

AGENDA
REGULAR PLANNING COMMISSION MEETING
April 8, 2025 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER
 - A. Roll Call: Chairperson Bautch, Commissioners Koch, Murphy, Thorson, and Winge
2. CITIZENS FORUM
3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
4. LETTERS AND COMMUNICATION
 - A. Building Permits for March 2025 pg. 1
5. APPROVAL OF PLANNING COMMISSION MINUTES
 - B. March 11, 2025 pg. 2-7
6. DISCUSSION ITEM:
 - A. Discuss Proposed Regulations regarding Adult Use of Cannabis in Lexington
 - Cannabis dispensary distances pg. 8-12
 - Retail Cannabis Business Operations pg. 13-20
7. NOTE COUNCIL MINUTES:
 - A. March 6, 2025 pg. 21-23
 - B. March 20, 2025 pg. 24-26
8. PLANNING COMMISSION INPUT
9. ADJOURNMENT

Permits Issued and Fees

From Date: 03/01/2025
 To Date: 03/31/2025
 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
LEX25-000022	Building	03/28/2025	9331 SYNDICATE AVE	MN Smart Homes	Roofing	\$20,000.00	\$145.00		\$1.00					\$146.00
	Building: 1					\$20,000.00	\$145.00		\$1.00					\$146.00
LEX25-000018	Mechanical	03/17/2025	9333 GRIGGS AVE	Jason & Heidi Haakenson	Residential Alteration	\$200.00	\$40.00		\$1.00					\$41.00
	Mechanical: 1					\$200.00	\$40.00		\$1.00					\$41.00
LEX25-000019	Plumbing	03/17/2025	9100 Hamline AVE	Signature Mechanical		\$10,775.00	\$0.00							\$0.00
	Plumbing: 1					\$10,775.00	\$0.00							\$0.00
GRAND TOTAL:	3					\$30,975.00	\$185.00		\$2.00					\$187.00
YEAR RUNNING TOTAL:	1					\$16,520.00	\$0.00	\$238.36	\$8.26					\$613.32

**MINUTES
PUBLIC HEARINGS
&
AGENDA
REGULAR PLANNING COMMISSION MEETING
MARCH 11, 2025 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER PUBLIC HEARING #1

A. Roll Call: Vice Chairperson Bautch, Commissioners Koch, Murphy, Thorson, and Winge

Chairperson Bautch called to order Public Hearing #1 on March 11, 2025 at 7:00 p.m. Commissioners Present: Michelle Koch, Gloria Murphy, and Ron Thorson. Excused Absense: Brandon Winge Also present: Councilmember Kim Devries; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Steve Winter, City Engineer; Claire Stickler, MSA Consultants; Jason Stomel, Northway Mall Owner; Joe Radac, Northway Mall consultant; Quad Press; Various citizens for the public hearing.

Public Hearing #1

The purpose of the Public Hearing is to consider an application submitted by SRENOR1, LLC, 251 Little Falls Drive., Wilmington, DE. 19808 to review a proposed preliminary plat for the following lots: Lot 1, Block 2, Lexington Lofts, Anoka County, Minnesota. Torrens Property Per Certificate No. 149422; Lot 1A, Block 2, Lexington Lofts, Anoka County, Minnesota; Lot 2, Block 2, Lexington Lofts, Anoka County, Minnesota. Torrens Property Per Certificate No. 149422.

Steve Winter, City Engineer, provided his review of the preliminary plat submitted by SRENOR, LLC to combine lots on the Lexington Lofts site. Discussion ensued.

No citizens were present to provide comments for the public hearing.

2. ADJOURNMENT OF PUBLIC HEARING #1

Murphy made a motion to adjourn Public Hearing #1 at 7:05 p.m. Koch seconded the motion. Motion carried 4-0.

3. CALL TO ORDER PUBLIC HEARING #2

B. Roll Call: Vice Chairperson Bautch, Commissioners Koch, Murphy, Thorson, and Winge

Chairperson Bautch called to order Public Hearing #2 on March 11, 2025 at 7:06 p.m. Commissioners Present: Michelle Koch, Gloria Murphy, and Ron Thorson. Excused Absence: Brandon Winge Also present: Councilmember Kim Devries; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Steve Winter, City Engineer; Claire Stickler, MSA Consultants; Jason Stomel, Northway Mall Owner; Joe Radac, Northway Mall consultant; Quad Press; Various citizens for the public hearing.

Public Hearing #2

The purpose of the Public Hearing is to consider an application submitted by Menlo Capital Partners, 10949 Ayres Ave., Los Angeles, CA, 90064 to review a proposed preliminary plat, site plan, and planned unit development (PUD) for a new quick serve restaurant (Chipotle) and a future retail building at the Lexington Retail Center (Northway Mall)

A. Northway Mall officials will provide a presentation on their proposed development and application for zoning requests.

Jason Stomel, Menlo Capital Partners/Northway Mall and Joe Radac, Consulting Engineer, were present and provided a PowerPoint presentation explaining their proposed Chipotle development and their request for a planned unit development and preliminary plat/site plan review from the Planning Commission. Joe Radac discussed the need for relief on Lexington's zoning regulations regarding setback requirements, parking spaces, and green space.

Murphy asked for clarification on the drive thru vs. a drive-up ordering process. Stomel stated that it is not a drive thru, but an order by App and drive up to pick up your meal. Discussion ensued.

*Kate Asleson
62 E. Golden Lake Rd.
Circle Pines, Mn*

Ms. Asleson stated we do not want a Chipotle here. We don't want big business here. People in the area are pretty upset about another Mexican Restaurant coming to town. We don't need out of State restaurants or chain restaurants.

Stomel provided an explanation for a Chipotle and the need to improve foot traffic, and the need to improve the vitality of Northway Mall. Discussion ensued.

