

REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

September 24, 2012

The regular meeting of the Lexington City Council was called to order at 7:33 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 Higgins, Alderman Miller, and Alderman Revelle. Alderman Brill and Alderman Winterland were absent. Members of the staff and public present were: Melanie Kunkel, Renette Althouse, Julia Davis, Rick Althouse, Pete Bachman, Lindsay Bachman, Dianne McNamara and Sara Compton.

It was moved by Alderman Revelle and second by Alderman Cole to approve the September 10, 2012 council minutes. Motion carried unanimously.

It was moved by Alderman Revelle and seconded by Alderman Miller to approve the treasurer's report and pay bills in the amount of \$48,254.55 but there are a couple of invoices that will be withheld pending confirmation. Motion carried unanimously.

Public Input- Sara Compton addressed the council regarding her planning of the Christmas on the Prairie event. At the next meeting she is asking the council to consider offering a donation to a local club to help her with the set up and execution of the event. She is also asking the council to consider hiring storyteller, Mike Lockett, for the event. Mr. Lockett is reducing his normal fee to \$100 and is asking that his wife's booth fee be waived in exchange for his services. Alderman Cole recommends paying Mike Lockett, waiving his wife's booth fee and allowing \$200 to any school club that would be available to assist Sara with Christmas on the Prairie. This item will be added to the agenda for the October 8, 2012 meeting for the council to take action on.

Old Business:

ICOPS Contract for Part time police officers: The Council is not happy with the terms of the contract provided by ICOPS; specifically the additional work that would be required by the city collectors with tracking union dues payments and would prefer to remit payments and reports on a quarterly basis. Motion by Alderman Revelle and second by Alderman Miller to reject the contract proposed and review the administration requirements with ICOPS. Motion carries unanimously.

Ordinance Violation at 429 W. Main Street: Julia Davis, attorney for Rick and Renette Althouse provided an update regarding the progress of construction of the Althouse's building at 429 W. Main Street. Julia noted that some of the items the Mayor has requested be completed (removal of scaffolding, weed/debris removal) have been taken care of. She noted that Mr. and Mrs. Althouse have hired a contractor, Tjaden, who will begin work on Wednesday of this week in the hopes to avoid litigation. Mr. Althouse addressed the council apologizing for the slow progress thus far. He discussed the progress that has occurred and confirmed that the new contractor will begin on Wednesday. City attorney, Curtis Lane, is scheduled to file documents in the McLean Court asking for a judge to allow the city to complete construction and place a lien on the property for all expenses. In light of the Althouse's hiring a new contractor that is said to begin construction on Wednesday, Alderman Miller recommends giving the Althouses until October 3rd to close the building in, complete construction and clear up all code violations. The Mayor recommends giving them until October 4th and will allow the council to consider any fines that might have accrued at the October 8th council meeting. Motion by Alderman Revelle and second by Alderman Cole to hold any court filings and allow Mr. and Mrs. Althouse to work

towards closing the building in, completing construction and clearing up all code violations until October 4th. Construction progress will be evaluated on October 4th and discussion of fines and fees by the council will occur at the October 8th council meeting. Motion carries unanimously.

New Business:

North Park Street improvement bids: Mayor spoke to Rowe Construction today regarding their bid. They proposed milling the street down and putting back 4" instead of the 2" overlay to bring the streets up to code. To do the 4" reconstruction option would cost an additional \$180,000, nearly doubling the cost of the North Park Street improvements. The Council decided not to take the 4" option because of the additional cost. Alderman Miller suggests resurfacing the streets because of the aggressive bids and also to set a precedent for a future subdivision that may be constructed across the street from the North Park neighborhood. Motion by Alderman Revelle and second by Alderman Miller to accept the bid from Rowe Construction in the amount of \$203,524.25 for the resurfacing of North Park Streets with a 2" overlay. Motion carries unanimously.

Main Street improvement bids: Motion by Alderman Cole and second by Alderman Miller to approve the bid from H. J. Eppel & Company in the amount of \$138,251.40 for the resurfacing project for Main Street. Motion carries unanimously.

