**CITY OF LEXINGTON**

**REGULAR COUNCIL MEETING**

**JUNE 18, 2015 – 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 Council meeting of the City of Lexington on***

***June 18, 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; Doug Borglund, MSA Planner; Ken Henk, Paster Properties; Eric Fosmo, Engineer Consultant – Paster Properties; Jim Coan, Police Chief; Ron Nelson, Police Captain; Brandon Paul, Bamboo Betty’s; Kaitlin Lochowich, Quad Press.***

1. **Citizens Forum –**

***There were no citizens present to address the Council.***

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

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

1. **LETTERS AND COMMUNICATIONS:**
   1. North Metro TV – May 2015 Update
   2. Planning & Zoning Public Hearing & meeting minutes – June 9, 2015
   3. City of Blaine meeting notice – 95th & Hamline - Conditional Use Permit
   4. Public Notice – Special Lexington Council Workshop meeting – 6-11-2015
   5. Public Notice – June 13, 2015 possible quorum of Lexington City Council/Fire Relief in attendance of graduation party
   6. Public Notice – Park Board will meet June 7, 2015 for weeding of City owned flower gardens

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

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

Council Meeting – June 4, 2015

* 1. Recommendation to Approve Claims and Bills:

Check #’s 13390 through 13390

Check #’s 39633 through 39681

Check #’s 10408 through 10425

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

* 1. Recommendation to approve Special Event Permit for Lexington Fire Relief Association Annual 5K Flash & Dash – July 18, 2015
  2. Recommendation to approve Business License Renewals

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

1. **Action ItemS:**
   1. Discuss Planning & Zoning Commission recommendation to approve Paster Properties Preliminary Plat.

***Doug Borglund, MSA Planning Consultant, presented the preliminary plat for the Paster Properties and Northway Mall site plan. Discussion ensued. Petracek explained the need to work with Paster Properties to develop a site agreement to address the recommendations for the preliminary plat and site plan. Discussion ensued.***

***Ken Henk, Paster Properties, was present to answer questions on their intentions for the properties. He explained that the replat of their properties and improvements to Northway Mall is a result of a need to settle the estate of Howard Paster, to market the vacant property, and to prepare for the opening of the Super Wal-Mart in Blaine on Lexington Ave. Discussion ensued.***

***A motion was made by Councilmember Hughes to approve the Paster Properties Preliminary Plat. The motion was seconded by Councilmember Devries. The motion carried unanimously 5-0.***

* 1. Discuss Planning & Zoning Commission recommendation to approve Northway Mall Site Plan

***A motion was made by Councilmember Hughes to approve the Northway Mall Site Plan. The motion was seconded by Councilmember Payment. Motion carried unanimously 5-0.***

* 1. Discuss Resolution NO. 15-18 A Resolution Ordering Preparation Of Report On Improvement – South Service Drive.

***Steve Winter, City Engineer, provided an overview of Resolution No. 15-18. He explained that Paster Properties has agreed to pay 100% of South Service Drive road reconstruction through special assessments. He added that this resolution will authorize MSA Consultants to move ahead with the feasibility study on the road. The specifications for the road improvements have been included in the bidding process for Flowerfield Road. Discussion ensued.***

***A motion was made by Councilmember Plasch to approve Resolution No. 15-18 – A resolution ordering the preparation of report on improvements – South Service Drive. The motion was seconded by Councilmember Payment. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Resolution NO. 15-16 A Resolution Authorizing A Permanent Fund Transfer

***A motion was made by Councilmember Plasch to approve Resolution No. 15-16 – A resolution authorizing a permanent fund transfer. The motion was seconded by Councilmember Hughes. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Resolution NO. 15-17 A Resolution Seeking To Obtain A Premises Permit From The State Of MN Alcohol And Gambling For The Centennial HS Football Booster.

***A motion was made by Councilmember Devries to approve Resolution No. 15-17 – A resolution seeking to obtain a premises permit from the State of MN Alcohol and Gambling for the Centennial HS Football Booster. The motion was seconded Councilmember Hughes. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Repair Request – Lovell Building.

***A motion was made by Councilmember Devries to approve a bid for a repair request for Lovell Building in the amount of $1,964.46 to North Metro Autoglass. The motion was seconded by Councilmember Plasch. Motion carried unanimously 5-0.***

* 1. Recommendation to approve Annual Entertainment License
* Bamboo Betty’s
* Cowboy’s Saloon

***A motion was made to by Councilmember Devries to approve the annual entertainment license for Bamboo Betty’s and Cowboy’s Saloon. The motion was seconded by Councilmember Plasch. Motion carried unanimously 5-0.***

* 1. Liquor License Renewals/Discuss recommendation for conditions on license.

***Councilmember Devries questioned Attorney Glaser’s memo to the Council on the need to obtain video surveillance via the conditions of the liquor licensing process. Attorney Glaser stated it is necessary to obtain this information for solving the assaults that occur on the property and for prosecutorial reasons. He had met with Cowboy’s Saloon and they have no problem with being required to provide video surveillance when requested as a condition for the annual liquor license. Discussion ensued.***

***Brandon Paul, Bamboo Betty’s General Manager, explained that he is the only person who knows how to operate the video surveillance system at their establishment; it is a very complicated system to use, but he is willing to train the police department on how to use and obtain the necessary information from the system. Councilmember Payment stated that this is not the first time we have had to request a video from Bamboo Betty’s and did not receive it. Discussion ensued.***

***Councilmember Payment explained by providing a video protects the City & Bamboo Betty’s so she is in agreement of imposing the condition of providing video surveillance upon request as part of the annual liquor license. Discussion ensued.***

***Mr. Paul stated that Bamboo Betty’s wants to cooperate with the police department; he would like to be able to train the police department on how to use the video surveillance system to download the information they need. Councilmember Payment replied that it is not the police department’s responsibility to be able to operate Bamboo Betty’s equipment. Discussion ensued.***

***Mayor Kurth stated that he couldn’t understand why if Bamboo Betty’s wants to cooperate with the police department, then why is it that an incident that happened on April 26th and this is June 18th that the police department still has not received a video that they have requested. Discussion ensued.***

***Mr. Paul stated he did not have knowledge of the incident happening on April 26th. He was unaware that the police department had requested the video from the April 26th incident. He further explained that his Dad did not tell him. Discussion ensued.***

***Police Chief Coan addressed the Council and explained that the police department is not concerned about individual incidents, they just want Cowboy’s and Bamboo Betty’s to be more timely on providing videos in the future.***

***A Motion was made by Councilmember Devries to Adopt the Liquor License Renewal as stated in item 6(H) of the Agenda, with the additional conditions against Cowboy & Bamboo Bettys as contained in the Packet. The motion was seconded by Councilmember Plasch. Motion carried unanimously 5-0.***

1. **MAYOR AND COUNCIL INPUT**

***Some discussion by the Council.***

1. **CITY ADMINISTRATOR INPUT –**

***Petracek reminded the Council that the July 1st Council meeting is on a Wednesday evening. Discussion ensued.***

1. **Adjournment**

***A motion was made by Councilmember Plasch to adjourn the meeting at 8:06 p.m. The motion was seconded by Councilmember Payment. Motion carried unanimously 5-0.***

***I hereby certify that the June 18, 2015, Regular City Council Minutes as presented, were approved by the Lexington City Council on July , 2015.***

***Bill Petracek***

***City Administrator***

/bp