Murphy asked about the potential for Chipotle going out of business and what would happen to the empty building. Stomel stated Chipotle will continue to pay the lease until they find another business to go into the empty building.

*Elliot McCarty
8507 Yelta St.
Blaine, Mn*

Mr. McCarty explained that his family is always looking for a fast and healthy meal. All Chipotle's within the area are a 12 minute drive. McCarty added that his family would love to be able to stay close for their meals and he would be in favor of a Chipotle in Northway Mall.

*Amanda Wheeler
31 E. Golden Lake Rd
Circle Pines, MN*

Ms. Wheeler stated she just moved to the community from Brooklyn Park and stated they love Panchos. She stated that Chipotle's are consistently known for their bad service and getting orders wrong. She stated that any other restaurant would be interesting, but she can't support a Chipotle.

*Garrett Olson
9116 Jackson Ave.
Lexington, MN.*

Mr Olson stated he came to the public hearing to fight against a Chipotle, but he sees that it will bring more foot traffic to the mall; he doesn't want to see Northway Mall continue to deteriorate. He stated that we need to do something and sees Chipotle is a stepping stone.

*Brett Aslesen
62 E. Golden Lake Rd.
Circle Pines, MN.*

Mr. Aslesen stated he sees himself as being part of the Lexington community, and wants to see the community to thrive. He is not sold on a Chipotle, but wants to see Northway Mall succeed.

Written Comments for the public hearing via email:

*Barbara Mahr
9233 Ryan Place
Lexington, MN.*

As long time citizens of Lexington, we support the project for Northway Mall and the Chipotle Development. We need a thriving business community to support our city. The current owner of Northway Mall is working hard to lease space and bring businesses to our community that will provide jobs and enhance our City.

Healthy businesses create property appreciation, which increases tax revenues. The former owner of this property did nothing but barely maintain the property and we need to support the current owner's efforts.

The Chipotle model is very different from a sit down restaurant. Having a popular amenity like this will hopefully draw other businesses to this mall. With recent increases in population from Lexington Lofts and the Landings, we have significantly increased our population.

It would be great to have another option for citizens in Lexington and the surrounding communities.

4. ADJOURNMENT OF PUBLIC HEARING #2

Koch made a motion to adjourn Public Hearing #2 at 7:56 p.m. Murphy seconded the motion. Motion carried 4-0.

REGULAR PLANNING COMMISSION MEETING

5. CALL TO ORDER

C. Roll Call: Chairperson Bautch, Commissioners Thorson, Koch, Murphy, and Winge

Chairperson Bautch called to order the Regular Planning Commission meeting on March 11, 2025 at 7:56 p.m. Commissioners Present: Michelle Koch, Gloria Murphy, and Ron Thorson. Excused Absense: Brandon Winge Also present: Councilmember Kim Devries; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Steve Winter, City Engineer; Claire Stickler, MSA Consultants; Jason Stomel, Northway Mall Owner; Joe Radac, Northway Mall consultant; Quad Press

6. CITIZENS FORUM

No citizens were present to discuss items not on the agenda

7. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Koch made a motion to approve the agenda as presented. Thorson seconded the motion. Motion carried 4-0.

8. LETTERS AND COMMUNICATION

A. Building Permits for February 2025

No discussion on Letters and Communications.

9. APPROVAL OF PLANNING COMMISSION MINUTES

B. February 11, 2025

Koch made a motion to approve the February 11, 2025 Planning Commission Minutes as presented. Thorson seconded the motion. Motion carried 4-0.

10. DISCUSSION ITEM:

- A. Recommend to the City Council the approval of Resolution NO. 25-05 – A Resolution Adopting Preliminary Plat for SRENOR1, LLC (Lexington Lofts)

Murphy made a motion to recommend to the City Council the approval of Resolution NO. 25-05 – A Resolution Adopting Preliminary Plat for SRENOR1, LLC (Lexington Lofts). Roll call vote: Murphy – yes; Koch – yes; Thorson – yes; Bautch – yes. Motion carried 4-0.

- B. Recommendation to the City Council the approval of Resolution 25-06 – a Resolution Adopting a Preliminary Plat for Menlo Capital Partners, LLC (Northway Mall).

The Planning Commission discussed Attorney Glaser’s memo and his recommendation to consider an exchange with Menlo Capital Partners/Northway Mall for permission to use a planned unit development to move forward with the Chipotle development. Discussion ensued.

Koch made a motion to recommend to the City Council the approval of Resolution 25-06 – a Resolution Adopting a Preliminary Plat for Menlo Capital Partners, LLC (Northway Mall). Thorson seconded the motion. Roll call vote: Murphy – yes; Koch-yes; Thorson – no; Bautch- no.

The Planning Commission discussed the failed motion. Petracek stated that with the failed motion, the Commission would have no recommendation to the City Council on the preliminary plat. Discussion ensued.

Bautch made a motion to reconsider the failed motion to recommend to the City Council the approval of Resolution 25-06 – a Resolution Adopting a Preliminary Plat for Menlo Capital Partners, LLC (Northway Mall). Koch seconded the motion. Roll call vote: Murphy-yes; Koch-yes; Thorson – yes; Bautch- yes. Motion carried 4-0.

Koch made a motion to recommend to the City Council the approval of Resolution 25-06 – a Resolution Adopting a Preliminary Plat for Menlo Capital Partners, LLC (Northway Mall). Murphy seconded the motion. Roll call vote: Murphy – yes; Koch-yes; Thorson – no; Bautch- yes. Motion carried 3-1.

- C. Recommend to the City Council the approval of a Planned Unit Development and Conditional Use Permit for Lot 1, Block 1; Lot 1B, Block 2, Lexington Center Second Addition, Anoka County, Minnesota

Murphy made a motion to recommend to the City Council the approval of a Planned Unit Development and Conditional Use Permit for Lot 1, Block 1; Lot 1B, Block 2, Lexington Center Second Addition, Anoka County, Minnesota and forward the memo’s from the city

attorney, city engineer, and consulting planner, as well.. Koch seconded the motion. Roll call vote: Murphy – yes; Koch – yes; Thorson – no; Bautch – yes. Motion carried 3-1.

