

**MINUTES  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
OCTOBER 17, 2019– 7:00 P.M.  
9180 LEXINGTON AVENUE**

- 1. CALL TO ORDER:** – Vice Mayor Hughes
- A. Roll Call - Council Members: DeVries, Harris, and Murphy

*Vice Mayor Hughes called to order the Regular City Council meeting for the City of Lexington at 7:00 pm of October 17, 2019. Councilmember's present: Devries, Harris, and Murphy. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director.*

- 2. CITIZENS FORUM**

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

- 3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS**

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

- 4. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Report – 9-25 – 10-8-2019
- B. Public Notice – Public Accuracy Test – October 23, 2019
- C. North Metro TV – September 2019 Update
- D. City Report – September 2019
- E. Notice of Traffic Control Change – (I-35W North MNPASS Design-Build Project)
- F. Eagle Building Company – Monthly Progress Report – Landings of Lexington – September 2019
- G. Planning & Zoning Public Hearing and Regular meeting minutes – October 8, 2019
- H. Park Board meeting minutes – October 7, 2019
- I. Public Notice – Closed Executive Session – October 17, 2019

*No discussion on Letters and Communications.*

**5. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – October 3, 2019
- B. Recommendation to Approve Claims and Bills:  
Check #'s 13637 through 13638  
Check #'s 45432 through 45497  
Check #'s 12831 through 12839  
Check #'s 12840 through 12850
- C. 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 4-0.*

**6. ACTION ITEMS:**

- A. Resolution NO. 19-20 A Resolution Filling Vacancy In The Office Of Mayor

*Vice Mayor Hughes asked if anyone volunteers to be Mayor. He stated that he believes that the new Mayor should want to voluntarily do the job. Councilmember Murphy stated that he would volunteer to be the new Mayor. Discussion ensued.*

*Councilmember Devries made a motion to approve Resolution No. 19-20 Appointing Mike Murphy to Fill Vacancy in the Office of Mayor. Councilmember Harris seconded the motion. Motion carried 4-0.*

- B. Swearing in of new Mayor

*Petracek swore in Mike Murphy as the Mayor of Lexington.*

- C. Recommendation to approve Business License renewal

*Petracek explained that Circle Pines Sausage Haus had inadvertently forgot to send in their business license renewal. They paid their late fees. Discussion ensued.*

*Councilmember Hughes made a motion to approve business license renewal. Councilmember Devries seconded the motion. Motion carried 4-0.*

## **7. CLOSED SESSION**

Attorney-Client Privileged discussion regarding threatened litigation involving Lease Finance Group and/or First Resource Bank. Minn. Stat. § 13D.05, subd. 3(b) authorizes this discussion to be held in closed session in order for the City Council to seek and receive candid advice from legal counsel regarding litigation strategy.

*Councilmember Hughes made a motion to convene to closed session at 7:10 p.m. for the purpose of Attorney-Client Privileged discussion regarding threatened litigation involving Lease Finance Group and/or First Resource Bank. Minn. Stat. § 13D.05, subd. 3(b) authorizes this discussion to be held in closed session in order for the City Council to seek and receive candid advice from legal counsel regarding litigation strategy. Councilmember Harris seconded the motion. Motion carried 4-0.*

*Councilmember Hughes made a motion authorizing staff to spend up to \$5000 to resolve the disputes with Lease Finance Group and First Resource Bank on the condition that both banks indemnify the City from disputes with each other and third parties, and that this resolution is reduced to a written agreement. Councilmember Devries seconded the motion. Motion carried 4-0.*

## **8. RECONVENE FROM CLOSED SESSION**

*Councilmember Hughes made a motion to reconvene in open session from closed session at 7:36 p.m. Councilmember Devries seconded it. Motion carried 4-0.*

## **9. MAYOR AND COUNCIL INPUT**

*No input from Mayor and city council*

## **10. ADMINISTRATOR INPUT**

*Petracek advised the council that the new City of Lexington signs had been delivered. Public works is going to install the one on the corner of Lexington and Lake Drive, and they will try to get the other sign installed – weather permitting. Discussion ensued.*

## **11. ADJOURNMENT**

*Councilmember Devries made motion to adjourn the meeting at 7:39 p.m. Councilmember Harris seconded the motion. Motion carried 4-0.*