

AGENDA
REGULAR PLANNING COMMISSION MEETING
March 14, 2017 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER
 - A. Roll Call: Chairperson Olsson, Commissioners Bautch, O'Neil, Thorson and Vanderbloomer
2. CITIZENS FORUM
3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
4. LETTERS AND COMMUNICATION
5. Building Permits for: January 2017 pg. 1-2
6. Building Permits for: February 2017 pg. 3-4
7. APPROVAL OF PLANNING COMMISSION MINUTES
 - A. January 10, 2017 pg. 5-6
8. DISCUSSION ITEM:
 - A. Begin discussion on 2040 Comprehensive Plan
 - B. Section 11.34. Dimensional Requirements pg. 7-8
9. NOTE COUNCIL MINUTES:
 - A. January 5, 2017 pg. 9-13
 - B. January 19, 2017 pg. 14-15
 - C. February 2, 2017 pg. 16-19
 - D. February 16, 2017 pg. 20-22
10. PLANNING COMMISSION INPUT
11. ADJOURNMENT

City of Lexington
Permits Issued & Fees Report - Detail by Address

Issued Date From: 1/1/2017 To: 1/31/2017
 Permit Type: All Property Type: All Construction Type: All
 Include YTD: Yes Status: Not Voided

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Building													
Permit Kind: Commercial Remodel													
0117-00003	01/17/2017	9155 S SERVICE DR	0		133,900.00	1,554.47	1,010.41	66.95					2,631.83
Permit Type: Building - Totals													
	Period		1	0	133,900.00	1,554.47	1,010.41	66.95					2,631.83
	YTD		1	0	133,900.00	1,554.47	1,010.41	66.95					2,631.83
Permit Type: Fire													
Permit Kind: Commercial Fire Alarm													
0116-00098	01/04/2017	9046 LAKE DR	0		1,200.00	59.07		0.60					59.67
Permit Type: Fire - Totals													
	Period		1	0	1,200.00	59.07		0.60					59.67
	YTD		1	0	1,200.00	59.07		0.60					59.67
Permit Type: Mechanical													
Permit Kind: Commercial Remodel													
0117-00001	01/04/2017	9155 S SERVICE DR	0		24,000.00	480.00	312.00	12.00					804.00
Permit Type: Mechanical - Totals													
	Period		1	0	24,000.00	480.00	312.00	12.00					804.00
	YTD		1	0	24,000.00	480.00	312.00	12.00					804.00

Permit Type: Plumbing
Permit Kind: Commercial Remodel

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Plumbing													
Permit Kind: Commercial Remodel													
017-00004	01/23/2017	9157 S SERVICE DR	0	0	40,000.00	800.00		20.00					820.00
Permit Type: Plumbing - Totals													
			Period	1	0	40,000.00							
			YTD	1	0	800.00		20.00					820.00
					40,000.00	800.00		20.00					820.00
Report Total													
			Period	4	0	\$199,100.00							
			YTD	4	0	\$199,100.00		99.55					4,315.50
						2,893.54	1,322.41	99.55					4,315.50
						2,893.54	1,322.41	99.55					4,315.50

City of Lexington
Permits Issued & Fees Report - Detail by Address

Issued Date From: 2/1/2017 To: 2/28/2017
 Permit Type: All Property Type: All Construction Type: All
 Include YTD: Yes Status: Not Voided

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Building													
Permit Kind: Commercial Remodel													
Permit Kind: Residential Remodel													
2017-00006	02/16/2017	8864 ARONA AVE	0		3,000.00	109.38	71.10	1.50					181.98
2017-00002	02/06/2017	3868 EDITH LN	0		2,000.00	91.15	59.25	1.00					151.40
Permit Type: Building - Totals													
			Period	2	0	5,000.00	200.53	130.35	2.50				333.38
			YTD	3	0	138,900.00	1,755.00	1,140.76	69.45				2,965.21
Permit Type: Fire													
Permit Kind: Commercial Fire Alarm													
Permit Type: Fire - Totals													
			Period	0									
			YTD	1	0	1,200.00	59.07	0.60					59.67
Permit Type: Mechanical													
Permit Kind: Commercial Remodel													
Permit Type: Mechanical - Totals													
			Period	0									
			YTD	1	0	24,000.00	480.00	312.00	12.00				804.00
Permit Type: Plumbing													

