

AMENDED
AGENDA
PUBLIC HEARING
&
REGULAR PLANNING COMMISSION MEETING
July 11, 2023 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER
 - A. Roll Call: Chairperson Bautch, Commissioners Koch, Murphy, Thorson and Ogden
2. PUBLIC HEARING – Storm Water Pollution Prevention Program (SWPPP)
3. ADJOURNMENT PUBLIC HEARING

REGULAR PLANNING COMMISSION MEETING

4. CALL TO ORDER
 - B. Roll Call: Chairperson Bautch, Commissioners Thorson, Koch, Murphy and Ogden
5. CITIZENS FORUM
6. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
7. LETTERS AND COMMUNICATION
 - A. Building Permits for June 2023 – none were issued pg. 1
8. APPROVAL OF PLANNING COMMISSION MINUTES
 - A. June 13, 2023 pg. 2-3
9. DISCUSSION ITEM:
 - A. Discuss Moratorium and Zoning on Healthcare Clinics pg. 4-6
10. NOTE COUNCIL MINUTES:
 - A. June 1, 2023 pg. 7-9
 - B. June 15, 2023 pg. 10-12
11. PLANNING COMMISSION INPUT
12. ADJOURNMENT

Permits Issued and Fees

From Date: 06/01/2023
 To Date: 06/30/2023
 Permit Type: City of Lexington Building Permit
 All Cities And Townships: N

Permit#	Subtype	Issue Date	Address	Applicant	Type of Construction	Completed Value	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
GRAND TOTAL:	0													
YEAR RUNNING TOTAL:	76					\$847,663.36	\$0.00	\$2,860.57	\$212.68			\$2,485.00	\$1,800.00	\$22,385.97

MINUTES
REGULAR PLANNING COMMISSION MEETING
June 13, 2023 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER

- A. Roll Call: Chairperson Bautch, Commissioners Thorson, Koch, Murphy and Ogden.

Chairperson Bautch called to order the Regular Planning Commission meeting on June 13, 2023 at 7:00 p.m. Commissioners Present: Michelle Koch, Ron Thorson and Chuck Ogden. Excused Absence: Gloria Murphy. Also present: Brandon Winge, City Councilmember; Bill Petracek, City Administrator.

2. CITIZENS FORUM

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

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Koch made a motion to approve the agenda with the addition of Commissioner Ogden to the agenda. Thorson seconded the motion. Motion carried 4-0.

4. LETTERS AND COMMUNICATION

- A. Building Permits for May 2023

Discussion about the rehabilitation of the property at 8951 Naples Ave. (Conrad Koffler's old house)

Ogden asked about the burned house on Lovell Road. Petracek stated that the individual that owns the property is planning to build a house on the lot. Discussion ensued.

5. APPROVAL OF PLANNING COMMISSION MINUTES

- B. May 9, 2023

Koch made a motion to approve the May 9, 2023 Planning Commission Minutes as typewritten. Bautch seconded the motion. Motion carried 4-0.

6. DISCUSSION ITEM:

- A. NONE

7. NOTE COUNCIL MINUTES:

- A. May 4, 2023
- B. May 18, 2023

No discussion on City Council minutes

8. PLANNING COMMISSION INPUT

Ogden asked what was going in the old Cook's Auto Body shop. Petracek explained that a carpet cleaning business has purchased the property. He added that city staff is working with the property owner get a few items fixed on the property before they will be allowed to fully move in and begin operations. Discussion ensued.

Koch explained that her neighbor on Centerwood Ave. has placed a shipping container house in his backyard and it is pink. She added that he had a crane move it in last week and wanted to know if this violates any ordinances. Petracek stated that it probably violates our accessory use ordinance and the zoning regulation that outlaws tiny homes Discussion ensued. Petracek stated he will have staff begin working on it immediately, but added that you shouldn't plan on this process being alleviated quickly. Discussion ensued.

