

AGENDA
REGULAR PLANNING COMMISSION MEETING
November 14, 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
2. CITIZENS FORUM
3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
4. LETTERS AND COMMUNICATION
 - A. Building Permits for October 2023 pg. 1
5. APPROVAL OF PLANNING COMMISSION MINUTES
 - A. October 10, 2023 pg. 2-4
6. DISCUSSION ITEM:
 - A. Date change for August 2024 meeting (Primary Election)
7. NOTE COUNCIL MINUTES:
 - A. October 5, 2023 pg. 5-7
 - B. October 19, 2023 pg. 8-11
8. PLANNING COMMISSION INPUT
9. ADJOURNMENT

Permits Issued and Fees

From Date: 10/01/2023
 To Date: 10/31/2023
 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
LEX23-000110	Building	10/20/2023	9046 NORTH HIGHWAY DR	Four Point Construction LLC	Roofing	\$17,850.00	\$385.08	\$250.30	\$8.93					\$644.31
LEX23-000111	Building	10/26/2023	9372 Lexington	Signart Co. Inc	Other (Specify in Intended Use)	\$13,546.00	\$311.56	\$202.51	\$6.77					\$520.84
LEX23-000112	Building	10/31/2023	8837 ARONA AVE	T-10 Construction	Roofing	\$16,563.66	(\$100.64)	\$238.36	\$8.28					\$146.00
LEX23-000108	Building	10/06/2023	8871 GRIGGS AVE	Legacy Restoration LLC	Roofing	\$17,675.00	(\$113.14)	\$250.30	\$8.84					\$146.00
	Building: 4					\$65,634.66	\$482.86	\$941.47	\$32.82					\$1,457.15
LEX23-000109	Fire Supp.	10/11/2023	9376 Lexington AVE	Dynamic Fire Protection	Sprinkler Installation	\$1,200.00	\$195.00	\$126.75	\$0.60					\$322.35
	Fire Supp.: 1					\$1,200.00	\$195.00	\$126.75	\$0.60					\$322.35
LEX23-000113	Plumbing	10/31/2023	9232 RYAN PL	Roto-Rooter		\$7,567.00	\$265.00		\$3.78					\$268.78
	Plumbing: 1					\$7,567.00	\$265.00		\$3.78					\$268.78
LEX23-000103	Zoning	10/03/2023	8871 GRIGGS AVE	Duramax Asphalt	Driveway/Pad		\$60.00							\$60.00
	Zoning: 1						\$60.00							\$60.00
GRAND TOTAL:	7					\$74,401.66	\$1,002.86	\$1,068.22	\$37.20					\$2,108.28
YEAR RUNNING TOTAL:	173					\$2,763,824.69	\$0.00	\$13,378.14	\$1,056.55			\$2,485.00	\$1,800.00	\$56,717.61

**MINUTES
PUBLIC HEARING
&
REGULAR PLANNING COMMISSION MEETING
October 10, 2023 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER PUBLIC HEARING

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

Chairperson Bautch called to order the Public Hearing on October 10, 2023 at 7:00 p.m. Commissioners Present: Gloria Murphy, Michelle Koch, Ron Thorson and Chuck Ogden. Also present: Brandon Winge, City Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Barbara Caliendo, Circle Pines resident.

2. PUBLIC HEARING – Proposed New Ordinance for Substance Abuse Clinic Regulation

*Barbara Caliendo
14 Ridge Road, Circle Pines, MN.*

Ms. Caliendo was present to oppose the City of Lexington allowing a methadone clinic into their city. Ms. Caliendo explained that allowing a methadone clinic into your city is a health and safety problem. She added that since the low-income housing of Landings of Lexington was allowed into the area, she has been panhandled twice – once at Aldi's Grocery and once at Mill's Fleet Farm. She stated that she is not racist and feels bad for people with an addiction, but believes that a methadone clinic would affect the area negatively like Landings of Lexington. Discussion ensued.

Koch explained to Caliendo that the Planning Commission agrees with her and is doing everything they can to regulate the possibility of a Methadone clinic locating in Lexington by adopting this ordinance. Discussion ensued.

3. ADJOURNMENT PUBLIC HEARING

Bautch made a motion to adjourn the public hearing at 7:09 p.m. Murphy seconded the motion. Motion carried 5-0.

REGULAR PLANNING COMMISSION MEETING

4. 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 October 10, 2023 at 7:09 p.m. Commissioners Present: Gloria Murphy, Michelle Koch, Ron Thorson and Chuck Ogden. Also present: Brandon Winge, City Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney.

5. CITIZENS FORUM

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

6. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Koch made a motion to approve the agenda as typewritten. Ogden seconded the motion. Motion carried 5-0.

7. LETTERS AND COMMUNICATION

- A. Building Permits for September 2023

Some discussion on September building permits.

8. APPROVAL OF PLANNING COMMISSION MINUTES

- A. September 12, 2023

Murphy made a motion to approve the September 12, 2023 Planning Commission Minutes as typewritten. Thorson seconded the motion. Motion carried 5-0.

