

## REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

April 24, 2017

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: Alderman Miller, Alderman Cole, Alderman Johansen, Alderman Meyer, Alderman Richard and Alderman Stover. Members of the staff and public present were: Melanie Kunkel, John Colclasure, Don Cavallini, Billy DuBois, Sue Noland, Christopher Phelps, Sondra Wisdom, Leo J. Schreiber, Bill Elias, and Kelly Gordon.

It was moved by Alderman Miller and seconded by Alderman Meyer to approve the minutes from the April 10, 2017 council meeting. Motion carried unanimously.

It was moved by Alderman Stover and seconded by Alderman Cole to approve the treasurer's report and pay bills in the amount of \$37,470.39. Motion carried unanimously.

**Public Input:** None

### **Old Business:**

**Castle Garden Request for Utility Burial:** Bill Elias spoke to Bernie Anderson with Nicor and asked if Nicor is willing to help with the utility burial at Castle Gardens and what their cost would be. There is some question as to what Chuck Wright's plans are for parking and they have concerns over how close they are currently to that natural gas well. Nicor has asked the city to postpone any decision until Nicor management can meet. Bernie indicated he would get back to Bill in the next couple days.

### **New Business:**

**Employee Pay Increases:** Alderman Johansen and Alderman Stover put a 3% employee pay increase into the budget and asked the council for any comments or discussion. Alderman Meyer asked about the increase for the other full time officer he recommended at the last meeting. Alderman Johansen indicated that the additional increase for that full time officer would be handled under the new council and after the new committees are seated. Alderman Richard noted that health insurance will decrease by \$5,000 but each employee's portion of the health insurance will increase for family members. Motion by Alderman Johansen and second by Alderman Cole to increase the employee's salary by 3%. Alderman Richard noted that it is taxpayer money and nobody wants to spend more than they have to but feels the employees work hard and are beneath the pay scale of other towns. Motion carries unanimously. After a discussion under FY 18 Budget below, council came back to this section for the following discussion. Motion by Alderman Meyer and second by Alderman Richard to award a raise of \$1.00 per hour to Officer Caleb Echhoff to offset the difference between his hourly rate and the rate established by the ICOP contract for part time officers. Alderman Johansen indicated that Officer Echhoff has only been with the city for a year and agreed to the terms of the salary when

he was hired and feels it is not fair to the other employees to give him more. Motion carries with a vote of 5 yes and 1 no.

**Water Rate Increase:** Mayor noted that the increase recommended at the budget workshop was \$0.06 per 100 gallons which would come out to \$3.00 per 5,000 gallons of usage. 5,000 gallons is the average water use of a single family home. Motion by Alderman Richard and second by Alderman Cole to increase the water rate \$.06 per 100 gallons and to add the increase to the water infrastructure fee on the bills effective May 1st and payable in June. Motion carries unanimously.

**FY 18 Budget:** Alderman Johansen noted that he, Alderman Stover and Collector Star Torkelson worked on the budget and circulated it via email to council members and council members elect. Alderman Meyer questioned the police squad car replacement reserve. He feels it currently reflects an additional \$5,000 that is not necessary as they are replacing the squad car this fiscal year. Motion by Alderman Johansen and second by Alderman Miller to approve the budget with a \$5,000 deduction in the health care line item. Alderman Johansen noted that just because the purchase of a new dump truck and squad car have been approved, he asked employees not to order anything at this time and to wait for the new council to be seated and new appointed committees to meet and make a recommendation. Alderman Stover indicated that there are some additional changes that he noticed need to be made to the vehicle purchase section. Mayor noted that not all the charges for the water treatment plant have been captured in the recommended budget. Alderman Johansen withdrew the motion to approve the budget as he and Alderman Stover need more time to tighten it up. Mayor noted that the recommended budget contained enough figures for Star to start inputting into the system. Alderman Meyer asked Alderman Johansen how the change to the full time officer's salary can be handled after the new council is seated if it is not reflected in the budget. He recommended an additional \$1.00 per hour for Caleb Echoff and noted that in order for the new council to consider any increase, it has to be reflected in the budget. Council stepped back to the Employee Pay Increases section of the agenda to consider this increase.

**Closed Meeting Minutes Release:** Motion by Alderman Richard and second by Alderman Stover to release the closed meeting minutes from 9/14/15, 7/25/14, 2/8/10, 1/28/13, 2/27/12, 8/22/11, 3/9/09, 1/23/95, 1/28/91, 1/15/91, 2/26/90, and 5/22/89. Alderman Richard noted that anything regarding personnel is not being released unless those minutes are so vague there was no discussion noted or that the employees have passed. Motion carries unanimously.

**TIF Grant Requests:** Alderman Stover has three pending TIF grant requests. One from Bob Brown and one from Denny Firkins. Bob Brown has a list totaling \$9,547.17 \$4,773.59 would be the city's 50% cap based on the new TIF grant application guidelines. Denny Firkins' request is for a roof replacement at a cost of \$11,548 and the city's cap would be \$5,774. Motion by Alderman Stover and second by Alderman Richard to approve a no interest loan equal to the 50% cap with 25% annual principle forgiveness for each grant. Alderman Stover noted these would be taken from the current year's budget under line item 44.44.150. Mayor noted that the terms of the grant request require each applicant to complete the project and submit documentation showing payment before the city can award the grant. Alderman Stover noted

that since the projects have not been started, these grants will be covered under the fiscal year 2018 budget. Motion carries unanimously.

