

**MINUTES  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
JUNE 20, 2024– 7:00 P.M.  
9180 LEXINGTON AVENUE**

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER:** – Mayor Grote

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

*Mayor Grote called to order the Regular City Council meeting for June 20, 2024 at 7:00 p.m. Councilmember's present: Benson, Devries, Murphy, and Winge. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Kurt Glaser, City Attorney; Telly Foley, Resident; Quad Press Reporter.*

**3. CITIZENS FORUM**

*Telly Foley,  
9034 Lexington Ave.  
Lexington, MN.*

*Ms. Foley was present explaining that she just bought a new home in Lexington and claims that Lexington has an infestation of Emerald Ash Borer in their trees. She received a letter from the city saying she needed to take down her dead tree. She stated that she spoke with the DNR and that her tree has Emerald Ash Borer and she should wait until the fall to take it down.*

*Ms. Foley continued by saying that she has a friend that lives in Richfield, and in that community the City takes down their trees with Emerald Ash Borer at no cost to the homeowner. Councilmember Winge stated that the City doesn't have the funds to take down trees on private property. Discussion ensued.*

*Petracek stated that if she talks to the administrative assistant in city hall, she will give her an extension on the timeline to have the tree taken down.*

**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 5-0.*

**5. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Reports – 5-29 through 6-4, 2024  
B. Final Equipment Sale Prices – Old City Equipment

- C. North Metro TV – May 2024 Update
- D. City Report – May 2024
- E. Planning & Zoning meeting minutes – June 11, 2024

*Some discussion on City equipment sales from the online auction.*

**2. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – June 6, 2024
- B. Recommendation to Approve Claims and Bills:  
Check #'s 51658 through 51709  
Check #'s 15248 through 15267

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

**3. ACTION ITEMS:**

- A. Recommendation to approve Solicitor/Peddler's License Application for  
Minnesota Custom Exteriors

*Councilmember Murphy made a motion to approve Solicitor/Peddler's License Application for Minnesota Custom Exteriors. Councilmember Devries seconded the motion. Motion carried 5-0.*

- B. Recommendation to approve Liquor License Renewals
  - Poncho's Taqueria and Café
  - Carbones
  - El Loro (pending paperwork submission)

*Councilmember Benson made a motion to approve Liquor License Renewals for Poncho's Taqueria and Café, Carbones, and El Loro. Councilmember Devries seconded the motion. Motion carried 5-0.*

- C. Recommendation to approve Business License Renewals

*Councilmember Murphy Made a motion to approve Business License Renewals. Councilmember Benson seconded the motion. Motion carried 5-0.*

- D. Recommendation to approve Resolution NO. 24-12 A Resolution Approving  
Management, Non-Union Benefits and Amending the Personnel Policy  
Manual

*Councilmember Devries made a motion to approve Resolution NO. 24-12 A Resolution Approving Management, Non-Union Benefits and Amending the Personnel Policy Manual. Councilmember Murphy seconded the motion. Motion carried 5-0.*

- E. Discuss lawsuit and settlement agreement filed in Anoka County District Court styled “Mindy Fiester and Todd Messer, Plaintiffs vs. City of Lexington, Defendant.” Court File No. 02-CV-23-5806

*Attorney Glaser stated we have a statement from the LMCIT Attorney’s that represented the City of Lexington in this lawsuit. He read the statement allowed.*

*Attorney Glaser further explained the court complaint, and the settlement agreements with Feister and Messer.*

*Mayor Grote stated on behalf of the former fire chief that the only information that was shared with him from Feister was that if you knew what happened, you’d have to take action and then she followed up with, “I don’t want to do anything because I don’t want to ruin anybody’s career.” Grote continued saying that the first he knew about anything was when she recorded the interview during her review. At that point there was really nothing indicated until the next officers meeting about the actual violation. I guess in defense of the fire chief when he was the fire chief, I just wanted to share that information.*

*Councilmember Winge asked Mayor Grote that Feister didn’t want you to do anything about it? Mayor Grote replied Feister didn’t want to ruin anybody’s career. The incident happened in December, and the first he knew about any of this was in May when I gave her annual review. Winge stated that it was a pretty serious allegation, though. Mayor Grote stated it wasn’t a serious allegation in May. Mayor Grote stated there was no act that happened. He continued saying that in July at the officer’s meeting is when the actual claims came out and he contacted the police chief, city attorney, and city administrator. Prior to that, it wasn’t brought to his attention.*

*Councilmember Murphy asked Mayor Grote when he was questioned by Calandra Revering during the personnel investigation that you knew nothing about this and you lied under oath. Mayor Grote stated he didn’t lie under oath and he didn’t know about the incident and it wasn’t on the tape. I read the transcription that was provided and that wasn’t on there. Councilmember Murphy stated he’s listened to the tape several times and it was a part of the tape. Mayor Grote stated that the only tape that he listened to was the recording in the officer’s meeting and that was when he acted on it. I am not lying. Murphy stated you let this go for month. Mayor Grote stated he didn’t let it go for months. Mayor Grote stated he didn’t know about the actual crime until the officer’s meeting. Mayor Grote stated he would put his hand on a bible and swear he did not know about the incident. Discussion ensued.*

*Councilmember Murphy stated that there are always two sides to the story and we thoroughly investigated this entire incident for months and I’m sorry Gary, I don’t mean any disrespect to you, but you are trying to save your own skin right now by denying these allegations. Discussion ensued.*

*Councilmember Devries made a motion to accept the settlement agreement filed in Anoka County District Court styled “Mindy Fiester and Todd Messer, Plaintiffs vs. City of Lexington, Defendant.” Court File No. 02-CV-23-5806. Councilmember Murphy seconded the motion. Motion carried 5-0.*

#### **4. MAYOR AND COUNCIL INPUT**

*Devries asked if we were having a meeting on July 3rd. Petracek stated that he doesn’t have anything for the agenda except business license renewals and they can be pushed off until the following meeting. Petracek added he doesn’t think there will be a quorum. Discussion ensued.*

*Councilmember Benson made a motion to cancel the July 3rd, Regular City Council meeting. Councilmember Devries seconded the motion. Motion carried 5-0.*

#### **5. ADMINISTRATOR INPUT**

*Petracek stated that the date to install the city hall sign would be June 20-21st, but since the weather is bad they haven’t begun. Discussion ensued.*

#### **6. ADJOURNMENT**

*Councilmember Winge made motion to adjourn the meeting at 7:36 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.*

**No Council Workshop**