**PUBLIC HEARING**

**&**

**CITY OF LEXINGTON**

**REGULAR COUNCIL MEETING**

**OCTOBER 1, 2015 – 7:00 P.M.**

**9180 LEXINGTON AVENUE**

**PUBLIC HEARING**

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

***Mayor Kurth called to order the Public Hearing on assessments for Flowerfield Road Street improvements project of 2015 October 1, 2015 at 7:00 p.m. Councilmember’s present: Devries, Hughes, Payment, and Plasch.***

***Also Present: Bill Petracek, City Administrator; Tina Northcutt, Finance Director; Kurt Glaser, City Attorney; Steve Winter, City Engineer; Flowerfield Road residents.***

1. **PUBLIC HEARING: Notice of Public Hearing on Assessments for Flowerfield Road Street Improvement Project of 2015 .**

***Steve Winter, City Engineer, presented an informational powerpoint presentation that provided an overview of the Flowerfield Road project and the proposed special assessments roll for the residents of Lexington that live along the corridor. Kurt Glaser, City Attorney, provided an explanation to the people attending the public hearing of their rights and ability to object to the proposed special assessments. He asked that if an individual had an objection to please address the City Council at the podium and sign in with your name and address:***

***Eric Frisby – 4021 Flowerfield Road – explained he was not at the hearing to object to the special assessments, but explained he is concerned about the construction of the road in front of his house, and the potential for leaving ice patches in front of his driveway in the winter. Discussion ensued.***

***Amy Winberly - 4041 Flowerfield Road – Ms. Winberly addressed the Council by saying that she had a problem with her sprinklers during the road construction, but it has been addressed by City staff.***

***Travis Young – 8701 Griggs Ave. – Also explained he had a sprinkler problem due to the road construction and concurred with Winberly that City staff has addressed the problem.***

***Adele Piotrowski – 8813 South Highway Drive - was at the public hearing to object to the special assessments and explained that originally her linear feet of assessment was 75 feet, and the second letter she received from MSA showed her special assessment calculated with 90 linear feet of property. Discussion ensued. She also asked the Council, now that the road behind her house is planted with grass, if the City was going to maintain the property. Discussion ensued about potentially vacating the City right-of-way property.***

***Petracek recommended that City staff meet with Ms. Piotrowski regarding the property to discuss the various options of maintenance and provide the Council with a recommendation for the land.***

***Discussion continued about the special assessment for Piotrowski’s property. Mayor Kurth asked her that she actually has 200 linear feet of property frontage, and the City has dropped it to 90’. Discussion ensued.***

**ADJOURN PUBLIC HEARING**

***A motion was made by Councilmember Devries to adjourn the public hearing on assessments for Flowerfield Road Street Improvement Project of 2015. The motion was seconded by Councilmember Plasch. Motion carried 5-0.***

***Public hearing adjourned at 7:44 p.m.***

**REGULAR COUNCIL MEETING**

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

***Mayor Kurth called to order the Regular Council meeting of the City of Lexington on***

***October 1, 2015 at 7:45 p.m. Councilmember’s present: Devries, Hughes, Payment, and Plasch.***

***Also Present: Bill Petracek, City Administrator; Tina Northcutt, Finance Director; Kurt Glaser, City Attorney; Steve Winter, City Engineer.***

1. **Citizens Forum**

***John O’Neil– 9409 Hamline Ave – was present to introduce himself to the City Council – O’Neil was recently appointed to the Planning & Zoning Commission. O’Neil also wanted to express his concerns about Hamline Ave. truck traffic. He explained that often trucks miss the 95th Ave from Lovelle Ave, and turn onto Hamline Ave. even though there is a sign for no trucks on the street. He explained that the road has only been reconstructed for 3 years, and there is already road patching being done to maintain the road. He believes there has been increased truck traffic. Discussion ensued.***

***Steve Winter, City Engineer, explained that 95th Ave is a County road, and they have talked to them about putting signs up to address the truck traffic with no success. He further added that the City does not have jurisdition to put up truck traffic signage on 95th Ave. Discussion ensued.***

***Mayor Kurth asked Petracek if he could talk to Chief Coan about the enforcement of truck traffic on Hamline Ave.***

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

***A motion was made by Councilmember Hughes to approve the agenda as typewritten. The motion was seconded by Councilmember Plasch. Motion carried unanimously 5-0.***

1. **INFORMATIONAL REPORTS:**
   1. Airport (Councilmember Plasch) – ***Plasch explained that there would not be a meeting until November.***
   2. Cable Commission (Councilmember Payment) – ***Payment explained that the September meeting was cancelled, but the Cable Commission will be meeting October 7th to review the new franchise agreement with CenturyLink, which is nearing completion.***

