

**REGULAR MEETING OF THE LEXINGTON CITY COUNCIL**  
September 8, 2014

The regular meeting of the Lexington City Council was called to order at 7:30 p.m. by Mayor John 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 Miller, Alderman Johansen, Alderman Phelps, Alderman Revelle and Alderman Fosen. Members of the staff and public present were: Melanie Kunkel, Chase McCumsey, Jason Denham, Don Cavallini, Steve Whaley, Sue Noland, Brandon Fried and Mike Beard.

It was moved by Alderman Phelps and second by Alderman Fosen to approve the minutes from the August 25, 2014 council meeting with a change to the Fireside grant being 1/3 paid on or after January 1<sup>st</sup> (rather than 2/3) as well as striking the phrase “on the inside” from that paragraph. Motion carried unanimously.

It was moved by Alderman Fosen and second by Alderman Revelle to approve the treasurer’s report and pay bills in the amount of \$78,327.47, the majority of this is a payment for the new city truck. Motion carried unanimously.

**Public Input:** Steve Whaley addressed the council regarding DAT Bar’s street fest. He noted that the barricades were placed in such a manner that directed all traffic through the alley next to his house. He’d like someone to speak with them about moving the barricades to direct traffic down one of the streets instead of the alley.

**Old Business:**

**223 Prairie Ridge Drive Flooding Response Plan:** Jason Denham addressed the council regarding the sewage flooding in his home. Mr. Denham’s estimates of damage to date are \$24,262.96. Stark sent a \$5,000 payment to Menold Construction and Restoration to pay for the initial cleanup. He also contacted his homeowner’s insurance which covered \$4,500. He noted that it has taken 6 ½ weeks for Stark’s insurance company to contact him. Mr. Denham is asking for financial assistance from the city to alleviate their financial burden. He feels Stark and their insurance company are trying to shift blame and avoid paying for the repairs leaving Mr. Denham and his family with a home under construction and mounting repair bills. Mayor recommends the council grant a loan in the amount of \$14,762.96 at a zero percent interest rate. Alderman Revelle noted that he is on board with providing a loan but feels doing same will certainly open the city to a lawsuit. Mayor agrees but is optimistic that Stark will come through and do the right thing. Motion by Alderman Phelps and second by Alderman Miller to provide a zero percent interest loan in the amount of \$14,762.96 to Jason Denham to be repaid from future proceeds of the settlement of claims under investigation due to a broken sewer line near his property. Motion carried unanimously.

**Police Department Business:** Alderman Phelps will circulate a schedule of how police staff can cover hours based on research Chief Belvery did with towns of like size.

**Water Plant Filter Media Replacement:** Mike Beard received a price from All Service Contracting Corp of \$16,825 to replace the top 18” of media on the city’s water treatment filters with a fine anthracite which filters most of the dirt out of the city’s water. His hope is that this

will help clean the water until the city has a new water treatment plant. The entire media was replaced in 1997. Mayor noted that the city is 2 years away from a new water treatment plant. Mike is going to see if another company will do it for less. Motion by Alderman Cole and second by Alderman Revelle to approve repairs to the water treatment filters at a cost of up to \$16,825. Motion carries unanimously.

**Cedar Street Property Redevelopment Agreement:** Mayor circulated a redevelopment agreement between Bill Chaney and the city for construction of his apartment buildings on the city's vacant lots. The agreement has been redlined to show changes recommended by Mr. Chaney's lawyer. Mayor asked the council to review it and get back to him with questions, comments and/or concerns.

#### **New Business:**

**Barker Chevrolet Sales Tax Sharing Agreement:** Mayor circulated an existing Economic Incentive Agreement with Barker Chevrolet. Growth in the city has been slow but their expenses continue to go up. Mayor asked the council to review this old agreement but recommends keeping a 50% sales tax sharing agreement but extending it roughly 10 years which may help alleviate some of their financial burden.

#### **Committee Reports:**

**Mayor: Kemp's Upper Tap:** Mayor noted that September 22<sup>nd</sup> is the projected date when Kemp's footers and foundation will be poured. Mayor is still waiting for his lender to submit a letter of financing. **Commerce Bank Lot:** There were some typographical errors in the initial documents signed. Corrected documents have been signed and submitted pertaining to the city's purchase of this lot. **DAT Bar Street Dance:** Mayor received several complaints regarding inappropriate behavior around the bar during the street dance.

**Police:** Alderman Phelps heard that there were some disorderly conduct complaints during the street dance that were fielded by the on duty police officer. Mayor complimented the new chief on his efficient work to date and is very pleased with his initiative in meeting as many residents, business owners and school officials.

**Building/Insurance:** None

**Finance/TIF:** Alderman Fosen noted that he has seen a draft of the audit and it looks fine to him.

**Water:** None

**Sanitation:** None

**Streets/Alleys:** None

There being no further business, it was moved by Alderman Miller and seconded by Alderman Johansen to adjourn at 8:35 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 9/22/2014