

**AGENDA**  
**PUBLIC HEARING**  
**&**  
**REGULAR PLANNING COMMISSION MEETING**  
**August 12, 2014 - 7:00 P.M.**  
**9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER
  - A. Roll Call: Chairperson Olsson, Commissioners Bautch, Hoska, Johnson, Vanderbloomer
2. PUBLIC HEARING – Proposed Ordinance Amendments pg. 1-10
3. ADJOURNMENT PUBLIC HEARING

**REGULAR PLANNING COMMISSION MEETING**

4. CALL TO ORDER
  - A. Roll Call: Chairperson Olsson, Commissioners Bautch, Hoska, Johnson, Vanderbloomer
5. CITIZENS FORUM
6. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
7. LETTERS AND COMMUNICATION
  - A. Building Permits for July 2014 pg. 11
8. APPROVAL OF PLANNING COMMISSION MINUTES
  - A. July 9, 2014 pg. 12-13
9. DISCUSSION ITEM:
  - A. Ordinance 14-01 - An Ordinance Amending Chapter 11 Zoning Section 11.33, Schedule of Uses by District in a B-4 Zone by Adding Restaurant With or Without Bar as a Uses Permitted pg. 14
  - B. Ordinance 14-04 - An Ordinance Amending Chapter 11 Zoning Section 11.60, Subdivision 22, Performance Standards pg. 15
  - C. Ordinance 14-05 - An Ordinance Amending Chapter 11 Zoning Section 11.31, Redesignating the M-2 Parcel Ajoining Lovell Road as B-4 pg. 16
  - D. Planning and Zoning meeting dates and time
10. NOTE COUNCIL MINUTES:
  - A. July 2, 2014 pg. 17-19
  - B. July 17, 2014 pg. 20-22



11. PLANNING COMMISSION INPUT

12. ADJOURNMENT



## MEMORANDUM

TO: Planning & Zoning Commission  
FROM: Kurt Glaser, City Attorney  
Date: 7/16/14  
RE: M-2, B-4 and B-5 Uses & Discussion

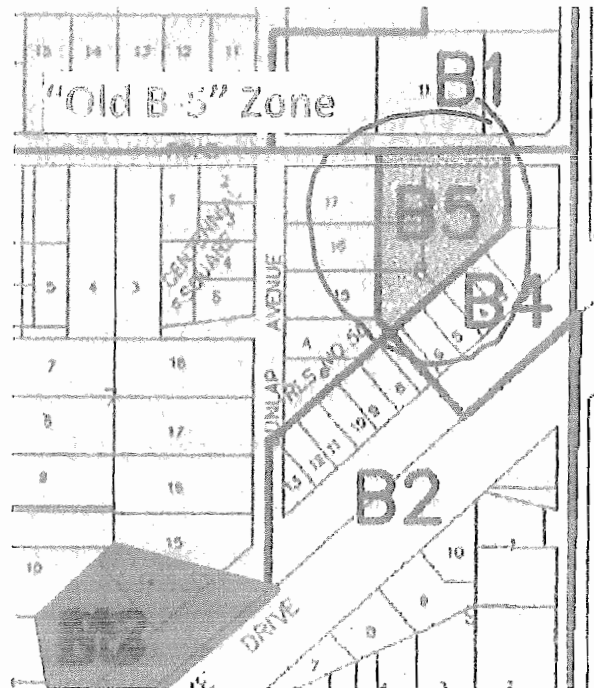
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### Issues:

- 1) Current state of the 'old B-5' zone (indicated below) near the corner of Lexington Avenue & Lake Drive.
- 2) Discussion & proposal for serving alcohol in a B-4 zone.

### Discussion:

*Confusion Surrounding the Zone at Lexington Avenue & Lake Drive.* The property at this corner is a combination of B-4 and B-5 zones. The B-5 zone no longer exists in our Code Book. Code Section 11.30 actually indicates the B-5 zone's incorporation into the M-2 zone and shows that the B-5 zone was deleted from the City Code. ("M-2 Office (Formerly B-5)"). However, the B-5 zone is still contained in the table of Permitted Uses, and changes to the indicated B-5 zone were never made on the City's Zoning Map. The Ordinance adopting these changes only discussed conversion of the old, southernmost B-5 zone into an M-2 (indicated on map). It did not intend any changes to the northernmost B-5 near the corner of Lexington and Lake. Had the City's zoning maps been updated to show the deletion of the B-5 zone from all areas within the City, the parcel at this corner did not receive any new designation. Given the Code Book's re-adoption on September 19, 2013, this B-5 was technically redesignated as an M-2 zone. However, this was not the Council's intent. Therefore, it is necessary to clarify the use and intent of this land as either being an M-2 zone, or adopting the use and intent of a B-4 zone.



The intent of the new M-2 zone is for offices or as professional and business development. The intent of a B-4 zone is for Convenience Food Stores and Restaurants, Fast Food & Family. Historically, this land contained businesses which are primarily restaurants. It is recommended to redesignate this 'old B-5' (mistakenly designated as a M-2) into a B-4 zone.

*Serving Alcohol in a B-5 or M-2 Zone.* In either an M-2 or B-4 zone, alcohol is not allowed to be served either as a principal or accessory use. The intent of an M-2 zone is for offices or as professional and business development. The intent of a B-4 is for Convenience Food Stores and Restaurants, Fast Food & Family. Historically, the businesses occupying the parcels within this 'old B-5' were primarily restaurants. One of the most common uses in a zone allowing restaurants is to allow for the consumption of alcoholic beverages. Given the pending request by the Cajun restaurant, it may be wise for the P&Z to adopt changes allowing for the consumption of alcohol in this zone.

