

**MINUTES
CITY OF LEXINGTON
PUBLIC HEARING
&
REGULAR COUNCIL MEETING
OCTOBER 7, 2021 – 7:00 P.M.
9180 LEXINGTON AVENUE**

PUBLIC HEARING

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 Public Hearing for October 7, 2021 at 7:00 p.m. Councilmember's present: Devries, Hughes, and Winge. Excused Absence: Harris. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Claire Michalson, MSA Consultants; John Oelke, Citizen.

- A. **PUBLIC HEARING: THE CITY COUNCIL WILL TAKE COMMENTS ON SPECIAL ASSESSMENT PROJECT – WOODLAND ROAD BETWEEN HAMLINE AVE AND NORTH HIGHWAY DRIVE; AND RYAN PLACE**

Steve Winter, City Engineer, provided a PowerPoint presentation involving the street project for Woodland Road and Ryan Place. He provided an overview of the construction costs of the project and how the special assessments were calculated.

No citizens were present to discuss their street assessments for Woodland Road and Hamline Ave.

3. ADJOURN PUBLIC HEARING

Councilmember Devries made motion to adjourn the public hearing at 7:09 p.m. Councilmember Winge seconded the motion. Motion carried 4-0.

REGULAR COUNCIL MEETING

- 1. 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 October 7, 2021 at 7:09 p.m. Councilmember's present: Devries, Hughes, and Winge. Excused Absence: Harris. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Claire Michalson, MSA Consultants; John Oelke, Citizen.

2. CITIZENS FORUM

*John Oelke
8927 Hamline Ave.
lexington, MN.*

Mr. Oelke stated that he received a letter to take down the dead tree on his property. He added that he intends to take the tree down, but he needs more time.

Petracek explained to the City Council that the ordinance allows two weeks, but we gave the landowner three weeks to have a tree removed. He explained to Oelke that we could give him some leniency on the timeframe as long as we know he is moving toward getting the tree removed. He also explained that if the city has to remove the tree it will cost the landowner an extra 15% administrative cost, so he needs to ensure that the tree is removed in the allotted time. He told Oelke to contact our administrative assistant and building inspector to discuss a reasonable time. Discussion ensued.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

4. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Devries) – *Councilmember Devries reported that the next meeting is October 13th*
- B. Cable Commission (Councilmember Winge) – *Councilmember Winge provided an overview of the NorthMetro T.V. operations. He updated them on the upcoming programming – sports and local election campaigns. He also updated the Council on the franchise agreement status.*
- C. City Administrator (Bill Petracek) – *Petracek explained that there are still four business license renewals yet to come. He explained that the deputy city clerk informed him of this last week. Discussion ensued.*

Petracek also told the Council that the salt shed construction is delayed due to an accident during the asphaltting phase. The driver of the asphaltting machine allegedly had a seizure, ran the machine into the side of the salt shed, and damaged the wall. Discussion ensued.

Petracek also reported that the dead/hazardous tree removal letters went out last week. He said that 19 letters were mailed out to property owners. He explained that there has been a delay in mailing these letters out; the new city forester has been busy this summer and was unable to provide the tree inspections that were necessary until recently. He added that we might need to consider changing city foresters if this persists in the future. Discussion ensued.

Choose a building block.

5. LETTERS AND COMMUNICATIONS:

- A. Anoka County Administration – Rice Creek Watershed District Appointment
- B. Council Workshop meeting minutes – September 16, 2021
- C. Public Notice – Closed Executive Session October 7, 2021
- D. Public Notice – Public Hearing October 7, 2021
- E. Planning & Zoning meeting minutes – September 14, 2021
- F. Centennial Lakes Police Department Media Reports – 9-8 through 9-28, 2021

No discussion on Letters and Communications.

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting –September 16, 2021
- B. Recommendation to Approve Claims and Bills:
Check #'s 48158 through 48206
Check #'s 14004 through 14022
Check #'s 14023 through 14026
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

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

7. ACTION ITEMS:

- A. Recommendation to approve Resolution NO. 21-18 A Resolution Adopting the 2040 City of Lexington Comprehensive Plan Update , and the Comprehensive Sewer Plan, A Compilation Of Policy Statements, Goals, Standards and Maps

For Guiding the Overall Development and Redevelopment of the Local
Government Unit

Claire Michalson, MSA Consultants, provided an overview of the final approval process with the Metropolitan Council in regards to the 2040 Comprehensive Plan. The City Council will need to approve Resolution No. 21-18 for the final approval of the 2040 Comprehensive Plan. Discussion ensued.

Councilmember Devries made a motion to approve Resolution NO. 21-18 A Resolution Adopting the 2040 City of Lexington Comprehensive Plan Update , and the Comprehensive Sewer Plan, A Compilation Of Policy Statements, Goals, Standards and Maps For Guiding the Overall Development and Redevelopment of the Local Government Unit. Councilmember Winge seconded the motion. Motion carried 4-0.

- B. Recommendation to approve Resolution NO. 21-19 A Resolution Adopting Assessment in the amount of \$63,959.46

Councilmember Winge made a motion to approve Resolution NO. 21-19 A Resolution Adopting Assessment in the amount of \$63,959.46. Councilmember Devries seconded the motion. Motion carried 4-0.

- C. Recommendation to approve Payment #3 to North Valley Inc. For 2021 Street Improvement Project not to exceed \$53,620.19.

Councilmember Hughes made a motion to approve Payment #3 to North Valley Inc. For 2021 Street Improvement Project not to exceed \$53,620.19. Councilmember Winge seconded the motion. Motion carried 4-0.

8. MAYOR AND COUNCIL INPUT

Councilmember Devries asked if the contractor is going to pave the open street cut on Restwood Ave. in front of Ephesians Phase 2. Steve Winter, City Engineer, stated he was unaware of a street cut on Restwood Ave., but he would look into it after the City Council meeting. Devries stated that it was open and did not have any cones or barricades around the cut and could be dangerous to a motorcyclist or car. Discussion ensued.

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 the legal aspects surrounding personnel matters under investigation.

Attorney Glaser explained the need to convene into closed session.

Councilmember Devries made a motion to convene into closed session at 7:41 p.m. pursuant Minn. Stat. Section 13D.05, subd. 3(b), and is permitted by the attorney-client privilege to discuss the legal aspects surrounding personnel matters under investigation. Councilmember Hughes seconded the motion. Motion carried 4-0.

Councilmember Hughes made a motion to reconvene into open session at 8:31 p.m. Councilmember Winge seconded the motion. Motion carried 4-0.

10. ADJOURNMENT

Councilmember Devries made motion to adjourn the meeting at 8:32 p.m. Councilmember Winge seconded the motion. Motion carried 4-0.