

**MINUTES
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

Mayor Murphy called to order the Regular City Council meeting for March 19, 2020 at 7:00 p.m. Councilmember's present: Devries, Hughes, Winge. Excused Absence: Harris. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Chris Frye, Quad Press.

- 2. CITIZENS FORUM**

No citizens were present to address the Council on 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 Hughes seconded the motion. Motion carried 4-0.

- 4. LETTERS AND COMMUNICATIONS:**

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

No discussion on Letters and Communications.

- 5. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:
Council Meeting – March 5, 2020
- B. Recommendation to Approve Claims and Bills:
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

Councilmember Hughes made a motion to approve the consent agenda items. Councilmember Devries seconded the motion. Motion carried 4-0.

6. ACTION ITEMS:

A. Recommendation to approve the revised City of Lexington CoVid-19 Staff Policy

Petracek provided an explanation to the revised proposed policy for Covid- 19 staff Policy. He stated that the virus is progressing so rapidly that we tried to add items to the policy to capture all possible scenarios that could potentially affect how we provide city services. Discussion ensued.

Councilmember Devries made a motion to approve the revised City of Lexington CoVid-19 Staff Policy. Councilmember Winge seconded the policy. Motion carried 4-0.

B. Recommendation to approve Resolution NO. 20-10 A Resolution Approving Plans and Specifications and Ordering Advertisement For Bids

Steve Winter, City Engineer, explained the Memorial Park paving and parking lot plan estimates have gone way over the \$150,000 budgeted amount. Winter estimated the project at \$360,000 without grading for stormwater ponding. Petracek stated that public works had solicited quotes from a contractor, originally, and he should have had the city engineer do the estimate at budget time. Winter recommended that we do the Memorial Park plan in phases, and bid it separately from the Jackson Ave. project. Discussion ensued.

Mayor Murphy asked if cheaper oil plays a factor in the cost of the paving. Winter replied that it can have an effect on the cost of asphalt paving.

Councilmember Hughes made a motion to approve Resolution NO. 20-10 A Resolution Approving Plans and Specifications and Ordering Advertisement for Bids without bidding the Memorial Park upgrades in this project. Councilmember Devries seconded the motion. Motion carried 4-0.

C. Recommendation to approve Resolution NO. 20-11 A Resolution of Proclamation and Declaration of Emergency.

Attorney Glaser explained Mayor Murphy's emergency declaration for up to 72 hours and added that the City Council must now approve a Resolution and Declaration of Emergency to make it permanent. Attorney Glaser explained the powers and responsibilities that the emergency declaration gives to the fire department, police department, and city administrator during this period of Covid-19 virus infestation.

Glaser provided a detailed explanation of tenants 1-9 of the emergency declaration. He added that the emergency declaration legally suspends normal guidelines for city government operations to handle the Covid-19 virus crisis. Discussion ensued.

The City Council discussed future City Council meetings and how they will be held. Discussion about virtual meetings or meeting in person ensued. The consensus was to have a normal City Council meeting in April, but close it to the public, which is allowed by the emergency declaration.

Petracek stated he would work with NorthMetro T.V. to hold virtual meetings through Zoom for future meetings. Planning Commission and Park Board meetings would be cancelled as per the approved City of Lexington Covid-19 staff policy.

Councilmember Devries made a motion to approve Resolution NO. 20-11 A Resolution of Proclamation and Declaration of Emergency with a correction to Tenant #7 language. Councilmember Hughes seconded the motion. Motion carried 4-0.

D. Recommendation to approve a Purchase Agreement with Norhart for the sale of Tot Park.

Attorney Glaser explained that this purchase agreement for Tot Park has a provision in it that if Norhart does not deed the new park over to the City after completion of Lexington Lofts, they are required to give the land from the old Tot Park back to Lexington. Discussion ensued

Councilmember Hughes made a motion to approve a Purchase Agreement with Norhart for the sale of Tot Park. Councilmember Devries seconded the motion. Motion carried 4-0.

7. MAYOR AND COUNCIL INPUT

No input from Mayor Murphy and City Council

8. ADMINISTRATOR INPUT

Petracek stated public works tentatively would be flushing hydrants May 11th. He added that the Spring clean-up is cancelled due to Covid-19. Discussion ensued.

Petracek also explained that Norhart will begin prepping the site behind Northway Mall for construction in April.

9. CLOSED SESSION

Councilmember Devries made a motion to go into closed session at 8:07 p.m. for the purpose of 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. Councilmember Winge seconded the motion. Motion carried 4-0.

10. RECONVENE FROM CLOSED SESSION

City Council reconvened in open session at 10:08 p.m.

11. ADJOURNMENT

Councilmember Hughes made motion to adjourn the meeting at 10:09 p.m. Councilmember Devries seconded the motion. Motion carried 4-0.

/mv