

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL**June 11, 2018****7:00 P. M.**

The regular meeting of the Lexington City Council was called to order at 7:00 P. M. by City Clerk Pati Pease in the City Council Chambers at City Hall.

Election of Mayor Pro Tem: Motion was made by Alderwoman Wilson and seconded by Alderman Colclasure to appoint Alderman Fosen Mayor Pro Tem in Mayor Spencer Johansen's absence. Motion carried unanimously.

Roll call was taken to find the following physically present: Mayor Pro Tem Fosen, Alderman Schreiber, Alderman Stover, Alderman Colclasure, and Alderwoman Wilson. Alderman Richard joined the meeting at 7:20 p.m. and Mayor Johansen was absent. Members of the staff and public present were: Don Cavallini, John Mohr and David Belvery.

Mayor Pro Tem Fosen led the council in the Pledge of Allegiance.

It was moved by Alderwoman Wilson and seconded by Alderman Colclasure to approve the minutes of the May 14, 2018 regular City Council meeting. Motion carried unanimously.

Due to the fact that there was not a second meeting in May, there are two sets of bills in the packet. The last of May's bills total \$33,064.56 and the first of June's bills total \$59,410.54. It was noted that in June's bills was included the repair on the snow plow for \$13,368.94. Those will be turned into the insurance for payment minus the deductible. It was moved by Alderman Stover and seconded by Alderwoman Wilson to approve both sets of bills in the Treasurer's Report. Motion carried unanimously.

Public Input: John Mohr had two things he wanted to comment on that the council is considering and one request to bring before the council:

The first item of business was he thought the council was working on was on going meetings with Fred Moressette. I had a chance to talk with him recently and he is really very discouraged with what he believes is kind of what he believes is an attempt to get the TIF grant back from him. I guess I just want to ask you to think about how you work with him, I think there is a better way to get the business up and running rather than take that kind of approach. After all, the EAV on that property is up 50% since the agreement was written. I think we have made worse investments in the community than that. I think he has put everything he has in it to try and get going. Maybe he has bit off more than he can chew, I don't know, but I think it would behoove us all to create another destination type of business in the community and work with him to get that done. I just want to ask you to think about that as you have on going meetings with him and maybe there is a way to jumpstart that or stimulate it and still do it in the spirit of co-operation.

The next thing I just wanted to comment on is the surplus property, the buildings up at the City Park. While it might seem like a short term or easy solution to sell these things out right and grab some quick revenue from it. I guess I would like to caution you about that. Not that selling them is a bad idea, I think you may want to remove all the obsolete buildings first, otherwise, you could run into a situation, which we have experienced in town before, where you have an albatross which is no longer in the City's possession and can't ever touch it again . You can't encourage reinvestment in it or it is going to cost you big TIF money in the future. I wonder if the best solution isn't the one I presented to the council in the past, to clear those parcels and make them residential instead of commercial use. It is three blocks from the school and a quiet neighborhood. It would be a valuable way to treat that property and not have that risk of turning that over to someone at a low price who can't fix them, can't update them, can't take care of them and turn them into an eye sore and blighted condition.

The last thing I wanted to ask you to think about is really just kind of a request. I know every year you rent some equipment to do tree trimming and things like that around town. I wonder if it wouldn't be helpful to some businesses who are generating some significant sales tax to help them with some landscaping. What I am really thinking of here, is out by the highway here there is right beside Subway there are four trees that are all dead. There is another right in front of Dollar General that has lost half of it in the last wind storm. It turns out that their corporate office is away. Probably not local people managing the site are probably not going to get it cleaned up and maybe corporate will not do it either. It does not give a good impression of the community or pride in the community, to let those things deteriorate or makes it look bad. We have the resources and the equipment to take care of that even if you wanted to solicit volunteers on the weekend and use city equipment to clean those things up after talking to the owners to see if they are willing to co-operate you could make the community look a little better right away.

A question was asked about his comments about Fred Moressette.

John explained that was Wildwood Brewery up at the old Turnipseed building. If you have not seen what Fred has done up there I really encourage you to take a tour. Reach out to him. I suggested to him that you all could meet up there before a council meeting to see what he has done. He has really put a lot of money in it. High end hot water heater.

Alderman Schreiber says he has been in and he has a lot of equipment in there and has done a lot of work in there.

