

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

July 24, 2012

The regular meeting of the Lexington City Council was called to order at 7:40 p.m. by Mayor Mohr in the City Council Chambers at Lexington City Hall.

Roll call was taken to find the following physically present: Mayor Mohr, Alderman Cole, Alderman Higgins, Alderman Miller, Alderman Brill, Alderman Winterland and Alderman Revelle. Members of the staff and public present were: Melanie Kunkel, Don Cavallini, Jon Kemp, Starlette Torkelson, Jill Mohr and Mike Beard.

It was moved by Alderman Winterland and second by Alderman Miller to approve the June 25, 2012 council minutes as well as the July 9, 2012 council minutes. Motion carried unanimously.

It was moved by Alderman Winterland and second by Alderman Revelle to approve the treasurer's report and pay bills in the amount of \$83,566.83. Motion carried unanimously.

Public Input- None

Old Business:

Ordinance Amending City Code to Allow Video Gaming Terminals: The current City code prohibits all gambling devices and slot machines. The State of Illinois has passed legislation to regulate video gaming terminals and allows them in liquor pouring establishments and some fraternal organizations. A local code amendment is required to exempt video games from the City's prohibition. Alderman Miller, Alderman Winterland and Mayor Mohr noted that some of their constituents have voiced opposition against any form of gambling expansion. Jon Kemp argued that many residents and visitors to the community participate in various raffles and cash bash events which are all forms of gambling. Motion by Alderman Revelle and second by Alderman Higgins to approve Ordinance 2012-9 an Ordinance Amending the City Code to Allow Video Gaming Terminals. The ordinance does not expand any other forms of gambling. Motion carried unanimously.

Ordinance to City Zoning Code for Accessory Structure Size: The current code states that a resident can build an accessory building up to 750 sq. ft. A resident wanting to build a larger building would have to apply for a variance and bring their request to the Zoning Board of Appeals. In considering the amendment for this Ordinance, the Mayor asked the council to consider/vote on two separate issues which are contained in the same amendment. The first question is whether or not to allow the Zoning Board of Appeals to consider variations with respect to the maximum accessory building size in residential districts? This action corrects a technical deficiency in the City code for zoning administration. Alderman Brill and Alderman Miller feel, out of respect for neighbors in a community, a homeowner wanting to build an accessory building larger than the maximum size set forth in the code should have to go before the Zoning Board of Appeals for approval. This is also the Mayor's recommendation. Motion by Alderman Winterland and second by Alderman Miller to amend the city code to grant the Zoning Board of Appeals authority to consider variations with respect to the maximum accessory building size in an R-1 single family residence district. Motion carries with a vote of 5 yes, 1 no. The second question is whether or not to raise the existing size limit for an accessory building from 750 sq. ft. to a larger amount? Mayor feels the system in place allows any resident the ability to build an accessory building larger than 750 sq. ft. as long as they apply for a variance

and the question is considered by the Zoning Board of Appeals. Alderman Revelle and Alderman Cole feel 750 sq. ft. is no longer the average size of a garage and residents should not have to go through the variance process. Motion by Alderman Revelle and second by Alderman Cole to accept the change in maximize size of accessory buildings to 1200 sq. ft. as recommended by the Zoning Board of Appeals. Motion carries with a vote of 4 yes, 2 no.

New Business:

Confirmation of Collector Appointment: Mayor Mohr and current City Collector, Margaret Quinley, are recommending Starlette Torkelson as the successor for the full-time City Collector position. Margaret Quinley is planning for retirement in November. Hiring a replacement now provides for a smooth transition and was provided for in the current fiscal year budget. In addition to having the minimum requirements as outlined in the job description, Star was the clerk for the police department in Minooka, IL. She also acted as a general manager of a computer company whereby she gained experience with computers, computer networking and troubleshooting and all aspects of office management. Mayor feels she will also be an asset to the Police Chief, Dave Schneider, documenting code violations as well as assisting the city with updating the computer networking system in the future. Star attended the meeting and answered questions from several council members. Motion by Alderman Brill and second by Alderman Miller to confirm the appointment of Starlette Torkelson as the replacement Collector with a starting salary of \$30,000 and an immediate start date (July 25th). Motion carried unanimously.

