

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

**1. PLEDGE OF ALLEGIANCE**

**2. SWEARING IN CEREMONY**

- A. Mayor Murphy
- B. Councilmember Harris
- C. Councilmember Winge

*Petracek swore in Mayor Murphy, Councilmember Harris, and Councilmember Winge*

**3. 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 January 7, 2021 at 7:03 p.m. Councilmember's present: Devries, Harris, Hughes, and Winge. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer.*

**4. CITIZENS FORUM**

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

**5. 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.*

**6. INFORMATIONAL REPORTS:**

- A. Airport (Councilmember Devries) – *Nothing to report*
- B. Cable Commission (Councilmember Winge) – *Nothing to report*
- C. City Administrator (Bill Petracek) – *Petracek discussed the Local Board of Appeals and Equalization training with the Council and the need to have trained Councilmembers to retain local control over the property assessment appeal process. He added that currently there are no certified Councilmembers. Discussion ensued.*

*Petracek also discussed the Elected Leaders Institute, and explained the conference is being held online. Discussion ensued.*

*He discussed a recommendation from the Park Board will be on next meeting's agenda to name the new park, "Lexington City Park." Discussion ensued. He added that we finally have a signed development agreement from O'Reilly's, and the public hearing for Ephesians Phase 2 is next Tuesday.*

**7. LETTERS AND COMMUNICATIONS:**

- A. Planning & Zoning meeting minutes – December 8, 2020
- B. City Report – November 2020
- C. North Metro TV – November 2020 Update
- D. Centennial Lakes Police Department Media Report -11-25 through 12-21 2020
- E. Public Notice of Meeting Cancellation - December 17, 2020
- F. Public Notice - Closed Executive Session
- G. Public Notice of Public Hearing on Ephesians Phase 2 – January 12, 2021

*No discussion on Letters and Communications*

**8. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – December 3, 2020
- B. Recommendation to Approve Claims and Bills:  
Check #'s 47089 through 47144  
Check #'s 47145 through 47206  
Check #'s 47207 through 47221  
Check #'s 13529 through 13551  
Check #'s 13555 through 13580  
ACH #'s 2020047 through 2020050
- C. Financial Reports
  - Cash Balances
  - Fund Summary – Budget to Actual

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

## 9. ACTION ITEMS:

- A. Recommendation to Approve Resolution NO. 21-01 – A Resolution Approving the Naming of Appointees for 2021

***Councilmember Devries made a motion to Approve Resolution NO. 21-01 – A Resolution Approving the Naming of Appointees for 2021. Councilmember Winge seconded the motion. Motion carried 5-0.***

- B. Recommendation to Approve Resolution NO. 21-02 – A Resolution Adopting 2021 Fee Schedule

***Mayor Murphy asked why the commercial water rates are less than residential rates. He recommended bumping up the commercial rates to equal residential rates. He also recommended increasing the fee for Notary Public to the statutory amount of \$5.00. Discussion ensued.***

***Councilmember Devries made a motion to Approve Resolution NO. 21-02 – A Resolution Adopting 2021 Fee Schedule with an amendment increasing the commercial water rates to reflect the same charge as residential water rates, and increasing the fee for Notary Public to \$5.00. Councilmember Harris seconded the motion. Motion carried 5-0.***

- C. Recommendation to Approve Resolution NO. 21-03 – A Resolution Establishing Procedures Relating to Compliance with Reimbursement Bond Regulations under the Internal Revenue Code.

***Councilmember Hughes made a motion to Approve Resolution NO. 21-03 – A Resolution Establishing Procedures Relating to Compliance with Reimbursement Bond Regulations under the Internal Revenue Code. Councilmember Harris seconded the motion. Motion carried 5-0.***

- D. Recommendation to Approve Resolution NO. 21-04 – A Resolution Ordering Preparation of Report on Improvement – Woodland Ave. and Ryan Place

***Councilmember Devries made a motion to Approve Resolution NO. 21-04 – A Resolution Ordering Preparation of Report on Improvement – Woodland Ave. and Ryan Place. Councilmember Harris seconded the motion. Motion carried 5-0.***

- E. First Reading of Ordinance NO. 21-01 – An Ordinance Revising Chapter 10 Regarding Shade Tree Regulations

***Attorney Glaser provided a summary first reading of the Ordinance NO. 21-01 to the Council. He explained that the Planning Commission worked to develop this ordinance to remove dead and diseased trees from private property. Discussion ensued.***

*Councilmember Harris questioned Subdiv. 4 (1)(D) and the enforcement of the ordinance. She feels that a phone call or a letter should be written to homeowner giving them notice. Discussion ensued. Petracek explained that the enforcement of this ordinance will be handled a lot like property maintenance, which involves a citizen complaint or notification from the police department or public works. He did add that this is a new program, working with a contracted arborist, so there will be some learning involved in the best approach to enforcement of the ordinance. Discussion ensued.*

- F. Recommendation to Approve the 2021 Memorandum of Understanding (MOU) with Centennial Lakes Little League Association

*Councilmember Harris made a motion to approve the 2021 Memorandum of Understanding (MOU) with Centennial Lakes Little League Association. Councilmember Winge seconded the motion. Motion carried 5-0.*

- G. Recommendation to approve Business License Application

*Councilmember Hughes made a motion to approve business license application. Councilmember Harris seconded the motion. Motion carried 5-0.*

## **10. 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.

*Attorney Glaser read the purpose for going into closed session.*

*Councilmember Hughes made a motion to convene into closed session at 7:34 p.m. Councilmember seconded the motion. Motion carried 5-0.*

## **11. RECONVENE FROM CLOSED SESSION**

*Councilmember Hughes made a motion to reconvene into open session at 9:01 p.m. Councilmember Harris seconded the motion. Motion carried 5-0.*

## **12. MAYOR AND COUNCIL INPUT**

*Councilmember Harris expressed her concerns about how public works pushes snow onto private property on her corner of Centerwood Rd. and Hamline Ave. Mayor Murphy stated he also had a citizen complaint on snow plowing. Discussion ensued.*

*Mayor Murphy also stated that the Council's old email addresses are on the City's website.*

### **13. ADJOURNMENT**

*Councilmember Devries made motion to adjourn the meeting at 9:04 p.m.  
Councilmember Hughes seconded the motion. Motion carried 5-0.*