

**AGENDA**  
**REGULAR PLANNING COMMISSION MEETING**  
**November 12, 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 October 2024 pg. 1-2
5. APPROVAL OF PLANNING COMMISSION MINUTES
  - A. October 3, 2024 pg. 3-4
6. DISCUSSION ITEM:
  - A. NONE
7. NOTE COUNCIL MINUTES:
  - A. October 3, 2024
  - B. October 17, 2024 pg. 5-8  
pg. 9-12
8. PLANNING COMMISSION INPUT
9. ADJOURNMENT

## Permits Issued and Fees

From Date: 10/01/2024  
 To Date: 10/31/2024  
 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 Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
LEX24-000102	Building	10/02/2024	8912 NORTH HIGHWAY DR	Bella Construction	Repair	\$22,296.00	\$476.98	\$310.04	\$11.15					\$798.17
LEX24-000103	Building	10/15/2024	9115 South Highway	DeMars Sign	Other (Specify in Intended Use)	\$2,000.00	\$63.18	\$41.07	\$1.00					\$105.25
LEX24-000104	Building	10/03/2024	8877 PASCAL AVE	Voyager Siding Inc	Roofing	\$12,085.00	\$145.00		\$1.00					\$146.00
LEX24-000105	Building	10/03/2024	8877 PASCAL AVE	Voyager Siding Inc	Residential Siding	\$22,805.00	\$145.00		\$1.00					\$146.00
LEX24-000109	Building	10/14/2024	3951 LOVELL RD	The Expert Co	Roofing	\$12,000.00	\$145.00		\$1.00					\$146.00
LEX24-000111	Building	10/16/2024	8926 SYNDICATE AVE	Donnelly Stucco Services LLC dba Donnelly Stucco & Exteriors	Roofing	\$13,309.00	\$145.00		\$1.00					\$146.00
LEX24-000113	Building	10/25/2024	8933 NAPLES ST	Bold North Roofing	Roofing	\$10,000.00	\$145.00		\$1.00					\$146.00
LEX24-000114	Building	10/28/2024	9481 DUNLAP AVE	Nelson, Austin	Roofing	\$6,000.00	\$145.00		\$1.00					\$146.00
	Building: 8					\$100,495.00	\$1,410.16	\$351.11	\$18.15					\$1,779.42

LEX24-000108	Mechanical	10/14/2024	8940 PASCAL AVE	Comfort Solutions Heating & Cooling	Residential Furnace /AC	\$12,598.00	\$40.00		\$1.00																	\$41.00	
	Mechanical: 1					\$12,598.00	\$40.00		\$1.00																	\$41.00	
LEX24-000115	Plumbing	10/29/2024	3832 Boston LN	Northland Mechanical Contractors Inc.		\$3,000.00	\$109.38	\$71.10	\$1.50																	\$181.98	
	Plumbing: 1					\$3,000.00	\$109.38	\$71.10	\$1.50																	\$181.98	
LEX24-000106	Solar	10/08/2024	8884 DUNLAP AVE	Ambia Energy LLC		\$23,800.00	\$725.90																			\$725.90	
	Solar: 1					\$23,800.00	\$725.90																			\$725.90	
LEX24-000107	Zoning	10/08/2024	9115 DUNLAP AVE	On-Point Concrete Solutions LLC	Driveway/Pad		\$60.00																			\$60.00	
LEX24-000112	Zoning	10/22/2024	8951 PASCAL AVE	Northland Fence	Fence<6'		\$60.00																			\$60.00	
	Zoning: 2						\$120.00																				\$120.00
GRAND TOTAL:	13					\$139,893.00	\$2,405.44	\$422.21	\$20.65																	\$2,848.30	
YEAR RUNNING TOTAL:	273					\$4,296,809.42	\$0.00	\$21,454.94	\$1,572.81																	\$83,889.20	

**MINUTES**  
**REGULAR PLANNING COMMISSION MEETING**  
**October 8, 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 October 8, 2024 at 7:00 p.m. Commissioners Present: Michelle Koch, Gloria Murphy Ron Thorson and Chuck Ogden. Also present: 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