D. NOTE COUNCIL MINUTES:

- A. February 6, 2025
- B. February 20, 2025

Discussion about the Anoka County Urgent Call to Action (ACEIT), a citizen advocate for election integrity, and their discussion about getting rid of electronic poll pads, as well as some discussion about the Blaine lawsuit.

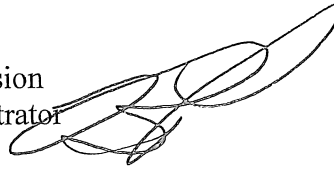
E. PLANNING COMMISSION INPUT

No input from the Planning Commission

F. ADJOURNMENT

Bautch made a motion to adjourn the meeting at 8:52 p.m. Koch seconded the motion. Motion carried 4-0.

To: Planning and Zoning Commission
From: Bill Petracek, City Administrator
Date: April 2, 2025
Re: Cannabis dispensary distances



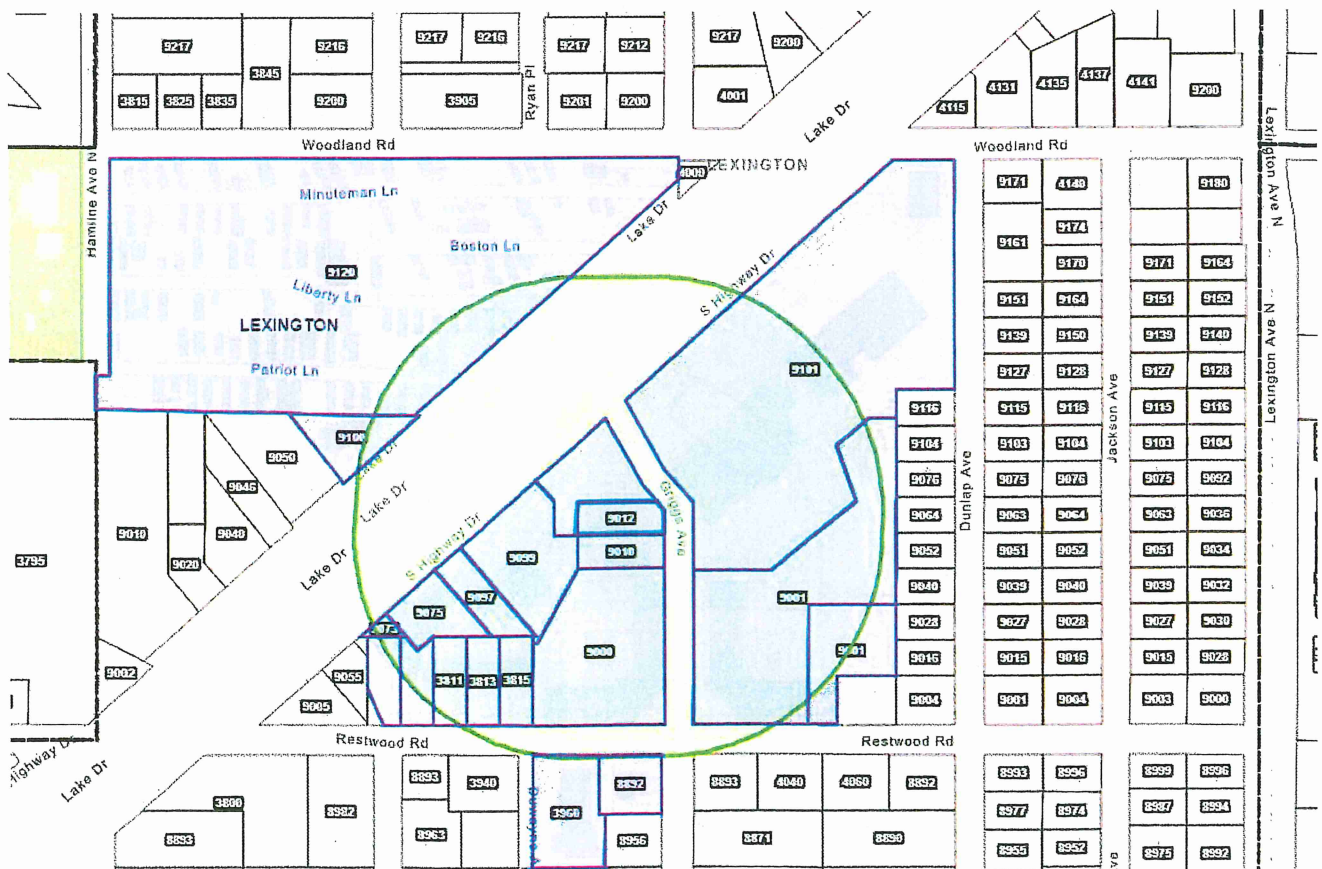
Enclosed you will find maps containing distances of 500 ft. and 1000 ft from daycare facilities and public parks that are currently in operation within our city limits. At the February P & Z meeting, members of the Commission asked to have these distance maps included for discussion of the draft cannabis dispensary ordinance.

