

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

September 13, 2010

The regular meeting of the Lexington City Council was called to order at 7:32 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 Chief Schneider, Mike Beard, Donna Williams, Charles Koch, Lisa Evans, Attorney Julia Davis, Linda Benedict, Donna Good, and Rebecca Pentecost.

It was moved by Alderman Fiero and seconded by Alderman Brill to accept the minutes of the August 23rd, 2010 City Council meeting and the August 9, 2010 Police Committee meeting minutes. 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 \$31,878.30. Motion carried unanimously.

Public Input:

1. Julia Davis, an attorney representing Linda Benedict, spoke to the most recent offer made by Ms. Benedict in regards to the disposition of the ordinance violation case against her property at 1285 P J Keller Hwy. Ms. Benedict would like to have the City, at its expense, remove the dilapidated barn, remove the resulting debris and materials, restore the land in a reasonable manner and forego lien placement to recoup the expenses. Due to the fact that the Mayor had just received this offer in today's mail, this item was not on tonight's agenda. Following much discussion, this item will be placed on the agenda for the September 27, 2010 council meeting.

Police Chief's Report:

Chief Schneider reported that due to recent injuries suffered by Fire Chief Jim Berry, a mock emergency training drill being planned has been postponed to a later date. August police service included the following: 40 calls for service, 15 assists to other departments, 1 assist to Lexington by another department, 3 fire/rescue assists, 4 case reports, 1 arrest, 8 verbal traffic warnings, 3 traffic citations, 272 man-hours logged, 430 business checks, 1592 patrol miles logged, and no ordinance violations issued.

Old Business:

-TIF Request Review – Alderman Winterland has 2 TIF grant requests that he would like council discussion and decision on. **1.** Ron and Marlene Mann have presented one bid on repairs to the Post Office building at 301 W Main St – tuckpointing and parapet repairs at \$14,550. Winterland has not been able to reach Mr. Mann to discuss the project. Also in the light of only one bid, and the history of 50/50 cost-sharing on TIF projects, it was moved by Alderman Winterland and seconded by Alderman Revelle to deny the \$14550 request. Winterland will continue to try to contact Mr. Mann, look at the building conditions, and see if the Manns want to re-submit the request. **2.** Don Jacobs, owner of Bloomington Farm Management at 302 W. Main had previously made a \$7600 request (half of the estimated \$15200 project cost) for tuckpointing on the north and east sides of the structure – request being denied by the council earlier. His current request is for \$3800, which will allow him to do only half the project. After discussion, it was moved by Alderman Winterland and seconded by Alderman Fiero to approve this request. Motion carried by a 5-1 vote.

-Irrigation Site Grain Bin Compensation – Mayor Mohr has been unable to discuss this with FW engineer Bob Kohlhase, so will move this item to the September 27 agenda.

-Bright Stalk Wind Energy Proposal – Mayor Mohr has left a message with Robin Park of that company- this item will also be placed on the September 27 agenda.

-TIF District Amendment Update – Mayor Mohr has asked Alderman Winterland to review the list of proposed parcels involved in the proposed expansion – looking for accuracy and parcels that can be eliminated. Currently 3 areas that are undeveloped are the primary focus. Mayor Mohr and Alderman

Winterland have met with Lexington School officials and satisfied their concerns about district financial impact. Donna Williams asked how the TIF committee arrives at its conclusions about TIF expenditures and would like the council to consider allowing local business owners to either serve on the TIF committee, or serve as advisors to that committee. It was agreed that the suggestion had merit, so Mayor Mohr will be in contact with Tom Jacob and Assoc. to see if this is possible.

- **Code Supplement Ordinance** – Alderman Brill has spoken with representatives of General Code to see if the council must pass an ordinance each time a supplement to the code is received, normally twice a year. It was explained that this was not necessary, as each ordinance is already adopted by the council and made part of the electronic version as soon as is practical. Paper supplements are only prepared and sent for inclusion in print copies every 6 months. He has checked the electronic code to verify that the recent omissions in the fee schedule were now included, as well as recent legislation.

- **Storm Water Management Plan Update** – Mayor Mohr would like the Street Committee to set a date to review the Master Storm Water Management Plan that was done several years ago, and again look at it to determine a target area so that updated designs and cost estimates can be prepared. Current sewer work is finding areas that need to be addressed.

