

**\*\*REVISED\*\***

**AGENDA  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
MARCH 19, 2020– 7:00 P.M.  
9180 LEXINGTON AVENUE**

**1. CALL TO ORDER: – Mayor Murphy**

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

**2. CITIZENS FORUM**

This is a portion of the Council meeting where individuals will be allowed to address the Council on subjects which are not a part of the meeting agenda. Persons wishing to speak may be required to complete a sign-up sheet and give it to a staff person at the meeting. The Council may take action or reply at the time of the statement or may give direction to staff for future action based on the concerns expressed.

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

**4. LETTERS AND COMMUNICATIONS:**

- A. Public Notice – Closed Executive Session **pp. 1**
- B. Planning & Zoning meeting minutes – March 10, 2020 **pp. 2-4**
- C. Centennial Lakes Police Department Media Report – 3-4 through 3-10, 2020 **pp. 5-8**
- D. Park Board meeting minutes **pp. 9**

**Consent Agenda:**

The Consent Agenda covers routine administrative matters. These items are not discussed, and are approved in their entirety pursuant to the recommendations on the staff reports. A Council Member or citizen may ask that an item be moved from the Consent Agenda to the end of section 7 of the agenda in order to be discussed and receive separate action.

**5. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – March 5, 2020 **pp. 10-12**
- B. Recommendation to Approve Claims and Bills: **pp. 13-26**
- Check #'s 13664 through 13669  
Check #'s 46013 through 46068  
Check #'s 13098 through 13102  
Check #'s 13103 through 13114  
Check #'s 13117 through 13119



C. Financial Reports

- Cash Balances
- Fund Summary – Budget to Actual

pp. 27  
pp. 28-29

**Action Items:**

These items are intended primarily for Council discussion and action. It is up to the discretion of the Mayor as to what, if any, public comment will be heard on these items. Persons wishing to speak on discussion items must complete a sign-up sheet and give it to a staff person at the meeting.

**6. ACTION ITEMS:**

- A. Recommendation to approve the revised City of Lexington CoVid-19 Staff Policy pp. 30
- B. Recommendation to approve Resolution NO. 20-10 A Resolution Approving Plans and Specifications and Ordering Advertisement For Bids pp. 31-39
- C. Recommendation to approve Resolution NO. 20-11 A Resolution of Proclamation and Declaration of Emergency
- D. Recommendation to approve a Purchase Agreement with Norhart for the sale of Tot Park.

**7. MAYOR AND COUNCIL INPUT**

**8. CLOSED SESSION**

Attorney-Client Privileged discussion of litigation strategy in the matter of Parkview Homes LLC v. City of Lexington. Confidentiality is necessary in order to allow candid and open discussion with the City Council about the litigation, including defense strategies and any possibilities for resolution. Minn. Stat. § 13D.05, subd. 3(b) authorizes this discussion to be held in closed session.

**9. RECONVENE FROM CLOSED SESSION**

**10. ADMINISTRATOR INPUT**

**11. ADJOURNMENT**

/mv



**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION #20-11**

**A RESOLUTION OF PROCLAMATION AND DECLARATION OF EMERGENCY**

**WHEREAS**, the Mayor and members of the City Council convened an regular session of the City Council on March 18, 2020, at 6:30 p.m. to address the health crisis faced by the citizens and businesses of the City of Lexington.

**WHEREAS**, the virus named “SARS-CoV-2,” is a new strain of coronavirus that has not previously been identified in humans and can easily spread from person to person and which causes a disease named “coronavirus disease 2019,” commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death; and

**WHEREAS**, on January 21, 2020 the first case of COVID-19 was detected in the United States; on March 6, 2020 the first case of COVID-19 was detected in the State of Minnesota; and as of March 18, 2020, there are seventy-seven known cases of COVID-19 in Minnesota, including cases in Anoka County; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

**WHEREAS**, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

**WHEREAS**, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize and all necessary resources to be used in support of the COVID-19 response; and

**WHEREAS**, on March 16, 2020, Anoka County declared a State of Emergency to authorize and all necessary resources to be used in support of the COVID-19 response; and

