

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
OCTOBER 20, 2022– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Murphy

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

Mayor Murphy called to order the Regular City Council meeting for October 20, 2022 at 7:00 p.m. Councilmember's present: Devries, Harris, and Winge. Excused Absence: Benson. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Kurt Glaser, City Attorney; Mary Vinzant, Deputy City Clerk.

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 Winge seconded the motion. Motion carried 4-0.

5. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports – 10-1 through 10-11, 2022
B. City Report – September 2022
C. North Metro TV – September 2022 Update
D. Planning & Zoning meeting minutes – October 6, 2022

No discussion on Letters and Communications.

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – October 6, 2022
B. Recommendation to reduce Letter of Credit for Lexington Lofts from
\$406,411.25 to \$200,000.00
C. Recommendation to Approve Claims and Bills:
Check #'s 49484 through 49547
Check #'s 14488 through 14498

D. Financial Reports

- Cash Balances
- Fund Summary – Budget to Actual

Councilmember Winge made a motion to approve the consent agenda items. Councilmember Harris seconded the motion. Motion carried 4-0.

7. ACTION ITEMS:

- A. Recommendation to approve Ordinance NO. 22-03 An Interim Ordinance Establishing a Moratorium Temporarily Prohibiting the Establishment of New Medical Facilities or the Expansion of Existing Medical Facilities for the Period of One Year

Petracek explained that following the informal conversation with the City Council at the last meeting involving a potential drug rehabilitation clinic in Northway Mall, he and the city attorney determined that three of Lexington's business zones are vulnerable to allowing this type of business without restrictions. He explained that there needed to be a moratorium on medical facilities until the Planning Commission has an opportunity to review zoning ordinances for this type of business.

Attorney Glaser provided an example of regulating a medical business that may overuse your services – fire and police – due to how their business model is set-up. He added as an example a senior facility in Centerville deliberately understaffed their facility and utilized the fire department and police department for lift assists. He added that it was burdening police and fire department personnel as a result, which prompted tighter restrictions on medical facilities in Centerville.. Discussion ensued.

Mayor Murphy made a motion to prove Ordinance NO. 22-03 An Interim Ordinance Establishing a Moratorium Temporarily Prohibiting the Establishment of New Medical Facilities or the Expansion of Existing Medical Facilities for the Period of One Year. Councilmember Harris seconded the motion. Motion carried 4-0.

- B. 1st Reading of Ordinance NO. 22-04 An Ordinance Regulating Cannabinoid Products

Attorney Glaser provide a summary of Ordinance No.22-04. Councilmember Harris discussed the idea of limiting the amount cannabis licenses in Lexington. She's concerned that the ordinance doesn't address people running a business out of their home that may want to be licensed to sell cannabis. Councilmember Winge didn't feel that businesses other than liquor establishments and tobacco shops would even be interested in selling cannabis products. Discussion ensued.

Mayor Murphy suggested limiting people selling cannabis products to liquor and tobacco license holders only. Discussion ensued.

Councilmember Harris made a motion to limit the cannabis licenses to liquor and tobacco license holders. Councilmember Devries seconded the motion. Motion carried 3-1

8. MAYOR AND COUNCIL INPUT

No input from Mayor Murphy or city councilmembers

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.

Attorney Glaser provided an explanation for the need to go into closed session.

Mayor Murphy made a motion to convene into closed session at 7:25 p.m. 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. Councilmember Winge seconded the motion. Motion carried 4-0.

Councilmember Devries made a motion to reconvene into open session at 7:49 p.m. Councilmember Harris seconded the motion. Motion carried 4-0.

10. ADMINISTRATOR INPUT

No administrator input.

11. ADJOURNMENT

Councilmember Harris made motion to adjourn the meeting at 7:50 p.m. Councilmember Winge seconded the motion. Motion carried 4-0.