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Plumbing													
Permit Kind: Commercial Remodel													
Permit Kind: Residential Repair													
2017-00005	02/10/2017	9322 RYAN PL	0	0		40.00		1.00					41.00
Permit Type: Plumbing - Totals													
			Period	1	0	40.00		1.00					41.00
			YTD	2	0	840.00		21.00					861.00
Report Total													
			Period	3	0	240.53	130.35	3.50					374.38
			YTD	7	0	3,134.07	1,452.76	103.05					4,689.88

AGENDA
REGULAR PLANNING COMMISSION MEETING
January 10, 2017 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER

- A. Roll Call: Chairperson Olsson, Commissioners Bautch, O'Neil, Thorson and Vanderbloomer

Chairperson Olsson called to order the Public Hearing on January 10, 2017 at 7:00 p.m. Commissioners Present: John Bautch, John O'Neill, Ron Thorson, and Mark Vanderbloomer. Also present: John Hughes, Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Ron Wasmund, Building Official.

2. ELECTION OF OFFICERS

- Chairperson
Vice Chairperson

Vanderbloomer made a motion to maintain Chris Olsson and John O'Neill as the Chairperson and Vice Chairperson. The motion was seconded by Bautch. Motion carried 5-0.

3. CITIZENS FORUM

No citizens were present to address the Commission

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

A motion was made by Olsson to approve the agenda as typewritten. The motion was seconded by O'Neill. Motion carried 5-0.

5. LETTERS AND COMMUNICATION

- Building Permits for December 2016

No discussion on December 2016 building permits

6. APPROVAL OF PLANNING COMMISSION MINUTES

- A. December 13, 2016

A motion was made by Olsson to approve the December 13, 2016 Planning Commission with a correction to a typo to Olsson's name in the minutes. The motion was seconded by Vanderbloomer. Motion carried 5-0.

7. DISCUSSION ITEM:

- A. Section 11.34. Dimensional Requirements

Olsson asked if the chart format for Section 11.34 is appropriate. Petracek and Wasmund agreed that it is easier to quickly review the dimensional requirements of our zoning code in chart format. Discussion ensued.

Olsson asked why we are using St. Joseph's and Empire Township as examples. Petracek explained they are communities that Inspectron provides services to and it is more about familiarity for Wasmund. Wasmund also explained both ordinances have been recently updated. Discussion ensued.

The Planning & Zoning Commission discussed revising Section 11.34 Dimensional Requirements of the Zoning Code.

Following Discussion items to bring back to the February meeting:

- 1. The City Attorney's marked up version of Section 11.34*
- 2. Spell out foot notes*
- 3. Add columns for accessory buildings*
- 4. Recommendations for M-1 lot area and width*
- 5. Make chart larger*

8. NOTE COUNCIL MINUTES:

- A. December 1, 2016
- B. December 15, 2016

No discussion on December 1st and December 15th, 2016 Council minutes

9. PLANNING COMMISSION INPUT

No input from the Planning Commission

10. ADJOURNMENT

Bautch made a motion to adjourn at 9:33 p.m. The motion was seconded by Olsson. Motion carried 5-0.

SECTION 11.34. DIMENSIONAL REQUIREMENTS.

SCHEDULE OF ZONING DISTRICT REGULATIONS FOR AREA, BULK, PLACEMENT AND LAND USE INTENSITY

	Minimum Lot Area in Square Feet	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage (All structures & paved surfaces)	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Height Principal Structure	Minimum Rear Yard Detached Accessory Structure	Maximum Height Detached Accessory Structure
B-1	No Limit	No Limit	100	80%	35	30	15	2 stories		1 story
B-2	15,000	50	100	80%	25	40	10	2 stories		1 story
B-3 (a)(4)	No Limit	No Limit	300	80%	None	None	None	2 stories		1 story
B-4	15,000	50	100	80%	25	25	10	1 story		1 story
B-5	15,000	50	150	75%	25	25	20	3 stories		1 story
R-1	11,250	75	150	40%	35	20	5	3 stories or 40'		1 story
R-2	10,000 SFH 12,000 DU	75 SFH 80 DUP	130	45%	30	20	5	3 stories or 40'	10	1 story
R-3	3,500 DU or 12,000 (whichever is greater)	No Limit	80	60%	25	30	10	3 stories or 40'		1 story
R-4	3,000 DU or 12,000 (whichever is greater)	No Limit	No Limit	70%	25		25	4 stories or 45'		1 story
R-5	3,500 DU	35	100	45%	25	10	15 Commercial 5 Residential	1 story		1 story
M-1	No Limit	No Limit	100	80%	35	30	15 Commercial 5 Residential	45'		1 story
M-2	3,500 DU or 12,000 (whichever is greater)	No Limit	No Limit	75%	25	25	15 Commercial 5 Residential	40'	10	1 story
O-S										

