

**REGULAR MEETING OF THE LEXINGTON CITY COUNCIL****October 11, 2021****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, Alderman Stover, Alderman Little, Alderman Richard, Alderman Mattingly, Alderman Franklin and Alderwoman Wilson. Members of the staff and public present were: Kenneth Sours and Mike Cotter.

It was moved by Alderman Mattingly and seconded by Alderman Stover to approve the minutes of the September 27, 2021 Appropriation Meeting with one change. Motion carried unanimously.

It was moved by Alderwoman Wilson and seconded by Alderman Mattingly to approve the minutes of the September 27, 2021 regular city council meeting. Motion carried unanimously.

It was moved by Alderman Stover and seconded by Alderman Franklin to approve the Treasurer's Report and paying of the bills in the amount of \$388,398.83. It was noted that this amount included EPA payments. Motion carried unanimously.

**Public Input:** Mike Cotter thanked the Building Committee for meeting with the Fire Department.

**Old Business:****DISCUSSION/VOTE - TO PROCEED WITH VACATING ALLEY/EASEMENT BETWEEN THE FIRE DEPARTMENT AND COFFEE HOUND**

Aldermen Franklin, Little and Wilson met with Mike Cotter with the Fire Department this past week.

They wanted to see where the boundary for the alley was and where to move the existing power pole. They were also looking at drainage issues for the Fire Department. The power company could move the pole to a location along Chestnut Street but is reluctant to do so.

The Coffee Hound does not have plans to build on their lot which would leave access for the power company to get to their pole through their property but the problem of drainage still needs to be addressed.

The Building Committee's recommendation is by resolution to give the alley to the Fire Department with two stipulations. One to retain an easement to make sure we have access to

the drain line and two, make sure that for 20 years if that power pole needs to be moved the Fire Department pays for half of that cost.

Alderman Richard is worried that drainage from the block wall will flood the Coffee Hound property and feels that there is something wrong now with the drainage pipe. Mike Cotter stated that they put the pipe in and it is only 20 feet long and it is a 6 inch sewer line. He thinks the city is going to put more manholes on the corners and put the pipe underground. They are thinking of putting all the gutters into one pipe and then putting them underground into one line.

Alderwoman Wilson remarked that it had rained before they were there and there was standing water in the Coffee Hound's lot but it was not from runoff.

There was some discussion of which way the runoff would run, north or south and how that will affect the buildings especially if there is a big rain.

Mayor Johansen would like to see a drainage plan for the new addition and if they are going to be doing some asphaltting where that will be, he assumes that will run into the alley or easement and that will create more of a problem. The fact that the city can not get any equipment in because of the retaining wall may necessitate the alley being widened from the north end to solve the problem of access. That would solve the problem of access for Ameren, as well. If the Coffee Hound puts gutters up, the water has to run somewhere. He thinks in the future there will be more water created than there is now running in the ditch. That needs to be considered. Another consideration may be that the tile that runs under the railroad tracks can only handle so much.

Alderman Richard would like to see some kind of a plan for drainage.

Mayor Johansen remarked that Farnsworth and Bill Elias think it is not a good idea to do much with the tile that runs under the railroad tracks. They do not want to put new tile underneath the tracks.

There is another tile that comes out of the south side of the Fire Department and onto Chestnut Street that is full of rock and runs toward the railroad tracks. It is a small tile and may be abandoned.

We would still have the easement and the power company would have an easement. Can we just give them permission to build?

The Fire Department stated that they have to own the property before they can build. The Fire Department feels that if there is an easement they would still need to come to the city everytime they wanted to do something.

Mayor Johansen stated that the way the easement is drawn up is if we pass an ordinance and vacate the alley we still have the easement in that alley. There are no specifications. According to the attorney no one can build on the easement.

The Fire Department is just trying to make it clean so there is no problem in the future.

There was much discussion on drainage of the area and who is responsible for access to the property. The city felt they did not want to give up their easement and if they did Ameren would still have an easement.

It was felt that we can but the power company still has an easement. They need 14 feet to get to the power pole and we may need to widen the alley and take part of the retaining wall out to give them access. That's why they wanted to move it to the north end.

There needs to be more work done on the drainage and something put in on the south end for drainage. It will be the Fire Department's responsibility if they put up a building and the tile can't handle it.

Mayor Johansen will check with our attorney to see if we can vacate the south 120 feet without an easement. He doesn't feel comfortable giving it up just for the drainage. If we have a lot of rain, we will be the ones who will need to fix it and they will not be able to get equipment in there.

As long as we have drainage we still have easement. Ameren still have their pole and their easement.

The Fire Department needs to measure and see if 120 feet is enough.

Mayor Johansen would like to see plans as to where the Fire Department intends to run the drainage for the gutters, etc. for the new addition.

Motion was made by Alderman Franklin and seconded by Alderman Mattingly to table this item until the next meeting. Motion carried unanimously.

**New Business:** None

#### **COMMITTEE REPORTS:**

**Mayor's Report:** Mayor Johansen reported on the following items:

He has met with BP about their expansion plans and they are trying to figure out how to bring into phase one which is the expansion of the pumps. Phase two which would be a hotel and another fast food is to begin one year after phase one is complete. There are some issues as to how much property they are going to annex into the city. They are waiting on Evan's attorney to get everything in place.

**Police:** Alderman Richard reported that Brick Technology is working with Chief Belvery getting security straightened out.

He reported that the newly hired police officer has passed everything so far.

**Building/Insurance** None

**Finance /TIF** None

**Water/Sewer/Sanitation** Alderwoman Wilson reported that Billy Dubois has had money set aside for 2022 to clean the inside of the Water Tower. It only needs a little work now and we can hold off an additional two or three years. We only need to clean a little rust on the top. He does not have an estimate yet but the work will not be done till next year.

**Street/Alley:** None

There being no further business, motion was made by Alderman Franklin to adjourn at 7:41 P.M. Motion carried by unanimous voice vote.

Respectfully submitted,

Pati Pease

City Clerk

Approved: Approved October 25, 2021