

SPECIAL MEETING OF THE LEXINGTON CITY COUNCIL

April 15, 2013

The regular meeting of the Lexington City Council was called to order at 7:35 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 Revelle, Alderman Winterland and Alderman Brill. Members of the staff and public present were: Melanie Kunkel, Spencer Johansen, Vernon Miller, John Lindenbaum, Connie Lindenbaum, Tim Tyler, Christopher Phelps, Dave Schneider and Lucy Loper.

There were no minutes ready for approval at this meeting.

There were no bills to be paid at this meeting.

Public Input: None

Old Business:

Police Chief's Report on Fine Revenue Analysis: Police Chief, Dave Schneider, was previously asked to produce a report on fines distributed by our police department. Dave noted that after some research, the report that would provide the most information is one that he will have to obtain from the County Clerk. At the next meeting Dave will have a total of fine amounts broken down by officer. He feels the discrepancy between fiscal years is because DUIs are down and people are getting smarter about speeding and driving violations. Alderman Brill feels the revenue drop is related to a drop in miscellaneous fines rather than DUIs which caused the \$7,000 discrepancy in fine collection from one fiscal year to the next. Mayor would like to examine the data to see if part time shifts need to be moved around to be more effective and noted a significant increase in verbal warnings without citations. Dave noted that things around town have been relatively quiet.

Garbage Can Complaints: Alderman Brill briefed the council on an amendment made to the city code last year relative to garbage cans. A night time police officer made a list of 46 homeowners who had left their garbage cans out longer than the ordinance provides. Alderman Brill recommends not fining these homeowners, rather, sending them a notice that they will be fined if it happens again. He recommends a \$25 fine for a first time offense after issuance of the letter. He would also like a reminder of the code noted in the city newsletter. Alderman Cole questioned what residents are to do when they go on vacation and asked Alderman Brill what he does with his cans when he is on vacation. Alderman Brill answered that he has a friendly neighbor who takes in his can if he is unable to do it himself. Alderman Higgins agrees with Alderman Brill in that 46 residents with garbage cans out past the allotted time is an issue that needs to be dealt with. John Lindenbaum discussed some issues he has continued to have with his neighbor's placement of garbage cans. Mr. Lindenbaum states that the neighbor's intentional placement of his garbage cans is causing the garbage truck to back into his driveway causing the surface to breakdown. Mr. Lindenbaum went on to describe other destructive behavior he feels his neighbor is guilty of. Mayor Mohr asked Mr. Lindenbaum to file any destruction of property complaints with the police department. Mr. Lindenbaum indicated that he has filed numerous complaints but that the police have advised him that he has to witness or have substantial

evidence that his neighbor is the responsible party in order for the police department to file charges. Mayor Mohr explained to Mr. Lindenbaum that if the city begins enforcing the existing code regarding the removal of empty garbage cans in a timely manner, it may alleviate some of the issue. Motion by Alderman Brill and second by Alderman Higgins to notify the 46 residents that the code clearly states the garbage cans have to be taken off city property and if it continues, there will be a \$25 ordinance violation which will be added to their next water bill as a separate fee. He is also asking that Section 183-6 be published in the next water bill newsletter. Motion tied with a vote of 3 yays and 3 nays. Mayor Mohr voted yay as a tie breaker. Motion carries.

Approval of Meadowridge Sewer Manhole Repair Expenses: Alderman Cole noted that the mainline sewer behind Mounce Automotive was broken during sewer construction. The city was unaware of the problem until a recent substantial rain added an additional 100,000 gallons of water to the WWTP. Motion by Alderman Cole and second by Alderman Revelle to approve the bid from Mid-Illinois for repairs to the manhole in Meadowridge in the amount \$5,280. Motion carries unanimously.

FY 2013/2014 Budget: Mayor Mohr showed the budget on the projection screen and noted some changes he has made. Some additions include a 15% increase in health care costs, \$825 for the year for 100 hours of part-time pay for a backup for City Collector, Starlette Torkelson, on sick days and vacation days. After all items are entered, there is a surplus in almost all funds. Mayor's recommendation is to approve the budget with the understanding that a portion of the surplus in the General Fund and the TIF fund will be pledged as repayment for some borrowed money to help with the costs associated with a new subdivision and other TIF redevelopment projects. He would recommend using \$50,000 from the general fund and \$25,000 from the TIF fund. Mayor is asking the council to pass the budget with the understanding that each department will set goals for the full-time employees to accomplish over the course of the year. Alderman Winterland and Alderman Miller both support goals for the employees. Motion by Alderman Brill and second by Alderman Winterland to approve the 2013/2014 fiscal year budget. Motion carries unanimously. Motion by Alderman Winterland and second by Alderman Brill to consider the 2014/2015 salary adjustments be based on personnel goal achievement for 2012/2013. All Aldermen noted that they understand the motion as made by Alderman Winterland. Motion carries unanimously.

