

AGENDA
REGULAR PLANNING COMMISSION MEETING
July 9, 2024 - 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 June 2024 pg. 1-2
5. APPROVAL OF PLANNING COMMISSION MINUTES
 - A. June 11, 2024 pg. 3-4
6. DISCUSSION ITEM:
 - A. **NONE**
7. NOTE COUNCIL MINUTES:
 - A. June 6, 2024 pg. 5-7
 - B. June 20, 2024 pg. 8-11
8. PLANNING COMMISSION INPUT
9. ADJOURNMENT

Permits Issued and Fees

From Date: 06/01/2024
 To Date: 06/30/2024
 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 Surchage	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
LEX24-000056	Building	06/20/2024	9252 RYAN PL	Tran Construction and Remodeling	Roofing	\$12,500.00	\$145.00		\$1.00					\$146.00
LEX24-000058	Building	06/20/2024	9321 RYAN PL	Viking Contractors LLC	Roofing	\$19,000.00	\$145.00		\$1.00					\$146.00
LEX24-000041	Building	06/24/2024	3810 Liberty LN	Ridgeland Contracting	Set Mobile Home	\$1,000.00	\$100.00		\$1.00					\$101.00
LEX24-000045	Building	06/24/2024	3816 Liberty LN	Ridgeland Contracting	Set Mobile Home	\$1,000.00	\$100.00		\$1.00					\$101.00
LEX24-000047	Building	06/24/2024	3818 Minuteman LN	Ridgeland Contracting	Set Mobile Home	\$1,000.00	\$100.00		\$1.00					\$101.00
LEX24-000049	Building	06/24/2024	3819 Minuteman LN	Ridgeland Contracting	Set Mobile Home	\$1,000.00	\$100.00		\$1.00					\$101.00
LEX24-000051	Building	06/24/2024	3836 Minuteman LN	Ridgeland Contracting	Set Mobile Home	\$1,000.00	\$100.00		\$1.00					\$101.00
LEX24-000062	Building	06/27/2024	8859 SOUTH HIGHWAY DR	LEGACY RESTORATION LLC	Roofing	\$15,000.00	\$145.00		\$1.00					\$146.00
LEX24-000044	Building	06/13/2024	3640 CENTERWOOD RD	Welter Construction	Roofing	\$18,131.00	\$145.00		\$1.00					\$146.00
LEX24-000057	Building	06/25/2024	9175 South Highway DR	Wayne Cornelius	Remodel	\$7,500.00	\$201.28	\$130.83	\$3.75					\$335.86
LEX24-000059	Building: 10 Mechanical	06/24/2024	9127 JACKSON AVE	Centerpoint Energy	Residential Furnace /AC	\$77,131.00	\$1,281.28	\$130.83	\$12.75					\$1,424.86
LEX24-000055	Mechanical	06/25/2024	9252 RYAN PL	DESCHENE ENTERPRISES INC	Residential Furnace /AC	\$10,400.00	\$40.00		\$1.00					\$41.00
LEX24-000053	Mechanical	06/14/2024	9270 RYAN PL	Bonfes Plumbing & Heating	Residential Furnace /AC	\$6,280.00	\$41.00							\$41.00

LEX24-000054	Mechanical	06/14/2024	3445 RESTWOOD RD	Curley's Heating & A/C	Residential Furnace /AC	\$8,200.00	\$41.00											\$41.00
	Mechanical: 4																	\$164.00
LEX24-000060	Plumbing	06/27/2024	9073 SOUTH HIGHWAY DR	Hugo Plumbing		\$2,000.00	\$63.18	\$41.07	\$1.00									\$105.25
LEX24-000046	Plumbing	06/24/2024	3816 Liberty LN	Ridgeland Contracting		\$1,000.00	\$40.00		\$1.00									\$41.00
LEX24-000043	Plumbing	06/24/2024	3810 Liberty LN	Ridgeland Contracting		\$1,000.00	\$40.00		\$1.00									\$41.00
LEX24-000052	Plumbing	06/24/2024	3836 Minuteman LN	Ridgeland Contracting		\$1,000.00	\$40.00		\$1.00									\$41.00
LEX24-000050	Plumbing	06/24/2024	3819 Minuteman LN	Ridgeland Contracting		\$1,000.00	\$40.00		\$1.00									\$41.00
LEX24-000048	Plumbing	06/24/2024	3818 Minuteman LN	Ridgeland Contracting		\$1,000.00	\$40.00		\$1.00									\$41.00
	Plumbing: 6																	
LEX24-000063	Zoning	06/27/2024	4060 RESTWOOD RD	Midwest Fence	Fence<6'	\$7,000.00	\$263.18	\$41.07	\$6.00									\$310.25
LEX24-000061	Zoning	06/28/2024	8825 ARONA AVE	PLASTER, JENNIFER ANN	Fence<6'	\$2,000.00	\$60.00											\$60.00
LEX24-000042	Zoning	06/12/2024	8829 SOUTH HIGHWAY DR	KETCHUM, SHAWN L	Driveway/Pad	\$10,000.00	\$60.00											\$60.00
	Zoning: 3																	\$180.00
GRAND TOTAL:	23					\$16,000.00	\$180.00											\$2,079.11
						\$125,011.00	\$1,887.46	\$171.90	\$19.75									
YEAR RUNNING TOTAL:	113					\$1,657,845.85	\$0.00	\$10,178.18	\$560.26									\$2,485.00 \$1,800.00 \$40,188.33

