

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

May 13, 2013

The regular meeting of the Lexington City Council was called to order at 7:33 p.m. by Mayor Mohr in the City Council Chambers at Lexington City Hall.

Swearing in of New Officers: City Clerk, Melanie Kunkel, swore in newly elected Ward 3 Alderman Christopher Phelps and Ward 2 Alderman Spencer Johansen as well as newly elected treasurer, Sue Noland.

Roll call was taken to find the following physically present: Mayor Mohr, Alderman Cole, Alderman Johansen, Alderman Miller, Alderman Phelps, Alderman Revelle and Alderman Brill. Members of the staff and public present were: City Clerk Melanie Kunkel, Mike Beard, Don Cavallini, Brittany Phelps, Leeah Phelps, Brittany Wisewp, Margaret Johansen, Elizabeth Johansen, Sue Noland, Bill Elias, Nelda Dodson, and Franklin Dodson.

It was moved by Alderman Miller and seconded by Alderman Cole to approve the April 29, 2013 Council Meeting minutes. Motion carried unanimously.

It was moved by Alderman Revelle and seconded by Alderman Miller to approve the treasurer's report and pay bills in the amount of \$59,654.24. Mayor Mohr indicated that he pulled the checks for the EMA spotters as some checks were issued to individuals who are no longer on the list of approved spotters. The checks will be returned to City Collector, Star Torkelson, who will review and void as necessary. Motion carried unanimously.

Public Input: Franklin and Nelda Dodson addressed the council regarding the condition of the building they rent for their tanning salon business 303 W Main Street. They are asking the council for help buying the building from Caroline Bird. The building is currently in such disrepair they are concerned they will have to close their business. The leaks from the roof and second floor apartment have spread to more areas within their business on the first floor. If the leaks continue to spread to the rooms with the tanning beds, they will have to close. Mr. and Mrs. Dodson brought pictures of the damage from the last rain. They have tried talking to the building owner but she has yet to take care of any of the problems. The city currently has a file open with pending ordinance violations. With the building's current foreclosure status, making an offer for purchase may be a difficult task but Mayor Mohr noted that the council will continue to pursue the ordinance violations in an attempt to help them with their problem.

Old Business:

Police Chief's Report: Mayor Mohr noted that Police Chief, Dave Schneider, had spent many hours today investigating some recent burglaries and was unable to attend the meeting. The Police Chief's Report will be carried forward to the next meeting.

New Business:

MFT Resolution: Street Superintendent, Bill Elias, provided council members with a copy of the Motor Fuel Tax Resolution for Maintenance of Streets and Highways by IDOT. He also provided council members with a map showing some of the roads he will be spray patching this summer. The resolution calls for \$61,000 of Motor Fuel Tax funds. This resolution does not

take into consideration some of the hot mix asphalt paving projects the staff had proposed for this year during budget discussions. Mayor indicated that the resolution can be amended at a later date if necessary. Motion by Alderman Revelle and second by Alderman Cole to approve Motor Fuel Tax Resolution 2013-6 in the amount of \$61,000.00. Motion carried unanimously.

Mediacom Franchise Agreement: Mayor did not have time to review the agreement proposed by Mediacom before tonight's meeting. This item will be carried forward to the next meeting.

Code Compliance – Concrete Driveways: Alderman Brill discussed the city's lack of enforcement of Section 190-17 as amended by Ordinance No. 2004-4 of the city code pertaining to driveways and approaches. The current code requires that all approaches constructed after 2004 shall have a concrete surface a minimum of 10 feet in length and at least as wide as the driveway it serves. Alderman Brill has driven the city and made a list of all addresses that currently do not comply with the code. He is asking council members to agree to enforce the code or eliminate it altogether. Alderman Miller reiterated that, knowing his family is one of the non-compliant residents on the list, his family has plans to place concrete beyond what the code requires on his property. As this topic was discussed last year, he noted that they are waiting for the surface to settle so any concrete poured will not crack later on. Alderman Miller reviewed the list of driveways in question and feels that some of the older driveways, which do not apply to the code, are in far poorer condition than any of the newer gravel driveways. He feels this ordinance should be removed from the code altogether as he feels it is punishing new home and business owners. Mayor Mohr noted that the driveways should be concreted before the expiration of the building permit. Alderman Miller cited that Orange Street is an embarrassment to the city as the gravel from the Martin Implement building has traveled out into the street causing it to be too narrow for more than one car and the current code does not provide for this drive to be corrected. Council members feel some of the responsibility lies with the unavailability of the code compliance officer. Motion by Alderman Miller and second by Alderman Cole to delete this section of the code. After further discussion regarding Alderman Miller's specific intentions, he withdrew his motion and asked for more time to consider a revision to the current code rather than a deletion. This topic will be carried forward to the next meeting.

Blocking the City Alleys: Alderman Brill discussed the ordinance pertaining to parking and blocking city alleyways. Alderman Brill is specifically referencing an alley between Anvil Brand Company and Group Tool. Because there is only one entrance into Timber Ridge, he would like to have that alley kept clear so residents would have a second entrance/exit to the subdivision in case of emergency. The city's code states that alleyways should not be used by residents as thru streets. Alderman Johansen feels this topic has been discussed for 15 years or more and feels the alley should be vacated by the city. Mayor Mohr noted that vacating an alley is not only a lengthy process but also fairly expensive and requires public hearings and a determination of who should receive the property being vacated. Alderman Phelps feels communicating with the business owner who is currently storing vehicles in the alley, asking him to keep the alley clear, would be a good starting point to fix this problem. Alderman Johansen concurs with opening a line of communication first. Mayor Mohr will speak with the business owner.

Committee Reports:

Mayor: Mayor has had meetings to advance five other redevelopment projects: the city owned vacant lots on Cedar Street, the old Jaycee Hall, the old National Welding manufacturing site and the lot between Subway and Dollar General. Mayor asked council members not to tie up the employee's time out in the shop and be considerate of the jobs they are trying to accomplish at this time of the year. Mayor also asked the water committee to keep on top of water shut offs as the council voted last year to discontinue the practice of allowing minimal payments in order to avoid having their water shut off. The owner of the BP Gas Station was convicted for selling illegal substances and is waiting sentencing. The Sheriff withdrew the asset forfeiture proceedings due to an existing mortgage loan on the property. The bank has filed foreclosure proceedings against the BP owner. The foreclosure is being appealed by the owner and the attorney noted that the bank could take possession within 4-6 months. Mayor indicated that all of the parties are interested in keeping the BP business open and operating. Mayor updated the council on the condition of City Collector, Star Torkelson's son. Two weeks ago he was diagnosed with a life threatening illness that has required his continued hospitalization at the Children's Hospital in Peoria. Sue Vincent, Jill Mohr and Melanie Kunkel have been covering for Star at City Hall, at no additional cost to the city, to allow her the time she needs to be by his side. Council was in agreement with that decision.

Police: -None

Building/Insurance: Alderman Miller noted that once Star is back in the office, they will proceed with setting up the online system for the city's health insurance. The insurance agent is asking to collect new health insurance applications from full-time employees to look for more competitive premiums.

Finance/TIF: -None

Water: -None

Sanitation: None

Streets/Alleys: Bill Elias met with IDOT and the railroad department regarding the high-speed rail. Any property that belongs to the railroad will be claimed and fenced by them.

There being no further business, it was moved by Alderman Miller and seconded by Alderman Johansen to adjourn at 9:32 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 5/28/2013