Table in lineal feet unless indicated. Dwelling Unit = DU. Single Family Home = SNF. Duplex = DUP. Text Indicates Inactive Zoning Designation

1. General Requirements

- a. Setbacks are measured from the back of the public right of way or public easement.
- b. Minimum Rear Yard shall be increased by 50% for commercial and industrial lots directly abutting any Residential District.
- c. Minimum Side Yard shall be increased by 100% for commercial and industrial lots directly abutting any Residential District.
- d. All lots shall abut for their full required minimum frontage on a publicly dedicated street. [Existing language]
 - i. [KG' Suggested Change: All lots shall have frontage abutting a public right of way. The required minimum frontage shall abut that public right of way.]

**Unapproved minutes
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
JANUARY 5, 2017 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. SWEARING IN CEREMONY

- A. Mayor Kurth
- B. Councilmember Harris
- C. Councilmember Murphy

Petracek conducted the swearing in of Mayor Kurth, Councilmember Harris, and Councilmember Murphy.

2. CALL TO ORDER: – Mayor Kurth

- A. Roll Call - Council Members: DeVries, Harris, Hughes and Murphy

Mayor Kurth called to order the Regular City Council meeting for January 5, 2017 at 7:00 p.m. Councilmember's present: Devries, Harris, Hughes, and Murphy. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Gary Grote, Fire Chief; Wal-Mart Representatives; Numerous members of the Lexington Fire Department. Carter Johnson, Quad Press; Quad Press Reporter.

3. CITIZENS FORUM

No citizens were present to address the council

4. FIRE DEPARTMENT – Presentation of Appreciation Award to Wal-Mart Managers

Gary Grote, Fire Chief presented an Appreciation Award to two area Wal-Mart store managers for their grant contribution to the Lexington Fire Department to purchase new fire fighter helmets. Chief Grote recognized Fire Fighter Mike Moleski for his initiative and ability to write the grant to Wal-Mart for the helmets. Discussion ensued.

5. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

A motion was made by Councilmember Devries to approve the agenda as typewritten. The motion was seconded by Councilmember Harris. Motion carried 5-0

6. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Harris) – *Harris provided an overview of the noise complaints received by the Airport Commission. She stated the next meeting would be held in March. Discussion ensued.*
- B. Cable Commission (Councilmember Payment) – *No report.*
- C. City Administrator (Bill Petracek) – *Petracek provided an update on the Union negotiations with the Centennial Lakes Police Department.*

7. LETTERS AND COMMUNICATIONS:

- A. 2016 Holiday Lighting Contest Winners
- B. Thank you –Archer Robotics Competition Team – Use of Lovell Building
- C. Planning & Zoning meeting minutes – December 13, 2016
- D. December 15, 2016 Council Workshop meeting minutes
- E. Centennial Lakes Police Department Media Report
 - December -15, 2016 through December-21, 2016
 - December 22, 2016 through December 28, 2016
- F. North Metro TV – November Update
- G. Centennial Lakes Police Department – January 2017 Newsletter

Mayor Kurth announced and congratulated the winners of the Holiday Lighting Contest:

*3 - 8711 Dunlap Ave.
2 – 8919 Naples Ave.
1 – 9216 Syndicate Ave.*

8. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting –December 15, 2016
- B. Recommendation to Approve Claims and Bills:
Check #'s 13473 through 13476
Check #'s 41507 through 41561
Check #'s 41562 through 41572
Check #'s 41580 through 41596
Check #'s 11216 through 11232

Financial Reports

- Cash Balances

- Fund Summary – Budget to Actual
- C. Recommendation to approve 2017 Pay Equity Report

A motion was made by Councilmember Hughes to approve the consent agenda items. The motion was seconded by Councilmember Devries. Motion carried 5-0.

9. ACTION ITEMS:

- A. Recommendation to approve hiring Onna Belter and Keith Harris as Firefighters.