500 Ft. Distance - Properties effected

9100 North Highway Drive – Daycare Facility

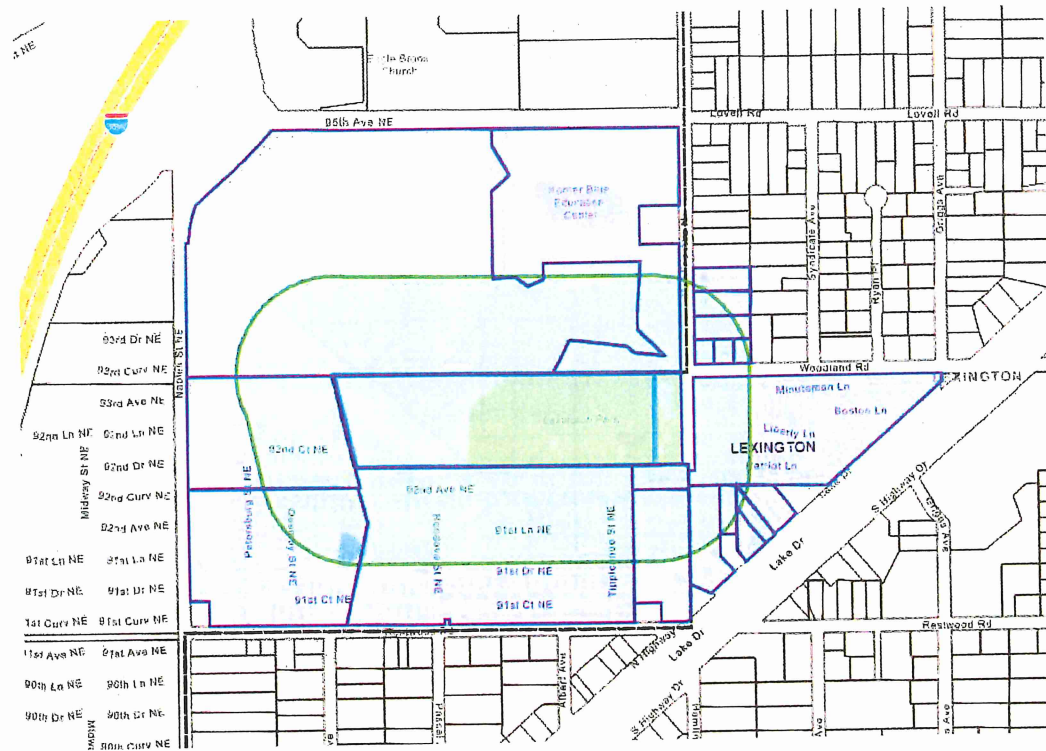


9012 Griggs Ave. – Daycare Facility



500 Ft. Distance - Properties effected

Memorial Park

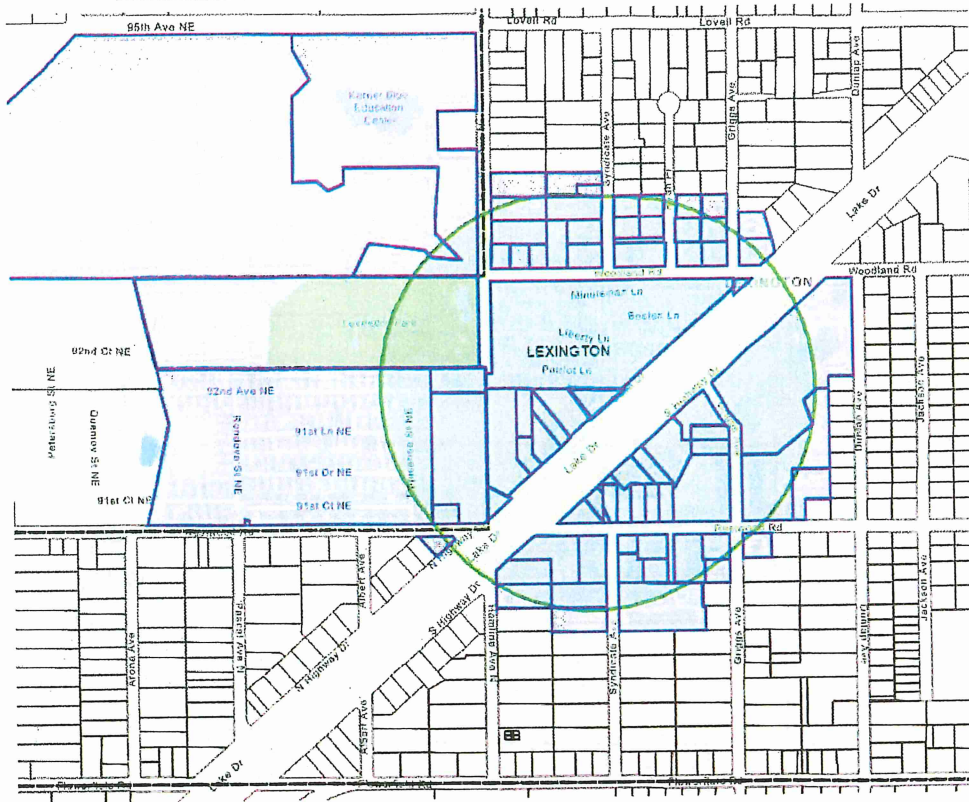


Lexington Park



1000 Ft. Distance - Properties effected

9100 North Highway Drive – Daycare Facility

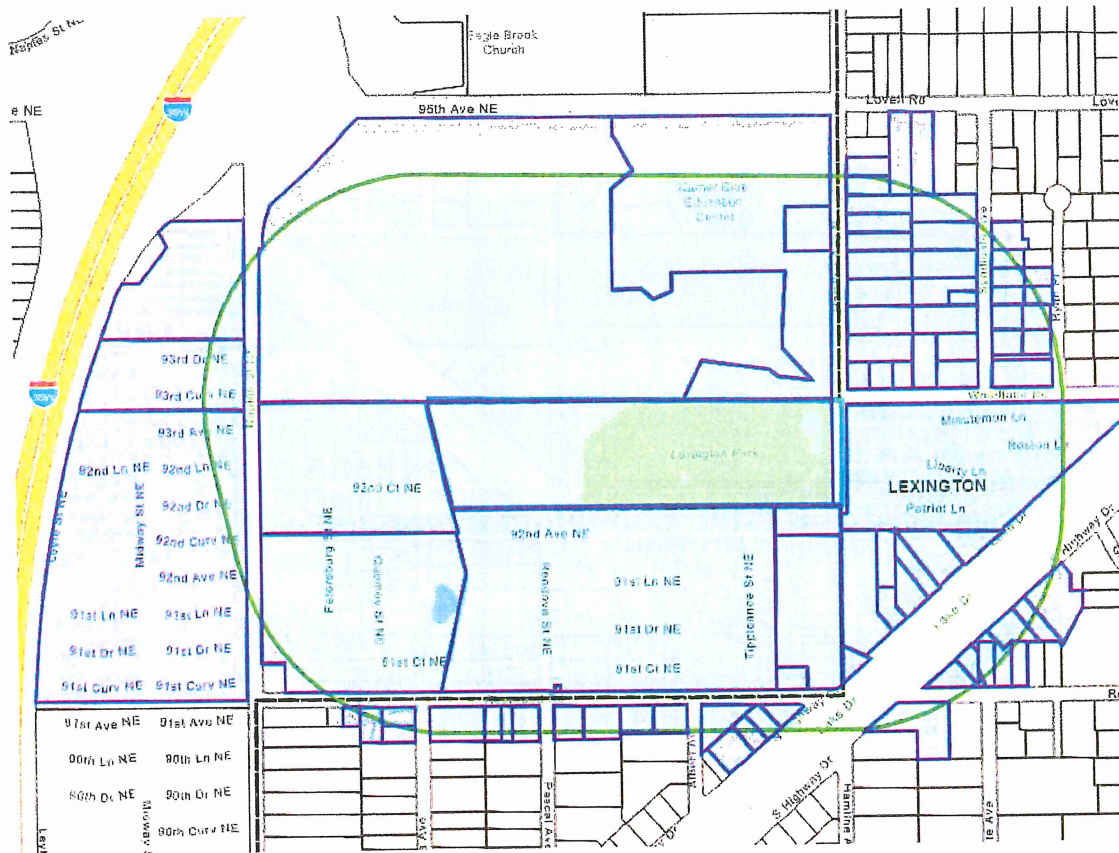


9012 Griggs Ave. – Daycare Facility

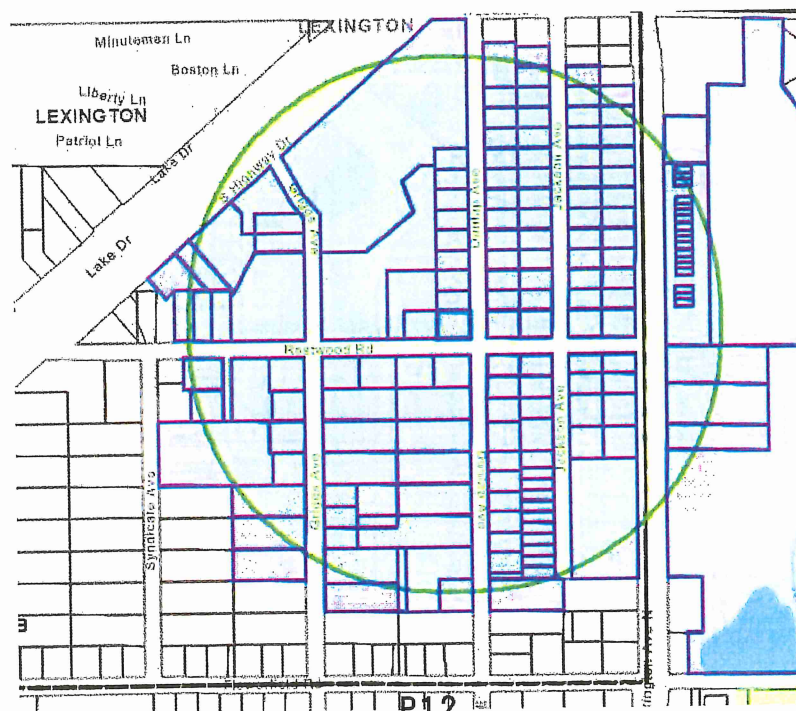


1000 Ft. Distance - Properties effected

Memorial Park



Lexington Park



MEMORANDUM

TO: Planning & Zoning Commission
FROM: Kurt Glaser, City Attorney
DATE: 2/5/2025
RE: Public Hearing re: Retail Cannabis Business Operations

Summary of Ordinance No. 24-xx: Regulation of Adult-Use Cannabis in Lexington

The draft ordinance establishes a framework for the licensing, registration, and regulation of adult-use cannabis businesses within Lexington. Here is a summary of the ordinance.

1. Purpose and Scope

The ordinance outlines requirements for cannabis businesses to legally operate in Lexington. It aligns with state laws to ensure responsible integration of adult-use cannabis retail in the community, prioritizing public health and safety.

2. Definitions

The ordinance specifies terminology relevant to cannabis regulation, such as "Adult-Use Cannabis Product" (cannabis products approved for non-medical adult use) and "Cannabis Retail Business" (businesses registered with the city to sell adult-use cannabis). This section clarifies distinctions between different product types, such as adult-use, medical, and hemp-derived products.

3. Licensing and Registration Requirements

- State License Requirement: All cannabis retailers must first secure a license from the Minnesota Office of Cannabis Management (OCM).
- City Registration Requirement: Before beginning sales, licensed retailers must register with the city and pay a registration fee. Registrations are non-transferable and must be renewed annually, with fees set by the city's Master Fee Schedule.
- Limit on Retail Licenses: Private cannabis retail licenses are capped at one for every 12,500 residents to prevent market saturation. City-operated retail stores are exempt from this cap.

4. Location Restrictions

The ordinance restricts cannabis retailers from operating within 500 feet of specific sensitive locations, including schools, daycares, residential treatment facilities, and public parks or recreational facilities used by minors. This buffer is intended to reduce exposure to cannabis products for vulnerable populations and minors.

