

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
OCTOBER 17, 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 October 17, 2024, at 7:00 p.m. Councilmembers present: Benson, Devries, Murphy, and Winge Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Senator Michael Kreun; numerous Lexington Residents.

3. CITIZENS FORUM

*Former Councilmember Diane Harris
3781 Centerwood Rd.
Lexington, MN.*

Ms. Harris was present to address the City Council to thank Jill Hunt and Barb Mahr for running for City Council. She added that she is present to support her friend, Gary Grote. She stated she doesn't feel comfortable being here because the City Council is a toxic group.

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Based on his discussion with the city attorney, Mayor Grote made a recommendation to remove item 8(D) from the action items regarding Councilmember Devries request to review personnel matter litigation.

Attorney Glaser stated this item involves confidential information and asked to follow through with the guidelines of the Minnesota Data Practices Act; he added this discussion is worrisome for the city attorney due to the potential liability involved.

Councilmember Devries stated that he does not want to remove it from the agenda. He has a couple of items to bring up due to not having certain dates and times during past discussions. He feels Mayor Grote has been telling citizens of Lexington various times and dates involving the fire department investigation that were incorrect. Discussion ensued.

Councilmember Benson made a motion to approve the agenda without changes or corrections. Councilmember Devries seconded the motion. Murphy abstained from the vote. Motion carried 3-1.

5. STATE SENATOR KREUN TO ADDRESS COUNCIL

Senator Kreun was present to discuss the 2024 Legislative session. He provided insights on the laws that were enacted during the session. Discussion ensued.

6. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports – 9-25 through 10-8, 2024
- B. Public Notice
- C. North Metro TV – September 2024
- D. City Report – September 2024

No discussion on Letters and Communications.

7. CONSENT ITEMS:

- E. Recommendation to Approve Council Minutes:
Council Meeting – October 3, 2024
- F. Recommendation to Approve Claims and Bills:
Check #'s 52074 through 52074
Check #'s 52075 through 52137
Check #'s 15413 through 15425
- G. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

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

8. ACTION ITEMS:

- A. Recommendation to approve additional Election Judges for November 5,
2024 General Election

Councilmember Murphy made a motion to approve additional Election Judges for November 5, 2024 General Election. Councilmember Devries seconded the motion. Motion carried 5-0.

- B. Recommendation to approve an Escrow Agreement with Menlo Capitol Partners, LLC

Mayor Grote made a motion to approve an Escrow Agreement with Menlo Capitol Partners, LLC. Councilmember Winge seconded the motion. Motion carried 5-0.

- C. Recommendation to approve John Jackson to Captain with the Lexington Fire Department at an annual salary of \$1782.50

Mayor Grote made a motion to approve John Jackson to Captain with the Lexington Fire Department at an annual salary of \$1782.50. Councilmember Winge seconded the motion. Motion carried 5-0.

- D. Councilmember DeVries request to review personnel matter litigation

Councilmember Devries made a motion to place Councilmember Benson in charge of the meeting while this item is discussed. Councilmember Devries feels that Mayor Grote has a conflict of interest in this discussion item, and doesn't believe he will preside over the meeting appropriately. Councilmember Benson stated he wasn't on the Council when the fire department investigation occurred and feels he can be unbiased. Discussion ensued.

Councilmember Murphy seconded the motion. Motion carried 3-1. Councilmember Benson abstained from the vote.

Councilmember Devries explained that the reason this item has been brought up regarding the fire department investigation is primarily because of the dates and times involving the notification of the issues to the city attorney and city administrator. He asked Mayor Grote about the dates and times he provided notification. Mayor Grote opted to not speak to Councilmember Devries question.

Former Mayor Mark Kurth approached the Council to discuss multiple meetings behind closed doors and asked Attorney Glaser if this is a violation of attorney-client privilege to discuss this in open session. Attorney Glaser provided his legal opinion to Kurth's question.

Kurth stated that all this discussion is about holding Grote accountable for his actions. He spoke to Councilmember Devries by saying who is holding you accountable for starting fires and admitting to arson. Discussion ensued.

Russ Kunzer, Lino Lakes, MN.

Russ asked if the tape recording isn't coming out in the open why haven't the emails sent to the city administrator, city attorney, and former Mayor Murphy not coming out in the open. He stated that Mindy Feister has emails that she sent to all three individuals regarding the fire department investigation. Councilmember Murphy

stated he doesn't know what emails he is talking about. Murphy added that he never received any emails from Mindy Feister regarding the fire department issues. Glaser and Petracek concurred with Murphy that they had not received any emails prior to the fire department investigation from Mindy Feister about fire department issues. Discussion ensued.

Attorney Glaser stated that there was an independent investigation conducted on the fire department and he added that if any emails existed that were sent to the three of us, those emails could have been Feister's smoking gun for the investigation or lawsuit, but there were never any emails to Petracek, Murphy, and Glaser submitted for the investigation or lawsuit. Discussion ensued.

*Mark Vanderbloomer
Lexington, MN.*

Vanderbloomer asked why he, as the assistant fire chief, was never contacted about this internal investigation. He added that the lawsuit involved wrongful termination and asked why any policies and procedure haven't been put in place since the completion of the lawsuit.

9. MAYOR AND COUNCIL INPUT

No discussion from Mayor Grote and City Council

10. ADMINISTRATOR INPUT

Petracek informed the Council of the installation of new water mains on Patriot Ave. in Parkview Manufactured Home Park.

11. ADJOURNMENT

Councilmember Benson made motion to adjourn the meeting at 8:04 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.

No Council Workshop