

**CITY OF LEXINGTON
REGULAR COUNCIL MEETING
SEPTEMBER 4, 2014 – 7:00 P.M.
9180 LEXINGTON AVENUE**

APPEALS HEARING

1. CALL TO ORDER: – Mayor Pitchford

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

APPEALS HEARING: HEARING TO APPEAL DESIGNATION AS A POTENTIALLY DANGEROUS DOG, by Kayla Zelasney

Vice Mayor Plasch called to order the Appeals Hearing to Appeal Designation as a Potentially Dangerous Dog of the City of Lexington of September 4, 2014 at 7:00 p.m. Councilmember's present: Bailey, Hughes, and Payment. Absent: Mayor Pitchford Also Present: Bill Petracek, City Administrator; Tina Northcutt, Finance Director; Kurt Glaser, City Attorney; Officer Lucas Fredrickson and Sergeant Pat Aldrich, Centennial Lakes P.D.; Kayla Zelasney, Resident; Tim & Lori Glover, Bistro LaRoux Owner's.

Administrator Petracek provided a brief explanation to the appeal that was filed by Kayla Zelasney of the designation of her dog "Diesel" as a potentially dangerous animal. Attorney Glaser explained the city ordinance on "designating an animal potentially dangerous." He suggested to proceed with the hearing that the police department presents the facts and then Ms. Zelasney would provide testimony on behalf of Diesel.

Centennial Lakes Police Department Community Service Officer, Lucas Frederickson provided an explanation as to why Diesel has been declared a potentially dangerous animal. Discussion ensued.

Kayla Zelasney, 9334 Dunlap Ave, Lexington, MN. approached the Council and provided testimony on behalf of her dog, Diesel. Discussion ensued.

Discussion was had about the picture that was taken by the PD, but not available in the packet of information provided. Sergeant Aldrich stated they would go to the police department and send the picture over by email for the Council to view.

2. ADJOURN APPEALS HEARING

A motion was made by Councilmember Payment, seconded by Councilmember Bailey to temporarily adjourn the Appeals Hearing at 7:25 pm to wait for the CLPD to retrieve the picture of the bite mark caused by Diesel. Passed unanimously. Motion carried 4-0.

REGULAR COUNCIL MEETING

3. CALL TO ORDER: – Mayor Pitchford

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

Vice Mayor Plasch called to order AT 7:26 PM the Regular City Council meeting of September 4, 2014 at 7:26 p.m. Councilmember's present: Bailey, Hughes, and Payment. Absent: Mayor Pitchford Also Present: Bill Petracek, City Administrator; Tina Northcutt, Finance Director; Kurt Glaser, City Attorney; Officer Lucas Fredrickson and Sergeant Pat Aldrich, Centennial Lakes P.D.; Kayla Zelasney, Resident; Tim & Lori Glover, Bistro LaRoux Owner's.

4. CITIZENS FORUM

There were no citizens present for discussion under this item.

5. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

A motion was made by Councilmember Payment, seconded by Councilmember Bailey to approve the agenda with a change.

ADD: Action Item B – Recommendation to approve 3.2% on-sale license for Bistro LeRoux.

Passed unanimously. Motion carried 4-0.

6. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Plasch) – *No update*
- B. Cable Commission (Councilmember Payment) – *Councilmember Payment provided an update on the franchise renewal process.*
- C. City Administrator (Bill Petracek) – *Administrator Petracek provided an update on Parkview/Paul Revere and Lakeshore Management from Skokie, Illinois' interest in purchasing the property*

7. LETTERS AND COMMUNICATIONS:

- A. Planning & Zoning meeting minutes – August 12, 2014
- B. Council Workshop meeting minutes – August 21, 2014
- C. North Metro I-35W Corridor Coalition BOD meeting minutes
- D. Park Board meeting minutes – August 4, 2014
- E. Anoka County Sheriff's Office - Open House Sept. 16th , 4 – 7 pm

There was some discussion on Letters and Communications agenda items. No action was taken.

Consent Agenda:

8. CONSENT ITEMS:

- a. Recommendation to Approve Council Minutes:
Council Meeting – August 21, 2014
- b. Recommendation to Approve Claims and Bills:
Check #'s 13288 through 13300
Check # 38703
Check #'s 38704 through 38750
 - a. Check #'s 10036 through 10048

Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve the consent agenda as presented. Passed unanimously. Motion carried 4-0.

Action Items:

9. ACTION ITEMS:

Item B was addressed first

B. Recommendation to approve 3.2% On-Sale License for Bistro Lexroux
Attorney Glaser explained that this legislation is a requirement of the State to allow Bistro Lexroux to serve beer and wine.

A motion was made by Councilmember Bailey, seconded by Councilmember Payment to modify Bistro Lexroux's license to allow 3.2% beer and wine. Passed unanimously. Motion carried 4-0.

- A. Consider appeal of designation as a potentially dangerous dog, by Kayla Zelasney

A motion was made by Councilmember Payment, seconded by Vice Mayor Plasch to reopen the Appeals Hearing to Appeal Designation as a Potentially Dangerous Dog at 7:44 pm. Passed unanimously. Motion carried 4-0

Officer Frederickson provided an explanation to the picture which showed the bite mark that was caused by Diesel – a copy of the picture was provide to the City Councilmembers. Kayla Zelasney also provided an explanation to the picture of the dog bite. Discussion ensued.

A motion was made by Councilmember Bailey, seconded by Vice Mayor Plasch close the Appeals Hearing at 7:51 pm. Passed unanimously. Motion carried 4-0.

A motion was made by Councilmember Bailey, seconded by Vice Mayor Plasch to rescind the potentially dangerous dog designation on Diesel. Passed unanimously. The motion carried 4-0.

10. MAYOR AND COUNCIL INPUT –

Councilmember Bailey brought up the city administrator's yearly evaluation. Discussion ensued. Administrator Petracek stated he would contact Richard Fursman to set-up a meeting with the Council at the last meeting in November.

11. ADJOURNMENT

Motion was made by Councilmember Payment, seconded by Councilmember Bailey to adjourn the Regular Council meeting at 8:11 pm. Passed unanimously. Motion carried 4-0.

I hereby certify that the September 4, 2014, Regular City Council Minutes as presented, were approved by the Lexington City Council on September 18, 2014.

*Bill Petracek
City Administrator*

/mv