5. Operational Guidelines

- Hours of Operation: Retail sales are limited to 10:00 AM to 10:00 PM Monday to Saturday.

- Building and Safety Compliance: Retail businesses must adhere to all local building, fire, property maintenance, nuisance, and zoning regulations.
- Annual Compliance Checks: The city will conduct annual compliance checks to verify age restrictions, product limits, and general adherence to the ordinance.

6. Compliance and Enforcement

- Suspension and Penalties: If a business is found non-compliant or poses a public safety threat, the city may suspend or revoke its registration. The ordinance includes civil penalties of up to \$2,000 per violation.
- Age Verification Checks: Annual unannounced checks will involve supervised attempts by underage individuals (between 17 and 20) to purchase products, ensuring retailers comply with age restrictions.

7. Application Process

Retailers must submit detailed applications, including ownership information, state license documentation, property certifications, and a non-refundable fee. Applications are subject to city council approval and are denied if the proposed business exceeds the cap on licenses or fails to meet ordinance requirements.

Key Takeaways

This ordinance balances the economic opportunities of cannabis retail with community safeguards. It places restrictions on the number and location of cannabis businesses and enforces operational standards, compliance checks, and penalties. By clearly outlining regulatory and enforcement processes, the ordinance aims to integrate cannabis retail responsibly within Lexington's local framework.

REGULATION OF ADULT USE CANNABIS BUSINESS OPERATIONS

Sec. ##-101. Purpose.

The purpose of this ordinance is to establish State licensing, City registration, and business operational requirements related to Adult Use Cannabis Products in the City of Lexington.

Sec. ##-102. Findings of City Council.

The City Council makes the following findings regarding the need to regulate, register, and inspect business establishments that sell certain cannabis products:

(1) The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes the City of Lexington to protect the public health, safety, and welfare of its residents by regulating Cannabis Retail Businesses within its legal boundaries

(2) Due to the passage of this new law by the Minnesota Legislature, the City Council believes the following rules, regulations, and standards for registering the sale of cannabinoid products are necessary to promote and protect the public health, safety, and general welfare of the residents of Lexington.

Sec. ##-103 Definitions.

Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.

Adult-Use Cannabis Product means a cannabis product that is approved for sale by the OCM or is substantially similar to a product approved by the OCM. Adult-Use Cannabis Product includes edible cannabis products but does not include Medical Cannabinoid Products or lower-potency hemp edibles.

Cannabis Retail Business means a business licensed by the OCM and registered with the City to sell Adult-use cannabis products directly to customers including Medical Cannabinoid Products. Cannabis Retail Business does not include any other cannabis State license types including those who may have a combination license, which includes a retail component.

Daycare means a location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

Medical Cannabinoid Product is as defined under Minn. Stat. 342.01 subd. 52. Medical Cannabinoid Product does not include Adult-Use Cannabis Products or hemp-derived consumer products.

Office of Cannabis Management means the Minnesota Office of Cannabis Management, referred to as “OCM” in this ordinance.

Preliminary License Approval means an OCM pre-approval for a Cannabis Retail Business license for applicants who qualify under Minn. Stat. 342.17.

Residential Treatment Facility is as defined under Minn. Stat. 245.462 subd. 23.

Retail Registration means an approved registration issued by the City of Lexington to a state-licensed Cannabis Retail Business.

School means a public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.

State License means an approved license issued by the OCM to a Cannabis Retail Business.

Sec. ##-104. Personal Adult Use of Cannabis.

Personal adult use, possession, and transportation of cannabis flower and cannabinoid products shall be allowed as authorized under M.S.A §342.09 and as regulated by City Code.

Sec. ##-105. Limit of Privately Held Cannabis Retail Businesses Licensed in the City of Lexington.

- (a) The number of licensed cannabis retailer businesses in the City that may receive a retail registration is limited to one (1) private business for every 12,500 residents.
- (b) If Anoka County has the equivalent of one (1) active Cannabis Retail Business registration for every 12,500 residents in the County, then the City shall not be required to register additional state-licensed private Cannabis Retail Businesses.

Sec ##-106. City of Lexington Operated Cannabis Retail Businesses.

The City of Lexington may operate Cannabis Retail Businesses at the discretion of the Lexington City Council. A City operated Cannabis Retail Business shall not be counted against the license limits under Section ##-105(a).

Sec. ##-107. State of Minnesota Issued Cannabis License Required.

All licensees under this Article must obtain a license from the OCM prior to selling any adult-use cannabis products and must comply with the provisions of this Article and all state and federal laws and regulations.

Sec. ##-108. City Cannabis Retail Business Registration Required.

Before making retail sales to customers or patients, a Cannabis Retail Business must register with the City and pay the City Registration fee. A violation of this Section shall subject the violator to a civil penalty, as set forth in the City's Fee Schedule, in an amount not to exceed \$2,000 for each violation.

Sec. ##-109. City Registration and Renewal Fees.

The City registration and renewal fees are established as part of the City's official Fee Schedule adopted annually and amended from time to time, are nonrefundable, and shall be charged as part of the registration process or renewal process as the case may be. A Cannabis Retail Business licensed to sell both adult-use cannabis and Medical Cannabinoid Products at the same location may only be charged a single City registration or renewal fee, as the case may be. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee. Subsequent renewal fees shall be charged at the time of the second renewal and each subsequent annual renewal thereafter.

Sec ##-110. City Registration Application Submittal.

The City shall issue a retail registration to a state-licensed Cannabis Retail Business that adheres to the requirements of Minn. Stat. 342.22. and all requirements of this ordinance.

