

## REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

September 9, 2019

7:00 P. M.

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

Patricia Pease led the council in the pledge of allegiance.

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

### ELECTION OF MAYOR PRO TEM

Motion was made by Alderwoman Wilson and seconded by Alderman Schreiber to appoint Alderman Stover Mayor Pro Tem in Mayor Spencer Johansen's absence. Motion carried unanimously.

It was moved by Alderman Colclasure and seconded by Alderman Franklin to approve the minutes of the August 26, 2019 meeting. Motion carried unanimously.

It was moved by Alderman Franklin and seconded by Alderman Richard to approve the treasurer's report and pay bills in the amount of \$18,117.73. Motion carried unanimously.

**Public Input:** Dottie Pignotti stated that she lived in Meadow Ridge Subdivision and that Alderman Franklin was her representative. She and her husband moved here 14 years ago to be near family and they chose Lexington because of its family-friendly reputation and its exceptional school system.

She has become very concerned about the direction the town is heading. We have had several wonderful businesses that are no longer here: L' Couture, Station 322 and Daffodil Lane to name three that have recently closed their doors. To her knowledge we are gaining a Casey's, Checkers and an exercise facility. Her concern is the possibility of losing more established, family friendly businesses because of the type of businesses that are being considered. We have lost farm land, the producer of food for the nation and foreign countries, because of the building of wind turbines across McLean County; Main Street now has several empty stores that were once family-friendly businesses and where I spent some of my money.

What do you want Lexington to be? A vibrant town that invites people to move here because of its family-friendly reputation or a town whose only concern is how much tax revenue can be created by whatever kind of business wanting to get established here?

She previously spoke to the council about the request by a citizen to raise chickens within the city limits. What farm animals will be next: a cow, a horse, a pig, a goat? Don't farm animals belong on farms?

If you allow a cannabis dispensary to be established, what will be next? A tattoo parlor, a vaping store? Will we need to build our police force because of the possibility of an increase in crime? Will our children be safe? Will we be safe?

Please think carefully about the type of businesses Lexington wants to draw. Her concern is that instead of Lexington growing, the town will slowly start the dying process; people will move away instead of moving here and the tax revenue you think will be brought in by these businesses won't make any difference because there won't be any or fewer children to educate!

More populated cities around us are also having to consider the same questions. Bloomington is creating a task force to educate themselves about all the concerns that a cannabis dispensary brings. Morton has blocked a dispensary. There are many questions yet to be answered. Please consider my concerns when you vote on any and all ideas brought before you.

Deann Moran spoke that she thought the chicken situation may have started with her when the resident who wanted chickens approached her to ask if she would care if she had chickens. I told her I thought there was an ordinance against chickens and she was told that all that was required was the neighbor's approval. At that time Deann did not care.

When the Morans moved to town they looked in the Chenoa and Lexington area but feel that where they live is the best of both worlds not quite in town but not exactly in the country either. She is no longer in favor of having chickens within the city limits nor is she in favor of a cannabis dispensary.

### **Old Business:**

#### **Discussion/Vote Chicken Ordinance**

Mayor Pro Tem Stover started the discussion by stating that he had passed out a proposal that has been put together with a listing of what a chicken ordinance would look like and what we want to do here is to address it, comment on it, amend it and make any changes. Then what we would like to do is take it to a vote to come up with something amended we could take to legal or not.

There followed a discussion covering what the restrictions should be. Whether or not to change the ordinance for one resident and who would monitor the ordinance. It was noted how Bloomington handled their chicken ordinance but that was a zoning issue and the council

did not want to put this on the Zoning Board. Alderman Colclasure has been opposed to it from the beginning and will vote against changing the current ordinance.

Motion was made by Alderman Schreiber to move forward on the proposed or an amended Chicken Ordinance. Lacking a second the motion died and the current ordinance stands as written.

### **Discussion Illinois Cannabis Act**

Mayor Pro Tem Stover open this topic up for discussion if anyone had anything new to add. He also had passed out an example of the ordinance that must be voted on at the next council meeting regarding the 3% tax on cannabis sales. This ordinance has nothing to do whether or not we approve the sale of cannabis, but if we ever do and we want to be able to tax it for sales tax we need to come up with an ordinance like the one example given and we need to vote on it by October 1st. Mayor Johansen wanted you to have an opportunity to see the ordinance and have an opportunity to ask questions.

Alderwoman Wilson wanted to know if it would be possible for someone to attend the task force hearings that Bloomington City Council has created. Would it be possible to have other towns go and sit in with them?. It was also mentioned that this might be a topic at the next Mayor's Association meeting.

Alderman Colclasure wanted to know if this 3% tax went to the state for disbursement. He also commented that Bloomington has had two dozen interested persons wanting to open cannabis dispensaries. He like Dottie Pignotti wondered about the image of Lexington. What about vaping? There have been five deaths and 400+ cases of people becoming ill linked to vaping.

Alderman Franklin reminded the council that we are only voting on the 3% sales tax , not on any dispensaries at the next meeting.

Alderman Colclasure brought up about the zoning for the cannabis dispensary. He does not want to see it in the downtown area. If it were to go on Main Street they would be eligible for TIF money. Bloomington residents are not going to come to Lexington to buy their cannabis. Where does the council stand on balancing the budget, roads and the school.

Mayor Pro Tem Stover stated that the 3% sales tax will not be any different than sales tax on any other item. What we have right now 1.5% , this will be an additional tax on the sale.

### **Discussion City Surplus Property**

Alderman Franklin reported that the person has had in mind to look at the property/survey has not gotten back to him.

### **Discussion/Vote Hiring Surveyors Surplus Property**

Motion was made by Alderman Franklin and seconded by Alderwoman Wilson to hire the Krause Survey Firm for \$1,500 to survey the property around the old Water Tower. Motion carried unanimously.

### **Discussion/Vote Closed Session Minute Review**

Alderman Richard reported that he and Alderman Stover completed the closed minute review on August 28, 2019. They reviewed 21 closed session minutes from December 1993 through August 2018 and recommend that the March 30, 2015 closed session meeting both written and recorded, no longer require confidential treatment and may be released for public viewing upon approval by the Lexington City Council.

Motion was made by Alderman Richard and seconded by Alderman Franklin to accept the Closed Minute Review as presented by the Review Committee. Motion carried unanimously.

**New Business:** None

**Mayor's Report:** None

**Police:** There was a question asked about what had been done about hiring a new part time police officer to which Alderman Richard answered that they had not gotten started on that yet.

**Building/Insurance:** Alderman Franklin reported that he has a meeting set up to go over property and casualty insurance.

**Finance/TIF:** None

**Water/Sewer/Sanitation:** None

**Street/Alley:** Alderman Colclasure reported that Ameren has the street light poles installed and operational on P. J. Keller Highway.

The City crew has completed all of their hotmix jobs on September 6th with the last one being 500 block of East North Street from East Street to Vermillion Street.

Spray patches were finished up September 9th.

There being no further business a motion was made by Alderwoman Wilson to adjourn at 7:30 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

By Pati Pease

City Clerk

Approved: