

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
OCTOBER 19, 2023– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Grote

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

Mayor Grote called to order the Regular City Council meeting for October 19, 2023 at 7:00 p.m. Councilmember's present: Benson, Devries, Harris, and Winge. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Mike Buzicky, MSA Consultants (via TEAMS Video call).

3. CITIZENS FORUM

No citizens were present to discuss items not on the agenda.

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 – 10-1 through 10-10-2023
- B. City Report – September 2023
- C. North Metro TV – September 2023 Update
- D. Corporal Jon Krueger's Retirement – November 17, 2023 2:00 – 4:00 PM
- E. Planning & Zoning meeting minutes – October 10, 2023

No discussion on Letters and Communications.

2. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – October 5, 2023
- B. Recommendation to Approve Claims and Bills:
Check #'s 14933 through 14945
VOID #14944
- C. Financial Reports

- Cash Balances
- Fund Summary – Budget to Actual

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

3. ACTION ITEMS:

- A. Second Reading and Recommendation to Approve Ordinance No. 23-03 – An Ordinance to Revise Chapter 10 – Cannabis Use Prohibited in Public Parks

Mayor Grote asked how we would handle cannabis at the Lexington Fall Festival. He added that he feels smoking pot should not be allowed at festivals and special events. Discussion ensued. Councilmember Winge state that since the Lexington Fall Festival is not a City event, and sponsored by Cowboy’s Saloon, they should decide if pot can be smoked at the event or not.

Mayor Grote stated he would like to see a provision in the special event permit application that asks if the event will allow cannabis or not, so that the City Council can decide whether to issue the permit or not. Discussion ensued.

Councilmember Devries stated he would like to allow the businesses to decide if pot smoking is allowed at their events or not.

Councilmember Benson called to question and made a motion to Approve Ordinance No. 23-03 – An Ordinance to Revise Chapter 10 – Cannabis Use Prohibited in Public Park. Councilmember Winge seconded the motion. Motion carried 3-2

- B. First Reading of Ordinance No. 23-04 – An Ordinance to Revised Chapter 5- Lawful Gambling

Attorney Glaser provided a summary of Ordinance No. 23-04 as the first reading. No action taken.

- C. First Reading of Ordinance No. 23-05 - An Ordinance to Revised Chapter 11.40 – An Ordinance Regulating Addiction Treatment Clinics.

Attorney Glaser provided a summary of Ordinance No. 23-05 as the first reading. No action taken.

- D. Recommendation to Not Waive the Monetary Limits on Municipal Tort Liability Established by Minn. Stat. 466.04

Councilmember Devries made a motion to Not Waive the Monetary Limits on Municipal Tort Liability Established by Minn. Stat. 466.04. Councilmember Harris seconded the motion. Motion carried 5-0.

- E. Recommendation to Approve an Amendment to the Amended and Restated Joint Powers Police Department Contract Cities of Centerville, Circle Pines, and Lexington, Minnesota.

Councilmember Devries made a motion to Approve an Amendment to the Amended and Restated Joint Powers Police Department Contract Cities of Centerville, Circle Pines, and Lexington, Minnesota. Councilmember Harris seconded the motion. Motion carried 5-0.

- F. Recommendation to Approve the 2024 Centennial Lakes Police Department Budget

Councilmember Harris made a motion to Approve the 2024 Centennial Lakes Police Department Budget. Councilmember Devries seconded the motion. Motion carried 5-0.

4. MAYOR AND COUNCIL INPUT

Harris asked about the additional fire hydrant added and the debris left behind. Petracek stated that the contractor and public works will be ensuring restoration and clean up of the areas dug up for the fire hydrant replacement. He asked Lexington citizens to be patient with the process.

Grote asked about the winterization of the fire hydrants at Ephesians. Petracek stated the owners were reminded of the necessary process. He added that we are working on the final agreements of the Ephesians development agreement to determine maintenance of the water apparatus that serves Ephesians facilities.

5. ADMINISTRATOR INPUT

Petracek stated that Chief Edwards was unable to attend tonight's meeting to discuss parking around Lexington Lofts. He added that the discussion would be shifted to the November workshop. He added that winter parking rules will begin November 1st and the police department will be enforcing these rules.

6. CLOSED SESSION

Attorney Glaser provided an explanation for the need to go into closed session.

Councilmember Benson made a motion to go into closed session at 7:33 pm pursuant to Minnesota Statute Section 13D.05, subdivision 3(b), and is permitted by the attorney-client privilege to discuss the pending litigation versus the City of Blaine regarding the interconnected water and sewer systems. Councilmember Devries seconded the motion. Motion carried 5-0.

- This portion of the meeting is closed pursuant to Minnesota Statute Section 13D.05, subdivision 3(b), and is permitted by the attorney-client privilege to discuss the pending litigation versus the City of Blaine regarding the interconnected water and sewer systems.

Councilmember Benson made a motion to reconvene into open session at 9:24 pm. Councilmember Devries seconded the motion. Motion carried 5-0.

7. ADJOURNMENT

Councilmember Benson made motion to adjourn the meeting at 9:24 p.m. Councilmember Winge seconded the motion. Motion carried 5-0.