherio, Martin, Nicholson, Ruggiero, Thrasher - Motion carried

Absent: Nelson

The meeting adjourned at 8:38 pm

Rhonda Bezely, Village Clerk