Park District/Library Board Accounting Functions: The library board and the park district have contacted City Collector, Starlette Torkelson, and have asked her to provide some accounting assistance. Alderman Winterland has set up a meeting with Star Torkelson and Paul Peacock on behalf of the park district to discuss how the City could help the Park District with accounting and payroll functions. Mayor told Lucy Loper, representing the Library Board, that whatever accommodations are worked out for the park district could potentially help the library board as well. Lucy cannot attend the meeting but will see if the current treasurer can.

New Business:

Resolution Approving Jim Lindsay Subdivision: Mr. Lindsay is in the process of estate planning and would like to subdivide his parcel of land. The city has some jurisdiction because the Lindsay property is within 1.5 miles of the city limits. The county is asking the city to pass a resolution that states the council has approved the subdivision. Motion by Alderman Brill and second by Alderman Winterland to pass Resolution 2013-1, Resolution to Approve the Final Plat of the Lindsay Subdivision. Motion carries unanimously.

Annexation Ordinance-Chuck Wright Request: Because Chuck Wright, Jr. is not the registered owner of the property, more documentation is needed to show that he has authorization to make changes. This question will be forwarded to the May 13th meeting.

Rezoning Ordinance-Chuck Wright Request: This question will be forwarded to the May 13th meeting.

Ordinance Authorizing a Conditional Use (Amusement) in B-1 Zone for Chuck Wright: This question will be forwarded to the May 13th meeting.

Ordinance Amending Zoning Code for Permitted Uses in B-2 Zones: Car washes have not been clearly defined by our code to date. This ordinance would clarify where a car wash can operate in town. Motion by Alderman Revelle and second by Alderman Miller to adopt Ordinance 2013-1 An Ordinance Amending Paragraphs 300-49 and Paragraph 300-52 for the Purpose of Allowing Car Washes as Permitted Uses in the B-1 and M-1 Zoning Districts. Motion carries unanimously.

Ordinance Amending Zoning Code for Permitted Uses in B-2 Zones: This ordinance amends zoning for mobile home parks by deleting paragraphs from B-2 and R-2 zoning classifications that deal with trailer rentals, trailer sales and mobile home parks. Motion by Alderman Revelle and second by Alderman Brill to adopt Ordinance 2013-2 An Ordinance Amending Paragraph 300-50 for the Purpose of Deleting Certain Permitted Uses Related to the Sale and Placement of Trailers and Trailer Parks. Motion carries unanimously.

Annexation Ordinance – Mark Freed Property: Mark Freed is considering annexation of 40 acres into the city. There are questions about the property will be accessed after annexation. Currently, the only access to the parcel is through an IDOT frontage road. It's not likely that IDOT will not allow the use of their roads as a permanent entrance to a subdivision. There is still some research to do. Mark Freed will also need to make a proposal that will meet the city's subdivision standards as well.

Francois & Associates Proposal for Cedar St. Property: Mayor noted that he has been contacted by a commercial developer who is interested in the lots at 114 and 116 Cedar Streets where the City demolished two vacant houses. Mayor asked Francois to produce a plan that would be marketable to developers that would potentially give developers an idea of what the city would like a developer to build. Mayor emailed the proposal to council members. Alderman Brill and Alderman Miller feel the city should see what preliminary plan the interested developer can provide before the city pays Francois for a plan a developer may not use. Since the Mayor has a sound, interested party, Alderman Miller feels the city should hold off on paying for a plan until they see what this potential contractor has in mind. The Alderman would like to see some condominiums similar to those located across the street. The proposal was withdrawn without action pending more research.

Committee Reports:

Mayor: Mayor pointed out to the new Alderman in attendance that the city's cash on hand has nearly tripled in recent years allowing the City to invest in its infrastructure. Mayor noted that the council will be paid for four meetings this month as the code requires Alderman be paid per

meeting. The Mayor and the Clerk do not get paid per meeting. Mayor noted for the Street Committee that the alley beside the auction house has washed out again. Alderman Revelle noted that the street department is going to try to put some ground up asphalt back there. The only other option is concrete. Mayor is still waiting for Wirtz's attorneys to forward the redevelopment agreement for the council to review prior to the meeting on April 22. A couple of key points: The City's incentives are limited by the amount of TIF eligible expenses, how the property is assessed (which is defined in the agreement), the resulting property tax increment and the duration of the TIF district redevelopment plan. The agreement includes two promissory notes which have the same limitations. A copy of the document will be distributed as soon as it becomes available.

Police: -None

Building/Insurance: Alderman Miller noted that there will be a meeting with the city's health insurance broker on Monday, April 22nd at 5:00 pm. He is asking any city employees or Alderman who have questions or concerns with the health care being provided to attend the meeting.

Finance/TIF: Alderman Winterland is asking council members to email him questions they may have regarding the collector handling park district finances before his meeting with Paul Peacock.

Water: None

Sanitation: None

Streets/Alleys: Alderman Revelle noted that the County Highway Department will be here any day to fix the guard rail on Pine Street. He also noted that an old hobo shack that once resided in Lexington and was donated to the county historical society will be returning to the city. Alderman Revelle is looking for suggestions on where the hobo shack should be placed.

There being no further business, it was moved by Alderman Winterland and seconded by Alderman Miller to adjourn at 9:45 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 4/22/2013