A motion was made by Councilmember Hughes to approve the hiring of Onna Belter and Keith Harris as fire fighters. The motion was seconded by Councilmember Devries. Motion carried 4-0. 1- Abstain: Councilmember Harris abstained.

- B. Resolution NO. 17-01 A Resolution naming Appointees For 2017

Mayor Kurth explained some of the changes to his appointments. Discussion ensued. A motion was made by Councilmember Harris to approve Resolution No. 17-01 – A Resolution naming appointees for 2017. The motion was seconded by Councilmember Harris. Motion carried 5-0.

- C. Resolution NO. 17-02 A Resolution Adopting Fee Schedule

Petracek explained that additional fees are included to the fee schedule: An administrative charge of 15% of the amount billed/assessed. Petracek explained as we keep pushing harder on property maintenance, there is considerable amount of staff time needed to follow through with the billing process. He added that an additional fee also has been added for returned checks/NSF Fee of up to \$30.00 for returned checks at the liquor store. Discussion ensued.

A motion was made by Councilmember Hughes to approve Resolution No. 17.02 – A Resolution Adopting Fee Schedule. The motion was seconded by Councilmember Harris. Motion carried 5-0.

- D. Resolution NO. 17-03 A Resolution Establishing Procedures Relating To Compliance With Reimbursement Bond Regulations Under the Internal Revenue Code

A motion was made by Councilmember Devries to approve Resolution No. 17-03 – A Resolution establishing procedures relating to compliance with reimbursement bond regulations under the internal revenue code. The motion was seconded by Councilmember Harris. Motion carried 5-0.

- E. Resolution NO. 17-04 A Resolution Authorizing Signatories For the City Of Lexington Financial Accounts and Checks and Granting Finance Director Access To the City's Financial Account For 2017

A motion was made by Councilmember Murphy to approve Resolution No. 17-04 – A Resolution authorizing signatories for the City of Lexington financial accounts and checks and granting

finance director access to the city's financial account for 2017. The motion was seconded by Councilmember Devries. Motion carried 5-0.

- F. Recommendation from Planning & Zoning to approve Ordinance #17-01
An Ordinance Amending City Code Chapter 11.60 Performance Standards –
Subd. 19 Manufactured Homes

Petracek explained that Planning & Zoning developed this amendment to our performance standards to keep Tiny Homes out of the City of Lexington by restricting the square footage allowed for a 'manufactured home.' Attorney Glaser provided a legal insight to the proposed restrictions. Discussion ensued.

A motion was made by Councilmember Harris to approve Ordinance #17-01 – an ordinance amending city code chapter 11.60 performance standards – subd. 19 – Manufactured homes. The motion was seconded by Councilmember Hughes.

- G. Recommendation from Planning & Zoning to approve Ordinance #17-02
An Ordinance Amending City Code Chapter 11 & Chapter 16 To Create A
Farmer's Market Zoning Definition and Business License

Petracek explained that Planning & Zoning developed the proposed regulations for Farmer's Markets in Lexington so that we ensure that any new markets coming into Lexington would require a business license, and must comply with the Minnesota State regulations in order to maintain the license and operate in Lexington. He added that the Fire Relief Association will now need a business license to operate their Farmer's Market. Discussion ensued.

A motion was made by Councilmember Hughes to approve Ordinance #17-02 – an ordinance amending city code chapter 11 & chapter 16 to create a farmer's market zoning definition and business licenses. The motion was seconded by Councilmember Devries. Motion carried 5-0.

- H. Recommendation to approve under Section 24.02 of the AFSCME
2016-2018 Collective Bargaining Agreement, the City shall provide no
more than an annual allowance of \$400.00 starting in 2017

Petracek consulted with Paul Floyd, Employment Attorney, and explained the need to set an amount for this section of the Union Contract, as there is no amount, currently. He added that past practices was the City allowed \$800 for uniforms. Discussion ensued.

A motion was made by Councilmember Harris to approve under Section 24.02 of the AFSCME 2016-2018 Collective Bargaining Agreement, the City shall provide no more than an annual allowance of \$400.00 in 2017. The motion was seconded by Councilmember Devries. Motion carried 5-0.

- I. Recommendation to approve Municipal Recycling Contract for
2017 Funding & Goals

Councilmember Devries made a motion to approve the Municipal Recycling Contract for 2017 funding & goals. The motion was seconded by Councilmember Harris. Motion carried 5-0.