9. DISCUSSION ITEM:

- A. Recommendation to City Council to approve Section 11.40 Ordinance Regulating Addiction Treatment Clinics

Ogden stated that he is concerned about referring to these facilities as “addiction treatment clinics” as opposed to health care clinics in the ordinance. Attorney Glaser stated that this is not an issue, since the Human Rights League has issued specific problems with methadone clinics locating to a community on their website, and those issues are addressed in the ordinance. Discussion ensued.

Ogden made a motion to recommend to the City Council to approve Section 11.40 – an Ordinance Regulating Addiction Treatment Clinics. Koch seconded the motion. Motion carried 5-0.

10. NOTE COUNCIL MINUTES:

- A. September 7, 2023
- B. September 21, 2023

Some discussion regarding the Centennial Lakes Police Budget.

11. PLANNING COMMISSION INPUT

Murphy discussed the fire hydrants being replaced in the City. Discussion ensued.

12. ADJOURNMENT

Koch made a motion to adjourn at 7:30 p.m. Murphy seconded the motion. Motion carried 5-0.

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
OCTOBER 5, 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 5, 2023 at 7:00 p.m. Councilmember's present: Benson, Devries, and Harris. Excused Absence: Winge Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Erik Edwards, Fire Chief.

3. CITIZENS FORUM

Derek Linham of Ramsey, Minnesota was present to advocate for election reform in Minnesota. He explained that his group he represents wants to change elections back to the old way it was done 30 years ago. Discussion ensued.

Councilmember Harris asked about voting machine certification. Linham stated that voting machines are tested before and after elections. Discussion ensued.

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

5. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Devries) – No report
- B. Cable Commission (Councilmember Winge) *Quarterly meetings – No report.*
- C. City Administrator (Bill Petracek) – *Petracek reminded Mayor Grote and Councilmember Harris about the special Governing Board meeting October 9th.*

6. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports 9/13 - 9/25/2023
- B. Park Board Minutes September 11, 2023

- C. Planning Commission Minutes September 12, 2023
- D. Council Workshop meeting Synopsis September 21, 2023

No discussion on Letters and Communications

7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – September 21, 2023
- B. Recommendation to Approve Claims and Bills:
Check #'s 14923 through 14930

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

8. ACTION ITEMS:

- A. First Reading of Ordinance NO. 23-03 – An Ordinance to Revise Chapter 10 - Cannabis
Use Prohibited in Public Parks

Councilmember Harris asked if there was not going to be a second reading; she explained that the current ordinance does not reflect a second reading. Attorney Glaser stated he needed to amend those items and said that there would be a second reading. Discussion ensued.

Councilmember Harris stated that there is no discussion about prohibiting smoking pot on city streets in the ordinance. Glaser replied that State Law does not prohibit smoking cannabis and walking down the street. Discussion ensued.

Councilmember Harris stated that she would like to have a public hearing prior to a vote on Ordinance 23-03; she believes that the public has the right to discuss what they want in regards to this ordinance and she would like to hear from them. Discussion ensued.

Mayor Grote asked the question of how the police department is going to patrol smoking pot on the streets and differentiate between tobacco and cannabis. Discussion ensued.

Attorney Glaser provided the first reading of Ordinance No. 23-03. No action was taken.

- B. Recommendation to Approve Final Payment #2 for Dunlap Ave. Street Improvement
Project in the Amount of \$6,153.81 to Park Construction Co.

Councilmember Benson made a motion to Approve Final Payment #2 for Dunlap Ave. Street Improvement Project in the Amount of \$6,153.81 to Park Construction Co. Councilmember Devries seconded the motion. Motion carried 4-0.

C. Recommendation to Approve Anoka County 2024 Agreement for Residential Recycling
Councilmember Devries made a motion to Approve Anoka County 2024 Agreement for Residential Recycling. Councilmember Benson seconded the motion. Motion carried 4-0.

D. Recommendation to hire Dustin Jante for Firefighter 1
Fire Chief Edwards provided an overview of Dustin Jante's background. He stated that this would be 17 firefighters and his goal is to top out at 20 firefighters. Discussion ensued.

Mayor Grote made a motion to approve the hire of Dustin Jante for Firefighter 1. Councilmember Devries seconded the motion. Motion carried 4-0.

9. MAYOR AND COUNCIL INPUT

Councilmember Harris commented on the contractor replacing the fire hydrants. Mayor Grote asked if Ephesians fire hydrants have been winterized. Discussion ensued.

10. CLOSED SESSION

Attorney Glaser explained the need to go into closed session.

Councilmember Devries made a motion to go into closed session at 7:30 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 Benson seconded the motion. Motion carried 4-0.

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 7:53 PM.
Councilmember Devries seconded the motion. Motion carried 4-0.

11. ADJOURNMENT

Councilmember Benson made motion to adjourn the meeting at 7:53 p.m. Councilmember Devries seconded the motion. Motion carried 4-0.

**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 maintainence of the water appartus that serves Ephesians facilities.

5. ADMINISTRATOR INPUT

Petracek stated that Chief Edwards was unable to attend tonights 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.