9. ADJOURNMENT

Thorson made a motion to adjourn at 7:20 p.m. Bautch seconded the motion. Motion carried 4-0.

MEMORANDUM

TO: PLANNING & ZONING COMMISSION

FROM: KURT GLASER, CITY ATTORNEY

SUBJECT: SUBSTANCE ABUSE CLINIC STUDY

DATE: JULY 6, 2023

Substance abuse clinics which provide medication-assisted treatment for individuals with opioid addiction can generate concerns and challenges within the surrounding community. These clinics typically provide daily doses of the prescription drugs methadone or suboxone to patients as part of treating substance abuse addiction. These clinics are commonly called, "methadone clinics." The Commission is asked to study this subject to determine whether to impose conditions on the operation of these clinics.

POTENTIAL PROBLEMS

Some of the common concerns associated with these clinics are:

1. Crime and Public Safety: Potential for increased crime rates, loitering, or illicit drug activities in the vicinity of these clinics.
 - a. Drug-related Crimes: The illegal drug trade and related activities, such as drug dealing or the presence of individuals seeking to buy or sell drugs, can occur in the vicinity of methadone clinics.
 - b. Property Crimes: There may be instances of property crimes such as theft, burglary, or robbery in the vicinity of methadone clinics. Some individuals struggling with addiction may resort to these activities to fund their substance use or due to financial difficulties associated with their condition.
 - c. Prescription Fraud: These clinics dispense medication to their patients, and prescription fraud can occur when individuals attempt to obtain methadone illicitly or forge prescriptions for the medication. This can lead to crimes such as identity theft, prescription forgery, or illegal distribution of methadone.
2. Property Values: Some individuals worry that the presence of a methadone clinic in their neighborhood may have a negative impact on property values.
3. Traffic and Parking: Increased traffic and parking congestion caused by the influx of patients attending the clinic.

4. Environmental Impact: Improper disposal of medication or waste by the clinic may raise environmental concerns, particularly if it poses a risk to local water sources or wildlife.
5. Community Integration: These clinics often face opposition from community members who resist the integration of such facilities in their neighborhoods. This resistance can stem from various factors as stated above and also fears of the unknown, concerns about the clinic's impact on the community's character, or biases against individuals with substance use disorders.

It is crucial to understand that these problems are not exclusive to areas with methadone clinics and can occur in any community affected by substance use disorders. These clinics play an essential role in providing treatment and support for individuals with opioid addiction, aiming to reduce the harm associated with substance abuse and improve overall community well-being. Effective regulation, security measures, and collaboration with local law enforcement can help address and prevent potential criminal activities in the surrounding areas.

LOCAL REGULATION

These clinics provide medical services and prescription medications under licenses issued by the State. These medical licenses are subject to State and Federal standards. Cities can regulate land use, impose general business regulations, and adopt anti-crime or public nuisance related ordinances.

Potential conditions the City can impose on the clinic through land-use Permits.

1. Land Use Standards:
 - a. Designate clinics to appropriate zoning districts.
 - b. Create performance standards such minimum distances from nurseries, schools, daycare facilities, or other areas where children or protected persons tend to congregate.
 - c. Create performance for the construction or configurate of the clinic.
 - d. Set relevant conditions governed by Conditional Use Permits or Interim Use Permits.
 - i. Use of Interim Permits for a set duration could be used to measure compliance with State, Federals, and City related standards.
2. Security measures:
 - a. Require the clinic to have a security and traffic control plan.
 - i. Maintain private security and traffic control personnel and programs.
 - b. Require the client to pay for excess use of municipal services or emergency serves.
 - i. Have the clinic maintain an escrow or post a bond to ensure payment.