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

4. LETTERS AND COMMUNICATION

- A. Building Permits for September 2024

*No discussion on September building permits.*

5. APPROVAL OF PLANNING COMMISSION MINUTES

- B. September 10, 2024

*Koch made a motion to approve the September 10, 2024 Planning Commission Minutes as presented. Murphy seconded the motion. Motion carried 5-0.*

6. DISCUSSION ITEM:

*No discussion items.*

7. NOTE COUNCIL MINUTES:

- A. September 5, 2024

*The Planning Commission discussed September 5th Council minutes and the issues with rubber mulch in Memorial Park and the potential for a new cell tower in Memorial Park.*

- B. September 19, 2024

*The Planning Commission discussed the Northway Mall owner's addressing the City Council about a proposed Chipotle Restaurant in Lexington. Petracek stated that after the owner's discussed the idea with the City Council, they feel they have enough support to move forward with the project. He added that an escrow agreement will be approved by the City Council at the October 17th meeting, which kicks-off the planning phase of the project. He added that a preliminary plat, site plan, and planned unit development public hearing could potentially be in front of the Planning Commission in 3-4 months. Discussion ensued.*

#### 8. PLANNING COMMISSION INPUT

*Murphy stated there is no street sign at the corner of Griggs Ave. and Flowerfield Rd. on the Lexington side.*

*No other input provided.*

#### 9. ADJOURNMENT

*Thorson made a motion to adjourn at 7:26 p.m. Murphy seconded the motion. Motion carried 5-0.*

**MINUTES  
PUBLIC HEARING  
&  
REGULAR COUNCIL MEETING  
OCTOBER 3, 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 Public Hearing for October 3, 2024, at 7:00 p.m. Councilmembers present: Benson, Devries, Murphy, and Winge Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Quad Press; Amanda Baugh-Buys and Brad Deringer; Citizens from Griggs Ave. for the public hearing.*

**PUBLIC HEARING**

**PUBLIC HEARING:**

**PUBLIC HEARING: THE CITY COUNCIL WILL TAKE COMMENTS ON THE 2024 STREET IMPROVEMENTS ASSESSMENT, OF THE FOLLOWING STREETS: GRIGGS AVENUE BETWEEN FLOWERFIELD ROAD AND RESTWOOD ROAD AND GRIGGS AVENUE BETWEEN APPROXIMATELY 375 FEET NORTH OF RESTWOOD ROAD (TO EXCLUDE THE NEW BITUMINOUS OVERLAY AT LEXINGTON LOFTS) AND LAKE DRIVE**

*Steve Winter, City Engineer, provided a PowerPoint presentation with an overview of the Griggs Ave. Mill and Overlay project. Winter explained the overall final costs involved and has determined that the final costs will be lower than anticipated through the bid process. He stated that this will lower the final assessment to the property owners on Griggs Ave. when everything is complete. Discussion ensued.*

*No citizens addressed the city engineer or the City Council.*

**1. ADJOURN PUBLIC HEARING**

*Councilmember Devries made motion to adjourn the Public Hearing at 7:06 p.m. Councilmember Murphy seconded the motion. Motion carried 5-0.*

**MINUTES  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
OCTOBER 3, 2024 – 7:00 P.M.  
9180 LEXINGTON AVENUE**

**3. 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 October 3, 2024, at 7:00 p.m. Councilmembers present: Benson, Devries, Murphy, and Winge Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Quad Press; Amanda Baugh-Buys and Brad Deiringer; Citizens from Griggs Ave. for the public hearing.*

**4. CITIZENS FORUM**

*Amanda Baugh-Buys  
9310 Syndicate Ave  
Lexington, Mn.*

*Ms. Baugh-Buys was present to discuss the rubber mulch in the Memorial Park playground. She presented an individual via internet facetime/skype, Brad Deiringer, who stated he was a chemist, but did not provide any further credentials. Mr. Deiringer provided his professional insight on rubber mulch.*

*Petracek asked for his credentials. Petracek asked if he worked for a Minnesota regulatory agency or company. Mr. Deiringer refused to provide information on his place of work or any further information about his credentials.*

*Councilmember Murphy asked to have this item on the December/November workshop for further discussion. Discussion ensued.*

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

*Councilmember Murphy made a motion to approve the agenda as typewritten. Councilmember Devries seconded the motion. Motion carried 5-0*

