**CITY OF LEXINGTON**

**REGULAR COUNCIL MEETING**

**FEBRUARY 18, 2016 – 7:00 P.M.**

**9180 LEXINGTON AVENUE**

1. **Call to Order:** – Mayor Kurth
   1. Roll Call - Council Members: DeVries, Hughes, Payment, Plasch

***Mayor Kurth called to order the Regular City Council meeting for February 18, 2016 at 7:00 p.m. Councilmember’s present: Devries, Hughes, and Payment. Excused absence: Councilmember Plasch. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Tina Meyer, Finance Director; Sergeant Chris Carlson, Centennial Lakes P.D.; Bob & Teresa Karas, former Carbone’s owner; Heidi Nelson, executive director, Northmetro TV; Nick Anhut, Ehler’s & Associates.***

1. **Citizens Forum**

***Sergeant Chris Carlson presented the preliminary 2015 police report for the City of Lexington. He stated that they weren’t the final numbers, but he feels they are accurate enough to provide the City Council an update. Discussion ensued.***

1. **APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS**

***Councilmember Payment made a motion to approve the agenda as typewritten. The motion was seconded by Councilmember Hughes. Motion carried 4-0.***

1. **LETTERS AND COMMUNICATIONS:**
   1. Park Board meeting minutes – February 1, 2016
   2. Public Notice – Closed Executive Session - February 18, 2016
   3. MSA – Proposed 2016 Fees

***No discussion or comments on Letters and Communications.***

1. **Consent ITEMS:**
   1. Recommendation to Approve Council Minutes:

Council Meeting – February 4, 2016

* 1. Recommendation to Approve Claims and Bills:

Check #’s 40444 through 40487

Check #’s 10722 through 10745

* 1. Financial Reports
* Cash Balances
* Fund Summary – Budget to Actual

* 1. Anoka County 2016 Residential Recycling Agreements

***A motion was made by Councilmember Devries to approve the consent agenda* items. *The motion was seconded by Councilmember Payment. Motion carried 4-0.***

1. **Action ItemS:**
   1. Carbone’s Liquor License Violation.

***City Attorney Glaser provided an overview of the ‘sting’ that was conducted by the police department where a Carbone’s Restaurant server sold alcohol to an underage drinker, which is considered a liquor license violation.***

***Bob and Teresa Karas were present to address the Council regarding this liquor license violation. Discussion ensued. Bob Karas explained that the server was terminated within minutes following their notification of the violation. Discussion ensued.***

***Attorney Glaser explained the liquor license ordinance and what the City Council can do to issue punishment for the liquor violation on the former owners of Carbone’s. Discussion ensued.***

***Mayor Kurth made a motion to issue a $1,000 administrative penalty for the Carbone’s liquor license violation. The motion was seconded by Councilmember Devries. Motion carried 4-0.***

* 1. Recommendation to approve Resolution NO. 16-05 A Resolution Regarding Amendment Of The Amended Joint And Cooperative Agreement For The Administration Of A Cable Communications System To Amend The Commission’s Authority To Issue Bonds, Obligations And Other Forms Of Indebtedness And To Modify The Member Cities’ Use Of Certain Franchise Fees.

***Heidi Nelson from North Metro Television (NMTV), and Nick Anhut from Ehler’s & Associates were present to provide an overview of Resolution No. 16-05 and Resolution No. 16-06.***

***Nelson explained that in order for NMTV to improve their technology to HDTV, all member cities of the joint powers agreement (JPA) must approve the bond resolutions. Nelson provided an explanation for upgrading to HDTV technology. She stated that by approving the resolutions will allow the City of Circle Pines to bond for the equipment upgrades on behalf of NMTV. Nelson also stated that by adopting the resolutions will provide the Cable Commission two authorities through the Joint Powers Agreement (JPA) to bond with less restriction; it also changes how member cities are allowed to spend their franchise fees. Discussion ensued.***

***Nick Anhut, Ehler’s & Associates explained the process of issuing the debt on behalf of the Cable Commission. He further explained the process involving the City of Circle Pines and the reason they would be issuing the debt on behalf of the Cable Commission for the HDTV upgrades. Discussion ensued.***

***Councilmember Hughes made a motion to approve Resolution NO. 16-05 A Resolution regarding amendment of the amended joint and cooperative agreement for the administration of a cable communications system to amend the commission’s authority to issue bonds, obligations and other forms of indebtedness and to modify the member vities’ use of certain franchise fees. The motion was seconded by Councilmember Payment. Motion carried 4-0.***

* 1. Memo – Nick Anhut, Ehlers & Associates regarding Proposed G.O. Financing for Capital Equipment.

***A motion was made by Councilmember Devries to acknowledge a memo from Nick Anhut, Ehlers & Associates regarding the proposed G.O. Financing for capital equipment . The motion was seconded by Councilmember Payment. Motion carried 4-0.***

* 1. Recommendation to approve Resolution NO. 16-06 A Resolution Concurring The Issuance Of The $\_\_\_\_\_\_\_\_\_\_\_\_\_ General Obligation Capitol Notes, Series 2016A By The City Of Circle Pines, Minnesota, And Authorizing Execution Of A $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ General Obligation Capital Note, Series 2016A And Levying A Tax For The Payment Thereof.

***A motion was made by Councilmember Devries to approve Resolution NO. 16-06 A Resolution concurring the issuance of the amount not to exceed $265,000 General Obligation Capitol Notes, Series 2016A By The City Of Circle Pines, Minnesota, and authorizing execution of an amount not to exceed $37,105 General Obligation Capital Note, Series 2016A and levying a tax for the payment thereof. The motion was seconded by Councilmember Hughes. Motion carried 4-0.***

* 1. Recommendation to approve Position Description –
* Public Works Maintenance Worker Part-Time, Seasonal

***Tina Northcutt, Finance Director, provided an overview of the public works maintenance part-time, seasonal employee job description. Discussion ensued. Councilmember Devries asked if the City does pre-employment drug and alcohol screening. Northcutt explained that the City does not do alcohol and drug-testing. Petracek stated that this would be something that would need to be negotiated with the CBA for union employees. Discussion ensued.***

***Petracek stated they would bring something forward regarding an alcohol and drug testing policy for the City of Lexington.***

***A motion was made by Councilmember Devries to approve the position description for the public works maintenance worker, part-time, seasonal. The motion was seconded by Councilmember Hughes. Motion carried 4-0.***

1. **MAYOR AND COUNCIL INPUT**

***Devries asked why there was no flag on the flagpole at the fire station. Discussion ensued.***

***No further discussion.***

1. **ADMINISTRATOR INPUT**

***No input from the city administrator.***

1. **Convene for CLOSED EXECUTIVE SESSION - ATTORNEY CLIENT PRIVELEDGES MATTERS**

***A motion was made by Councilmember Devries to convene into closed session at 7:59 pm to discuss attorney client priveldged matters. The motion was seconded by Councilmember Hughes. Motion carried 4-0.***

1. **reconvene from closed session**

***The City Council reconvened from closed session at 8:31 pm.***

1. **ADJOURNMENT**

***A motion was made by Councilmember Devries to adjourn the meeting at 8:32 p.m. The motion was seconded by Councilmember Payment. Motion carried 4-0.***

***I hereby certify that the February 18, 2016, Regular City Council Minutes as presented, were approved by the Lexington City Council on March 3, 2016.***

***Bill Petracek***

***City Administrator***

/bp