3. Community Relations.

- a. The clinic could development and implementation of a community relations plan that is specific to the configuration and needs of the program within its community and includes but is not limited to the following actions:
 - i. Establish a liaison with community representatives to share information about the program, the community, and mutual concerns and issues.
 - ii. Identify program personnel who will function as community relations coordinators and define the goals and procedures of the community relations plan.
 - iii. Serve as a community resource on substance use and related health and social issues as well as promote the benefit of medication-assisted treatment in preserving the public health.
 - iv. Solicit community input about medication-assisted treatment and the program's presence in the community.
 - v. Develop program policies and procedures to effectively address or resolve community problems (including patient loitering and medication diversion) and ensure that program operations do not affect community life adversely.
- b. Document community contacts and community relations efforts and evaluate the effectiveness of activities over time in addressing outstanding problems or deficiencies.
- c. Develop communication mechanisms that provide interested parties and potential patients with general information about the program outside of regular operating hours.

4. Voluntary and Involuntary Program Closure.

- a. The clinic, through State authorities and the City, must establish procedures that ensure continuity of care for patients in the event of either a voluntary or involuntary closure of their programs or loss of its land-use Permit.
- b. The closure plan should include standards for closure of the clinic, and steps for the notification and orderly transfer of patients, records, and assets to other programs or practitioners and the procedure for securing and maintaining patient records for a specified period of time in accordance with state and federal regulations.

MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
June 1, 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 June 6, 2023 at 7:00 p.m. Councilmember's present: Benson, Devries, Harris and Winge. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director.

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 with the removal of both of the closed sessions. Councilmember Harris seconded the motion. Motion carried 5-0.

5. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Devries) – *Councilmember Devries stated that there is new company training pilots at the airport. The Airport Commission is considering the expansion of the airport runway with the extension being sand, and not asphalt, so a landing plane would sink in to stop. Discussion ensued. Devries also stated that tours of the airport are being offered to Councilmembers and City staff. Next meeting is October 14th. Discussion ensued.*
- B. Cable Commission (Councilmember Winge) *Quarterly meetings – No meeting to report*
- C. City Administrator (Bill Petracek) – *Petracek stated that Dunlap Ave. asphalt project is tentatively set to begin the week of June 8th, weather permitting. He added that the contractor for Lexington Lofts will be doing an asphalt overlay on Griggs Ave. between Restwood Ave. and the laundromat to begin in and around the same week of June 8th. Benson asked how long will the Dunlap Ave. project take. Petracek stated 2-3 days. Discussion ensued.*

Choose a building block.

6. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports 5-10 through 5-23-2023
- B. Planning & Zoning Meeting Minutes – May 9, 2023

- C. Council Workshop Meeting Synopsis– May 18, 2023

No discussion on Letters and Communications.

7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – May 18, 2023
- B. Recommendation to Approve Claims and Bills:

Check #'s 50298 through 50347
Check #'s 14765 through 14771
Check #'s 14774 through 14784

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

8. ACTION ITEMS:

- A. Recommendation to approve 2023 Non-Union and Management
Salary Adjustments effective June 1, 2023

Councilmember Harris stated she would like to offer a \$10,000/year raise to Chief Edwards. Petracek stated that The Council can amend his recommendation to the wages to reflect a larger wage adjustment for Chief Edwards, but he recommends being budget conscious and maybe planning for next year's budget to give Edwards another wage adjustment. Discussion ensued.

Councilmember Devries made a motion to approve the recommended wage adjustments 2023 Non-Union and Management Salary Adjustments effective June 1, 2023. Councilmember Harris seconded the motion. Motion carried 5-0.

- B. Recommendation to approve Holiday Pay for Full-Time Union and Non-Union
Employees for the Newly State Mandated Closure of City Hall in Observation of
“Juneteenth.”

Councilmember Devries offered his personal thoughts on “Juneteenth” as a holiday. Discussion ensued.

Councilmember Benson made a motion to approve Holiday Pay for Full-Time Union and Non-Union Employees for the newly State Mandated Closure of City Hall in Observation of “Juneteenth.” Councilmember Harris seconded the motion. Motion carried 5-0.

