

## RE-SCHEDULED MEETING OF THE LEXINGTON CITY COUNCIL

Monday, February 8, 2010

The re-scheduled meeting of the Lexington City Council was called to order at 8:00 p.m. by Mayor Mohr in the City Council Chambers at Lexington City Hall.

Roll call was taken finding the following physically present: Mayor Mohr, Alderman Brill, Alderman Cole, Alderman Fiero, Alderman Miller, Alderman Revelle and Alderman Winterland. Members of the staff and public present were: Kristin and Geoffrey Powell, Jessica and Nathan Miller, Dave and Dawn Schneider, Dan Freed, Sue Vincent, Josh Martin, Cody and Emily Ketelsen, Linda Benedict, Mary Beth Wright, Dan Walker, and Bob Kohlhasse.

It was moved by Alderman Winterland and seconded by Alderman Revelle to approve the minutes of the January 25, 2010 City Council meeting as presented. Motion carried unanimously.

It was moved by Alderman Winterland and seconded by Alderman Revelle to approve the Treasurer's Report and authorize payment of bills in the amount of \$16,711.66. Mayor Mohr reported that the City revenue projections for the last quarter of the fiscal year indicate a general fund shortfall of approximately \$93,400, due to the general decline in the economy.

### Public Input:

**1)** Josh Martin, living in Ward 2, has a concern about drainage issues in that ward, which he feels are causing basements to flood. He proposes that the City hire someone to send cameras through the existing tiles to determine if past work on gas and fiber optic cables in the area has damaged tiles and exaggerated the problem. Don Revelle will work with the Street Department to research this issue.

**2)** Jessica Miller, Dan Freed, Kristin Powell, Dawn Schneider, Linda Benedict, and Nathan Miller each in turn presented concerns regarding the City's position on a decision to name someone to serve as Chief of Police. Much discussion followed, which was predominantly in support of Dave Schneider being allowed to serve as Chief. Since this topic is later on the agenda, Mayor Mohr asked council permission to take items out of order and proceed with the discussion. Citing a one-time supplemental bonus given to Schneider and Edmunds, limiting overtime and part-time hours, and the above-mentioned drop in general fund revenues, combined with the fact that sewer financing is taking precedence, the City has refrained from making a decision on the position of Chief of Police. Alderman Brill, Chair of the Police Committee, commented on informal meetings he has had with police staff. Alderman Fiero, member of the Police Committee, asked to hear from Dave and explained her feelings that the position should be opened to application. Schneider commented on his willingness to serve as Interim Chief and keep department operating until the end of fiscal year 2008-09. He appreciated the bonus, but felt that more time had elapsed in that position than he had thought it would, and he would like to have the job of Chief on a formal basis.

### Old Business:

**TIF Development/Professional Service Agreement Ordinance:** Dan Walker, representing Tom Jacob & Associates, was present to discuss the proposed TIF Amendment and Professional Services Agreement. Alderman Winterland, Chair of the Finance Committee, noted that the committee had met to go over the proposal, and would like to see the proposed annual administration fees reduced if possible. Mr. Walker agreed that given the size of Lexington, a reduction could be accommodated, although the firm would like to be given the option to return at a later date as the TIF grows and prospers and ask for a fee adjustment. It was moved by Alderman Cole and seconded by Alderman Winterland to adopt **Ordinance 2010-3, an Ordinance Approving and Authorizing the Execution of Professional Services Agreement for the Amendment of Lexington TIF District I, Excluding the Administration of TIF District I.** Motion carried with 5 "yes" votes (Brill, Cole, Miller, Revelle, and Winterland) and 1 "Abstain" (Fiero). The revised Administration section will be sent to the City as soon as practical.