**6. INFORMATIONAL REPORTS:**

- A. Airport (Councilmember Devries) – *Next meeting is in November*
- B. Cable Commission (Councilmember Winge) *Quarterly meetings – Councilmember Winge provided an overview on Cable Commission discussion and action.*
- C. Administrator (Bill Petracek) - *Petracek stated that Scott Jensen, Building Inspector, will be retiring at the end of October. He added that Inspectron Inc. will be providing a new inspector in his place following his retirement.*

**7. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Reports – 9-11 through 9-23, 2024
- B. North Metro TV – August 2024 Update
- C. City Report – August 2024 Update
- D. Rice Creek Watershed District Appointment

*No discussion on Letters and Communications.*

**8. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – September 19, 2024
- B. Recommendation to Approve Claims and Bills:  
Check #'s 52028 through 52073  
Check #'s 15394 through 15409

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

**9. ACTION ITEMS:**

- A. Recommendation to approve Resolution NO. 24-16 A Resolution Adopting Assessment

*Mayor Grote made a motion to approve Resolution NO. 24-16 A Resolution Adopting Assessment. Councilmember Devries seconded the motion. Motion carried 5-0.*

- B. Recommendation to approve Partial Payment Estimate #2 in the Amount of \$63,728.75 to North Valley, Inc. for 2024 Street Improvement Project

*Councilmember Devries made a motion to approve Partial Payment Estimate #2 in the Amount of \$63,728.75 to North Valley, Inc. for 2024 Street Improvement Project. Councilmember Benson seconded the motion. Motion carried 5-0.*



- C. Recommendation to Not Waive the Monetary Limits on Municipal Tort Liability Established by Minnesota Statute 466.04

*Mayor Grote made a motion to Not Waive the Monetary Limits on Municipal Tort Liability Established by Minnesota Statute 466.04. Councilmember Murphy seconded the motion. Motion carried 5-0.*

- D. Recommendation to approve Business License Renewal

*Councilmember Murphy made a motion to approve Business License Renewal. Councilmember Devries seconded the motion. Motion carried 5-0.*

## **10. MAYOR AND COUNCIL INPUT**

*Councilmember Devries praised the public works department for their work conducted on Restwood road and repairing the potholes. Discussion ensued.*

*Councilmember Murphy thanked everyone – Lexington Fire Department and Fire Relief Association, Cowboy's Saloon, volunteers, etc. – for their work on making the Lexington Fall Festival a success.*

## **11. ADJOURNMENT**

*Councilmember Devries made motion to adjourn the meeting at 7:30 p.m. Councilmember Benson seconded the motion. Motion carried 5-0.*

**MINUTES  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
OCTOBER 17, 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 October 17, 2024, at 7:00 p.m. Councilmembers present: Benson, Devries, Murphy, and Winge Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Senator Michael Kreun; numerous Lexington Residents.*

**3. CITIZENS FORUM**

*Former Councilmember Diane Harris  
3781 Centerwood Rd.  
Lexington, MN.*

*Ms. Harris was present to address the City Council to thank Jill Hunt and Barb Mahr for running for City Council. She added that she is present to support her friend, Gary Grote. She stated she doesn't feel comfortable being here because the City Council is a toxic group.*

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

*Based on his discussion with the city attorney, Mayor Grote made a recommendation to remove item 8(D) from the action items regarding Councilmember Devries request to review personnel matter litigation.*

*Attorney Glaser stated this item involves confidential information and asked to follow through with the guidelines of the Minnesota Data Practices Act; he added this discussion is worrisome for the city attorney due to the potential liability involved.*

*Councilmember Devries stated that he does not want to remove it from the agenda. He has a couple of items to bring up due to not having certain dates and times during past discussions. He feels Mayor Grote has been telling citizens of Lexington various times and dates involving the fire department investigation that were incorrect. Discussion ensued.*

*Councilmember Benson made a motion to approve the agenda without changes or corrections. Councilmember Devries seconded the motion. Murphy abstained from the vote. Motion carried 3-1.*

**5. STATE SENATOR KREUN TO ADDRESS COUNCIL**

*Senator Kreun was present to discuss the 2024 Legislative session. He provided insights on the laws that were enacted during the session. Discussion ensued.*

**6. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Reports – 9-25 through 10-8, 2024
- B. Public Notice
- C. North Metro TV – September 2024
- D. City Report – September 2024

