

**REGULAR MEETING OF THE LEXINGTON CITY COUNCIL****July 25, 2022****7:00 P. M.**

The regular meeting of the Lexington City Council was called to order at 7:00 P. M. by Mayor Spencer Johansen in the City Council Chambers at City Hall.

Mayor Johansen led the council in the Pledge of Allegiance.

Roll call was taken to find the following physically present: Mayor Johansen, Alderwoman Wilson, Alderman Mattingly, Alderman Franklin, Alderman Richard, Alderman Stover and Alderman Little absent. Members of the staff and public present were: Tom Kinsella, David Belvery, Joshua Martin, Steven Kolat, Abbie Painter, Lisa Koelsch, Weston Gresham, Shelby Gresham, Logan Kolat and Steely Alexander.

It was moved by Alderwoman Wilson and seconded by Alderman Franklin to approve the minutes of the July 11, 2022 regular and closed sessions of the City Council meeting. Motion carried unanimously.

It was moved by Alderman Stover and seconded by Alderman Mattingly to approve the Treasurer's Report and paying of the bills in the amount of \$96,385.41. Motion carried unanimously.

**Public Input:** Josh Martin wanted to bring to the council's attention the sidewalk in front of 301 N. Oak Street. He was not sure of the correct channels to go through to get the two dead trees removed and the sidewalk repaired. The tree's roots have the sidewalks heaved up and they are dangerous and are the worst sidewalks in town. He would like a target date as to when they will be replaced. Alderman Mattingly will look into this.

**Old Business:****Swearing in New Police Officer - Steven Kolat**

Motion was made by Alderman Richard and seconded by Alderwoman Wilson that we officially hire Officer Steven Kolat. Motion carried unanimously.

The new police officer, Steven Kolat, was sworn in by one of his childhood friends, Wes Gresham. He starts at the academy at the end of August.

**Discussion/Vote CO-CU Church Request**

The public works guys were not really in favor of the idea of getting rid of this piece of property. They feel it would give them a lack of storage space for their trailers and other outside equipment and no room for gravel or room to turn equipment around. They do have some area out by the Water Plant and Sewer Plant but that is not convenient.

The council would like to know more about the church's intentions. Are they going to sell the church and have services in the Blacksmith shop? Are they going to have a garden area? The Mayor reminded everyone that when they had a garden in the lot across from their church it turned into a mess and we had to threaten them with an ordinance violation to get them to clean it up. He felt we did not want to go through that again. He doesn't know how strong the church is. He doesn't want to see them sell the Blacksmith Shop with the property that we gave them.

How much work is it going to take to make it a nice area? And whatever we give them it may be more effort for them to keep up.

Why don't we ask them to bring us a proposal of what they want to do and what it is going to cost. Drainage is a problem back there. Maybe we start out with half if they come back with a decent plan. They may come back and say they need TIF money and there is no guarantee that they are going to stay. This talk about moving the church has been going on for a long time.

Alderman Stover feels that if we have property now and the city employees feel they need it we should keep it for now.

There is no need to give them anything until their building is ready for church.

At the end of the discussion consensus was that we should wait and revisit after they get moved and get their building ready to sell. They have roof issues and need to make improvements inside. Table for a year or building is sold and see what their plans are.

Motion was made by Alderman Franklin and seconded by Alderman Richard to table until further notice. Motion carried unanimously.

#### **Discussion/Vote Property Management Ordinance 2022-5**

Alderman Wilson noted that the new ordinance section 23.31 stated that water billings shall either be in the name of the property owner, or in the name of the tenant with a guarantee of payment by the property owner pursuant to Section 251-7 of this code. We already have something in place for the deposit and fine.

Alderman Mattingly's suggestion is for when the tenant pays his rent that the water bill stub goes to the property owner. It was felt this would be an agreement between the tenant and landlord.

The question was asked how we are going to let the public know about the ordinance, and are we going to include commercial property? Thoughts were to have a meeting and invite the public. We do know most of the rentals and who owns them. We could also put something out on social media.

Motion was made by Alderwoman Wilson and seconded by Alderman Mattingly to approve Ordinance 2022-5: Property Management Ordinance. Motion carried unanimously.

### **Discussion/Vote Block Party Regulations**

Mayor Johansen provided a form that could be picked up from City Hall that he had gotten from the City of Bloomington. The application is ready to fill out with contact information as to who is having the block party. It has a petition to go around the neighborhood for people to sign to make sure everyone is ok with it. It says no alcohol or loud music.

Motion was made by Alderwoman Wilson and seconded by Alderman Franklin to table this vote. Motion carried unanimously.

### **Discussion Only Sales Tax**

Alderman Franklin started this discussion by stating that inflation is at 9% and we need to figure out a way for our revenue to keep up. An increase in sales tax might be an answer. We need to see legally what we need to do to raise it ¼% and how we go about switching to home rule. We need to research the opportunities we have.

Alderman Stover thought this was a great idea. We are not getting much from the fuel tax.

Mayor Johansen stated that home rule communities can increase sales tax rate in .25% increments not to exceed 1% but to become a home rule community we would need to hold a referendum seeking the voters authorization to raise the sales tax rate prior to the passing of an ordinance on the next ballot. The city would need to pass an ordinance/resolution at least 79 days prior to the election on which the question will be placed on the ballot.

