



Mary Jo Pemberton  
City Clerk  
Rebecca Barbour  
Deputy City Clerk

City of Mt. Vernon  
1100 Main PO Box 1708  
cityclerk@mtvernon.com

618-242-6815  
www.mtvernon.com

**City of Mt. Vernon, Illinois  
Regular City Council Meeting  
Monday, November 18, 2024  
7:00 p.m.**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, November 18, 2024 at 7:00 p.m. in the City Council Chamber at City Hall, 1100 Main Street, Mt. Vernon, Illinois. Facebook Live: <https://www.facebook.com/MtVernonIL>.

Pastor Rose Straeter with Broken, Loved, Healed led the Invocation.

The Pledge of Allegiance was recited.

**ROLL CALL**

**The roll call showed present: Council Member Ray Botch, Council Member Joe Gliosci, Council Member Donte Moore, Council Member Mike Young and Mayor John Lewis.**

**PRESENTATION OF JOURNALS**

The Journal for November 4, 2024 Regular City Council Meeting was presented for approval.

**Council Member Donte Moore motioned to approve the Journal as presented. Seconded by Council Member Joe Gliosci. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

**VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE**

Mayor Lewis stated that with all of the citizens who are here and wish to speak, he asked that we hold the comments until we get to the issue later in the meeting.

**APPROVAL OF CONSOLIDATED VOUCHERS FOR ACCOUNTS PAYABLE**

The Consolidated Vouchers for Accounts Payable were presented to the Council for approval.

**Council Member Joe Gliosci motioned to approve the Consolidated Vouchers for Accounts Payable in the amount of \$1,798,224.04. Seconded by Council Member Mike Young. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

## **BIDS AND QUOTES**

City Manager Mary Ellen Bechtel presented Bid Results for the Construction of Manholes in the US EPA Community Grant Project Area. The City received six bids for this project. Groundworks Construction, Breese, Illinois, was the low bidder. Staff recommends awarding this project to Groundworks in the amount of \$143,000.00.

|                          |                |              |
|--------------------------|----------------|--------------|
| Trotter Excavating       | Mt. Vernon, IL | \$175,650.00 |
| Haier Plumbing           | Okawville, IL  | \$195,500.00 |
| Groundworks Construction | Breese, IL     | \$143,000.00 |
| Mideastern Plumbing      | Carlyle, IL    | \$158,000.00 |
| Ray LaFore Trucking      | Belleville, IL | \$217,400.00 |
| TEK Construction, Inc.   | Bartelso, IL   | \$173,021.20 |

**Council Member Ray Botch motioned to grant permission to accept the Bid Results for the Construction of Manholes in the US EPA Community Grant Project Area from Groundworks Construction in the amount of \$143,000.00. Seconded by Council Member Mike Young. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

## **CITY MANAGER**

City Manager Mary Ellen Bechtel presented a Street Closure Request for North Street between 10<sup>th</sup> Street and 11<sup>th</sup> Street on November 28, 2024 from 8:00 a.m. to 2:00 p.m. for the Central Christian Church Thanksgiving Community Meal. Requesting Party: Central Christian Church. Staff recommendation is to approve the request.

**Council Member Mike Young motioned to grant permission for a Street Closure Request for North Street between 10<sup>th</sup> Street and 11<sup>th</sup> Street on November 28, 2024 from 8:00 a.m. to 2:00 p.m. for the Central Christian Church Thanksgiving Community Meal. Requesting Party: Central Christian Church. Seconded by Council Member Donte Moore. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

City Manager Mary Ellen Bechtel presented for Approval of a Subdivision Preliminary and Final Plat for Heavens Gate Subdivision located at 10418 E. Savanna Road. Petitioning Party: Dorothy Akins. The owners intend to sell Lot 1 and retain ownership of Lot 2. Planning and Zoning reviewed this and approved the subdivision 5-0.

**Council Member Donte Moore motioned to approve a Subdivision Preliminary and Final Plat for Heavens Gate Subdivision located at 10418 E. Savanna Road. Petitioning Party: Dorothy Akins. Seconded by Council Member Joe Gliosci. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

City Manager Mary Ellen Bechtel presented for approval of a Subdivision Preliminary and Final Plat for Price's Subdivision located at Pt. E/2 NW/4 SE/4, Section 22, T2S, R3E, 3<sup>rd</sup> P.M. Jefferson County, Illinois. Petitioning Party: Gary Price, Rebecca Price, and Douglas Price. The proposed subdivision is for the division of property and for the sale of a parcel. Planning and Zoning reviewed this and approved the subdivision 5-0.