*No discussion on Letters and Communications.*

**7. CONSENT ITEMS:**

- E. Recommendation to Approve Council Minutes:  
Council Meeting – October 3, 2024
- F. Recommendation to Approve Claims and Bills:  
Check #'s 52074 through 52074  
Check #'s 52075 through 52137  
Check #'s 15413 through 15425
- G. Financial Reports
  - Cash Balances
  - Fund Summary – Budget to Actual

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

**8. ACTION ITEMS:**

- A. Recommendation to approve additional Election Judges for November 5,  
2024 General Election

*Councilmember Murphy made a motion to approve additional Election Judges for November 5, 2024 General Election. Councilmember Devries seconded the motion. Motion carried 5-0.*

- B. Recommendation to approve an Escrow Agreement with Menlo Capitol Partners, LLC

*Mayor Grote made a motion to approve an Escrow Agreement with Menlo Capitol Partners, LLC. Councilmember Winge seconded the motion. Motion carried 5-0.*

- C. Recommendation to approve John Jackson to Captain with the Lexington Fire Department at an annual salary of \$1782.50

*Mayor Grote made a motion to approve John Jackson to Captain with the Lexington Fire Department at an annual salary of \$1782.50. Councilmember Winge seconded the motion. Motion carried 5-0.*

- D. Councilmember DeVries request to review personnel matter litigation

*Councilmember Devries made a motion to place Councilmember Benson in charge of the meeting while this item is discussed. Councilmember Devries feels that Mayor Grote has a conflict of interest in this discussion item, and doesn't believe he will preside over the meeting appropriately. Councilmember Benson stated he wasn't on the Council when the fire department investigation occurred and feels he can be unbiased. Discussion ensued.*

*Councilmember Murphy seconded the motion. Motion carried 3-1. Councilmember Benson abstained from the vote.*

*Councilmember Devries explained that the reason this item has been brought up regarding the fire department investigation is primarily because of the dates and times involving the notification of the issues to the city attorney and city administrator. He asked Mayor Grote about the dates and times he provided notification. Mayor Grote opted to not speak to Councilmember Devries question.*

*Former Mayor Mark Kurth approached the Council to discuss multiple meetings behind closed doors and asked Attorney Glaser if this is a violation of attorney-client privilege to discuss this in open session. Attorney Glaser provided his legal opinion to Kurth's question.*

*Kurth stated that all this discussion is about holding Grote accountable for his actions. He spoke to Councilmember Devries by saying who is holding you accountable for starting fires and admitting to arson. Discussion ensued.*

*Russ Kunzer, Lino Lakes, MN.*

*Russ asked if the tape recording isn't coming out in the open why haven't the emails sent to the city administrator, city attorney, and former Mayor Murphy not coming out in the open. He stated that Mindy Feister has emails that she sent to all three individuals regarding the fire department investigation. Councilmember Murphy*

*stated he doesn't know what emails he is talking about. Murphy added that he never received any emails from Mindy Feister regarding the fire department issues. Glaser and Petracek concurred with Murphy that they had not received any emails prior to the fire department investigation from Mindy Feister about fire department issues. Discussion ensued.*

*Attorney Glaser stated that there was an independent investigation conducted on the fire department and he added that if any emails existed that were sent to the three of us, those emails could have been Feister's smoking gun for the investigation or lawsuit, but there were never any emails to Petracek, Murphy, and Glaser submitted for the investigation or lawsuit. Discussion ensued.*

*Mark Vanderbloomer  
Lexington, MN.*

*Vanderbloomer asked why he, as the assistant fire chief, was never contacted about this internal investigation. He added that the lawsuit involved wrongful termination and asked why any policies and procedure haven't been put in place since the completion of the lawsuit.*

#### **9. MAYOR AND COUNCIL INPUT**

*No discussion from Mayor Grote and City Council*

#### **10. ADMINISTRATOR INPUT**

*Petracek informed the Council of the installation of new water mains on Patriot Ave. in Parkview Manufactured Home Park.*

#### **11. ADJOURNMENT**

*Councilmember Benson made motion to adjourn the meeting at 8:04 p.m.  
Councilmember Devries seconded the motion. Motion carried 5-0.*

**No Council Workshop**