- J. Discuss proposal from Centennial Lakes Little League

Mayor Kurth explained that Pat Mahr from Centennial Lakes Little League contacted him to discuss amending the lease with the City of Lexington and the Lovell Building. Discussion ensued.

A motion was made by Councilmember Devries to modify the Lovell Building lease with Centennial Lakes Little League to a month-to-month lease, and to charge \$400.00 for the use of the gymnasium as an indoor practice facility only. The motion was seconded by Councilmember Harris. Motion carried 5-0.

10. MAYOR AND COUNCIL INPUT

Councilmember's Harris and Murphy provided an update on their attendance at the Newly Elected Officials Conference conducted by the League of Minnesota Cities. Discussion ensued.

11. ADJOURNMENT

A motion was made by Councilmember Devries to adjourn the meeting at 7:40 p.m. The motion was seconded by Councilmember Harris. Motion carried 5-0.

**Unapproved minutes
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
JANUARY 19, 2017 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. Call to Order: – Mayor Kurth

- A. Roll Call - Council Members: DeVries, Harris, Hughes and Murphy

Mayor Kurth called to order the Regular City Council meeting for January 19, 2017 at 7:00 p.m. Councilmember's present: Devries, Harris, Hughes, and Murphy. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Kurt Glaser, City Attorney; Gary Grote, Fire Chief; Quad Press Reporter.

2. CITIZENS FORUM

No citizens were present to address the council

APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

A motion was made by Councilmember Harris to approve the agenda as typewritten. The motion was seconded by Councilmember Murphy. Motion carried 5-0.

3. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Report
12/29/16 through 1/4/17
- B. Centennial Lakes Police Department Media Report
1/5/2017 through 1/11/2017
- C. Anoka County Parks and Community—The Connection January 2014
- D. North Metro TV – December 2016 update.

No discussion on Letters and Communications

4. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – January 5, 2017
- B. Recommendation to Approve Claims and Bills:
Check #'s 13500 through 13501
Check #'s 500000 through 500015
Check #'s 41573 through 41579
Check #'s 41597 through 41657

A motion was made by Councilmember Devries to approve the consent agenda items. The motion was seconded by Councilmember Hughes. Motion carried 5-0.

5. ACTION ITEMS:

- A. Recommendation to approve Payment #1 for Wellhouse Project
in the amount of \$25,944.50

A motion was made by Councilmember Devries to approve payment #1 for Wellhouse Project in the amount of \$25,944.50. The motion was seconded by Councilmember Harris. Motion carried 5-0.

6. MAYOR AND COUNCIL INPUT

No input from City Council.

7. ADMINISTRATOR INPUT

Petracek gave an update on police union negotiations and that the police operations committee had tentatively reached an with both police unions.

8. ADJOURNMENT

A motion was made by Councilmember Devries to adjourn the meeting at 7:03 p.m. The motion was seconded by Councilmember Harris. Motion carried 5-0.

**Unapproved minutes
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
FEBRUARY 2, 2017 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. CALL TO ORDER: – Mayor Kurth

- A. Roll Call - Council Members: DeVries, Harris, Hughes and Murphy

Mayor Kurth called to order the Regular City Council meeting for February 2, 2017 at 7:00 p.m. Councilmember's present: Devries, Harris, Hughes, and Murphy. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Larry Renallo, Cowboy's Saloon; Mike McManus; Bamboo Betty's; Glen Jenkins; St. Paul Fire Relief Association; Mike Coob; Centennial Football Boosters; Quad Press Reporter.

2. CITIZENS FORUM

No citizens were present to address the council

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

A motion was made by Councilmember Devries to approve the agenda as typewritten. The motion was seconded by Councilmember Murphy. Motion carried 5-0.

4. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Harris) – *Councilmember Harris explained there wasn't a meeting, so nothing to report.*
- B. Cable Commission (Councilmember Murphy) – *Councilmember Murphy explained there wasn't a meeting, so there was nothing to report.*
- C. City Administrator (Bill Petracek) – *Petracek informed the Council of an \$18,000 bill being sent to a resident on Oak Lane for an issue with their sewer connection that caused a sewer back-up. Discussion ensued.*

He also explained that the City is now compliant with the Local Board of Appeals and Equalization, as Mayor Kurth and Councilmember Murphy have taken the on-line training.