Park District Fence Replacement from Sewer Construction Fund: There is a section of fencing near Keller Park and the football field taken down by the sewer construction crews. Some park district volunteers decided to take the remaining fencing down in order to make some additional improvements. The work did not get completed. Miscommunication between the City, Park District, School Board and the volunteers, has resulted in the fencing not being replaced and leaving the school with no means to control entry to football games. Mayor recommends hiring Hohulin Fence to reinstall the fence. A member of the park board has stored the fencing materials pending replacement. An estimate by Hohulin for replacement of the fence is \$5,200 using the materials on hand. Motion by Alderman Cole and second by Alderman Revelle to pay Hohulin Fence company \$5,200, to be paid half from the sewer fund and half from the TIF fund, for fence replacement using the existing materials and making room for pedestrian gates at the pool, the concession stand and a vehicle width gate on the North end of the park. Motion carries unanimously.

Bill Chaney Sewer Extension payment of \$8,200 vs. TIF agreement: The city advised Mr. Chaney to put a manhole in the back of his property to accommodate an easier sewer connection for McDonalds. The extension serves McDonalds and future development in the area. Mayor recommends reimbursing Chaney for the cost of this manhole in lieu of writing a TIF redevelopment agreement with Mr. Chaney before additional improvements to the site are considered. Motion by Alderman Miller and second by Alderman Revelle to pay Bill Chaney \$8,200 out of the TIF fund for the sewer extension and debit that payment out of any future TIF agreement. Motion carries unanimously.

HBT Homeowners sewer connection loan payoff: Because the timing of the IEPA sewer loan payments has been modified to occur in May and November and that falls short of a full years sewer fee collections in our budgeting process; the initial plan to repay the Heartland Bank loan in full for the homeowner connection project must be altered temporarily. After the final \$950,000 draw from the IEPA loan, the city is still waiting for the total amount of the loan payment to be established by the IEPA in the form of a final loan amendment. The council initially approved borrowing \$1,200,000 from Heartland Bank & Trust but only used roughly \$950,000. Mayor proposes paying down the Heartland Bank & Trust loan to \$100,000 which

would reduce interest payments by more than \$2,000 per month. The rest could be paid off a year from now when a full year of sewer receipts has been collected and the total amount of the IEPA loan payment will be finalized. Motion by Alderman Cole and second by Alderman Miller to pay the Heartland Bank & Trust loan down to a balance of \$100,000. Motion carries unanimously.

Restructuring of sewer fees: Mayor would like to have more experience with the sewer operation costs before restructuring the sewer fees. When the Heartland Bank & Trust loan is fully paid off, the Mayor feels the sewer fees could possibly be reduced. Mayor's recommendation is to leave the existing sewer fees as they are pending the valuation of the ongoing operation costs of the Waste Water Treatment Plant. Motion by Alderman Cole and second by Alderman Higgins to leave the existing sewer fees where they are pending an annual review of operation costs. Motion carries unanimously.

Committee Reports:

Mayor: With regard to the status of the asbestos inspections on the three recently acquired properties, there were two ladies, from Ideal Environmental, worked for many days performing their inspection. The city will only pay for one of the girls as the second girl was in training. The inspector noted that she took more samples in one of the houses than she has ever taken from any one building in her career. She suspects some asbestos containing items but largely there is not that much to be removed. Mayor is working with Farnsworth and the McLean County Regional Planning Commission to finish up the zoning map. Mayor spoke of a mistake found in the TIF Amendment which incorrectly included Lot 8 of the Edwin Kemp Trust property. This land was never annexed into the city. There will be a third amendment to the TIF District which will remove Lot 8.

Police: None

Building/Insurance: Alderman Miller spoke with the roofing contractor for the old Wooden Hare building. He dropped off some samples of shingles so the council could choose a color.

Finance/TIF: None

Water: None

Sanitation: Alderman Higgins reported that the city received a recycling grant from the Ecology Action Center in the amount of \$300. Alderman Higgins will contact the general manager at Allied Waste and ask for a proposal for a new waste contract. Mayor asked Alderman Higgins to convey to the manager that a lot less waste is being hauled due to the amount of recycling. This is a three year contract.

Streets/Allys: Alderman Revelle has been contacted by some residents that live on the Southeast corner of town regarding the condition of the vacant lot owned by Jack Miller. Mr. Miller explained to the Mayor that the weeds are too large to cut down and would like to wait for them to freeze off, and then he will spray them in the spring. Council members are not open to that option and want the weeds taken down now.

There being no further business, it was moved by Alderman Miller and seconded by Alderman Revelle to adjourn at 9:43 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Melanie Kunkel, City Clerk

Approved: 10/8/2012