**Main Street Closing for Chamber of Commerce:** Christopher Phelps addressed the council asking to close Main Street at the old Fireside alley down to Cedar Street on July 15<sup>th</sup> from 5pm to 11 pm for a Main Street Under the Stars event hosted by the Lexington Chamber of Commerce. This event will be advertised and will serve alcohol. Sondra Wisdom noted that there will be some swing and jazz bands. Motion by Alderman Johansen and second by Alderman Miller to close Main Street from Cedar Street to the alley on the other side of the old Fireside building on July 15<sup>th</sup> from 5pm to 11pm. Motion carried unanimously.

**Resolution 2017-1 Opposing the Proposition to Expand the Funding base of the CIRAA to Include McLean County and the City of Lexington:** The Airport Authority in Bloomington is proposing a 2.75% property tax to all rural Mclean County residents to help support the airport. In addition, the proposal would lower the airport tax rate for Bloomington/Normal residents. This resolution was presented at the Mayor's Association Meeting and all rural mayors in attendance agreed that there are other ways the airport could generate revenue other than increasing local property taxes. Motion by Alderman Meyer and second by Alderman Miller to approve Resolution 2017-1 opposing the Proposition to Expand the Funding base of the CIRAA to Include McLean County and the City of Lexington. Motion carries with a vote of 5 yes and 1 no.

**MFT Resolution:** Street Superintendent, Bill Elias, circulated an itemized estimate for Motor Fuel Tax projects for FY18. Motion by Alderman Miller and second by Alderman Richard to approve Resolution 2017-2 authorizing a motor fuel plan of \$93,000. Motion carries unanimously.

### **Committee Reports:**

**Mayor:** Mayor received a call from Greg Yount with Caldwell Banker. He has a party interested in a lot out by the interstate for a convenience store. Mayor asked the council to follow up with Mr. Yount. Mayor noted that two meetings ago Chuck and Marybeth Wright asked about liquor licenses for their caterers. The way the code is written, their use does not lend itself to the one day special license. Mayor believes the vender has prepaid \$10 per event and he feels this does not seem reasonable for the other Class A license holders in town. Mayor recommends sending a liquor license application to Lumen Events and asks that they pay for a Class A license and then pay the additional fee for the special use permits. Mayor is interested in making sure the businesses are treated consistently. Mayor suggested that the liquor license classifications in the code be reviewed by the council in the future since the types of events and businesses featuring alcohol have evolved over time. Mayor received a large binder from Wirtz Beverage with a list of their proposed TIF eligible expenses. He is working with Farnsworth and City Attorney Mike Tibbs to review them and they are in the process of formulating a response as there are some discrepancies. Mayor let the new council know that he is working to get this wrapped up. Mayor noted he observed some activity at the new water treatment plant construction site. On Saturday, April 22<sup>nd</sup> at 8:00 am he noticed Stark Excavating trucks hauling top soil off the site. Mayor called City Engineer, Zach Knight, to see if anyone had been given

authorization to remove the soil as the project is not yet complete. Knight noted he was unaware of any permission being granted. Mayor followed the trucks to Nate Miller's house who was using the soil to top dress his yard.. Mayor noted that Nate Miller insulted him when confronted with questions about their activity. Mayor confirmed with Billy DuBois, Water Superintendent that no permission had been given to remove soil from the site as it has not yet been determined if it would be needed. Josh Martin called the Mayor Saturday morning and indicated that they were balancing soil on the site. Mayor asked who was paying the truck drivers. Josh noted that this was a side job, they were paid cash and they do this type of thing all the time. 10 tandem loads of top soil were removed with a value of up to \$6,000. Mayor initiated a police report. Mayor, Billy Dubois, and Alderman Johansen had a meeting with PJ Hoerr and Zach Knight from Farnsworth to discuss the scope of the problem and possible resolutions. Mayor noted that the broader consequences are that the city signs paperwork with every pay request for the EPA loan that the city is complying with prevailing wage. Mayor's concern is that the work and cash payment of the Stark employees does not comply with prevailing wage. Some of the consequences are that Stark could be barred from doing public projects for municipalities for up to six years and the City could compromise its IEPA loan eligibility. Mayor noted that the cost of removing Stark from the job at this point and mobilizing a new company would not be prudent. PJ Hoerr noted that they will work with Stark to seek a solution. Mayor's recommendation was for them to send an invoice to Nate Miller for the total amount of the soil as bringing the soil back is not really the best solution. Mayor noted that he was disappointed at the PJ Hoerr meeting to know that not everyone was unified in the recommendation on how to handle what appears to be theft of City assets. The Aldermen began to comment. Alderman Richard feels it would be prudent to have them arrested as it is stealing. Alderman Johansen noted he is the one who was opposed to billing Nate Miller as there are other Stark employees involved and he should not be the only individual held responsible. Alderman Johansen noted that he feels this is an employee problem for Stark, Stark should handle the discipline of their employees and the city should stay out of it. PJ Hoerr has agreed to get back to the city on how they will handle the situation.

**Police:** None

**Building/Insurance:** None

**Finance/TIF:** None

**Water:** None

**Sanitation:** Alderman Johansen noted that Allied Disposal has been charging the city for hauling the school's recycle dumpster. This service was to be included free of charge in the City's contract negotiated with Allied. Allied refunded the city \$1,200.

**Streets/Alleys:** Alderman Miller noted that the cost for the lighted stop signs for Main and Cedar Streets are an unexpected \$1,900 apiece and asked the council to review whether or not they want to spend that much.

There being no further business, it was moved by Alderman Miller and seconded by Alderman Johansen to adjourn at 8:55 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 5/8/17