

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

September 10, 2012

The regular meeting of the Lexington City Council was called to order at 7:34 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 and Alderman Revelle. Alderman Winterland was absent. Members of the staff and public present were: Melanie Kunkel, Renette Althouse, Chris Noel and Don Cavallini.

It was moved by Alderman Brill and second by Alderman Miller to approve the August 27, 2012 council minutes. Motion carried unanimously.

It was moved by Alderman Revelle and seconded by Alderman Brill to approve the treasurer's report and pay bills in the amount of \$66,181.45. Roughly \$25,000 of this sum was a payment to McLean County Asphalt for street repairs above and beyond what was contracted by street restoration under the contract with Dawn Companies. Motion carried unanimously.

Public Input- Renette Althouse provided the council with a letter in rebuttal to the city's attorney's letter regarding the pending ordinance violation and summary abatement for their building at 429 West Main Street. She is asking the city to be patient with them as they decide on a course of repair. Though she could not give a definite timeline, she feels all work should be complete sometime within the next year. Mayor Mohr explained that three months was a sufficient amount of time for them to come up with a plan on how to close the front of the building and wrap up construction. Because of the long standing deteriorated condition of the building and the recent threat to public safety, the city will move forward with court filings to allow the city to complete construction if Mr. and Mrs. Althouse cannot provide a plan of action within 10 days of their receipt of the letter from the city's attorney.

Old Business:

Police Chief's Report: Police Chief, Dave Schneider, was unable to attend the meeting.

Driveway and Approach Construction Standards: Alderman Brill feels the council should move forward with enforcing the codes pertaining to the paving of driveways and approaches of homes and/or businesses built after September, 2004. He feels enforcement should begin with the city's new road on Orange Street. Brill feels the city's zoning officer should go through all the permits issued since September, 2004, inspect those properties, and issue code violations for those who are not in compliance. Alderman Miller feels the ordinance should either be abolished or should be effective for any residence/business with a rock/gravel driveway or approach, not just buildings erected after September, 2004. Alderman Miller noted that any rock or gravel driveway/approach has the same deteriorating effect on city streets not just those installed after September, 2004. Motion by Alderman Brill to have the zoning officer review his files and make a list of homes/businesses that are in violation of Chapters 190 and 300 of the city's code and send a letter to those violators providing them with 60 days to contact the city with a plan to comply. Violators who reply with a plan will be given 90 days to meet the code requirements. Those that do not respond within the 60 days should be issued a \$200 code violation and, anyone not in compliance within 90 days should receive a \$500 code violation. This motion fails for lack of a second. Alderman Revelle would like to see this code enforced on building permits

issued from this point forward. Motion by Alderman Brill to remove the Concrete Approach Chapters 190 and 300 of the city code. This motion fails for lack of a second. No action will be taken on this item.

New Business:

Disposal of Old Furniture from Council Chambers: Because of the city's recent furniture acquisition from the town of Normal, something needs to be done with the old council furniture. Mayor recommends that the city offer a desk and chair set for \$200 on a first come first served basis. Motion by Alderman Revelle and second by Alderman Cole to offer the old council desks and chairs as a set, for \$200 each on a first come first served basis until they are gone. Motion carries unanimously. Motion by Alderman Revelle and second by Alderman Miller to auction the old chairs used for the public during meetings at Koch's Auction House. Motion carries unanimously.

Public Salvage from City Owned Properties: Mayor has received requests from residents asking to salvage certain items from the city's newly purchased buildings at 116 and 114 Cedar and the old Jaycee Hall. Motion by Alderman Revelle and second by Alderman Miller to have a public viewing on September 22nd from 9am to 12pm allowing residents to submit proposals for non-structural components of the three city owned properties described above. Motion carries unanimously.

Household Hazardous Waste Collection Event Support: Mayor received a letter from the Ecology Action Center asking for a donation towards their Household Hazardous Waste Collection Event which is currently scheduled for September 29th. Motion by Alderman Revelle to donate \$100 to support the Ecology Action Center and the Household Hazardous Waste Collection Event. Second by Alderman Cole with the understanding that Lexington residents can participate in the drop off event. Motion carries unanimously.

Nicor Franchise Agreement: Mayor recommends passing the Nicor Franchise Agreement. Attempts to negotiate a shorter term for the contract were unsuccessful. This is just for the distribution of gas in the city right-a-ways. Motion by Alderman Higgins and second by Alderman Brill to adopt the Nicor Franchise Agreement. Motion carries unanimously.

Committee Reports:

Mayor: With regard to the transfer of the Scroggins Cemetery "Pole Yard", the Mayor scanned and emailed the survey to the attorney so that he can prepare the necessary documents to transfer this strip of land. Mayor is compiling questions for the planning commission and zoning board of appeals in an attempt to have one meeting for them to consider multiple requests. Resident, Charlie Wilder, is asking for a variance to add on an additional garage space to store his motor home. For the zoning board of appeals, Chuck Wright, Jr. is asking for an additional acre of land to be annexed into the city and is asking for a conditional use permit for this piece of land for rental functions. The planning commission will also have to meet to consider some subdivisions. Mayor is also going to ask the planning commission to reevaluate the uses allowed in properties zoned as B2.

Police: Alderman Brill sent a note to Mayor from his son-in-law regarding the problems with using a petromat when resurfacing Main Street.

Building/Insurance: With regard to Mr. and Mrs. Ryan's purchase of the old Wooden Hare building, Alderman Miller spoke with Mr. and Mrs. Ryan and they have decided to continue renting the building rather than purchase it as they were unhappy with the purchase price.

Because the council had previously approved the reroof of the building but held off for the pending sale, Alderman Miller will proceed with getting the roof replaced with the existing bid voted on by the council.

Finance/TIF: None

Water: None

Sanitation: None

Streets/Allys: Alderman Revelle was reviewing the MSA report regarding streets. He has found some either/or recommendations for North Park. One of the suggestions is recommending a double seal coat out in North Park. Mayor pointed out that the report provided was a cut/paste from the larger report which considers all streets in Lexington. Regarding complaints that don't get action, Charlie Koch has complained about gravel being washed away at the back of his building. Bill Elias and Alderman Revelle have decided to pour some concrete back there to see if they can control some of the erosion. Alderman Revelle also inquired about the lack of progress for the restoration of sidewalks disturbed by the sewer installation. Mayor recommends that Alderman Revelle and Bill Elias speak with both Tom Stacy and E.J. Hodges to see if they can work together to finish the job before the weather turns.

There being no further business, it was moved by Alderman Miller and seconded by Alderman Higgins to adjourn at 9:25 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 9/24/2012