This would be a good solution to not raising property taxes but he does not want to mislead the residents. It is almost too late to get it on the ballot for November but there is time to get it on the ballot for the April 2023 election.

With the increases in the NiCor and Ameren bills last month, the Water Plant's Ameren bill was \$1,000 higher, maybe we need to think about adjusting water rates as well. We haven't raised property taxes in a while, we need to look toward the future. Raising sales tax would affect out of town people.

Rough guesstimate is that it would increase revenue by \$60,000-\$100,000.

Alderman Stover felt we were in pretty good shape right now as far as paying off our loans and building up some savings we could initiate our own subdivision.

Alderman Franklin and the Finance Committee will follow up with this. If we decide to do a referendum we want to make sure we ask for enough.

**New Business:****Discussion/Vote Mayor Attending ILML Annual Conference**

Mayor didn't go to this conference last year and would like to go this year. There are several informative courses he would like to attend and anyone else is welcome to attend. He needs to lock in his reservation for his hotel.

Motion was made by Alderwoman Wilson and seconded by Alderman Mattingly to approve Mayor Johansen attending the ILML Annual Conference September 15-17, 2022. Motion carried unanimously.

**Discussion/Vote Ordinance 2022-6 Appropriation Ordinance**

Motion was made by Alderman Stover and seconded by Alderman Richard to approve Ordinance 2022-6: Appropriation Ordinance. Motion carried unanimously.

**COMMITTEE REPORTS:****Mayor's Report:**

Mayor Johansen reported on the following items:

He has had a meeting about the new subdivision with Charlie Farney and Carey Davis. Carey is interested in pursuing the subdivision and is able to do the infrastructure himself. That should be a substantial cost savings but we may need to step in and help a little. We need housing desperately.

Kevin Birlingmair is handling Parker Kemp's property now and advised that we needed an easement from the solar farm before a subdivision could go in out there. He reminded Kevin that that 300 acres was within the city limits and the solar farm needed the city's permission before they put in any solar farms there. He doesn't think he was aware of that. The price of that land has gone up from \$18,500 an acre because farmland has gone up.

When we approve a subdivision we should approve a house on every lot. Then the builder could come in with 10-15 house plans at \$260,000. Don't tell them what the lot is worth.

Charlie Farney has expressed an interest in doing apartment complexes first. The plus side to that is we start gaining the property tax off of that as soon as the tax bills start to come out.

The Judith Murray case is in front of Judge Yoder waiting on a court date. They are doing some cleaning up but it is not fast enough. The tree is coming down on the 29th.

Sue Davis is moving into Commerce Bank at the end of this week selling dresses out of there the first week of August.

He had an interview with a radio station and several business owners. He is not sure yet when it will air. Lexington is being dubbed as one of the progressive communities in McLean County. The brewery is doing excellent and all the restaurants are doing well and seeing an increase in business since they have opened.

He has had a couple of calls from people wanting to open businesses in town but he has no place to put them.

The Coffee Trailer is doing a huge business in the Kinsella lot.

The Coffee Hound ditch area between the block building and the Fire Department has been cleaned out and they had no water over the weekend. They still need to get some gutters, issues with the front door and get a mason to fix some cracks. They did not take down the retaining wall. Roasting equipment will be in sometime in August and the roasting business will move in sometime in September. Next is to get the drive thru open and work on the dining room.

We have received the first check from the county for \$125,000.

He put a post on facebook that we were going to start cracking down on properties. He is asking council members to ride your wards and make a list of the ones you have in question and give it to the chief to check out. He can determine if it is an ordinance violation or not. We have some properties in town that need to be addressed. Alderman Richard has a form he will use and will send it to everyone.

He would like to start a program like a yard of the month highlighting someone's yard. We will not give out anything.

The grocery store is now selling meat from Chenoa Locker. That is their only source of meat.

Our attorney did not see any reason that we were obligated to keep paying the railroad agreement. She sent something to them saying that and we have not heard anything. We are going to block off the property where it goes underneath our building but stay on our property.

He did send an email to the railroad complaining about the weeds along North Street and on Main Street off of the fenced in area.

Terry Bittner is still interested in putting up a building on Main Street. Dennis still owns that lot next to DaT Bar or he could put something up between the old bank and the grocery store, possibly a strip mall. Sue Davis will not need a lot of parking and he could sit it back from the street.

He also wants to get a date for the painting on the Kinsella building.

He told the radio station that we couldn't do what we do without the council that we have and the businesses that are good for each other.

**Police:** None

**Building/Insurance** Alderman Franklin reported that they are going to get insurance quotes every other year.

**Finance /TIF** None

**Water/Sewer/Sanitation**

None

**Street/Alley:**

Alderman Richard reported that they are working on something to change the city alley easement to Tom Kinsella's building. He is under the impression that it was vacated to him. We will use the same plan we used a year ago for the Fire Department. It was felt it probably was vacated to him but was never recorded.

Alderman Mattingly asked about the sunflowers on Main Street. The homeowner had said if there were complaints they would take care of them. They came up wild and the homeowner did not plant them. The city has gotten some complaints about them. Alderman Mattingly will talk with the homeowner.

There being no further business, a motion was made by Alderman Mattingly to adjourn at 8:23 P.M. Motion carried by unanimous voice vote.

Respectfully submitted,

Pati Pease

City Clerk

Approved: August 8, 2022