**Police Department Reorganization:** Alderman Brill stated that the Police Committee had met upon receiving Schneider's resignation as Interim Chief of Police. The committee had public input at that meeting supporting Schneider. The committee recognizes the need for a Chief, so have drafted an updated job description. They felt the department should consist of one Chief, one full-time patrolman and part-time officers as needed. They also decided to draft an advertisement for the position of Chief of Police. After

hearing all the discussion from the public, and taking into account the committee's work and the City's financial situation, it was moved by Alderman Miller and seconded by Alderman Cole moved to appoint Schneider as Chief of Police for one year - the salary to be negotiated between now and budget approval, to approve the proposed job description and use it as a performance evaluation tool. More discussion followed, with Mary Beth Wright expressing concerns with the police department, and Alderman Fiero explaining her feelings that the position should be opened application by anyone interested, including Schneider. Vote on the motion was delayed, as Mayor Mohr then announced that he had just this weekend become privy to personnel information that could impact the City's decision in this situation, and requested a motion to go into closed session to discuss a personnel issue. It was then moved by Alderman Cole and seconded by Alderman Fiero to enter a closed session to discuss a personnel matter at 9:30 p.m.

Open session of the Lexington City Council resumed at 9:47 p.m., with the Mayor and above-named council members in attendance.

**Police Department Job Descriptions:** It was moved by Alderman Brill and seconded by Alderman Fiero to accept the job description for Chief of Police as developed by the Police Committee. Motion carried unanimously.

**Police Department Reorganization:** Mayor Mohr asked Dave Schneider if he would take the position of Chief of Police if it was offered, and Schneider answered yes. Alderman Brill requested time to sit down with Schneider and go over the job description as just adopted. Alderman Winterland asked Schneider if he would be willing to work with the City if a salary amount was not set at this meeting, and Schneider answered yes. It was then moved by Alderman Miller, seconded by Alderman Cole, to recommend the appointment of Dave Schneider as Chief of Police for a period of one year, to begin on February 15, 2010, with the salary to be negotiated between now and May 1, 2010, implementing the Job Description for the position of Police Chief just adopted, and with regularly scheduled and documented performance review meetings, for that one year period. Motion carried with 5 "yes" votes (Brill, Cole, Miller, Revelle, Winterland) and one "no" vote (Fiero).

**Authorization to Advertise for the Police Chief Position:** Item dropped from agenda.

#### **New Business:**

**Sewer Project Resolutions:** Bob Kohlhase, of Farnsworth Group, was present to update the Council on the sewer project financing progress. The City is to be congratulated on the amount of grant money that will be coming – it is beyond their predictions, especially given the current financial turmoil in the State of Illinois. When all the numbers are added up, using the full Unsewered Communities Grant, an additional STAG grant, the ISU Department of Energy grant, the extremely favorable IEPA loan conditions, and TIF funds, it would appear that the monthly cost to homeowners, excluding the curb-to-house portion, will be within the City's projections. He then presented three Resolutions that must be passed this evening. It was moved by Alderman Brill and seconded by Alderman Revelle to adopt **Resolution 2010-1 Approving the Execution of the EPA Loan and Grant Agreements for the Sewer Project.** Motion carried unanimously by roll call vote. It was moved by Alderman Brill and seconded by Alderman Cole to adopt **Resolution 2010-2 Granting the Mayor Approval to Execute Contract Agreements for the Sewer Project.** Motion carried by unanimous roll call vote. It was moved by Alderman Fiero and seconded by Alderman Miller to adopt **Resolution 2010-3 Authorizing Notice of Awards and Notice to Proceed for Each of the Six Divisions of the Sewer Project.** Motion carried by unanimous roll call vote. A round of applause then followed for Mayor Mohr and his dedicated efforts in achieving this milestone for the City.

**Morris St Shed:** Mayor Mohr has been approached by an individual wanting to rent space in the Morris St. Shed for a short period (6 weeks). As long as insurance for stored material is satisfactory, the Council had no objections.

**Jaycees Class B Raffle License Application:** It was moved by Alderman Winterland and seconded by Alderman Miller to approve the Class B raffle license for the Lexington Jaycees Cash Bash event. Motion carried by unanimous roll call vote.

Due to the late hour, Mayor Mohr dispensed with the Committee Reports. There being no further business, it was moved by Alderman Miller and seconded by Alderman Winterland to adjourn at 10:30 p.m. Motion carried by unanimous voice vote.

Respectfully Submitted,

Margaret Quinley, City Clerk

Approved: 2/22/2010