

**CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
NOVEMBER 19, 2015 – 7:00 P.M.  
9180 LEXINGTON AVENUE**

**1. CALL TO ORDER:** – Mayor Kurth

- A. Roll Call - Council Members: DeVries, Hughes, Payment, Plasch

*Mayor Kurth called to order the Regular City Council meeting for November 19, 2015 at 7:00 p.m. Councilmember's present: Devries, Hughes, and Plasch. Excused absence: Payment. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Tina Northcutt, Finance Director; Steve Winter, City Engineer; Gary Grote, Fire Chief; Bill Snoke, Allina EMS; Dave Mattison, Allina EMS; Sara Moore, Quad Press.*

**2. CITIZENS FORUM**

*No citizens were present to address the Council*

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

*A motion was made by Councilmember Plasch to approve the agenda as presented. The motion was seconded by Councilmember Devries. Motion carried 4-0.*

**4. LETTERS AND COMMUNICATIONS:**

- A. Minnesota Department of Commerce  
B. Park Board meeting minutes – November 2, 2015  
C. Public Notice – Park Board meeting – Monday December 14<sup>th</sup>

*No discussion on Letters and Communications.*

**Consent Agenda:**

**5. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – November 5, 2015
- B. Recommendation to Approve Claims and Bills:  
Check #'s 13410 through 13410  
Check #'s 40143 through 40194  
Check #'s 10591 through 10615

VOID #10568

C. Financial Reports

- Cash Balances
- Fund Summary – Budget to Actual

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

**Action Items:**

**6. ACTION ITEMS:**

- A. Recommendation to approve Change Order # 2 for Flowerfield Road Street Improvement Project.

*A motion was made by Councilmember Devries to approve change order #2 for Flowerfield Road Street improvements project. The motion was seconded by Councilmember Plasch. Motion carried 4-0.*

- B. Recommendation to approve Partial Payment # 2 for Flowerfield Road Street Improvement Project in the amount of \$191,200.35

*A motion was made by Plasch to approve partial payment #2 for Flowerfield Road Street improvement project in the amount of \$191,200.35. The motion was seconded by Councilmember Hughes. Motion carried 4-0.*

- C. Recommendation to approve Partial Payment #2 to JPMI Construction for Fire Station Project in the amount of \$130,907.15

*Councilmember Devries stated that the Cook's Autobody fence has not been put back up. Steve Winter, City Engineer, explained that there were several items on MSA's punchlist that have not been completed on the fire station. Winter's handed out a field report from the inspector showing the items that have not been completed. Discussion ensued.*

*Attorney Glaser explained that there is a clause in the contract allowing for the City of Lexington to issue liquidated damages in the amount of \$250 each day that JPMI is late on completing the project. The Council discussed assessing liquidated damages to JPMI for being late on the completion of the project.*

*A motion was made by Councilmember Hughes to approve partial payment #2 to JPMI Construction for Fire Station project in the amount of \$130,907.15. The motion was seconded by Councilmember Devries. Motion carried 4-0.*

- D. Recommendation to approve Resolution NO. 15-35 A Resolution Adopting Assessment.

***A motion was made by Councilmember Hughes to approve Resolution No. 15-35 – A Resolution Adopting Assessment. The motion was seconded by Councilmember Plasch. Motion carried 4-0.***

- E. Recommendation to approve Resolution NO. 15-36 A Resolution Deferring Special Assessments for 2015 Flowerfield Road Project.

***A motion was made by Councilmember Devries to approve Resolution No. 15-36 – A Resolution Deferring Special Assessments for 2015 Flowerfield Road Project. The motion was seconded by Councilmember Plasch. Motion carried 4-0.***

- F. Recommendation to approve Resolution No. 15-37 A Resolution Certifying Ordinance Violation Charges Against Benefitted Property.

***A motion was made by Councilmember Hughes to approve Resolution No. 15-37 - A Resolution Certifying Ordinance Violation Charges Against Benefitted Property. The motion was seconded by Councilmember Devries. Motion carried 4-0.***

- G. Recommendation to approve Resolution NO. 15-38 A Resolution Certifying Delinquent Water and Sewer Assessment Against Benefitted Property.

***A motion was made by Councilmember Devries to approve Resolution No. 15-38 – A Resolution Certifying Delinquent Water and Sewer Assessment against Benefitted Property. The motion was seconded Councilmember Hughes. Motion carried 4-0.***

- H. Recommendation to approve Resolution NO. 15-33 A Resolution Amending Fee Schedule.

***A motion was made by Councilmember Plasch to approve Resolution No. 15-33 – A Resolution Amending Fee Schedule. The motion was seconded Councilmember Hughes. Motion carried 4-0.***

- I. Recommendation of Lexington Park Board to approve St. Anthony-New Brighton School District request for Girls Section 4 - AAA Softball Tournament use of ball fields at Lexington Memorial Park

- May 24<sup>th</sup>
- May 25<sup>th</sup> (May 26<sup>th</sup> rain back-up date)
- May 27<sup>th</sup> (May 28<sup>th</sup> rain back-up date)
- May 31 (June 1<sup>st</sup> rain back-up date)
- June 2 (June 3<sup>rd</sup> rain back-up date)

*A motion was made by Councilmember Devries to approve St. Anthony-New Brighton School District request for Girls Section 4 - AAA Softball Tournament use of ball fields at Lexington Memorial Park for the following dates: May 24<sup>th</sup>, May 25<sup>th</sup> (May 26<sup>th</sup> rain back-up date), May 27<sup>th</sup> (May 28<sup>th</sup> rain back-up date), May 31 (June 1<sup>st</sup> rain back-up date), June 2 (June 3<sup>rd</sup> rain back-up date). The motion was seconded by Councilmember Hughes. Motion carried 4-0.*

- J. Recommendation to approve Resolution NO. 15-34 A Resolution Approving Summary Text of Ordinance NO. 15-11 for Publication.

*A motion was made by Councilmember Plasch to approve Resolution No. 15-34 – A Resolution approving summary text of ordinance No. 15-11 for publication. The motion was seconded by Councilmember Devries. Motion carried 4-0.*

## **7. MAYOR AND COUNCIL INPUT**

*Mayor Kurth wished everyone a safe and Happy Thanksgiving. No further input.*

## **8. ADMINISTRATOR INPUT**

*No input*

## **9. ADJOURNMENT**

*A motion was made by Councilmember Hughes to adjourn the meeting at 7:19 p.m. The motion was seconded by Councilmember Devries. Motion carried 4-0.*

*I hereby certify that the November 19, 2015, Regular City Council Minutes as presented, were approved by the Lexington City Council on December 3, 2015.*

*Bill Petracek  
City Administrator*

/bp