

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

August 12, 2019

7:00 P. M.

The regular meeting of the Lexington City Council was called to order at 7:00 P. M. by Mayor Spencer Johansen in the City Council Chambers at City Hall.

Mayor Johansen led the council in the pledge of allegiance.

Roll call was taken to find the following physically present: Mayor Johansen, Alderman Schreiber, Alderman Colclasure, Alderman Richard and Alderman Franklin, Alderwoman Wilson and Alderman Stover. Members of the staff and public present were: Chief David Belvery and Don Cavallini.

It was moved by Alderman Colclasure and seconded by Alderwoman Wilson to approve the minutes of the July 22, 2019 meeting. Motion carried unanimously.

It was moved by Alderman Stover and seconded by Alderman Franklin to approve the treasurer's report and pay bills in the amount of \$58,300.62. It was noted that this included \$5,000 for the website design. Motion carried unanimously.

Public Input: None

Old Business:

Discussion Illinois Cannabis Act

Mayor Johansen wants to keep this on the agenda to keep the discussion open. He feels he will know more after he attends the IML Conference in September and we will need to vote on this sometime after that.

There was a lot of discussion on what the guidelines should be for a dispensary and what part the City should play. Should they be licensed the same as a liquor license. Alderman Colclasure will not approve a dispensary in the downtown area and believes they need to be 1500 feet from a residential area.

Mayor Johansen thinks the state's guidelines will be strict enough and if we do this like we did the liquor license, if it is a year license and we don't like the results of it, we don't need to renew the license.

Alderman Stover thought we should wait until the state came out with their guidelines and then work off of that. Mayor Johansen feels he will know more after the IML Conference about

what the state is going to do and how they are going to regulate it. From what he has read, they are going to be pretty strict.

It was noted that El Paso has voted against it and maybe we would get more comments now. We know law enforcement is against this and the mayor of El Paso is a state trooper. Mayor Johansen does not think that should affect our opinion. We need to keep doing our research.

Should there be a 3% local tax as allowed by the state plus we will receive sales tax as well. We have never done that on alcohol or gasoline.

Mayor Johansen thinks it will be a different class of people coming to town to buy cannabis and will also stay to shop and eat in Lexington. He wants to keep discussing this until we are ready to vote on this.

New Addressing Update

Mayor Johansen reported that there were 140+ address change letters mailed out with the change date of September 1st. There was an incidence in Timber Ridge with six addresses that were mis-numbered. There has not been much negative feedback. People were told that this was a state law that was passed down to the county that was passed down to us.

On the streets that needed to be renamed we were able to just drop the Ridge. The new street signs are already in and will be put up on September 1st.

Bradon with the county said that Lexington is really on top of this more than any other town he has worked with and we have had very few complaints. It has been in the Lexingtonian enough that residents were well aware that this was coming.

Disposition of Surplus Property

Alderman Franklin recommended that we proceed with getting the property surveyed to split up the properties around the Park, mainly the buildings where the trucks are kept from the old Water Tower, police cars and the Water Plant and the Salt Shed into separate parcels. He would like to test the water and try to sell the salt shed.

It was suggested that he check with Tom Shields first to make sure he has not done anything. It was also suggested seeing about getting another surveyor besides Farnsworth.

If we put them out for bids we are not required to accept the bids.

The question was brought up about where the council stood on the chicken status.

There was some discussion as to how to go about solving the request for chickens within the city limits. Alderwoman Wilson thinks we should take the same position that Bloomington has taken, the neighbors need to approve the owning of a chicken coop.

Mayor Johansen thought they may be violating the zoning rules and would need to apply for a variance in the zoning from the Zoning Board of Appeals. Changing the variance of the zoning requires posting in the paper. Then the Zoning Board would make a recommendation to the council. We could vote to keep it as it is but not tonight.

Bloomington has a code enforcement officer and we can't ask the police to go by and say you have too many chickens and you must get rid of one.

New Business:

Set Closed Session Minute Review

This is something that we have to do. Aldermen Richard and Stover will set a date to do this.

Discussion/Vote on Variance Setback for the Addition of a Back Yard Setback for Terry Brown at 113 Diane Drive

Mayor Johansen explained that the Zoning Board had their meeting earlier this evening and the Zoning Board of Appeals recommends that we grant the variance based on condition of utilities company not having easement that will impact the building permit to erect a garage. Don Cavallini of the Zoning Board added that considerations for the approval were the increase tax base, presents no visual impediments or safety concerns and there were no objections from his neighbors. Also there is no off street parking and this improves the property.

There was some discussion on the covenants of the subdivision but the city does not enforce the covenants.

Motion was made by Alderman Richard and seconded by Alderman Stover to grant the variance based on condition of utilities company not having easement that will impact the building permit. Motion carried with five yes and one no.

Mayor's Report: The audit is coming up next week.

We did get from Farnsworth the proposed highway plans for the widening of P. J. Keller Hwy. for the turn lane and Douglas Drive north. Once the county approves it, we will be ready to put it out for bids after October, and then we will know exactly what it is going to cost us. We do not need to start on it right away but we will know what it is going to cost. We were told that Farnsworth is kind of high on their bid.

Alderman Stover and Mayor Johansen met again with the party interest in the new subdivision and the property owner about splitting some of that up. It was a good meeting and the developer seems excited about doing something out there. The property owner is set on their price.

The Farmers Market is going well. People are waiting in line and the vendors are saying it is going well.

The sign will be put up on Monday.

Lighting on P. J. Keller Highway, it is trenched and the string is in and as soon as Ameren is notified they have a 14 day window to start construction.

Checkers will start construction any day now. They have applied for their building permit and plan to be open by Thanksgiving.

The question was asked if we could get BP to clean up their portion of the building. Mayor Johansen thought they were going to that as part of the construction phase but he will check on that. It was also noted that Subway was complaining about the dead trees there and in front of Dollar General.

It was noted that the bridge on old Route 66 was finished and that they did a nice job on cleaning out the ditch.

In the past, Hanson had talked about donating some property for a future water tower. He is still willing to donate an acre, which we have no plans to use at this time, but Mayor Johansen wanted to go ahead and have the acre deeded over to the city.

Police: None

Building/Insurance: None

Finance/TIF: None

Water/Sewer/Sanitation: None

Street/Alley: Alderman Colclasure reported that work on widening the 500 block of East North Street will begin soon. They are waiting for it to rain and compact it down a little more.

There being no further business a motion was made by Alderman Franklin to adjourn at 7:48 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

By Pati Pease

City Clerk

Approved: August 26, 2019