5. LETTERS AND COMMUNICATIONS:

- A. Council Workshop meeting minutes – January 19, 2017
- B. Alexandra House Donor Appreciation Reception – Feb. 23, 2017
- C. Rice Creek Watershed District- Repair Report Ditch 53-62 Branch 2
- D. Centennial Lakes Police Department Media Report

- 1-12-2017 through 1-20-2017
- 1-21-2017 through 1-25-2017

No discussion on Letters and Communications

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – January 19, 2017
- B. Recommendation to Approve Claims and Bills:
Check #'s 13504 through 13505
Check #'s 41658 through 41697
Check #'s 11258 through 11277
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

A motion was made by Councilmember Hughes to approve the consent agenda items. The motion was seconded by Councilmember Harris. Motion carried 5-0.

7. ACTION ITEMS:

- A. 2017 Proposed Fire Pay Increase

A motion was made by Councilmember Devries to approve the 2017 Firefighter Pay Increase. The motion was seconded by Councilmember Murphy. Motion carried 3-0. 2- Abstain: Mayor Kurth and Councilmember Harris abstained from the vote.

- B. Recommendation to approve with conditions Charitable Gambling
application – St. Paul Firefighter Local 21 (Bamboo Betty's)

Attorney Glaser explained his recommendation to the Council to approve the charitable gambling application for St. Paul Firefighter Local 21 for Bamboo Betty's base on conditions agreed upon by the organization to comply with the City's ordinance that regulates charitable gambling. Glaser added that regulations require any charitable gambling organization to benefit Lexington organizations, unless the Council decides otherwise. The St. Paul Fire Association has agreed to make contributions to Lexington organizations based on the following:

- 1) ***A quarterly donation of 15 percent of their net operating profit shall be made to the following organizations:***

- ***Lexington Fire Department; and,***
- ***Centennial Lakes Little League***

- 2) *An annual donation of \$1000 shall be made to the Alexander House.*
- 3) *They would also consider individual donations to help the City of Lexington in times of need. (They have a history of doing this in the City of Fridley).*
- 4) *In addition to their commitment to the City, Mike McMannis, the owner of Bamboo Bettys and Saint Paul Firefighters have a “hand shake” agreement to make a donation to the Centennial Lake Football Boosters.*

Glenn Jenkins, St. Paul Fire Relief Gambling Manager, explained they operate in several communities in the metro area, and they want to be good stewards and don't want to cause any waves within the community. They are prepared to meet the conditions of the application without any question. Discussion ensued.

Mike Coob, Centennial Football Boosters, asked what the procedures will be for the new charitable organization in Bamboo Betty's. Discussion ensued.

Mike McManus, Bamboo Betty's Owner, stated that the contract for Centennial Football charitable gambling will expire in March. Discussion ensued.

Councilmember Devries stated he believes that Centennial Football Booster hasn't been complying with the contract with Bamboo Betty's and so they should not be granted approval to conduct the charitable gambling at Bamboo Betty's. Discussion ensued.

A motion was made by Councilmember Devries to approve, with the agreed conditions, a Charitable Gambling application for St. Paul Firefighter Local 21 at Bamboo Betty's. The motion was seconded by Councilmember Murphy. Motion carried 5-0.

- A. Recommendation to approve Optional Liquor 2 AM License Renewal –
Cowboy's Saloon

A motion was made by Councilmember Harris to approve the Optional Liquor 2 a.m. License Renewal for Cowboy's Saloon. The motion was seconded by Councilmember Devries. Motion carried 5-0.

- B. Recommendation to approve Ordinance NO. 17-03 An Ordinance
Amending City Code Chapter 5 Beer, Wine and Liquor Licensing and
Regulation – Section 5.230 Conditions of License

Mayor Kurth provided an overview to the Bar owner's that were present of the reasoning for the proposed amendments to the liquor license ordinances. He explained that the reason the proposed changes are being considered is because all of our liquor license holders are new, and that the City would like to relax the regulations to allow

them to conduct business more freely. He clarified that if we start having an increase in police calls, DWT's, etc., the City Council is prepared to revert back to the old regulations. Discussion ensued.

Larry Renallo, Cowboy's Saloon Owner, approached that Council and explained that his bar has a good rapport with Centennial Lake Police Department and their officers, but he believes they are stopping too many people outside of his bar. Mike McManus, Bamboo Betty's Owner, agreed with Mr. Renallo, and explained that he had been stopped twice by the police department. Discussion ensued.