- C. Recommendation to approve Business License Renewals

Councilmember Devries made a motion to approve Business License Renewals. Councilmember Benson seconded the motion. Motion carried 5-0.

9. MAYOR AND COUNCIL INPUT

Councilmember Benson asked about the availability of closed captioning on our cable channel. Councilmember Winge said it should be available. Discussion ensued.

Harris asked to have an update on both lawsuits at one of the next council meetings. Petracek stated it will have to be the July 6th meeting as Attorney Glaser will not be in attendance at the next meeting.

Mayor Grote asked if the drop box can be moved closer to the curb so people don't have to get out of the car to put their utility bill in it. Petracek stated he would follow up with public works to see what can be done.

Petracek provided some initial insight on some of the newly approved State legislation that will affect the City of Lexington and how it operates. Discussion ensued.

ADJOURNMENT

Councilmember Devries made motion to adjourn the meeting at 7:38 p.m. Councilmember Harris seconded the motion. Motion carried 5-0.

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
JUNE 15, 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 June 15, 2023 at 7:00 p.m. Councilmember's present: Devries, Harris, and Winge. Excused Absence: Councilmember Benson Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Andy Berg, Abdo

3. CITIZENS FORUM

No citizens were present to address the Council on 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 4-0

5. 2022 AUDIT REPORT

- Executive Governance Summary
- 2022 Financial Statement Audit
- Annual Financial Report

Andy Berge from Abdo was present to provide an overview of the 2022 Audit Report. He provided a Powerpoint presentation. Discussion ensued.

6. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports 5-24 through 6-6, 2023
- B. City Report – May 2023
- C. North Metro TV – May 2023 Update
- D. Metropolitan Council – Preliminary Population and Household Estimates

Petracek discussed the Met Council's preliminary population estimates. He explained that this estimate will be an important part of their 2024 budget discussions this year. Discussion ensued.

2. CONSENT ITEMS:

A. Recommendation to Approve Council Minutes:
Council Meeting – June 1, 2023

B. Recommendation to Approve Claims and Bills:

Check #'s 50349 through 50404

Check #'s 14785 through 14792

Check #'s 14795 through 14814

C. Financial Reports

- Cash Balances
- Fund Summary – Budget to Actual

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

3. ACTION ITEMS:

A. Recommendation to approve Change Order #1 for 2023 Street Improvement
Dunlap Avenue Project in the amount of \$3500.00

Councilmember Harris made a motion to approve Change Order #1 for 2023 Street Improvement Dunlap Avenue Project in the amount of \$3500.00. Councilmember Winge seconded the motion. Motion carried 4-0.

B. Recommendation to approve Business License Renewals

Councilmember Harris made a motion to approve Business License Renewals. Councilmember Winge seconded the motion. Motion carried 4-0.

C. Recommendation to approve Liquor License Renewals

- Boulevard Bar & Grille
- Cowboy's Saloon
- Carbone's Pizza
- El Loro Mexican Grill & Cantina (pending successful background)
- Poncho's Taqueria (Wine & Sunday Sales)

Councilmember Devries made a motion to approve Liquor License Renewals. Councilmember Harris seconded the motion. Motion carried 4-0.

4. MAYOR AND COUNCIL INPUT

Councilmember Devries discussed Lexington Lofts. Discussion ensued.

Councilmember Harris asked about the city hall sign progress. Petracek explained that the landscape committee are reviewing options for the City Council to consider. He added that we may need to more funds than what was budgeted for 2023. He plans on having a discussion with the Council in either July or August. Discussion ensued.

5. ADMINISTRATOR INPUT

Petracek updated the Council on the utility payment box complaint, and the discussion about closed captioning for the cable channel. discussion ensued.

6. ADJOURNMENT

Councilmember Devries made motion to adjourn the meeting at 7:47 p.m. Councilmember Harris seconded the motion. Motion carried 4-0.

/mv

No Workshop