

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL**November 9, 2020****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 Colclasure, Alderman Franklin, Alderman Stover, Alderman Richard and Alderwoman Wilson. Alderman Schreiber was attending remotely. Members of the staff and public present were Don Cavallini, Paul Deters, Vern Owens and Mike Cotter.

It was moved by Alderman Colclasure and seconded by Alderwoman Wilson to approve the minutes of the October 26, 2020 regular 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 \$74,460.42. Motion carried unanimously.

Public Input: Vern Owens stated that he was attending for two reasons that he was requesting the assistance of the City Council.

First, he has been to City Hall three times stating that he has not received a bill for 702 North Cherry Street and he has still not received a bill.

Second, on October 19, 2020 he went to City Hall to have the water turned off at the end of the month and it still has not been turned off.

He also requested the city remark the water line that was marked on August 28, 2020. That still has not been done. He is asking the City Council to assist in a resolution with this problem.

Next he has requested to speak during the City Council meeting to voice a complaint and seek the City Council members assistance to address this complaint.

In August 2020 he was informed of a water service line that had been installed across 704 North Cherry Street. He owns property 704 North Cherry Street. This water service pipe services 706 North Cherry Street.

It is his understanding that there are three ways this water line could have been legally installed.

1. If it services the owner of the property. It does not.

2. If there is an easement. There is not.

3. If there is a legal document that meets the requirements of recording in the McLean County Recorder's Office. There is no document on file with the McLean County Recorder's Office that provides a legal access across or through his property, 704 North Cherry Street. He has been told by a city employee that the owner of 706 North Cherry Street installed the service line. He was advised that the city has no proof of when this water line was installed. The owner of 706 North Cherry Street has stated to the city that he has an agreement but he will not look for it.

Lexington City Ordinance States: Service pipes will not be installed where any portion of the pipe must pass through lands, buildings or parts of buildings which are not the property of the applicant.

He is requesting a legal mutual agreement between himself and the city to remove or to abandon this service line on his property, 704 North Cherry Street. The water line does not service his property: it services his next door neighbor at 706 North Cherry Street. The Mutual Agreement shall take effect by December 10, 2020.

He is providing each member of the City Council additional information on this matter which is attached for the city to review.

The question was asked if this could have been done 30-40 years ago. Vern replied that he had no idea. He has had four title searches covering four different periods and none showed an agreement or an easement.

Mayor Johansen asked Vern to give him a little time to address the issue and he would get back to him.

Old Business:

Discussion Orange Street Development

Everyone had a copy of the proposed resolution that Attorney Shields has prepared for the Tentac Enterprises, LLC. Hopefully by next meeting Charlie Farner will be able to attend with a presentation as to how they hope to begin with the apartment complex and the development.

Alderman Stover thought he would be describing phase one. Phase one is a component of this agreement. Phase one looks like two apartment buildings with eight apartments in each building and approximately six houses.

Discussion Brandt Property

Mayor Johansen has mailed information out to everyone to review for discussion at the next meeting. He is still waiting on exhibits to go with this.

New Business: None

Committee Reports:

Mayor's Reports: Mayor Johansen reported on the following items:

Casey's is scheduled to open on December 17th. The pumps are in and the tanks are filled.

The windmills should be up and operating by mid December.

He has decided to run for re-election. He thinks we have worked good and accomplished a lot in the last four years and feels there is a lot left to do. He is excited about moving forward with Lexington.

Police: None

Building & Insurance Alderman Franklin reported that he has received one quote for property insurance and will be getting another this week. On the health insurance we have only two people and may be looking for something else.

Finance & TIF Alderman Stover has started the levy. He handed out an explanation of how it all works. There will be a lower EAV multiplier.

Water/Sewer/Sanitation Alderwoman Wilson reported that Billy and Bill were out replacing water meters. This is the last go round for replacement.

Street/Alley It was noted that they are replacing the sidewalk at the Community Center.

There are new lights out by the interstate that were installed by the state that look very nice.

There are going to be two more lights installed on P. J. Keller Highway between the cemetery and Casey's.

There being no further business a motion was made by Alderman Franklin to adjourn at 7:14 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

By Pati Pease

City Clerk

Approved: December 14, 2020