

## REGULAR MEETING OF THE LEXINGTON CITY COUNCIL

November 12, 2012

The regular meeting of the Lexington City Council was called to order at 7:30 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, Alderman Brill, Alderman Winterland and Alderman Revelle. Members of the staff and public present were: Melanie Kunkel, Don Cavallini, David Atchley, Greg Crow, and Dave Schneider.

It was moved by Alderman Brill and second by Alderman Higgins to approve the October 24, 2012 council minutes. Motion carried unanimously.

It was moved by Alderman Winterland and seconded by Alderman Revelle to approve the treasurer's report and pay bills in the amount of \$371,587.66 which includes two checks for the Main Street hot mix project, a check to the Illinois Municipal League Risk Management Association for annual liability insurance renewal, and a payment for road construction for the North Park subdivision street resurfacing project. Motion carried unanimously.

### **Public Input-None**

### **Old Business:**

**MSA Street Report & Rating Presentation:** David Atchley and Greg Crow from MSA Professional Services provided the council with a comprehensive report of the condition of city streets based on a rating system. Several weeks ago Dave drove the streets with Mayor Mohr and noted that the bulk of the pavement in town is oil and chip construction and the biggest part of street failures are due to sewer construction repairs or drainage issues. The truck route was not evaluated as those streets are not maintained by the city. This report will be used by the city when prioritizing plans for future road repairs.

**Police Chief's Report:** The State is requesting a copy of the City's ordinance authorizing part time police officers. Dave is trying to get copies of ordinances other towns have used as a guide. Dave noted that the city has to provide each officer with a bullet proof vest as a part of the ICOPS contract. Each vest has a shelf life of approximately 6 years and Dave indicated that some of the current vests exceed that shelf life. The court date for the theft case Dave has been working has been pushed back again to December 6<sup>th</sup>. Mayor is asking anyone with an ordinance violation complaint to come into city hall and fill out a complaint form so there is a better trail of all communications associated with each issue.

**2012-2013 Property Tax Levy Ordinance:** Motion by Alderman Winterland and second by Alderman Miller to adopt Ordinance 2012-15, the 2012-2013 Property Tax Levy which is unchanged for the sixth year in a row. Motion carried unanimously.

### **New Business:**

**Resolution to Appoint IMRF Authorized Agent:** With city collector, Margaret Quinley's retirement, the council must appoint a new authorized agent for the IMRF benefits management.

Motion by Alderman Brill and second by Alderman Revelle to approve Resolution 2012-6 Appointing Star Torkelson, City Collector, as the IMRF agent. Motion carried unanimously.

**Resolution Appointing Star Torkelson as Trustee of 457 Plan:** The 457 Plan is a voluntary retirement savings program being offered to City full-time employees through Edward Jones Investments. The City does not make contributions to the 457 Plan. A new trustee must be appointed to replace Margaret Quinley. Motion by Alderman Winterland and second by Alderman Brill to adopt Resolution 2012-7 appointing Starlette Torkelson as Trustee of the 457 plan. Motion carries unanimously.

**Ordinance Violations at 303 W. Main Street:** Alderman Miller had a conversation with Mrs. Dodson, the owner of the tanning salon business. She outlined her concerns regarding the severe mold issue, water damage and overall decrepit nature of the building. The building is currently for sale and Mrs. Dodson is interested in purchasing the building but the current purchase price is an issue. Alderman Miller is interested in having a conversation with building owner, Caroline Bird, but Alderman Brill recommends more than one person be present for the conversation and notes be kept. Mayor recommends Alderman Miller bring the written complaint by the tenant when he speaks with Caroline. Alderman Revelle questions the council's intent for having a code violation discussion in lieu of the council's recent failed attempts at following through with fully enforcing code violations. Alderman Miller feels starting with a conversation is the best way to go and asked other council members for their opinions. Alderman Cole noted that the city has had issues with Caroline Bird in the past and feels the city should take whatever steps necessary, no matter the cost, in pursuing a resolution. Some of the items the council would like taken care of are the mold remediation and roof repairs. Alderman Winterland volunteered to assist Alderman Miller. Alderman Miller and Alderman Winterland will give Caroline 15 days to begin work on remediating the problem. If no attempt the remediate the issues has occurred after the 15 days, ordinance violation fines will begin to accrue. Alderman Cole feels a \$750 per day fine is too high but would like to see \$250 per day. Alderman Brill does not feel setting a fine tonight is the way to go. He would rather Alderman Miller and Alderman Winterland meet with Caroline and issue a letter providing her with 15 days to begin work. If no attempt is made to correct the problems, Alderman Brill feels the council can meet to discuss fines. Alderman Miller will check with Dave Jenkins to see if any letters have previously been sent to Caroline. Motion by Alderman Cole and second by Alderman Brill to speak with Caroline Bird regarding the condition of her rental property, give her 15 days to commence work to remediate the problems, and Alderman Miller will send Caroline a letter confirming same and provide a written report with meeting details to the City Council, Motion carries unanimously.