New Business:

- **Phipps/East Bowery Tile** – Alderman Revelle reported that sewer work on East Bowery from Orange St east has revealed tile that may be displaced or damaged. In checking the previously referred-to Master Plan, tile in that area was indicated at 72" – much larger than is currently in place, and beyond what City crews and equipment can replace. Street Supt Elias was unable to be at the meeting tonight, so Alderman Revelle did not have specific facts and figures. The requested Committee meeting will be scheduled before the September 27 City Council meeting, and the item will be on that agenda.

- **Main Street Closing Request** - Lisa Evan, representing Mary Beth Wright, explained a request to have E. Main St. closed between Cherry and Oak streets. A neighborhood block party is being planned for Saturday, September 18, and the street would need to be blocked from approximately noon-9:00 p.m. It was moved by Alderman Revelle and seconded by Alderman Fiero to allow this closure. Motion carried unanimously. Mike Beard agreed to drop barricades off on the preceding Friday for use on that Saturday.

Committee Reports:

Mayor – 1. Mayor Mohr thanked Margaret Quinley for her assistance in the recent 2010 Decennial Census. The City of Lexington, as a 2010 Census Partner, achieved an 84% mail participation rate, compared to the national 72% rate. The City has received a plaque documenting this achievement. **2.** In comment on the Benedict situation, Mayor Mohr referred to his surprise at the receipt of the letter discussed earlier in the meeting. Use of TIF funds can help shape Lexington so it can survive for the next 50 years and help keep the school here, so he encourages council members to consider requests and expenditures carefully. Just this week he has been approached by 2 major revenue producing businesses and a 3rd that is looking for considerable Main Street frontage. Completion of the sewer system will just increase these possibilities for Lexington. **3.** – Current update on sewer construction progress from Farnsworth Group is as follows: Div. A: Block for Wastewater Treatment Plant walls is being installed. Rip-rap is going in around primary and secondary lagoons, and the storage lagoon berms should be completed this week. Div. B: Wet wells and valve vault structures at each of the 5 locations are installed. Mobilization will begin this week to begin installing plumbing for valve vaults and wet wells. Div. C: Mobilization will begin later this month to finish installing 12" forcemain from the Wastewater Treatment Plant to the Irrigation Site. Div D: Installing services in Timber Ridge Subdivision. Installing forcemain to Timber Ridge lift station. Installing 8" sanitary sewer along Rt. 66. Div. E: Installing sanitary sewer along Cherry and Center Streets. Div. F: Waiting for harvest completion to pour concrete pads. System is scheduled to be delivered in late September. Mayor Mohr reminded the council that construction of the Irrigation portion of the sewer system must be built using City funds. The EPA excluded that portion from funding as they said it did not meet the competitive bidding requirement. Regardless of all the advertising, the City only received one bid on that Division. The City is hoping to use the STAG grant, awarded by Senator Dick Durbin, and a grant from ISU Farm to cover the costs. **4.-** The Unfair Labor Practice hearing has been scheduled for November 17, 2010. Although our City insurance carrier Illinois Municipal League Risk Management Association has initially said they will not cover

this costs associated with the matter, Patrick Murphy, of Miller, Hall and Triggs has said that they do have an obligation to do so.

Police Committee – The committee met tonight at 6:30 p.m. Alderman Brill will have minutes of that meeting ready for approval at September 27 City Council meeting.

Building/Insurance – **1.** Alderman Miller reported that Margaret Quinley has observed that the City may be duplicating some of the required bonds. Although bonds have been provided by a private firm, the Insurance provided by Illinois Municipal League Risk Management has bonding coverage for the Mayor, the City Clerk, the City Collector and the City Treasurer at no extra cost. As the private bonds come up for renewal, they will be allowed to lapse and make a small savings annually but still meet statutory requirements. **2.** Miller asked if he could quote the market valuation by a local realtor of 117 N Vine to individuals asking about purchase of that property. The Mayor reminded all that the City can sell that property by resolution, but that we have to get 80% of the fair market value, determined by appraisal.

Finance/TIF – None

Water – None

Sanitation – The City will be receiving a \$500 recycling grant from Ecology Action Center. This is down from \$1000 offered the last several years. Also, Alderman Fiero has had contact from Dan Winter of Allied Waste. He will be at the September 27 meeting to make proposals on use of totes for garbage collection similar to the ones currently in place for recycling.

Street/Alley – None

There being no further business, it was moved by Alderman Miller and seconded by Alderman Winterland to adjourn at 8:55 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Margaret Quinley
City Clerk

Approved: 9/27/10