**Council Member Donte Moore motioned to approve a Subdivision Preliminary and Final Plat for Price's Subdivision located at Pt. E/2 NW/4 SE/4, Section 22, T2S, R3E, 3<sup>rd</sup> P.M. Jefferson County, Illinois. Petitioning Party: Gary Price, Rebecca Price, and Douglas Price. Seconded by Council Member Joe Gliosci. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

### **ORDINANCES/RESOLUTIONS/MOTIONS**

Mayor Lewis stated regarding the next topic, the Council would now go to the citizen's comments section on this topic. He stated that he and the Council recognize the importance of hearing from the citizens on topics that the Council is considering. This is an opportunity for the Council to listen to the concerns of the citizens.

Dorothy Larsen spoke to the Council in opposition to the conditional use application filed by Cultivate Power for the Harper Creek, LLC project. She stated that this company was not in good standing in the State of Illinois from 5/1/2024 through 10/27/2024.

Sydney McGovern spoke next and stated there were many discrepancies in the application and that the Council should look at these discrepancies and consider them. She said that at the last meeting, the landowner stated that there are several areas on the property that hold water. If the solar company has the ground leveled, what happens to the water? She also stated that in the first application Assistant City Manager Nathan McKenna whited out something and made a change on the application. Is he authorized to write on the application? Is there a time frame when this has to be completed?

Council Member Donte Moore asked about the water levels and the drainage. Ms. McGovern stated that if the solar company fills the low areas with dirt, the water that normally sits on the property will drain into the creek and cause more flooding on Dodds Street.

The next speaker was Tammy Winkleman. She stated that the citizens have spent countless hours conducting research and they have found multiple inconsistencies and issues between the application and the presentation given by Cultivate Power during the zoning board meeting. They have also presented concerns regarding the possibility of fire hazard due to the proximity of the surrounding neighborhood, concerns about drainage issues, the two different applications

received from FOIA requests, and the questionable character of the company. She stated they have received pushback when trying to receive answers to their questions.

Lisa Lynn spoke next. She had questions regarding the cost of a subscription for a 10% decrease in their power bill. She also questioned the development of the property if the solar company is just leasing the property.

Laura Seidel was the next speaker. She stated that she owns the ground across from the proposed solar farm property, which they rent out to local farmers. She is enthusiastic about the project and progress in our community. She is supportive of new renewable energy.

Dan Lucas spoke to the Council. He has attended both meetings and drove out to Veterans Drive to look at the property in question. He stated there is a lot of traffic on Veterans and believes that this is not going to look good for the City.

Bernardo Urdaneta, Project Developer with Cultivate Power, stated that his company has worked diligently with the property owners and the City officials to meet standards. Based on input, they have left room for future development. They have tried to go above and beyond, including sending letters to the neighbors, addressing the drainage issues, and talking with the fire department about fire concerns. They understand the concerns and have tried to address all of them. Regarding the application that was submitted, he has spoken with Assistant City Manager McKenna regarding the concerns and the application has met all requirements. Mr. Urdaneta stated that he continues to make himself available to citizens to address any questions.

Mayor John Lewis then asked City Manager Mary Ellen Bechtel to present the next item on the agenda.

City Manager Mary Ellen Bechtel presented an Ordinance Granting Conditional Use for a Commercial Solar Facility on Veteran's Memorial Drive. Petitioning Party: Harper Creek Solar, LLC. This project was presented before the Planning and Zoning Commission and was approved 3-1-1. Three were in favor, one opposed and one abstained.

**Council Member Joe Gliosci motioned to approve the Ordinance #2024-40, an Ordinance Granting Conditional Use for a Commercial Solar Facility on Veteran's Memorial Drive. Petitioning Party: Harper Creek Solar, LLC. Seconded by Council Member Donte Moore.**

City Council Member Mike Young asked about the 8 foot fence that would be surrounding the solar field. Mr. Urdaneta stated that the panels are about 12 to 15 feet high, depending on the ground, when in maximum tilt. The purpose of the fence is for security. They are proposing a

vegetative screening. Young stated that he believes this matter needs to be tabled so there can be more discussion.

City Council Member Joe Gliosci asked a question to City Attorney Jeff Howard regarding the corporation not being in good standing. Attorney Howard stated that this typically means that the annual report was not timely filed. It does not dissolve the corporate entity. He understands that the corporation is now in good standing and that the annual report has been filed.

City Council Member Ray Botch asked when the project would start. Mr. Urdaneta stated that if passed, they expect to start construction at the end of next fall (2025) or early next spring (2026). Botch asked if this was dependent on getting approval for a grant. Mr. Urdaneta stated no, it is not dependent on other funding.