- (a) An applicant for a retail registration shall fill out an application form, as provided by the City of Lexington. The form shall include, but is not limited to:
 - (1) Full name of the property owner and applicant;
 - (2) Address, email address, and telephone number of the applicant;
 - (3) The address and parcel ID of the property for which the retail registration is sought;
 - (4) Certification that the applicant complies with the requirements of all local ordinances;
 - (5) Required Registration Fee; and
 - (6) A copy of a valid state license or written notice of OCM license preapproval.
- (b) Once an application is considered complete, the City of Lexington shall inform the applicant as such, process the registration fees, and forward the application to the City Council for approval or denial.
- (c) The registration fee shall be non-refundable once processed.
- (d) A state-licensed Cannabis Retail Business application shall not be approved if the Cannabis Retail Business would exceed the maximum number of registered Cannabis Retail Businesses permitted under Section ##-105.
- (e) A state-licensed Cannabis Retail Business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.

Sec. ##-111. Issuance of City Registration.

- (a) The City will issue a City Registration to a Cannabis Retail Business that:

- (1) has a valid license issued by the OCM;
 - (2) has paid the registration fee or renewal fee pursuant to Sec. #-109;
 - (3) is found to be in compliance with the requirements of Minnesota Statutes Chapter 342 at any preliminary compliance check that the City performs; and
 - (4) is current on all property taxes and assessments at the location where the retail establishment is located.
- (b) Before issuing a retail registration, the City may conduct a preliminary compliance check to ensure that the Cannabis Retail Business is in compliance with the applicable operation requirements and the limits on the types of Adult-use cannabis products that may be sold.
 - (c) The City issued registration may not be transferred.

Sec #-112 Location Change Within City Limits.

A state-licensed Cannabis Retail Business shall be required to submit a new application for City registration under Section #-110 if it seeks to move to a new location still within the legal boundaries of the City of Lexington.

Sec. #-113 Renewal of Registration.

- (a) The City registration shall be required to be renewed when a license is renewed with the OCM.
- (b) A Cannabis Retail Business shall apply to renew registration on a form established by the City.
- (c) The City may charge a renewal fee for the registration starting at the second renewal, as established in the City's Fee Schedule.
- (d) The application for renewal of a retail registration shall include, but not be limited to, Items required under Section #-110.

Sec. #-114. Certain Locations or Areas ineligible for City Cannabis Registration.

- (a) No registration shall be granted to:
 - (1) Any Cannabis Retail Business that is not in full compliance with this Code, the City's zoning regulations, the building code, the fire code, and all provisions of state and federal law;
 - (2) A Cannabis Retail Business seeking to operate within 500 feet of : (i) a school; (ii) a day care; (iii) a residential treatment facility; (iv) an attraction within a public park that is regularly used by minors, including a playground, athletic field, tennis/pickleball courts, ice arena, or related, as officially mapped by the City and approved by the City Council; or (v) another Cannabis Retail Business or Cannabis Retailer in the City.
- (b) Nothing in this Section shall prohibit an active Cannabis Retail Business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or an attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

Sec. ##-115. Cannabis Retail Business Hours of Operation.

Cannabis Retail Businesses are limited to the retail sale of Adult-Use Cannabis Products between the hours of 10:00 A.M. to 10:00 P.M. Monday through Saturday.

Sec. ##-116. Cannabis Retail Business Building Conditions.

A licensed and registered Cannabis Retail Business shall maintain compliance with state and local building, fire, property maintenance, nuisance, and zoning requirements and/or regulations.

Sec. ##-117. Compliance Checks and Inspections.

- (a) The City, its police department, or its designee, shall conduct compliance checks of every Cannabis Retail Business with a retail registration issued by the City at least once each calendar year. The checks shall assess compliance with age verification requirements, the applicable operation requirements, and the applicable limits on the types of Adult-Use Cannabis Products being sold. Said compliance checks may be performed by a law enforcement officer or a City employee.
- (b) The City must conduct unannounced age verification compliance checks at least once each calendar year. Age verification compliance checks must involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase Adult-Use Cannabis Products under the direct supervision of a law enforcement officer or a City employee.

Sec. ##-118 Registration Suspension and Cancellation; Notice to Office; Penalties.

- (a) If the City determines that a Cannabis Retail Business is not operating in compliance with the requirements of this Article or M.S.A. Chapter 342, or that the operation of the business poses an immediate threat to the health or safety of the public, the City may suspend the retail registration of the Cannabis Retail Business. The City shall immediately notify the OCM of the suspension in writing and shall include a description of the grounds for the suspension.
- (b) The OCM shall review the retail registration suspension and may order reinstatement of the retail registration or take any action described in M.S.A. §§ 342.19 or 342.21.
- (c) The retail registration suspension may be for up to 30 days unless the OCM suspends the license and operating privilege of the Cannabis Retail Business for a longer period or revokes the license. The business may not make sales to customers if their registration is suspended or revoked.
- (d) The City may reinstate the retail registration if the City determines that the violations have been resolved. The City must reinstate the retail registration if the OCM orders reinstatement.
- (e) No Cannabis Retail Business may make any sale to a customer or patient without a valid retail registration. The City may impose a civil penalty of up to \$2,000 for each violation of this paragraph.

Sec. ##-119 Civil Penalties. Subject to Minn. Stat. 342.22, subd. 5(e) the City may impose a civil penalty, as specified in the City's Master Fee Schedule, for registration violations, not to exceed \$2,000.

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
MARCH 6, 2025 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Murphy

- A. Roll Call - Council Members: DeVries, Benson, Mahr and Hunt

*Mayor Murphy called to order the Regular Council meeting for March 6, 2025 at 7:00 p.m.
Councilmember's present: Devries, Benson, Hunt, and Mahr. Also Present: Bill Petracek, City
Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Quad Press.*

3. CITIZENS FORUM

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

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 5-0.*

5. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Devries) – *No report given*
- B. Cable Commission (Councilmember Mahr) *Quarterly meetings – Councilmember Mahr stated she was elected treasurer at the February meeting. She stated that the Cable Commission is in the process of hiring a new executive director, as North Metro TV has been operating with co-director's managing the operation. The Commission is looking to hire a search firm to conduct the process.*
- C. City Administrator (Bill Petracek) – *Petracek stated that Nutrition Den opened today in the strip Mall on Lexington Ave. and Lake Drive.*

6. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports – 2-12 through 2-25, 2025

No discussion on Letters and Communications.

