

## **REGULAR MEETING OF THE LEXINGTON CITY COUNCIL**

June 25, 2012

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 Cole, Alderman Miller, Alderman Winterland and Alderman Revelle. Alderman Higgins and Alderman Brill were absent. Members of the staff and public present were: Melanie Kunkel, Don Cavallini, Helen Leak, Larry Brown, Dick Slowen, Danny McDaniels, Marshall Ryan, Marti Ryan, Mike Beard and Mark Anderson.

It was moved by Alderman Miller and seconded by Alderman Cole to approve the June 11, 2012 council meeting minutes. 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 \$19,259.30. Motion carried unanimously.

**Public Input-** None

### **Old Business:**

**Dangerous and Vicious Animal Control Ordinance Discussion:** After reviewing the proposed ordinance, animal control person Dan McDaniels feels its contents are more than what he is looking for. Dan is more concerned with the current vicious dogs in our town and how to control them specifically. He'd like fines increased but his primary concerns are doing away with underground fencing and imposing stricter guidelines on leash laws for dogs that are labeled vicious. Dan would also like the city to require every dog owner to register their dogs at City Hall. Alderman Revelle questions why the city should allow any labeled and known vicious dogs to stay in the town. Mayor will communicate the changes to the city's attorney. This topic will be carried forward to a future meeting when the revised document is received.

**Wooden Hare Building Sale:** Local business owners, Marshall and Marti Ryan are interested in purchasing the old Wooden Hare building from the city. In order for the city to sell, there has to be an appraisal and the sales price has to be at least 80% of the appraisal. The council agrees the building and the shed would be included in the sale, however, the parking area/ally behind the building would be retained by the city. Mr. Ryan's concern is with needing enough parking spaces for what they have planned for the building. Mr. and Mrs. Ryan will discuss the lot restrictions with their investors and will contact Alderman Miller if they wish to proceed. Motion by Alderman Revelle and second by Alderman Cole to secure an appraisal once the Ryan's confirm their interest in the property. Motion carried unanimously.

### **New Business:**

**Bloomington Normal Recycle Collection Center – Electronics Recycling:** Mark Anderson addressed the council regarding his new line of work. Mark is currently working for an electronics recycling center based in Maryland. When Illinois passed the law in January to ban electronics in landfills, Mark's company began opening some recycling drop off centers that have done very well. The town of Leroy has contacted Mark to schedule a "recycle day" whereby residents could bring any form of electronics to a designated location for disposal. The

recycling company will pay residents up to \$.10 per pound on certain electronics. The company is willing to work with any city or business to donate a certain portion of proceeds to their charity of choice. Mark would like to schedule those same types of days here in Lexington. Mayor indicated the city would be interested in scheduling some of those recycle days and has asked Mark to help by providing a list of his available dates. The Mayor will advertise the dates in the water bill newsletter.

**2012/2013 Appropriation Ordinance:** For the first time in history the city's population is over 2000 residents and, by law, an Appropriation Hearing must be held. This hearing was held prior to the regularly scheduled council meeting. Motion by Alderman Winterland and second by Alderman Revelle to approve the 2012/2013 Appropriate Ordinance 2012-7. Motion carried unanimously.

**2012/2013 Anticipated Revenues Resolution:** Motion by Alderman Winterland and second by Alderman Revelle to approve the 2012/2013 Anticipated Revenues Resolution 2012-2. Motion carried unanimously.

**Resolution Authorizing Variance to the City Zoning Code for Accessory Structure Size at 308 S. Pine Street and 201 S. Cherry Street:** Motion by Alderman Cole and second by Alderman Revelle to approve the verbal resolution authorizing a variance to the City Zoning Code for Accessory Structure Size at 308 S. Pine Street and 201 S. Cherry Street. Motion passed unanimously.

**An Ordinance Authorizing the Lexington Subway TIF Redevelopment Agreement:** Subway developer, Carl Schrof, is asking the city for TIF incentives to help offset his costs in the property acquisition and the construction of Subway. His original request for \$115,000 cash plus one-half of the future property taxes was denied. The council has agreed to \$50,000 cash at the execution of the agreement and one-half of the property taxes up to \$50,000 over the life of the TIF. The cash payment is a zero interest loan with 20% principal forgiveness over a five year period. The Mayor would also like to add to the agreement that Mr. Schrof cannot appeal the property tax assessment during the term of the agreement. Motion by Alderman Miller and second by Alderman Winterland to adopt Ordinance 2012-8 with modifications as indicated above. Motion carried unanimously.

**Resolution Authorizing the Purchase of Property in the TIF District at 116 N. Cedar Street, 114 N. Cedar Street and 305 W. Main Street for Redevelopment:** Both owners have signed a Purchase and Sale Agreement for the properties. Mayor explained to the gathered public that the council is trying to be proactive in taking care of some of the dilapidated buildings within the TIF district. These parcels will be cleared and made available for redevelopment. Motion by Alderman Cole and second by Alderman Winterland to accept the verbal resolution as listed above and authorize the purchase of property in the TIF District at 116 N. Cedar Street, 114 N. Cedar Street and 305 W. Main Street for redevelopment. Motion carried unanimously.

**An Ordinance Amending City Code to Allow Video Gaming Terminals in Licensed Liquor Establishments:** Jon Kemp, Kemp's Upper Tap, has requested the business be allowed to offer video gaming. The State Gaming Board controls all video gaming terminals in the state and will only allow them in licensed liquor establishments as long as the city's code allows. Currently, the city code bans gambling machines as a part of the nuisance code. The amended ordinance will allow these gaming machines and there will be an annual fee of \$25 per gaming machine per

year. This item will be forwarded to the council meeting scheduled for July 23, 2012 so that all council members may be present to cast their votes.

**Committee Reports:**

**Mayor:** Mayor circulated an financial statement regarding connection loan receipts and expenses. The end of the contract has been renegotiated with Mid-Illinois. The city will provide the remainder of the pipe and will pay labor costs of approximately \$28/hour. There are roughly 40 connections remaining. With regard to post sewer construction street repairs, Dawn Companies is interested in replacing some of the hot mix and spray patch areas in town. Mayor met with the people who are interested in building the pizza place at the northeast corner of Main and Pine Street. The closing on that property is still pending. The restaurant will be located on the second floor. They will maintain some of office the rental spaces on the first floor. There is not a secondary egress at this time and Dave Jenkins and Tom Shields are working together to possibly make this egress onto the roof of his building. They also discussed parking concerns. Zoning data is being formatted so it can be added to the McLean County GIS website. This will cost the city roughly \$1200 to get the information formatted correctly. Corporate limits maps are also being updated. Mayor forwarded an email regarding Municipal Electricity Aggregation. Mayor has also checked the potential for irrigation from the treatment plant onto the farm; however, there currently is not enough water to do anything but a quick test at this time. Mayor has received a call from the Mayor of Normal. They moved from their old city hall building to a new building and are offering Lexington their old council chambers furniture. Mayor has created a questionnaire to circulate to the individuals who have applied for City Collector's position in the hopes of narrowing the applicants down to five.

**Police:** None

**Building/Insurance:** None

**Finance/TIF-** None

**Water-** None

**Sanitation-** None

**Streets/Allys-** Alderman Revelle discussed Bill Elias concerns regarding the Dawn Companies' report on street repairs. Bill feels there are areas that need repair by the contractors that the engineer has skipped over. Alderman Revelle has asked Mayor Mohr to discuss same with Bill.

There being no further business, it was moved by Alderman Cole and seconded by Alderman Miller to adjourn at 9:40 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 7/9/2012