

## REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

September 27, 2010

The regular meeting of the Lexington City Council was called to order at 7:35 p.m. by Mayor Mohr in the City Council Chambers at Lexington City Hall.

Roll call was taken to find the following physically present: Mayor Mohr, Alderman Brill, Alderman Fiero, Alderman Miller, Alderman Revelle and Alderman Winterland. Alderman Cole was absent. Members of the staff and public present were: Mike Beard, Dan Winters (Republic/Allied Waste Management), Zach Knight(Farnsworth Group), Melanie Kunkel, Mary Beth Wright, Josh Martin, Linda Benedict, Donna Good, Rebecca Pentecost, Julia Davis-Atty., Eva Ann Beasley and Roy Powell.

It was moved by Alderman Miller and seconded by Alderman Brill to accept the minutes of the September 13, 2010 City Council meeting and the minutes of the September 13, 2010 Police Committee meeting. Motion carried unanimously.

It was moved by Alderman Winterland and seconded by Alderman Revelle to approve the Treasurer's Report and authorize payment of bills in the sum of \$14,954.46. Motion carried unanimously.

### **Public Input:**

Zach Knight, of Farnsworth Group, presented a summary of the sewer work progress to date: Div.A- Wastewater Treatment Plant. 58% complete. Storage lagoon earthwork and compaction testing on berms continues. Concrete has been poured for the treatment plant building, block walls are going up, and installation of process piping has begun. Div. B- Lift stations. 53% complete. Wet wells and valve vault structures have been installed at all five locations. Plumbing will be completed at a later date in the process. Div. C- Irrigation Forcemain. 58% complete. 98% of the main from the treatment plant building to the irrigation site is complete. Div.D- Far West, West and Central Areas. 44% complete. 51% of the piping has been installed. Service stubs and forcemain in Timber Ridge is being installed. Div.E- North, South and East Areas. 39% complete. 28% of the contract piping is installed. Service stubs are being installed in North Park Subdivision. Div. F- Irrigation site. 58% complete. All materials for both the north and the south systems has been delivered. Installation and construction of the south system may begin as early as late this week.

### **Old Business:**

**Storm Water Management/Bowery St Tile** – Alderman Revelle, Chair of the Streets/Alleys committee, reports that discussions have been held with staff and engineers regarding the problems with storm water tile. In particular, a survey of the outlet for the N. Orange/E. Bowery drainage area is necessary before any more discussions or recommendations can be made.

**Benedict Property Proposal** - Linda Benedict, her attorney, various members of the public and the City Council once again tackled the disposition of the ordinance violation against the property on P.J. Keller Hwy. Unless some consensus is reached, a case hearing, in McLean County Circuit Court will take place on Tuesday, Sept.28, 2010. Supporters of Benedict voiced concerns about the cost to taxpayers for the legal proceedings, whether or not the City made honest attempts to reach a satisfactory agreement, whether or not the barn is in fact safe, and what impacts could be felt in the adjacent Mobile Home Park. The City Council shares the concerns over the cost of the proceedings and the remedies that may be required and how those expenses are viewed by constituents, how the ordinance violation process works and why that process needs to be adhered to, and what precedent they may be setting in dealing with this and other similar situations. As referred to in the minutes of the September 13, 2010 council meeting, the most recent proposal by Benedict lays the full cost of abatement of the nuisance on the City. Mayor Mohr asked if anyone would introduce a motion to consider with respect to resolving the matter. After much discussion, Alderman Fiero moved to have the City pay for the cost of the barn's demolition, and recover 1/2 the cost if the property sells in six months or 25% of the cost if the sale takes place in a year. The motion failed for lack of a second. After more discussion, Alderman Miller moved to use TIF funds to pay for the full cost of the demolition and file a priority lien, which would recover 50%

of those costs at such time as the property sells. Motion failed for lack of a second. Given 2 failed motions, Mayor Mohr said the City would then proceed with the Ordinance Violation as scheduled.

