

## REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

October 14, 2019

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 Schreiber, Alderman Colclasure, Alderwoman Wilson, Alderman Stover and Alderman Franklin with Alderman Richard absent. Members of the staff and public present were: Chief David Belvery, Don Cavallini, Dottie Pignotti, Jon Kemp, Judy Thomas, Kenneth Sours, Lucy Loper, James Scott, and Joe Kemp.

It was moved by Alderman Colclasure and seconded by Alderman Franklin to approve the minutes of the September 23, 2019 meeting. Motion carried unanimously.

It was moved by Alderman Stover and seconded by Alderwoman Wilson to approve the treasurer's report and pay bills in the amount of \$419,105.75. It was noted that this figure included the loan payments for the water and sewer loans. Motion carried unanimously.

**Public Input:** Lucy Loper from the Public Library handed out their annual report. It was a condensed version from 18 pages down to four graphs. Their tax base is the same as the school districts which has a population tax base of 2,945 with active library card holders of 992. Their circulation numbers for the last year, including books, DVDs, Audio books, magazines, puzzles and games, and e materials totaled 19,049. Should be proud that the library is being used.

Alderman Franklin noted that it is also being well maintained.

Dottie Pignotti was wondering if there would be a town meeting on the cannabis so more citizens would have an idea of what may be going on. Mayor Johansen advised her that depending how the vote goes tonight, both the Planning Commission and Zoning Board of Appeals will have public hearings. Dottie commented that the attendance at the City Council meetings was very poor. Mayor Johansen asked her how could we get more people to attend? It has been discussed at five council meetings, it is posted in front of City Hall, on the web page and Doc Cavallini has written it up in the Lexingtonian numerous times.

Alderman Wilson stated that she has reached out to residents, whether they are in her ward or not, to try to get some feedback. Dottie just wonders if residents know what is going on.

Judy Thomas stated that she had written a letter to the editor of the Lexingtonian so people would know what was going on and wanted to know if people had brought their slips into City Hall. Alderwoman Wilson stated that if they don't read the council minutes in the paper they probably didn't read Judy's letter either. Judy thought there was some confusion between the medical marijuana and the oil and what is going to be sold in Lexington. Judy stated that Jon's supply was coming from Colorado. Jon Kemp clarified that after January 1 his supply must come from Illinois. Alderwoman Wilson stated that Judy had mis-quoted her in her letter and that she did not say marijuana does not cause a high and that was misstated in your letter. What she said was there is no high from CBD oil.

Mayor Johansen wanted to make some comments on Judy's letter to the editor. She suggested that she did not believe that the council members had not done their homework and he disagrees with that. There were some mis-statements in the letter that tells everyone we don't know what we are doing, and we do. She stated that the City does not need any more tax money or any more money because we have a sewer system in place and Water Plant is finished our Main Street is improved and new trucks and mowers. While all that is true, neither of those systems are paid for. We have \$13M in loans just for the sewer and Water Plant. They will not be paid for until 2036. If it wasn't for the TIF district we would not be in this position and that ends in 2032 and we still have one loan to continue to pay on. Main Street does look nice, but there is a lot of work to be done on it and on a lot of the streets. We bought a new dump truck, it was \$160,000 with a snow plow. All that adds up and you need to maintain it. We need to bring new residents to town, we have to bring businesses to town, or property taxes will go up and no one wants their taxes to go up. We are doing what we can to keep property taxes down. Some of disagree on what type of business we should bring in town doesn't mean it is right for everybody. I have had people approach me in support of this but the reason they have not come forward is that they don't want to be stereotyped for fear people will call them a pot smoker. But there is support out there.

The state has done their homework. He believes the state has done a lot of research before they passed it. He believes that some of these concerns should have been taken up with the state before it was passed. I appreciate everyone's comments and we need to get more people to the meetings. We don't hear anything until something is approved or passed. That's when we get all the comments. He feels everyone in the room shares a desire to see Lexington grow and improve as the years go on.

Judy had hoped Mayor Johansen could answer the question as to why we needed the money because in her opinion we can come up with a better idea than selling marijuana if we really need the money, given some time. She will write another letter to the editor regarding that because that is why she came tonight to see if you honestly needed the money.

Mayor Johansen stated that we are not desperate for money that one business in general. We need businesses in town and we need homes in town. The state has passed this and it is the law now. Just because some people don't like the idea we should not think about it. We

should automatically say no because some people don't like the idea. We have to think about it. Someone approached the council and we have to address it. Who is going to pick and choose what business we bring to town?

Judy replied that we have enough brain power in the town that if you want money to come to the town we should have a public meeting to come up with a better idea for the money we need rather than bring drugs into our community. People come to town for our school. There are no drugs in our school like there are in the Bloomington/Normal Schools and she feels the cannabis dispensary will keep people away and not bring people in. We did this when the school needed money. There was enough money here to keep our school. We can do that for this too. Let's brainstorm and find a better way. Drugs is one way to do it, there has got to be a better way.

Jon Kemp asked if she was opposed to the bar business, alcohol? Judy answered that alcohol was worse to which Jon answered that as of January 1, it is the same.

Alderman Wilson commented that there are four places that sell alcohol in town. What's the difference between alcohol and marijuana? She has never heard of anyone smoking a joint and getting mad and killing someone.

Judy asked if she had read her research paper where marijuana damages the brain. Alderwoman Wilson responded that was in brains under 25. That study was on young adolescents and the law is 21.