MINUTES
REGULAR PLANNING COMMISSION MEETING
June 11, 2024 - 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 11, 2024 at 7:00 p.m. Commissioners Present: Michelle Koch, Gloria Murphy Ron Thorson and Chuck Ogden. Also present: Brandon Winge, 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

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

4. LETTERS AND COMMUNICATION

- A. Building Permits for May 2024

Some discussion on May 2024 building permits.

5. APPROVAL OF PLANNING COMMISSION MINUTES

- A. May 14, 2024

Murphy explained that she had brought up the discussion about the lawns not being mowed and not Koch and requested the change in the minutes.

Thorson made a motion to approve the May 14, 2024 Planning Commission Minutes with corrections to the minutes. Koch seconded the motion. Motion carried 5-0.

6. DISCUSSION ITEM:

None

7. NOTE COUNCIL MINUTES:

- A. May 2, 2024
B. May 9, 2024 (Special meeting)
C. May 16, 2024

Some discussion and questions of the Council minutes. Discussion ensued.

8. PLANNING COMMISSION INPUT

Thorson asked why there is a weight limit sign on the south end of Hamline Ave. at Flowerfield Rd. and not on the north end of Hamline Ave. and South Highway Dr. He stated that he is noticing more semi-trucks on Hamline Ave. Petracek stated he would check with city engineer on this to find out the reason.

Bautch asked about storm chasers and contractors needing a peddler's license. Petracek stated that if they are State licensed contractor we don't require a peddler's license. He suggested that any contractor that solicits business door-to-door to check in with city hall to determine if they need a peddler's license or not.

9. ADJOURNMENT

Thorson made a motion to adjourn at 7:16 p.m. Koch seconded the motion. Motion carried 5-0.

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
JUNE 6, 2024 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Grote

- A. Roll Call - Council Members: DeVries, Murphy, Winge and Benson

Mayor Grote called to order the Regular City Council meeting for June 6, 2024, at 7:00 p.m. Councilmembers present: Benson, DeVries, Murphy, and Winge Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director, City Attorney Kurt Glaser; Steve Winter, City Engineer; Andy Berg, Abdo; Erin and Tristan Proza, Curious Crow Company.

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 without changes or corrections. Councilmember Winge seconded the motion. Motion carried 5-0.

5. 2023 AUDIT REPORT PRESENTATIOON

Abdo, Eick & Meyers

- Executive Governance Summary
- 2023 Annual Financial Report

Andy Berg, Abdo Partner, was present to provide an overview of the 2023 Audit Report via Powerpoint presentation. Discussion ensued.

6. INFORMATIONAL REPORTS:

- A. Airport (Councilmember DeVries) – Next meeting in October
- B. Cable Commission (Councilmember Winge) *Quarterly meetings – Next meeting in June*
- C. City Administrator (Bill Petracek) – *Petracek provided an overview of the cleanup following the recent windstorms in Lexington. He explained that approximately 30 trees were down on Centerwood Ave. and approximately 10 trees in Memorial Park, as well as various downed trees, branches and debris throughout the community.*

He stated that the Griggs Ave. asphaltting project is scheduled to begin on June 24th – weather permitting. He added that he doesn't have a time frame on the completion and installation of new city hall sign, yet.

7. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports – 5-8 through 5-27, 2024
- B. Planning & Zoning meeting minutes – May 14, 2024
- C. Metropolitan Council – Preliminary Population & Household Estimates

Petracek discussed the Lexington's 2023 preliminary population estimate being 2830 people. Discussion ensued.

8. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – May 16, 2024
- B. Recommendation to Approve Claims and Bills:
Check #'s 51582 through 51657
Check #'s 15231 through 15247
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

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

9. ACTION ITEMS:

- A. Recommendation to Cancel the Letter of Credit from O'Reilly's Auto Parts Store
Project Following the City Receiving the Electronic Asbuilts for the Project.

Steve Winter, City Engineer, was present to discuss O'Reilly's and Lexington Lofts Letters of Credit. Discussion ensued.

Councilmember Devries made a motion to cancel the Letter of Credit from O'Reilly's Auto Parts Store Project Following the City Receiving the Electronic Asbuilts for the project. Winge seconded the motion. Motion carried 5-0.

- B. Recommendation to Reduce the Lexington Lofts Development Project Letter
of Credit from \$200,000 to \$150,000.

Councilmember Murphy made a motion to reduce the Lexington Lofts Development Project Letter of Credit from \$200,000 to \$150,000. Councilmember Winge seconded the motion. Motion carried 5-0.

- C. Recommendation to approve Business License Renewals

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

D. Recommendation to approve Liquor License Renewal – Boulevard Bar & Grille
Councilmember Benson made a motion to approve Liquor License Renewal – Boulevard Bar & Grille. Councilmember Devries seconded the motion. Motion carried 5-0.

E. Recommendation to approve Wine & Beer License (New) Curious Crow
Councilmember Benson made a motion to approve Wine & Beer License (New) Curious Crow. Councilmember Devries seconded the motion. Motion carried 5-0.

10. MAYOR AND COUNCIL INPUT

No input from Mayor Grote and City Council.

11. CLOSED SESSION

This portion of the meeting is closed pursuant Minn. Stat. Section 13D.03, and is permitted for Labor Negotiation Strategy and discussion regarding the City of Lexington AFSCME Collective Bargaining Agreement and Management and Non-Union compensation.

Attorney Glaser provided an explanation as to why the City Council will be going into closed session.

Councilmember Murphy made a motion to go into closed session at 7:24 pm pursuant Minn. Stat. Section 13D.03, and is permitted for Labor Negotiation Strategy and discussion regarding the City of Lexington AFSCME Collective Bargaining Agreement and Management and Non-Union compensation. Councilmember Devries seconded the motion. Motion carried 5-0.

Councilmember Benson made a motion to reconvene into open session at 7:43 PM. Councilmember Murphy seconded the motion. motion carried 5-0.

A. Recommendation to Approve the 2024-2027 AFSCME Collective Bargaining Agreement with the City of Lexington.

Councilmember Devries made a motion to Approve the 2024-2027 AFSCME Collective Bargaining Agreement with the City of Lexington. Councilmember Murphy seconded the motion. Motion carried 5-0.

B. Recommendation to Approve the 2024 Management and Non-Union wages.

Councilmember Devries made a motion to Approve the 2024 Management and Non-Union wages with an adjustment of 5% increase for the city administrator. Councilmember Murphy seconded the motion. Motion carried 4-1.

12. ADJOURNMENT

Councilmember Murphy made motion to adjourn the meeting at 7:45 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
JUNE 20, 2024– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Grote

A. Roll Call - Council Members: DeVries, Murphy, Winge and Benson

Mayor Grote called to order the Regular City Council meeting for June 20, 2024 at 7:00 p.m. Councilmember's present: Benson, Devries, Murphy, and Winge. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Kurt Glaser, City Attorney; Telly Foley, Resident; Quad Press Reporter.

3. CITIZENS FORUM

*Telly Foley,
9034 Lexington Ave.
Lexington, MN.*

Ms. Foley was present explaining that she just bought a new home in Lexington and claims that Lexington has an infestation of Emerald Ash Borer in their trees. She received a letter from the city saying she needed to take down her dead tree. She stated that she spoke with the DNR and that her tree has Emerald Ash Borer and she should wait until the fall to take it down.

Ms. Foley continued by saying that she has a friend that lives in Richfield, and in that community the City takes down their trees with Emerald Ash Borer at no cost to the homeowner. Councilmember Winge stated that the City doesn't have the funds to take down trees on private property. Discussion ensued.

Petracek stated that if she talks to the administrative assistant in city hall, she will give her an extension on the timeline to have the tree taken down.

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 – 5-29 through 6-4, 2024
- B. Final Equipment Sale Prices – Old City Equipment

- C. North Metro TV – May 2024 Update
- D. City Report – May 2024
- E. Planning & Zoning meeting minutes – June 11, 2024

Some discussion on City equipment sales from the online auction.

2. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – June 6, 2024
- B. Recommendation to Approve Claims and Bills:
Check #'s 51658 through 51709
Check #'s 15248 through 15267

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

3. ACTION ITEMS:

- A. Recommendation to approve Solicitor/Peddlers License Application for
Minnesota Custom Exteriors

Councilmember Murphy made a motion to approve Solicitor/Peddlers License Application for Minnesota Custom Exteriors. Councilmember Devries seconded the motion. Motion carried 5-0.

- B. Recommendation to approve Liquor License Renewals
 - Poncho's Taqueria and Café
 - Carbones
 - El Loro (pending paperwork submission)

Councilmember Benson made a motion to approve Liquor License Renewals for Poncho's Tqueria and Café', Carbones, and El Loro. Councilmember Devries seconded the motion. Motion carried 5-0.

- C. Recommendation to approve Business License Renewals

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

- D. Recommendation to approve Resolution NO. 24-12 A Resolution Approving
Management, Non-Union Benefits and Amending the Personnel Policy
Manual

Councilmember Devries made a motion to approve Resolution NO. 24-12 A Resolution Approving Management, Non-Union Benefits and Amending the Personnel Policy Manual. Councilmember Murphy seconded the motion. Motion carried 5-0.

- E. Discuss lawsuit and settlement agreement filed in Anoka County District Court styled "Mindy Fiester and Todd Messer, Plaintiffs vs. City of Lexington, Defendant." Court File No. 02-CV-23-5806

Attorney Glaser stated we have a statement from the LMCIT Attorney's that represented the City of Lexington in this lawsuit. He read the statement allowed.

Attorney Glaser further explained the court complaint, and the settlement agreements with Feister and Messer.

Mayor Grote stated on behalf of the former fire chief that the only information that was shared with him from Feister was that if you knew what happened, you'd have to take action and then she followed up with, "I don't want to do anything because I don't want to ruin anybody's career." Grote continued saying that the first he knew about anything was when she recorded the interview during her review. At that point there was really nothing indicated until the next officers meeting about the actual violation. I guess in defense of the fire chief when he was the fire chief, I just wanted to share that information.

Councilmember Winge asked Mayor Grote that Feister didn't want you to do anything about it? Mayor Grote replied Feister didn't want to ruin anybody's career. The incident happened in December, and the first he knew about any of this was in May when I gave her annual review. Winge stated that it was a pretty serious allegation, though. Mayor Grote stated it wasn't a serious allegation in May. Mayor Grote stated there was no act that happened. He continued saying that in July at the officer's meeting is when the actual claims came out and he contacted the police chief, city attorney, and city administrator. Prior to that, it wasn't brought to his attention.

Councilmember Murphy asked Mayor Grote when he was questioned by Calandra Revering during the personnel investigation that you knew nothing about this and you lied under oath. Mayor Grote stated he didn't lie under oath and he didn't know about the incident and it wasn't on the tape. I read the transcription that was provided and that wasn't on there. Councilmember Murphy stated he's listened to the tape several times and it was a part of the tape. Mayor Grote stated that the only tape that he listened to was the recording in the officer's meeting and that was when he acted on it. I am not lying. Murphy stated you let this go for month. Mayor Grote stated he didn't let it go for months. Mayor Grote stated he didn't know about the actual crime until the officer's meeting. Mayor Grote stated he would put his hand on a bible and swear he did not know about the incident. Discussion ensued.

Councilmember Murphy stated that there are always two sides to the story and we thoroughly investigated this entire incident for months and I'm sorry Gary, I don't mean any disrespect to you, but you are trying to save your own skin right now by denying these allegations. Discussion ensued.

Councilmember Devries made a motion to accept the settlement agreement filed in Anoka County District Court styled "Mindy Fiester and Todd Messer, Plaintiffs vs. City of Lexington, Defendant." Court File No. 02-CV-23-5806. Councilmember Murphy seconded the motion. Motion carried 5-0.

4. MAYOR AND COUNCIL INPUT

Devries asked if we were having a meeting on July 3rd. Petracek stated that he doesn't have anything for the agenda except business license renewals and they can be pushed off until the following meeting. Petracek added he doesn't think there will be a quorum. Discussion ensued.

Councilmember Benson made a motion to cancel the July 3rd, Regular City Council meeting. Councilmember Devries seconded the motion. Motion carried 5-0.

5. ADMINISTRATOR INPUT

Petracek stated that the date to install the city hall sign would be June 20-21st, but since the weather is bad they haven't begun. Discussion ensued.

6. ADJOURNMENT

Councilmember Winge made motion to adjourn the meeting at 7:36 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.

No Council Workshop