**Unapproved Minutes**

**CITY OF LEXINGTON**

**REGULAR COUNCIL MEETING**

**MAY 17, 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 May 17, 2018 at 7:00 p.m. Councilmember’s present: Devries, Harris, Hughes, and Murphy. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Jack Borgen, Liquor Store Manager; Lexington Fire Department Members: Gary Grote, Mark VanderBloomer, Erik Edwards, Keith Harris, and Scott Parenteau; Chris Janson, MSA Consultants; Josie Matteson, MSA Consultants; Glen Rank and Tim Harmsen, Dinkytown Rentals; Keith Moeller, Fit Recovery; Joe Molohon, Quad Press.***

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 agenda as presented. Councilmember Murphy seconded the motion. Motion carried 5-0.***

1. **2040 COMPREHENSIVE PLAN REVIEW PRESENTATION Chris Jansen MSA**

***Chris Janson and Josie Matteson, MSA Consultants, explained the 2040 Comprehensive Planning process that had begun with the Planning and Zoning Commission over the past year or so. Janson provided a PowerPoint presentation of the draft plan the Planning Commission had developed during the process. Discussion ensued.***

***Petracek asked what the next steps for the planning process would be. Janson explained that the document will be mailed out to surrounding jurisdictions for comments to be received back on the plan. He added that a public hearing will be held on the final draft of the document in October or November, whenever is best for the Council to hold the hearing. Discussion ensued.***

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

* 4-26-2018 through 5-2-2018
* 5-3-2018 through 5-10-2018 
  1. North Metro TV April 2018 Update
  2. City Report – April 2018 newsletter
  3. Mediation Services for Anoka County

***No discussion on Letters and Communications***

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

Council Meeting – May 3, 2018

* 1. Recommendation to Approve Claims and Bills:

Check #’s 13575 through 13575

Check #’s 43425 through 43484

Check #’s 11951 through 11972

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

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

1. **Action ItemS:**
   1. Recommendation to approve Up to $30.00 per month reimbursement for Fitness Center fees to Lexington Firefighters effective date; **Date of Lovell Building sale closing**

***Mayor Kurth stated he did some research on what other fire departments in the metro area do to help their firefighter’s stay physically fit and explained to the Council what these communities do for their firefighters. He added that it is a requirement of the NFPA for communities to establish a health & fitness program for their fire department. Discussion ensued.***

***Councilmember Devries made a motion to approve up to $30.00 per month reimbursement for Fitness Center fees to Lexington Firefighters on the effective date of the Lovell Building sale closing. Councilmember Hughes seconded the motion. Motion carried 3-0. Mayor Kurth and Councilmember Harris abstained from the vote.***

* 1. Recommendation to approve Revised Development Agreement with 89 Lexington, LLC – Ephesians Apartment Complex - documents under separate cover

***Attorney Glaser discussed the revised development agreement for the Ephesians Apartment complex. He stated that this document will replace the development agreement that was approved in December, and this would be the 2nd phase of the development process. He added that the 3rd phase of the development process would be approving the final plat for the project, which will be coming in the next few weeks. Glaser stated the revised development agreement includes Site Escrow values, so that if the project goes bankrupt or the project is not completed by the developer, the City would have the ability to complete the project through the use of the escrow accounts. Discussion ensued.***

***Glaser explained that he is asking the Council to conditionally approve the agreement and added that we may be back to either amend or supplement the agreement in the near future to consider the type of escrow financing – performance bond or letter of credit. Discussion ensued.***

***Councilmember Devries made a motion to approve the revised Development Agreement, with the condition that Staff update the blanks in Section 6 of the Agreement. Councilmember Harris seconded the motion. Motion carried 5-0.***

* 1. Recommendation to approve New Business License: Fit Recovery –A DBA of Faith Fit Marketing.

***Keith Moeller, Faith Fit Marketing, provided an explanation to the Council on Cryotherapy. Councilmember Hughes asked if Cryotherapy needs licensing. Moeller replied by saying that he, as well as his technicians, are certified by the company to use the Cryotherapy chambers, but no other licensing. Discussion ensued.***

***Councilmember Harris made a motion to approve a new business license for Fit Recovery – A DBA of Faith Fit Marketing. Councilmember Murphy seconded the motion. Motion carried 5-0.***

* 1. Recommendation to approve Minnesota Lawful Gambling Premises Permit Application for Centennial Youth Hockey Association (Carbone’s Pizzeria)

***Mayor Kurth asked about potentially applying the same conditions to Centennial Youth Hockey Association, as the City Council did for St. Paul Fire Relief Association gambling permit at Station 57. Attorney Glaser explained that the conditions applied to St. Paul Fire Relief Association were due to the organization not being local, and Centennial Youth Hockey is a local organization. He added that there would be no liability involved with a local gambling organization. The consensus of the Council was to not apply similar conditions to the permit. Discussion ensued.***

***Councilmember Devries made a motion to approve Minnesota Lawful Gambling Premises Permit Application for Centennial Youth Hockey Association (Carbone’s Pizzeria). Councilmember Harris seconded the motion. Motion carried 5-0.***

1. **MAYOR AND COUNCIL INPUT**

***Councilmember Devries asked about the auto sales lot on Lake Drive and discussed how the sales building is so close to the new road being constructed to connect South Highway drive. Petracek said that the building inspector had touched base with the owner, and the owner stated that the County was not going to make him move the building following the construction process. Discussion ensued.***

***Petracek stated he would follow up with Anoka County Engineer to find out more details on why the building does not need to be moved.***

1. **ADMINISTRATOR INPUT**

***No Input from the city administrator***

1. **ADJOURNMENT**

***Councilmember Hughes made a motion to adjourn at 7:54 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.***