* 1. City Administrator (Bill Petracek) ***– Petracek updated the Council on the Lovell Building letter that was sent to tenants regarding the future sale of the building. He explained that he has been contacted by most of the tenants about the City selling the building.***

1. **LETTERS AND COMMUNICATIONS:**
   1. Rice Creek Watershed District Summer 2015 Newsletter
   2. Notice – Planning & Zoning Public Hearing – October 13, 2015
   3. Council Workshop meeting minutes – September 17, 2015
   4. Notice of Public Meeting- Centennial Lakes Police Joint Governing Board
   5. Public Notice – Closed Executive Session – September 17, 2015
   6. Public Notice – Special Council Workshop – October 1, 2015

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

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

Council Meeting – September 17, 2015

* 1. Recommendation to Approve Claims and Bills:

Check #’s 13403 through 13405

Check #’s 39990 through 40029

* 1. Financial Reports
* Cash Balances 
  1. Fund Summary – Budget to Actual Recommendation to approve Business License Renewal

***A motion was made by Councilmember Plasch to approve the consent agenda items. The motion was seconded by Councilmember Payment. Motion carried unanimously 5-0.***

1. **Action ItemS:**
   1. Recommendation to approve Partial Payment #1 for Flowerfield Street Improvement Project to Hardives Inc. in the amount of $328,268.78.

***A motion was made by Councilmember Devries to approve partial payment #1 for Flowerfield Street Improvement Project to Hardrives Inc. in the amount of $328,268.78. The motion was seconded by Councilmember Plasch. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Cost Sharing Agreement with the City of Blaine to repair Flowerfield Road culvert at a cost of $23,722.00.

***A motion was made by Councilmember Devries to approve the cost sharing agreement with the City of Blaine to repair Flowerfield Road culvert at a cost of $23,722.00. The motion was seconded Councilmember Payment. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Resolution NO. 15-29 A Resolution Approving Easement Vacation.

***Attorney Glaser provided a brief explanation for the easement vacation on Paster Properties.***

***A motion was made by Councilmember Hughes to approve Resolution No. 15-29 – A Resolution Approving Easement Vacation. The motion was seconded by Councilmember Payment. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Resolution NO. 15-30 A Resolution Adopting Assessment.

***Attorney Glaser provided an explanation to Ms. Piotrowski’s objection to the assessment of her property on South Highway Drive. He recommended tabling Piotrowski’s assessment, but adopt the rest of the assessment roll in Resolution No. 15-30.***

***A motion was made by Devries to table the assessment for Piotrowski, but adopt the remaining assessments of Resolution No. 15-30. Discussion ensued.***

***Mayor Kurth feels the 90 linear feet of assessment of Ms. Piotrowski’s property is fair. Councilmember Hughes agreed with Mayor Kurth. Councilmember Payment explained to Piotrowski that she understands her frustration, but she also agrees with Mayor Kurth on the 90 ft. assessment.***

***Councilmember Devries retracted his original motion.***

***Councilmember Devries made a motion to approve Resolution No. 15-30 – A Resolution Adopting Assessment. The motion was seconded by Councilmember Hughes. Motion carried unanimously 5-0.***

* 1. Recommendation to approve GIS Proposal – Phase II.

***A motion was made by Councilmember Hughes to approve GIS Proposal – Phase II. The motion was seconded by Councilmember Payment. Motion carried unanimously 5-0.***

* 1. Recommendation to approve salary increase – Election Judges.

***A motion was made by Councilmember Devries to approve salary increases for election judges. The motion was seconded by Councilmember Plasch. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Social Media Policy.

***A motion was made by Councilmember Plasch to approve the Social Media Policy. The motion was seconded by Councilmember Devries. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Personnel Policy Changes
* Short Term/Long Term/ Life Insurance
* Holidays

***A motion was made by Councilmember Devries to approve Personnel Policy Changes to Short Term/Long Term/Life Insurance and Holidays. The motion was seconded by Councilmember Hughes. Motion carried unanimously 5-0.***

1. **MAYOR AND COUNCIL INPUT – *No input from the Mayor or city Council***
2. **ADJOURNMENT**

***A motion was made by Councilmember Devries to adjourn at 8:24 p.m. The motion was seconded by Councilmember Payment. Motion carried unanimously 5-0.***

***I hereby certify that the October 1, 2015, Regular City Council Minutes as presented, were approved by the Lexington City Council on October 15, 2015.***

***Bill Petracek***

***City Administrator***

/bp