Part Time Collector/Office Assistant: Mayor asked council members to consider an additional part time collector or office assistant to help/fill in if and when Star is unavailable or takes vacation and personal time. This decision will be postponed to a future meeting.

Septic Dump for Mark Killian: Mark has a floor drain in his shed he would like the city to connect to the sewer for “emergency” dumping of his sanitary business tanks. He also asked if the council would revisit their decision to discontinue dumping at the lagoons. The council does not want to allow the pipe connection in the event the business is sold and the new owner dumps unregulated material. Alderman Revelle feels the city should accommodate Mr. Killian’s business on an emergency basis; however, a previous vote by the council disallowed any dumping into the lagoons until the city is certain the WWTP is functioning properly. The City will provide a sewer connection for restroom plumbing in the Mark Killian’s building and decommission the existing septic tank.

Secondary Subdivision Feasibility Study: \$3,000 was added to the budget to allow a subdivision feasibility study for Stitcher Farm. Mayor is asking the council to allow a secondary subdivision feasibility study for 50 acres of land out by Martin Implement. Mayor is trying to get enough research on these properties to promote them to private developers and investors. Motion by Alderman Brill and second by Alderman Cole to approve the secondary feasibility study up to \$3,500 as long as it has not already been done by Parker Kemp. Motion carried unanimously.

Core Sampling on North Park Streets: Mayor feels that more data is needed to make a sound decision regarding North Park street improvements. He feels core sampling the side of the street not disturbed by the sewer installation will help provide enough information about the base material to accurately determine the costs of resurfacing. The Mayor is asking the Council to approve a proposal from TSC Environmental Engineering to core sample streets in North Park.

Motion by Alderman Winterland second by Alderman Miller to authorize up to \$3,000 to allow core sampling on the North Park streets. Motion carried unanimously.

Committee Reports:

Mayor: Bill Elias has estimated about 1100 linear feet of hot mix patch street repairs need to be done over sewer excavations. The negotiation of these repairs with Dawn Companies yielded 2 days of spray patching and 800 linear feet of milling and hot mix resurfacing. Farnsworth and city attorney, Mike Tibbs, have recommended that the city accept Dawn's offer. They believe there is a diminishing return from pursuing other legal remedies and performance bond claims that ultimately increases costs and reduces the amount of repairs that can be completed. Mayor went back to the Town of Normal and let them know that the city will accept all of their old office furniture/equipment.

Police: Alderman Brill sent a note to Dave Jenkins regarding the current code violations. Dave indicated that he has contacted Virginia Grady who says she is moving forward with the demolition. The deck behind the tanning salon needs to be condemned and Dave is working on that as well. Dave Schneider has been investigating some burglaries in the City. An arrest has been made and the paperwork is being processed. Some of the stolen items were recovered.

Building/Insurance: Alderman Miller arranged the appraisal of the old Wooden Hare building. It will be a couple of weeks before that appraisal will come back. Alderman Miller walked the property with the appraiser to show what needs to be separated.

Finance/TIF- Alderman Winterland left several messages for Mr. Althouse which were not returned. The sale of the building for the pizza restaurant closed today. They have indicated to Alderman Winterland that their next step is a TIF grant request.

Water- Alderman Cole asked Mike Beard if he could check to see if the level of the City's wells has been affected by the drought.

Sanitation- Alderman Higgins submitted a grant request to McLean County for a recycling grant.

Streets/Allys- Although Alderman Revelle did not have a report on streets/allys, he did ask about the status of the vicious dog ordinance. Mayor noted that the ordinance is still being worked on.

There being no further business, it was moved by Alderman Cole and seconded by Alderman Miller to adjourn at 9:35 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 8/13/2012