**Unapproved minutes**

**CITY OF LEXINGTON**

**REGULAR COUNCIL MEETING**

**OCTOBER 18, 2018– 7:00 P.M.**

**9180 LEXINGTON AVENUE**

1. **Call to Order:** – Mayor Kurth
   1. Roll Call - Council Members: DeVries, Harris, Hughes and Murphy

***Mayor Kurth called to order the Regular City Council meeting for October 18, 2018 at 7:00 p.m. Councilmember’s present: Devries, Hughes, and Murphy. Excused Absence: Harris Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Erik Edwards, Lexington Fire Dept.; Justin Templin, Attorney from Hoff Barry Law; Logan Schmidt and Blaine Barker, Dominium; Quad Press reporter; Centennial High School Students.***

1. **Citizens Forum**

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

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

***Councilmember Devries made a motion to approve the amended agenda as presented. Councilmember Hughes seconded the motion. Motion carried 4-0.***

1. **LETTERS AND COMMUNICATIONS:**
   1. Centennial Lakes Police Department Media Reports

* 9-26-18 – 10-2-18
* 10-3-18 – 10-8-18 
  1. City Report – September 2018
  2. Mediation Services of Anoka County – Sip, Sample & Support
  3. Planning & Zoning meeting minutes – October 9, 2018

***No discussion or comments on Letters and Communications***

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

Council Meeting – October 4, 2018

* 1. Recommendation to Approve Claims and Bills:

Check #’s 501442 through 501458

Check #’s 44019 through 44083

Check #’s 12207 through 12216

Check #’s 12219 through 12239

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

***Councilmember Hughes made a motion to approve the consent agenda items. Councilmember Murphy seconded the motion. Motion carried 4-0.***

1. **Action ItemS:**
   1. First Reading of Ordinance No. 18-01 – Planning & Zoning Commission’s recommendation to approve Ordinance NO. 18-01 An Ordinance Amending City Code 11.34 Dimensional Requirements-Schedule of Zoning District Regulations For Area, Bulk, Placement and Land Use Intensity

***Attorney Glaser explained the statutory requirement to have two readings of an ordinance when it is being adopted to increase transparency. Discussion ensued. No action taken on the first reading of Ordinance No. 18-01***

* 1. Recommendation to approve Resolution NO. 18-26 A Resolution Adopting Final Plat for the Landings of Lexington Development

***Councilmember Devries made a motion to approve Resolution NO. 18-26 A Resolution Adopting Final Plat for the Landings of Lexington Development. Councilmember Murphy seconded the motion. Motion carried 4-0.***

* 1. Recommendation to approve Lot Combination/Split for Dave McNeil 9561 Griggs Avenue & 4026 Edgewood Road

***Councilmember Murphy made a motion to approve Lot Combination/Split for Dave McNeil 9561 Griggs Avenue & 4026 Edgewood Road. Councilmember Hughes seconded the motion. Motion carried 4-0.***

* 1. Recommendation to approve Resolution NO. 18-27 A Resolution Calling For A Public Hearing To Vacate An Easement To Accommodate The Plat For The Landings Of Lexington.

***Attorney Glaser explained the need to vacate a utility easement on the Otte Property. Discussion ensued.***

***Councilmember Hughes made a motion to approve Resolution NO. 18-27 A Resolution Calling For A Public Hearing To Vacate An Easement To Accommodate The Plat For The Landings Of Lexington. Councilmember Devries seconded the motion. Motion carried 5-0.***

* 1. First Reading of Ordinance No. 18-03 -  A Resolution of the City Council of Lexington, Minnesota Approving a Planned Unit Development and Conditional Use Permit for the Landings of Lexington.

***First Reading of Ordinance No 18-03*** ***A Resolution of the City Council of Lexington, Minnesota Approving a Planned Unit Development and Conditional Use Permit for the Landings of Lexington. No action was taken.***

* 1. First Reading of Ordinance No. 18-02 - An Ordinance Repealing Ordinance 16-03 Regarding the Regulation of Private Water Supplies

***Attorney Glaser read Ordinance No. 18-02 allowed to the audience. No action was taken.***

1. **MAYOR AND COUNCIL INPUT**

***No input from Mayor Kurth or Councilmembers***

1. **ADMINISTRATOR INPUT**

***No input from City Administrator.***

1. **Convene for closed executive session-TO DISCUSS:** Attorney – client privileged discussion with the City’s litigation counsel in the matter of Parkview Homes LLC v. City of Lexington, Court File No. 02-CV-17-2816. The matter requires absolute confidentiality because it is in active litigation and discussions during a public meeting would reveal litigation strategy, tactics and other private matters pertaining to the case and thereby risks undermining the City’s effective defense of the claim. The closed session is permitted by Minn. Stat. § 13D.05, subd. 3(b)

***Councilmember Hughes made a motion to convene for closed executive session at 7:18 p.m. to discuss: Attorney – client privileged discussion with the City’s litigation counsel in the matter of Parkview Homes LLC v. City of Lexington, Court File No. 02-CV-17-2816.***

***Councilmember Devries seconded the motion. Motion carried 4-0.***

1. **reconvene from closed session**

***Councilmember Murphy made a motion to reconvene from closed session into open session at 8:15 p.m. Mayor Kurth seconded the motion. Motion carried 4-0.***

***Councilmember Devries made a motion to amend the agenda to add item 6(F) under Action items for the First Reading of Ordinance No. 18-02 - An Ordinance Repealing Ordinance 16-03 Regarding the Regulation of Private Water Supplies. Councilmember Hughes seconded the motion. Motion carried 4-0.***

1. **ADJOURNMENT**

***Councilmember Hughes made a motion to adjourn at 8:21 p.m. Councilmember Devries seconded the motion. Motion carried 4-0.***