City Council Member Gliosci asked Attorney Howard in order for the transaction of the purchase of the land to happen, what due diligence needs to be done. Attorney Howard stated that the company is purchasing the property, and the land transaction can occur between the parties.

City Council Member Young asked how ZebraWood, Cultivate Power, and Harper Creek all fit together. Urdaneta stated that Cultivate Power is the parent company, Harper Creek is the project LLC, and ZebraWood is another project that is being developed. At one point, it was considered to have ZebraWood issuing the bond, but it will most likely be Harper Creek.

Council Member Gliosci asked if, for example, in three years they wanted a transfer of ownership, what would that look like. Urdaneta stated they have done a cost study which was submitted with the application, and they will have a bond which meets the City's requirements. The City will have recourse to that in the event that the project stops producing power or at the end of the project.

Attorney Kyle Berry, Attorney for the project, stated that the Ordinance applies to Harper Creek, LLC. If they decided to sell the property and the project, the permit would go along with whoever buys it. The benefits and all the liabilities of the permit would go along with it.

City Council Member Botch asked if Cultivate Power and/or Harper Creek have the funding for this project. Urdaneta stated that they have the structure for private funding after the project is approved.

City Council Member Gliosci asked if the new federal administration coming in changes the incentives for solar, would that kill the project. Urdaneta stated that he doesn't see a scenario where this project would not be built because of changes in energy policy.

City Council Member Gliosci asked how this project would help the citizens of Mt. Vernon. Urdaneta stated that this is considered a community solar facility. The power will go into the distribution grid, as opposed to the high voltage transmission grid. That will resolve in savings in the overall grid and help avoid costs in the power grid. Because of that, the program at the State of Illinois level was designed so that people can subscribe to community solar farms, obtaining a 10% discount on their power bill. There are no subscription fees and there are no exit fees. The State of Illinois designed the program to encourage people to adopt solar.

City Council Member Young asked if there has been an environmental study on this job. Urdaneta stated that they had to consult a number of agencies at the state and federal level. The Illinois Historic Preservation Office, the Illinois Department of Natural Resources, the Federal Aviation Agency, and Department of Agriculture. This project application has been submitted to all of these agencies and each one of them has reviewed the information and the project cannot move forward unless they have obtained concurrences from all of those agencies.

City Council Member Moore stated that he knows this neighborhood and he has interest in this project. He had three major concerns. The two biggest concerns were the water/flooding and the fire issue. He has spoken with the Fire Chief Yenne, and he feels that there is a sound plan and this took care of his concerns on the fire issue. Secondly, he spoke with Assistant City Manager McKenna and City Engineer Brad Ruble about the water issues. Moore stated that he understands that the solar company has to follow the plan, and they cannot cause more water to this property than is currently there. If the company is not following the plan and things aren't up to code, that's when the City steps in.

City Council Member Moore also asked if the 250 foot buffer includes the 50 foot right-of-way off of Veterans. Assistant City Manager McKenna stated that the 250 feet does include the 50 foot right-of-way.

City Council Member Moore spoke to Dan Lucas' comment that the City is aware of the traffic issues on Veterans and are looking at widening the road.

City Council Member Moore asked again if this project has anything to do with federal monies or federal incentives. Attorney Kyle Berry stated that there are federal tax incentives available for any solar project and to the extent that the project can take advantage of those, it will. They are not getting a grant but would probably take advantage of any tax credits.

City Council Member Gliosci asked about the 250 feet for commercial development. Urdaneta stated that there are no specific projects in mind, but they would be open to opportunities, however, their main focus at this time is the solar project.

City Council Member Moore asked if the company would have to go back to Planning and Zoning if they want to put solar on the remaining acres. City Manager Mary Ellen Bechtel stated that it is restricted by the Ordinance and the wording of their conditional use. They are not allowed to come back and put solar on the remaining acreage.

City Council Member Young asked what will happen if new federal administration comes in and says they are not giving any incentives. Urdaneta said they believe that if the new administration would make changes and go back to investment tax credit levels and rolls back everything that has happened with current administration, they believe they would still have a viable project.

City Council Member Moore asked City Engineer Brad Ruble a question regarding the water issue. Ruble stated that they have to provide a stormwater retention analysis of the project site. Once the City receives that, they will review the preconstruction runoff and the postconstruction runoff. If there is any difference, the City would require a detention basin, in order to make the runoff the same or less than the preconstruction. Ruble stated that on most projects, the City gets a site plan and the different departments involved would get together and discuss all the issues and send back to them with comments. If the company does not respond to the comments or make changes as the City sees fit, the City does not issue a permit.