7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – February 20, 2025
- B. Recommendation to Approve Claims and Bills:
Check #'s 52591 through 52635
Check #'s 15602 through 15623

Councilmember Mahr asked to have item 7B removed from the consent agenda for discussion.

Councilmember Devries made a motion to approve the consent agenda items with the removal of item #7B for discussion. Councilmember Mahr seconded the motion. Motion carried 5-0.

Councilmember Mahr asked if we are testing Blaine's water. Petracek stated the City of Lexington does not test Blaine's water for contaminants. Councilmember Mahr questioned the MSA expense involving the water feasibility study, as well as the Menlo Park expense from MSA. Galiov explained that this expense comes out of the escrow deposit and it gets billed to the developer. Mahr also questioned the Minnesota Department of Health expense for water testing. Galiov stated these are the quarterly water connection fees for testing our water samples. Discussion ensued.

Councilmember Mahr made a motion to approve Item #7B of the consent agenda. Councilmember Devries seconded the motion. Motion carried 5-0.

8. ACTION ITEMS:

- A. Recommendation to approve Special Event Permit – City Heat Charities
Annual Ride and Raffle June 1, 2025 – Cowboy's Saloon

Councilmember Benson made a motion to approve a Special Event Permit – City Heat Charities Annual Ride and Raffle June 1, 2025 – Cowboy's Saloon. Councilmember Devries seconded the motion. Motion carried 5-0.

- B. Recommendation to approve a quote in the amount of \$13,450.32 from
Minnesota Equipment Inc for a new John Deere Z955M EFI ZTrak Lawn
Mower

Councilmember Devries made a motion approve a quote in the amount of \$13,450.32 from Minnesota Equipment Inc for a new John Deere Z955M EFI ZTrak Lawn Mower. Councilmember Mahr seconded the motion. Motion carried 5-0.

- C. Recommendation to approve a Memorandum of Understanding (MOU) with Centennial Lakes Little League to relocate a light pole on field 2 in Memorial Park.

Councilmember Devries made a motion to approve a Memorandum of Understanding (MOU) with Centennial Lakes Little League to relocate a light pole on field 2 in Memorial Park. Councilmember Mahr seconded the motion. Motion carried 5-0.

9. MAYOR AND COUNCIL INPUT

Councilmember Hunt asked if the police report will be discussed regarding Landings of Lexington call volume. Petracek stated that the police chief will be at the March 20th workshop to discuss it.

10. ADJOURNMENT

Councilmember Devries made motion to adjourn the meeting at 7:13 p.m. Councilmember Benson seconded the motion. Motion carried 5-0.

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
MARCH 20, 2025– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Murphy

A. Roll Call - Council Members: DeVries, Benson, Mahr and Hunt

Mayor Murphy called to order the Regular Council meeting for March 20, 2025 at 7:00 p.m. Councilmember's present: Devries, Hunt, and Mahr. Excused absence: Benson Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Jim Mork, Police Chief; Kathy Hohnkamp, Police Admin; Janet Anderson, Kelly Tisdall, and Elizabeth Stock, Dominium (Landings of Lexington); Scott Rand; Quad Press

3. CITIZENS FORUM

*Scott Rand
8919 Naples St.
Lexington, MN*

Mr. Rand thanked Mayor Murphy for reaching out to him. Mr. Rand discussed Lake Dr. and the exits on to 35W and a lack of a northbound on-ramp. He also expressed concerns about the noise and speed of traffic, as well as the amount of truck traffic on Naples St. Discussion ensued.

Mr. Rand recommended the following:

- 1. Install a northbound on-ramp to 35W*
- 2. Change the intersection at 95 and Naples St.*
- 3. Crosswalks at Restwood and Flowerfield Rd., as well as school zone speed limits.*

Discussion ensued.

Petracek stated he would discuss crosswalks with the County and City engineer on Naples St at Restwood and Flowerfield Rd.

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

5. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports – 2-26 through 3-4, 2025
- B. City Report – February 2025
- C. North Metro Tv – February 2025
- D. Public Notice
- E. Planning & Zoning meeting minutes – March 11, 2025

No discussion on Letters and Communications.

2. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – March 6, 2025
- B. Recommendation to Approve Claims and Bills:
Check #'s 52636 through 52691
Check #'s 15624 through 15638
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

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

3. ACTION ITEMS:

- A. Recommendation to approve New Business License pending successful
background check and General Liability Insurance submission

*Mayor Murphy made a motion to approve New Business License pending successful
background check and General Liability Insurance submission. Councilmember
Devries seconded the motion. Motion carried 4-0.*

4. MAYOR AND COUNCIL INPUT

*Councilmember Mahr stated the Cable Commission had an executive meeting to
discuss the new executive director search and the hiring of a search firm to handle the
hiring process. Discussion ensued.*

5. ADMINISTRATOR INPUT

*Petracek stated that city staff has submitted an application to Congressman Tom
Emmer's office – Community*

*Funding Project - requesting funds for Lexington's water system upgrades.
Discussion ensued.*

Petracek added that the Section 4AAA Girls Softball tournament has been moved from Memorial Park to University of Northwestern College in St. Paul. He explained that their new fields have artificial turf and is the main reason they are not coming back to Lexington.

He also stated that he would be on vacation from March 27th through April 1st.

6. ADJOURNMENT

Councilmember Devries made motion to adjourn the meeting at 7:31 p.m. Mayor Murphy seconded the motion. Motion carried 4-0.