A motion was made by Councilmember Devries to approve Ordinance NO. 17-03 An Ordinance Amending City Code Chapter 5 Beer, Wine and Liquor Licensing and Regulation – Section 5.230 Conditions of License. The motion was seconded by Councilmember Hughes. Motion carried 5-0.

8. MAYOR AND COUNCIL INPUT

No input from Mayor Kurth or City Council

9. ADJOURNMENT

A motion was made by Councilmember Devries to adjourn the meeting at 7:50 p.m. The motion was seconded by Councilmember Murphy. Motion carried 5-0.

**Unapproved minutes
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
FEBRUARY 16, 2017– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. CALL TO ORDER: – Mayor Kurth

- A. Roll Call - Council Members: DeVries, Harris, Hughes and Murphy

Mayor Kurth called to order the Regular City Council meeting for February 16, 2017 at 7:00 p.m. Councilmember's present: Devries, Harris, Hughes, and Murphy. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Kurt Glaser, City Attorney; Steve Winter, City Engineer; Pat Zeitner, Quad Press Reporter; Chad Payment, Citizen

2. CITIZENS FORUM

Pat Zeitner, Quad Press Reporter, from Circle Pines introduced herself as a new free lance reporter for the Quad Press, and provided some background information about her. She stated she has been assigned to Lexington.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

A motion was made by Councilmember Harris to approve the agenda as typewritten. The motion was seconded by Councilmember Devries. Motion carried 5-0.

4. LETTERS AND COMMUNICATIONS:

- A. Local Board of Appeals and Equalization meeting date set – 4-20-17
- B. North Metro TV – January 2017 Update
- C. Centennial Lakes Police Department Media Report:
- 1-26-17 through 2-2-17
 - 2-3-17 through 2-8-17

No discussion on Letters and Communications

5. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – February 2, 2017
- B. Recommendation to Approve Claims and Bills:

Check #'s 13506 through 13507
Check #'s 41699 through 41759
Check #'s 11258 through 11310

C. Financial Reports

- Cash Balances
- Fund Summary – Budget to Actual

A motion was made by Councilmember Hughes to approve the consent agenda items. The motion was seconded by Councilmember Devries. Motion carried 5-0.

6. ACTION ITEMS:

- A. Resolution No. 17-05 A Resolution Receiving Feasibility Report and
Calling Hearing On Improvement

Steve Winter, City Engineer, provided an overview of the feasibility report for the Restwood/Hamline/Flowerfield Road construction project proposed for 2017. Discussion ensued.

A motion was made by Councilmember Hughes to approve Resolution No. 17-05 A Resolution receiving feasibility report and calling a hearing on improvement. The motion was seconded by Councilmember Harris. Motion carried 5-0.

- B. Recommendation to approve Resolution NO. 17-06 A Resolution Approving
Saint Paul Fire Regarding Lease For Lawful Gambling Activity and Premises
Permit Application.

Attorney Glaser explained that the State Gambling Board didn't like our paperwork that was submitted by the St. Paul Fire Relief Association. Glaser stated he talked with the State, and the Council will need to approve two separate actions, which are on the agenda. Discussion ensued.

Mayor Kurth asked if the City Council can revoke the application if any items on the Memorandum of Understanding (MOU) aren't followed through with by the St. Paul Fire Relief Association. Glaser stated no, but the Council can opt to not renew their annual application when it comes due. Discussion ensued.

A motion was made by Councilmember Murphy to approve Resolution No. 17-06 A Resolution approving St. Paul Fire Relief Association regarding lease for lawful gambling activity and premises permit application. The motion was seconded by Councilmember Devries. Motion carried 5-0.

- C. Memorandum of Understanding - City of Lexington and Saint Paul Fire
Regarding Lease for Lawful Gambling Activity and Premises Permit Application

A motion was made by Councilmember Murphy to approve Memorandum of Understanding – City of Lexington and Saint Paul Fire Relief Association regarding lease for lawful gambling activity and premises permit application. The motion was seconded by Councilmember Harris. Motion carried 5-0.

7. MAYOR AND COUNCIL INPUT

No input from Mayor Kurth or City Council

8. ADMINISTRATOR INPUT

Petracek updated City Council on Police Union Contract negotiations and wellhouse construction process.

9. ADJOURNMENT

A motion was made by Councilmember Devries to adjourn the meeting at 7:22 p.m. The motion was seconded by Councilmember Hughes. Motion carried 5-0.

/mv