Judy replied that she is not a City Hall knocker. She is not up here complaining about everything. Her kids are all grown. Judy is here for the children of the town. To her the 21-24 year olds are going to be the biggest customers of a cannabis dispensary. You can't do it without causing damage.

Alderwoman Wilson cited an article that was given to them to read that stated that older people and memory loss, stated that marijuana taken in small doses actually increases memory.

Alderman Colclasure stated that he has a lot of information and is looking at a lot of different things including the amount of time it is going to take an officer off the street. Keeping an eye on the distribution of the dollars that the state tenders. There is a lot that we don't know yet.

Joe Kemp hears the word drug here a lot tonight. From his point of view, anything that messes with the brain and becomes addictive, whether physically or psychologically, could be considered a drug. Right or wrong, we sell drugs in Lexington in many different forms. Alcohol is one, coffee has caffeine is another, nicotine. Are you going to do away with all the coffee shops after January 1? Cannabis will be a legal product to sell. There are a lot of products that are an addiction that are out there now.

Mayor Johansen reminded everyone that when this moves to the Planning Commission and the Zoning Board of Appeals there will be a public hearing in which everyone can speak pro or con.

## **Old Business:**

### **Discussion/Vote Employee Manual**

Mayor Johansen commented that this is an electronic copy of the IML Employee Policy Manual updated for the City of Lexington.

Motion was made by Alderwoman Wilson and seconded by Alderman Stover to accept the Employee Manual with certain corrections as printed. Motion carried unanimously.

### **Discussion/Vote on Motion to Direct the Preparation of Amendments to the City Zoning Code and Request a Hearing Before the Planning Commission Regarding Regulation of Cannabis Dispensary**

Mayor Johansen stated that this is a formality for the Planning Commission to make a recommendation to the Zoning Board of Appeals to change the zoning code. Then the Zoning Board will make a recommendation to the City Council for a conditional use permit. This is one way to control what comes into town. There will be one within the city and it will be our decision.

Motion was made by Alderman Stover and seconded by Alderwoman Wilson to approve the preparation of amendments to the City Zoning Code and request a hearing before the planning commission regarding regulation of a cannabis dispensary. Motion carried unanimously.

### **Discussion Surplus Property Update**

Alderman Franklin had not heard from Brandt and there was no update on the surveys. He had hoped to hear the second week of October.

### **Discussion/Vote To Accept Bid for Surplus City Equipment**

There was one bid for Billie's water truck of \$7,250 from Daniel Leake. There was a minimum of \$7,000. The council needs to decide whether to accept the bid, decide not to sell or decline the bid. Alderman Stover had someone he wanted to follow up to see if their snow plow would fit on it.

Motion was made by Alderman Colclasure to accept the bid of \$7,250 from Daniel Leake for F250 truck. For lack of a second the motion died.

It will be on the agenda at the next meeting how to dispose of the truck.

### **Discussion/Vote To Allow Bids to be Released for Construction of Douglas Drive North**

Mayor Johansen reported that the county had approved the design study and we need to move forward with getting the bids so we would know how much the road was going to cost.

Casey's has applied for their building permit and it was approved and sent back to them along with the bill. The closing was delayed but they will be moving forward with it.

Motion was made by Alderman Stover and seconded by Alderman Franklin to allow bids to be released for construction on Douglas Drive North. Motion carried unanimously.

**Discussion/Vote on Recommendation from Police Committee to Hire Robert Gunther as a Part Time Police Officer**

Alderwoman Wilson reported that the Police Committee had interviewed Robert Gunther for the position of part time police officer and are recommending him for the position. If approved, he will start at the Police Academy in January, 2020.

Motion was made by Alderwoman Wilson and seconded by Alderman Colclasure to hire Robert Gunther for the position of part time police officer. Motion carried unanimously.

**Discussion/Vote on Resolution 2019-4: Retail Grant Agreement with Envy Fitness, Mike Whalen**

Mayor Johansen reported that this was a formality and was moved up due to the fact that the opening date of the fitness center was moved up a month. There are a few misspells on the form that will be corrected before signing.

Motion was made by Alderman Stover and seconded by Alderman Franklin to approve Resolution 2019-4: Retail Grant Agreement with Envy Fitness, Mike Whalen. Motion carried with four yes and one abstain.

**New Business:**                      **None**

**Committee Reports:**

**Mayor's Report:**                      Mayor Johansen reminded everyone that the city Halloween Party was October 27th from 2-5 p.m. at the Lexington Gym and they would need council members to help serve hot dogs and clean up.

Checker's is coming along slow but sure.

He has some meetings coming up on the subdivision next week.

He has another potential new business coming on Main Street.

**Police:**                                      Chief Belvery reported that they are moving along on the policy for officers and the use of cannabis. We have met with our employment attorneys from the insurance company. They will have some model guidelines to look at soon.

**Building/Insurance:**                      Alderman Stover reported that he had had a call from the health insurance carrier and the premium was going to increase 5% for the next year. He felt this was not a bad increase. He will transfer the information over to Alderman Franklin.

**Finance/TIF:** None

**Water/Sewer/Sanitation:** None

**Street/Alley:** Alderman Colclasure is meeting with Bill Elias about a property on Cherry about sidewalk drainage. They will have to go out and look at it.

Bill DuBois has had back surgery and is doing well. He took the insurance adjuster out to the Water Plant today for the claim when the lightning struck. Should be back to light duty next week sometime.

There being no further business a motion was made by Alderman Stover to adjourn at 7:40 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

By Pati Pease

City Clerk

Approved: October 28, 2019