

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

October 24, 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 Winterland and Alderman Brill. Alderman Revelle was absent. Members of the staff and public present were: Melanie Kunkel, Don Cavallini, Laurie Sleeter, Rick Althouse, and Renette Althouse.

It was moved by Alderman Brill and second by Alderman Higgins to approve the October 8, 2012 council minutes. Motion carried unanimously.

It was moved by Alderman Winterland and seconded by Alderman Brill to approve the treasurer's report and pay bills in the amount of \$28,381.53. Alderman Winterland questioned a bill from Koehler Plumbing and an invoice from Dan McDaniels for a table saw. Mayor Mohr reminded the council that the invoice from Koehler Plumbing was for the installation of a curb stop North of Barker Chevrolet for a water connection. Motion carried unanimously.

Public Input-None

Old Business:

Ordinance violation at 429 W. Main Street: Mr. and Mrs. Althouse sent a letter to all council members last week with their comments regarding the code violations. They feel they have completed all matters prior to the due date and should not be fined or charged for the city's legal fees. Alderman Brill acknowledged receipt of the letter but cannot follow the dates of progress proposed in the letter. Alderman Brill also cannot understand why the construction is not fully completed after all this time. Mayor commented that if a TIF application is submitted for these repairs then the City should have some input into what the repairs look like. Mayor also noted that the city has correctly exercised its authority based on the complaints from the building's tenants and guided by the municipal code. Mayor's recommendation would be to establish a fine, settle the ordinance violation and drop the case. Alderman Winterland feels the council did not give the Mr. and Mrs. Althouse enough prior warnings therefore no fines should be assessed. Motion by Alderman Cole and second by Alderman Winterland to charge the Althouses a \$100 fine and dismiss the ordinance violations. During discussion of the motion, Alderman Miller expressed his disagreement. Alderman Brill feels the \$100 fine is too light for the actions and expenses taken by the city. Alderman Brill introduced an amendment to the motion to increase the fine from \$100 to \$500. This amendment failed for lack of a second. The original motion passes with a vote of 4 yes and 1 no.

Ordinance Providing Pay Raises for Council Minutes: Clerk Melanie Kunkel emailed the council's question regarding a one-time bonus for Mayor Mohr in lieu of a pay increase to city attorney, Mike Tibbs. His reply was forwarded to all council members for review prior to the meeting. Alderman Brill communicated with Mr. Tibbs. Mayor Mohr requested this item be removed from discussion as he will not be running for the Mayor's seat in the next election so a bonus or pay increase on his behalf is not necessary.

Part-time Police Officer Contract with ICOPs: Motion by Alderman Winterland and second by Alderman Brill to approve the part time police officer contract with ICOPS. Motion carries unanimously.

New Business:

Appointment of Star Torkelson as Deputy Clerk: Motion by Alderman Cole and second by Alderman Brill to confirm the appointment of Star Torkelson as Deputy Clerk. Motion carries unanimously.

Ordinance Amending Ch. 135 to Prohibit Possession of Alcohol: Mayor proposes passing this ordinance but noted it would require that a fine be established that would be a deterrent. Motion by Alderman Miller and second by Alderman Brill to adopt Ordinance 2012-13 An Ordinance Amending Chapter 135 of the Revised Ordinances of the City of Lexington for the Purpose of Prohibiting the Delivery of Alcoholic Liquor to Minors or Possession or Consumption of Alcoholic Liquor by Minors. Motion carries unanimously.

2012-2013 Property Tax Levy: Property taxes have not been increased for five years since 2007. Mayor advises that a property tax increase should only be considered to pay for permanent increases in operating expenses. Currently, only an increase to employee salaries has a permanent effect on the City budget. Other expenses have remained flat. Mayor recommends keeping property taxes the same since increased sales tax receipts from new businesses, Dollar General and Subway, will help to offset the increase in personnel costs. Motion by Alderman Miller and second by Alderman Cole to leave the 2012-2013 Property Tax Levy unchanged. Motion carried unanimously. This will be the sixth year in a row that the City has not asked for more property tax revenue.

Committee Reports:

Mayor: The property owned by Susan Wright at 115 West Parkway will be sold in a Sheriff's sale in November. Asbestos reports and invoices are in for 114 Cedar, 116 Cedar and 305 W. Main Street properties. The asbestos inspection was roughly \$7,000. The proposed abatement for the Cedar Street properties is \$19,000. Mayor spoke to Bob Kohlhase regarding other avenues for asbestos abatement that will reduce the costs. Regarding the garage Jack Miller is buying, he met with Dave Jenkins who indicated that the setback for the Ameren utilities needs to be considered for the relocation of the garage to Jack's lot. Mayor is still working to get the zoning map onto the GIS website. Mayor drove the streets with an employee of MSA on October 20th. They are preparing the subdivision feasibility and street rating studies. The MSA rep. wanted to see the layout of the two parcels being proposed for subdivisions. Mayor worked with city staff to complete some performance goals and they are being reviewed. Mayor asked for a list of 4-5 items from each employee. He will eventually pass those on to the committee chairs. EPA loan payment is due November 4th. Mayor is still waiting for the final loan amendment and terms. This payment will be the same as was in April even though there was an additional \$1 million requested for reimbursement. The payment will be the same amount as in May 2012, approximately \$209,000.

Police: Alderman Brill has been working on code violations but is getting frustrated that the council picks and chooses which ordinances to enforce.

Building/Insurance: The shingles have been purchased for the re-roofing of the old Wooden Hare building, however, due to the cooling of temperatures, construction will be held off until the spring. Alderman Miller confirmed that the contractor will honor their quote for construction at that time.

Finance/TIF: Alderman Winterland received what he thought was a TIF grant application from the group putting in the pizza restaurant, however, there was no application attached. He has emailed the party submitting the documents and asked them to complete an application and resubmit.

Water: None

Sanitation: Alderman Higgins has not heard anything from Allied regarding a new contract. He has left messages for the representative. Mayor Mohr advised Alderman Higgins to leave it as is until they contact us.

Streets/Allys: None

There being no further business, it was moved by Alderman Winterland and seconded by Alderman Miller to adjourn at 8:50 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 11/12/2012