

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
AUGUST 5, 2021 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Murphy

- A. Roll Call - Council Members: DeVries, Harris, Hughes and Winge

Mayor Murphy called to order the Regular City Council meeting for August 5, 2021 at 7:00 p.m. Councilmember's present: Devries, Harris, Hughes, and Winge. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Larry Renallo, Cowboy's; Arturo Renallo, Cowboy's; Heidi Zaworski, Cowboy's; Andrew Bardwell, Cowboy's Attorney; Captain Pat Aldrich, Centennial Lakes Police Department; Tony Scholt's, George's Texaco

3. CITIZENS FORUM

No citizens were present to address the Council on items not on the agenda.

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Councilmember Devries made a motion to approve the agenda as typewritten. Councilmember Harris seconded the motion. Motion carried 5-0.

5. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Devries) *Councilmember Devries stated that the next meeting is October 13th.*
- B. Cable Commission (Councilmember Winge) –*Councilmember Winge stated they did not have a meeting in August*
- C. City Administrator (Bill Petracek) –*Petracek discussed the construction projects currently underway in Lexington. He added that he would be taking time off in August and September for a family emergency, vacation, and jury duty. Discussion ensued.*

6. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports 7-1 through 7-27, 2021
- B. City Report – June 2021
- C. North Metro TV – June 2021 Update
- D. Planning & Zoning Public Hearing and Regular Commission meeting 7-13-2021

No discussion on Letters and Communications.

7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – July 15, 2021
- B. Recommendation to Approve Claims and Bills:
Check #'s 47931 through 47988
Check #'s 13902 through 13913
Check #'s 13916 through 13927
Check #'s 13928 through 13938
Check #'s 13939 through 13947

VOID # 13803

Councilmember Harris made a motion to approve the consent agenda items. Councilmember Winge seconded the motion. Motion carried 5-0.

8. ACTION ITEMS:

- A. Planning & Zoning Commission recommendation to renew Conditional Use Permit to George's Texaco

Attorney Glaser explained the need to renew George's Texaco Conditional Use Permit. Councilmember Devries made a motion to renew George's Texaco Conditional Use Permit. Councilmember Winge seconded the motion. Motion carried 5-0.

- B. Recommendation to approve Payment # 1 for 2021 Street Improvement Project to North Valley Inc., in the amount of \$131,079.41

Councilmember Hughes made a motion to approve Payment # 1 for 2021 Street Improvement Project to North Valley Inc., in the amount of \$131,079.41. Councilmember Harris seconded the motion. Motion carried 5-0.

- C. Recommendation to approve Conditions for 2021-2022 liquor licenses issued to Larry Ranallo (Mr. Arthurs, Inc.) DBA Cowboy's Saloon

Attorney Glaser explained the need to ask the City Council to approve the conditions and the reason he is asking Cowboy's Saloon to install security cameras on the outside of their facility. Discussion ensued.

Councilmember Winge asked if other bars in Lexington were required to have security cameras on the outside of their establishment. Glaser replied that there was not a requirement. Discussion ensued.

Councilmember Harris asked if Attorney Glaser or the police department knew how many fights came out of Lexington bars. Glaser explained the type of calls to our various bars in town.

Councilmember Harris asked for numbers about the incidents. Glaser stated the police reports were complex and he would email those reports to her. Discussion ensued.

Attorney Andrew Bardwell addressed the City Council to explain how Cowboy's Saloon benefits the City of Lexington. He disagrees with the need to have outdoor security. Discussion ensued.

Attorney Glaser provided details about a fight that happened at Cowboy's Saloon and provided documentation to the Council. He discussed the criminal charges that were submitted and he provided an overview of the police reports. Glaser also explained that the ordinance allows for the Council to place conditions on liquor licenses. Discussion ensued.

Councilmember Devries asked the bar owner if he was willing to install the security cameras. Renallo stated that we just got through a pandemic and they were short on cash and he is losing \$15,000/month. Mayor Murphy asked if he is opposed to installing the cameras. Larry Renallo replied that they are not in a financial position to install the cameras. Councilmember Hughes asked if his only objection was the cost of installing security cameras on the outside of the building. Larry Renallo explained Cowboy's commitment to the community and provided detail of his commitment to the community.

Arturo Renallo addressed the Council and explained the night of the altercation. Discussion ensued.

Councilmember Devries asked if the Council allowed the Renallo's a year to install the cameras could it be done. Larry Renallo stated he objects to the conditions being applied to Cowboy's and the fact that other bars in town are not required to follow the same standards. Discussion ensued.

Heidi Zaworsky addressed the Council and gave testimony on behalf of Cowboy's. Discussion ensued.

Councilmember Harris stated she wants to feel assured that people who come to Lexington will be safe and wants people to feel welcome. She added that she feels Cowboy's has done everything they can to manage their fights. Discussion ensued.

The Council discussed removing items A and E of the proposed conditions on Cowboy's Saloon.

Attorney Glaser read the conditions into the minutes:

- A. Licensee shall allow law enforcement key access to the video surveillance system to view or download recordings within 24 hours of a request.*
- B. Licensee shall allow downloading of video from their surveillance system within 24 hours of a request by the City or police department.*
- C. Licensee shall maintain all video surveillance recordings for a minimum of 14 days before such recording may be overwritten with new data or deleted*

Councilmember Devries made motion to approve the conditions applied to Cowboy's Saloon with the removal of Items A and E from the original proposed conditions. Councilmember Harris seconded the motion. Motion carried 5-0.

- D. Recommendation to approve Special Event Permit to Alissa O'Hara for Centennial Girls Hockey Blue Line Club fundraiser (at Boulevard Bar and Grill) on October 9, 2021 from noon to 4:00 pm.

Councilmember Harris made a motion to approve Special Event Permit to Alissa O'Hara for Centennial Girls Hockey Blue Line Club fundraiser (at Boulevard Bar and Grill) on October 9, 2021 from noon to 4:00 pm. Councilmember Devries seconded the motion. Motion carried 5-0.

- E. Recommendation to approve Business License Renewals

Councilmember Devries made a motion to approve Business License Renewals. Councilmember Harris seconded the motion. Motion carried 5-0.

9. CLOSED SESSION

This portion of the meeting is closed pursuant Minn. Stat. Section 13D.05, subd. 3(b), and is permitted by the attorney-client privilege to discuss legal aspects of options related to the interconnected water and sewer with the City of Blaine. This portion of the meeting is also closed pursuant Minn. Stat. Section 13D.05, subd. 3(c), and is permitted to determine the asking price for, and to develop or consider offers or counteroffers for the purchase or sale to parts of the interconnected water and sewer with the City of Blaine

Glaser stated that city staff is working with the City of Blaine to update the SCADA System and there is no need to go into closed session.

Councilmember Hughes made a motion to not go into closed session. Councilmember Devries seconded the motion. Motion carried 5-0.

10. MAYOR AND COUNCIL INPUT

Councilmember Devries discussed the storm drains that were being installed on Woodland Road and the need. Petracek stated the City Council had approved a change order on the project for the replacement of the storm drains due to two of the inlets were sinking into the ground. Discussion ensued.

Councilmember Harris discussed how proud she was of the look of Memorial Park. Discussion ensued.

11. ADJOURNMENT

Councilmember Hughes made motion to adjourn the meeting at 8:53 p.m. Councilmember Harris seconded the motion. Motion carried 5-0.