City Council Member Gliosci asked Assistant City Manager McKenna about the application which has been brought up by several people. McKenna stated that there was no deception. There were two documents that were referenced. One was the Illinois Department of Agriculture and there was a discrepancy in the size of the acreage. One says up to 32 acres, some of the other documents where it appears says approximately 34 or 35 acres. On the Illinois Historic Preservation documents, the section number is wrong. It should be Section 31, and they have Section 21 on it. As far as the actual zoning application, McKenna stated that it is his handwriting and white out on the application. This was before they came in and filed it. The other application that they had received in the FOIA request was one that came in the book before they filed the application. These are considered supplemental documents to go with the application.

Ms. Winkleman asked why she didn't get the packet when she sent in the FOIA. McKenna stated that he didn't know the timeline, however, everything has been included. The application that is being questioned they received was before it was filed. The mistakes were caught and changed before they were filed. Winkleman asked why there are numbers at the top of the application that are different. McKenna stated that if she is referring to the number at the top of the application, that is an ID for the e-signatures that were put on the application. They have nothing to do with the City's zoning application.

City Council Member Young asked if our attorney has confirmed that the paperwork and zoning application is in order. City Attorney Jeff Howard stated he has reviewed the application, and it

is the application that Assistant City Manager McKenna is referring to and that was filed on September 27, 2024. Attorney Howard stated that the application does meet the City's requirements.

Mayor Lewis said if nothing further, this would go to a vote.

**Yeas: Botch, Gliosci, Moore, and Lewis. Nay: Young.**

### **MAYOR**

Mayor John Lewis presented for the advice and consent of the City Council the Reappointment of Glinda McChristian to the Minority Affairs and Human Relations Commission.

**Council Member Donte Moore motioned to accept the Reappointment of Glinda McChristian to the Minority Affairs and Human Relations Commission. Seconded by Council Member Joe Gliosci. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

Mayor John Lewis presented for the advice and consent of the City Council the Reappointment of Stephanie Bailey and Nathan McKenna to the Police Pension Board.

**Council Member Joe Gliosci motioned to accept the Reappointment of Stephanie Bailey and Nathan McKenna to the Police Pension Board. Seconded by Council Member Donte Moore. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

### **CITY COUNCIL**

City Council Member Donte Moore stated he was proud of the citizens getting involved, even though this didn't turn out the way they hoped.

### **VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE**

Walter Nadolski asked why Mr. Moore hadn't addressed the tax issue. He feels if the Council passes this, the City will be getting more tax money. Council Member Moore stated he doesn't have the answer to that. City Manager Bechtel stated this would be evaluated by the tax assessor and then all of the taxing bodies would levy, and the levy is paid based on what Equalized Assessed Value (EAV) is. The County will set that amount, and the City becomes a taxing body. Bechtel stated it would be about \$4,000.00 a year according to the county taxes.

Ms. Winkleman stated that they went back fifty years, and the property was not county. She asked how in 2016 the City just changed the property. Attorney Howard stated that this was a



matter that was found out at the assessor's office at the county level and corrected. Mayor Lewis said it was never part of the City.

Dorothy Larsen asked if there has to be two readings on this Ordinance. Mayor Lewis explained that this is the second reading. The zoning meeting is considered the first reading.

Sherry Lucas spoke about the appearance of the property. She asked about the fencing and vegetation. Mr. Urdaneta stated they were proposing a woven wire fence, however, they will use the type of fence that is suggested by the City. She also asked about shrubbery and vegetation on the Veterans Memorial Drive side of the project. Mayor Lewis answered there would be and that the landowner would be responsible for taking care of that.

Dustin McKinney spoke next. He has been to both zoning meetings and this council meeting. His concern is the growth of the City. He doesn't think this is proper planning and that it is not good for the growth of the City.

Pam Byrd spoke next and said she had two questions. It is her understanding that this is county property and then if so, why is City involved. Mayor Lewis stated that the City controls 1-1/2 miles outside the city limits for zoning matters. She then asked how old the solar company is. Urdaneta stated the company was founded in May or June of 2022.

### **EXECUTIVE SESSION**

None.

### **ADJOURNMENT**

**Council Member Joe Gliosci motioned to adjourn. Seconded by Council Member Donte Moore. Yeas: Botch, Gliosci, Moore, Young, and Lewis.**

The meeting was adjourned at 8:26 p.m.

Respectfully submitted,



Becky Barbour, Deputy City Clerk