John said he did not know what the real stumbling block was but it was the type of situation that we really want to keep encouraging to happen the best you can.

Alderman Stover feels the problem is the lack of communication back from Mr. Moressette. He has been asked several times for information as to what is it going to take, when can we get this done, etc. and given a deadline and when we tried to contact him he was unresponsive. He did not respond at all.

John asked that the council go and see what he has done and keep trying because I think it would be a nice asset for the community when he gets it done.

Alderwoman Wilson asked if he had moved the freezer as he was asked to do.

Chief Belvery replied that it was moved to the inside of his building. The City allowed him the use of their trailer.

Mayor Pro Tem Fosen stated that he and Mayor Johansen have had some meetings with Fred and there are differences between the City and Fred and communication is probably the foundation of most of those differences. There is also some structural issues on how the grant was made and what it was made towards, who owns the building, those type things that need to be worked out.

Some of those things will need to be looked into but John would like to see the council find a way to make it happen.

Old Business: Alderwoman Wilson asked about an update on Casey's. Mayor Johansen was e-mailing them every week or two up until he went on vacation. They are studying the situation. They are interested in a decent size lot with some kind of road frontage. As Mayor Johansen described before he had discussions with the County Highway Department on what might be available for access and rather that would require a study.

New Business: None

Committee Reports:

Mayor's Report:

Police: Unit 16, the older of the two squad cars had some issues and had to be taken over to Heller Ford, they fixed it and one day later it was broke again with the same problem. We took it back over and they fixed it for good the second time. Part of the issue was covered under warranty and part of it we had to pick up.

There were no problems on any of the events. Red Carpet Corridor and the Carnival went well.

Mayor Pro Tem Fosen asked if Chief Belvery had his coverage lined up for Street Fest on July 14th to which Chief replied yes.

The Chief reminded the council that he was taking the last week of June off for vacation. He does have proper coverage and Justin Carter will be acting chief.

Building/Insurance:

Nothing on Building and insurance but Alderman Stover has been looking into a rail road quiet zone. He has looked up some information on line and does not have any information to present to the council at this time. Alderman Stover is interested if the rest of the council agrees the people are interested in doing this. Alderman Stover believes we are subject to the cost of any rail road expenses that are involved, but he doesn't think there would be much in the way of cost because all of the upgrades are already done in the way of barricades and the fence which would all be considered.

There is a quiet zone and then there is a partial quiet zone which runs from 10 p.m. to 7 a.m. This would be something that we could consider down the road.

It was asked how that would work. Alderman Stover explained that the city would need to work with the rail road and they would not blow their whistles as they come thru town during the quiet hours.

The only thing Alderman Stover was unsure of was if they had an automatic signaler that fires the whistle or if the engineer blows the whistle. Alder Schreiber stated that the engineer blows the whistle. If it was an automatic warning that needed to be shut down and there was expense there. Alderman Schreiber says that is not the case.

Alderwoman Wilson brought up the safety question. Would the city need to pay some sort of liability insurance. If the lights and gates are working that should cut down on the liability and there should be some sort of a failure.

Alderman Schreiber stated that the rail road dispatcher located in Omaha knows our history and whether these gates are working or not.

So don't expect to never hear a train whistle should one of the gates fail or they notice something like that they will blow the whistle.

Mayor Pro Tem Fosen thinks this is a topic that the city should know the issues on before there is any money spent on the proposal. After more discussion on historical fatalities, gates and fencing within the city, OSMs, other cities with quiet zones and what would be involved, Alderman Schreiber was asked to gather more information about coordinating this with the rail road.

Finance/TIF:

Alderman Fosen needs to begin working on the Approbation Ordinance. He hopes to have that done for the first meeting in August.

We have had a meeting with Fred Moressette and he feels there will be more.

The question was asked about the roof for DaT Bar. Alderman Fosen said the owner is trying to nail down contractors. When he gets his contractors then Mayor Johansen will sign the agreement. Alderman Fosen has told Mayor Johansen that we are not going to let

that one set. We have an agreement that specifies that he has 90 days to get the work complete.

Water/Sewer/Sanitation: None

Street/Alley: None

There being no further business motion was made by Alderman Stover to adjourn at 7:26 P.M. Motion carried by unanimous voice vote.

Respectfully submitted,

Pati Pease

City Clerk

Approved: June 25, 2018