**WHEREAS**, COVID-19 has been identified by the World Health Organization as a pandemic, and the United States Centers for Disease Control has provided guidance for individuals, healthcare professionals, and businesses to slow the spread of COVID-19, which include cancelling or postponing in-person events that involve more than fifty people for eight weeks; and

**WHEREAS**, the City of Lexington, City Administrator, and the Director of Emergency Management has been preparing for weeks, working diligently with local, state, and federal partners to maintain situational awareness and respond to COVID-19; and

**WHEREAS**, additional local cases will trigger a more aggressive public health response and are predicted to impact residents of Lexington and those who work in or travel through the City, including City employees; and the need for social distancing, school closings, and quarantine methods to stop the spread of COVID-19 is expected to cause significant challenges; and

**WHEREAS**, the City Administrator and the Director of Emergency Management find that this situation threatens the health, safety, and welfare of the citizens of the community and will cause a significant

impact on the ability of public safety personnel to address any immediate dangers to the public as a result of COVID-19; and

**WHEREAS**, the City Administrator and the Director of Emergency Management find that traditional sources of financial aid, assistance and relief will not be able to compensate for the potential impact of COVID-19, and have determined that the necessary resources to respond to and recover from this pandemic will exceed those resources available within the City of Lexington, and additional resources will be needed from Anoka County and state and federal sources.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LEXINGTON PROCLAIMS, DECLARES, REQUESTS, AND DIRECTS AS FOLLOWS:**

1. A Peacetime State of Emergency in the City of Lexington is hereby Declared.
2. Under the authority given by Minnesota Statutes, Section 12.29, declares that a local emergency exists within the City of Lexington, effective March 19, 2020, with all the powers and responsibilities attending thereto as provided by Minnesota Statutes, Chapter 12.
3. Directs City Staff to review ordinance and regulatory requirements, operations, civil and legal proceedings, events, and resources to determine whether the foregoing should be adjusted or suspended, and to make recommendations regarding additional emergency regulations to support the employees and residents of the City of Lexington.
4. Directs all City departments and offices to operate and support the response to this incident, under the direction and coordination of the City Administrator, Director of Emergency Management, and the Emergency Management Team, including implementing new employee protocols, strategies, and processes to ensure that public services are maintained.
5. Directs the City's Director of Emergency Management, the City Administrator, and other appropriate City staff to request and coordinate appropriate aid and resources from surrounding jurisdictions, Anoka County, the State of Minnesota, and the Federal government, as needed.
6. Directs the City's Director of Emergency Management, the City Administrator, and other appropriate City to suspend the normal adherence to the City's established fiscal and personnel policies, and empowers the Director of Emergency Management, the City Administrator and Finance Director to make those expenditures and personnel directives as needed to operate the City government and address the needs of the City during this Peacetime State of Emergency.
7. Declares, under Minnesota Statutes, Section 13D.021, that in-person meetings of the City Council, Planning Commission, and other advisory commissions of the City of Lexington are not practical or prudent due to the COVID-19 health pandemic and the peacetime state of emergency declared by Governor Walz pursuant to Minnesota Statutes, Chapter 12, and hereby directs that meetings of the City Council, Planning Commission, and other advisory commissions of the City shall be conducted by telephone or other electronic means, and hereby directs City Staff to take such action as may be necessary to enable such meetings to occur via telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021, until such time as it is no longer impractical or imprudent for the City Council, Planning Commission, and other advisory commission to resume in-person meetings.

8. Declares this Peacetime State of Emergency shall extend no longer than necessary, and in any event shall not exceed the period of the peacetime state of emergency declared by Governor Walz, unless otherwise extended by the Lexington City Council or by operation of Minnesota Statutes Chapter 12.
9. Orders that this declaration be given prompt and general publicity and that it be filed promptly by the City Clerk.

Adopted by the City Council this 19<sup>th</sup> day of March, 2020.

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Mike Murphy, Mayor

Attest:

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Bill Petracek, City Administrator