**Online Water billing/payment:** Alderman Miller spoke with both Margaret Quinley and Star Torkelson regarding an online water billing and payment system. The current water billing system has a module that can be purchased for \$195 to allow for online billing and payment. There is an annual \$120 fee for support. There is a \$2.15 user fee for anyone paying online. Because of that, the Mayor and the council don't recommend implementing this program. Mayor would like to give Star some time to handle more billing cycles on her own before making any changes to the process.

**New Route 66 Bikeway Agreement with IDOT:** In 2004 or 2005, the city accepted jurisdiction transfer of the Route 66 bikeway. Last November, IDOT provided the city with a new contract to be signed. Mayor has forwarded it to the city's attorney for review and has found that IDOT is trying to retake control of the areas of the bikeway that they had previously

given away. There are some improvements the Mayor would like to see made to the bikeway before transferring all authority back to IDOT. If the bikeway was given back to IDOT, any future improvements would have to go to IDOT for approval. Mayor will provide the council with an update in the future when certain questions are answered.

**Animal Control Intergovernmental Agreement w/McLean County:** This agreement is adopted every year by the City Council. It is an agreement with McLean County and allows animal control officer, Dan McDaniels, the ability to take any stray animals he catches to the county facility for holding. This eliminates any risks and costs associated with Dan having to house and care for the animals here in town. The agreement specifies a \$30.00 fee for each animal dropped off. Motion by Alderman Revelle and second by Alderman Cole to adopt the Animal Control Intergovernmental Agreement with McLean County. Motion carried unanimously.

**Closed Session-Personnel and Property Acquisition exceptions to OMA:** Motion by Alderman Winterland and second by Alderman Miller to go into closed session under Sections 2(c)(1) and 2(c)(5) under the Illinois Open Meetings Act. Motion carried unanimously. Entered into closed session at 9:29 pm.

Regular session resumed at 9:55 pm.

**Committee Reports:**

**Mayor:** The city received an insurance claim from John Brown for damages as a result of sewer backup in his home. State Farm paid about \$10,000 and they are now asking the city to reimburse them. The claim and the contracts he signed were forwarded to Mike Tibbs for his opinion as to whether or not the claim should be forwarded to the city's insurance. Mayor would like to have a candidate's forum to answer questions for anyone interested in filling out petitions for the Treasurer's position and seats which will be open on the council. Mayor thanked all council members for attending Margaret Quinley and Nelda Parker's retirement reception. Mayor is still working on demolition estimates for the three recently acquired properties.

**Police:** Dave is working on putting his reports onto the computer. Alderman Brill feels there should be more discussion on enforcing code violations.

**Building/Insurance:** There is another health insurance meeting scheduled for November 21<sup>st</sup> at 3:30 with Devon Bernstein. Some employees are still having some issues with billing and some changes are being made after the first of the year.

**Finance/TIF:** Business owners of The Local Slice provided a TIF application. Alderman Winterland would like to schedule a meeting for November 26<sup>th</sup> @ 7:00 pm. Alderman Winterland texted Mr. Althouse asking for an update on the progress of completion of his building. Mr. Althouse left a message indicating he has not been able to obtain any bids and does not have the funds at this time.

**Water:** None

**Sanitation:** Alderman Higgins received a letter from the Action Ecology Center thanking the city for the \$100 donation to the hazardous waste collection fund.

**Streets/Allys:** None

There being no further business, it was moved by Alderman Miller and seconded by Alderman Winterland to adjourn at 10:14 p.m. Motion carried by unanimous voice vote.

Respectfully submitted,

Approved: 11/26/2012

Melanie Kunkel, City Clerk