**New Business:**

**Republic/Allied Waste Proposal** - Dan Winters, of Republic Waste Management, addressed the council with a proposal to once again upgrade the services they are under contract to provide to Lexington residential garbage customers. In the spirit of continuing the excellent response Lexington has shown in accepting the move to mechanical curbside recycling services, Republic would like to move to provide similar containers for weekly garbage use. This is an industry-wide change in the way residential garbage is handled across the country, and neighboring Colfax and Heyworth have already moved forward in this direction. Republic Waste will provide one blue toter to every qualifying residence. Republic will take care of public education, and may be able to return to single-day pickup service for the community. It was moved by Alderman Miller and seconded by Alderman Fiero to accept the Republic/Allied proposal to use standardized garbage totes for curbside collection. Motion carried unanimously. Mr. Winters will attend the October 11, 2010 council meeting with more details and a progress report.

**Meadow Ridge Berm** – Residents have complained that the developer of the subdivision has failed to construct the berm between the residential and commercial lots as was specified in the original subdivision plan. Spoils from the sewer construction project could be used to get that project finished and make those remaining lots more attractive for prospective buyers. The question will be rescheduled to the next Council meeting.

**Highway Promotion Sign** – Mayor Mohr would like to investigate the possibility of having signs erected at either end of the Rt. 66 Bikeway, which would be visible from I-55. Those signs could be used to promote Lexington, its services and development potential. It may be time to start having regularly scheduled Planning Commission and Zoning Board of Appeals meetings, in anticipation of increased activity. Currently they are called upon so infrequently that regular meetings have not been necessary.

**Committee Reports:**

**Mayor – 1)** Mayor Mohr played a voice mail he received today from Geoff Andres, of the IEPA. Mr. Andres informed him that the desired loan amendment was being printed, and as soon as it was signed, the City would be receiving their copy. The most important detail of that loan amendment will be the special condition that provides the City with 25% loan principle forgiveness. Mayor Mohr interprets that as being worth approximately \$3.5 million that will not have to be paid toward sewer construction costs, and which will have positive implications to final costs to residents. During the discussion, Alderman Revelle relayed that he had been contacted by a contractor who has offered to do all the sewer connection work at residences for a tier of prices, based on the length of the connection. The discussions will be taking place soon on how this portion of the work will be handled. **2)** The CIRBN Regional Broadband project has been funded by the state and federal government. Mayor Mohr will attend a meeting soon and report back with more information on the impact to the city. **3)** Robin Park, of Horizon Wind Energy, is preparing an amended agreement for the City. According to the City's comprehensive plan, the Edwin Kemp Trust property is designated as a potential residential reserve area. In that event that it is annexed, the number of wind turbines within the 1.5 City zoning jurisdiction would increase and should be considered in the Horizon agreement with the City. **4)** Mayor Mohr presented information regarding the percentage of affordable housing that exists in Lexington, based on data obtained from McLean County's Supervisor of Assessments Office. The fair market value data, for every parcel in the coporate limits, indicates that 49.5% of all parcels would fall below \$100,000.

**Police** – None

**Building/Insurance** –None

**Finance/TIF** – None

**Water** – no report

**Sanitation – None**

**Streets/Alleys – 1)** In regards to the drainage issues, Alderman Revelle reported that discussions have first been focused on the northeast area of town. The original plan for upgrading tile to go north and under the railroad appears unworkable, due to lack of fall and conflict with fiber optic cable in that area. Bob Kohlhasse, of Farnsworth Group, has proposed a survey of the area to find a better solution. The cost of concrete tiles has exceeded the expectations, but repairs ahead of future development is a good idea as well. **2)** Alderman Revelle has been in conversation with IDOT officials regarding the possibility of allowing golf carts/neighborhood vehicles to cross Rt. 66 at the 4-way stop intersection on Main Street. If IDOT grants that permission, the recently adopted ordinance can be amended. Bill Elias is checking with County Highway Dept. officials to see if similar permissions can be granted for crossings of county-maintained roads that run through the City's jurisdiction.

There being no further business, it was moved by Alderman Miller and seconded by Alderman Winterland to adjourn at 9:30 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Margaret Quinley  
City Clerk

Approved: 10-11-10