Furthermore, this potential change to allow for the consumption of alcohol is an additional reason to redesignate this 'old B-5' (which is mistakenly designated as an M-2) into a B-4 zone.

Proposals:

1. Clarify the current nature of the 'old B-5' zone near the corner of Lexington Avenue and Lake Drive. Should it remain an M-2 zone or should it be converted into a B-4 zone?
  - a. Recommendation: Designate this 'old B-5' zone into a B-4 zone and merge it with the adjoining B-4 zone. Formally removal all remnants of B-5 zoning from the City.
  - b. In addition, the P&Z could incorporate some or all of the uses from B-5 into B-4 zoning. This does not appear necessary to accommodate any businesses currently existing in the 'old B-5' zone but would make the H&R Block currently existing in the B-4 zone a conforming use.

LAND USE DISTRICT INTENT	USES PERMITTED PRINCIPAL	ACCESSORY	CONDITIONAL
B-4	As permitted in B-1 except Day Care Facility		Minor Auto Repair
	Convenience Food Stores		Automotive Sales Lot
			Gasoline Pumps
	Restaurants Fast Food & Family		Veterinary Clinic
B-5			
Office	Offices	Parking Surface or Structure	Day Care Center
Professional & Business Office Development		Signs	

LAND USE DISTRICT INTENT	USES PERMITTED PRINCIPAL	ACCESSORY	CONDITIONAL
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M-2			
Professional & Business Office Development	Offices	Parking – surface or Structure	Day Care Center
	Public Utility Structures	Signs	Supervised Living Group Home (Residential Facility) for up to 6 Persons excluding supervisors
	Government Buildings		Temp Real Estate Office and Model
			Churches
Mixed Low Density Residential with Business	Single family detached & two family residential dwellings	Garage	Private Kennel
	Duplex	Gazebo	Non-Retail Woodworking Studio
		Tennis Court	Communication Tower in excess of 45' above grade
Townhouse	Townhouses, Single and two family as part of an allowed business structure, or standalone	Common Garage	Home Occupations
	Parks & Playgrounds	Swimming Pool	Wind Generator Private
		Storage Shed	

2. In either case, decide whether to allow for the consumption of alcohol in this zone at the corner of Lexington Avenue and Lake Drive.

- a. Recommendation: Modify the uses allowed in a B-4 zone to include the consumption of alcohol.
- b. This can be specified as either allowing for only beer and wine, or to allow for a full liquor license.

Action of the Planning and Zoning Commission:

Action: After taking public comment, the Planning and Zoning Commission, should consider recommending whether the City Council adopt the attached Resolutions, with or without amendment or revision.

**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**ORDINANCE 14-01**

**AN ORDINANCE AMENDING CHAPTER 11 ZONING  
SECTION 11.33, SCHEDULE OF USES BY  
DISTRICT IN A B-4 ZONE BY ADDING  
RESTAURANT WITH OR WITHOUT BAR AS A USES  
PERMITTED**

The City Council of Lexington does hereby ordain as follows:

CHAPTER 11 ZONING SECTION 11.33, SCHEDULE OF USES BY DISTRICT is hereby amended by adding as a Uses Permitted Principal in a B-4 Zone:

“Restaurant”

“Establishments holding a liquor license pursuant to Section 5.212, except licenses pursuant to 5.212, subd. 4A.”

This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

**PASSED** by the City Council of the City of Lexington this 21<sup>st</sup> day of August, 2014.

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Mayor

ATTEST:

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City Administrator



**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**ORDINANCE 14-04**

**AN ORDINANCE AMENDING CHAPTER 11 ZONING  
SECTION 11.60, SUBDIVISION 22, PERFORMANCE  
STANDARDS**

The City Council of Lexington does hereby ordain as follows:

CHAPTER 11 ZONING SECTION 11.60, SUBDIVISION 22, PERFORMANCE STANDARDS is hereby amended by adding the following:

- J) Exception to Required Parking Spaces: The city may modify the minimum parking requirements in any Multiuse or Business District, as part of a planned unit development approval process or for other exception circumstances, if it is determined that the use is consistent with the purpose of the district and that parking is determined by the City to be sufficient to accommodate the use.

This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

**PASSED** by the City Council of the City of Lexington this 21<sup>st</sup> day of August, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator

**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**ORDINANCE 14-05**

**AN ORDINANCE AMENDING CHAPTER 11 ZONING  
SECTION 11.31, REDESIGNATING THE M-2  
PARCEL AJOINING LOVELL ROAD AS B-4**

The City Council of Lexington does hereby ordain as follows:

THE EXISTING M-2 PARCLE AJOINING LOVELL ROAD is hereby designated as a B-4 Zone.

This Ordinance shall be in full force and effect from and after its adoption and publication as required by law, and the City Zoning Map shall be revised to accommodate this change.

**PASSED** by the City Council of the City of Lexington this 21<sup>st</sup> day of August, 2014.

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Mayor

ATTEST:

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City Administrator

PUBLIC NOTICE

CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA

TO WHOM IT MAY CONCERN:

**Notice is hereby given,** the Lexington Planning and Zoning Committee will be conducting a Public Hearing on Tuesday, August 12, 2014 at 7:00 p.m. in the Lexington City Council Chambers, Lexington City Hall, 9180 Lexington Avenue, Lexington, MN 55014. The purpose of the Public Hearing is to modify the uses, intent and boundary of the northernmost B-4 and B-5 zones, and/or M-2 zone; including the potential use of liquor.

A copy of the proposed modifications is available for inspection at City Hall, 9180 Lexington Avenue, Lexington, MN 55014. Anyone wishing to make comment or if you have questions on the conditional use permit you are invited to attend the Public Hearing. If you are unable to attend, written comments or questions are welcome and will be accepted until 4:30 p.m. on August 12, 2014.

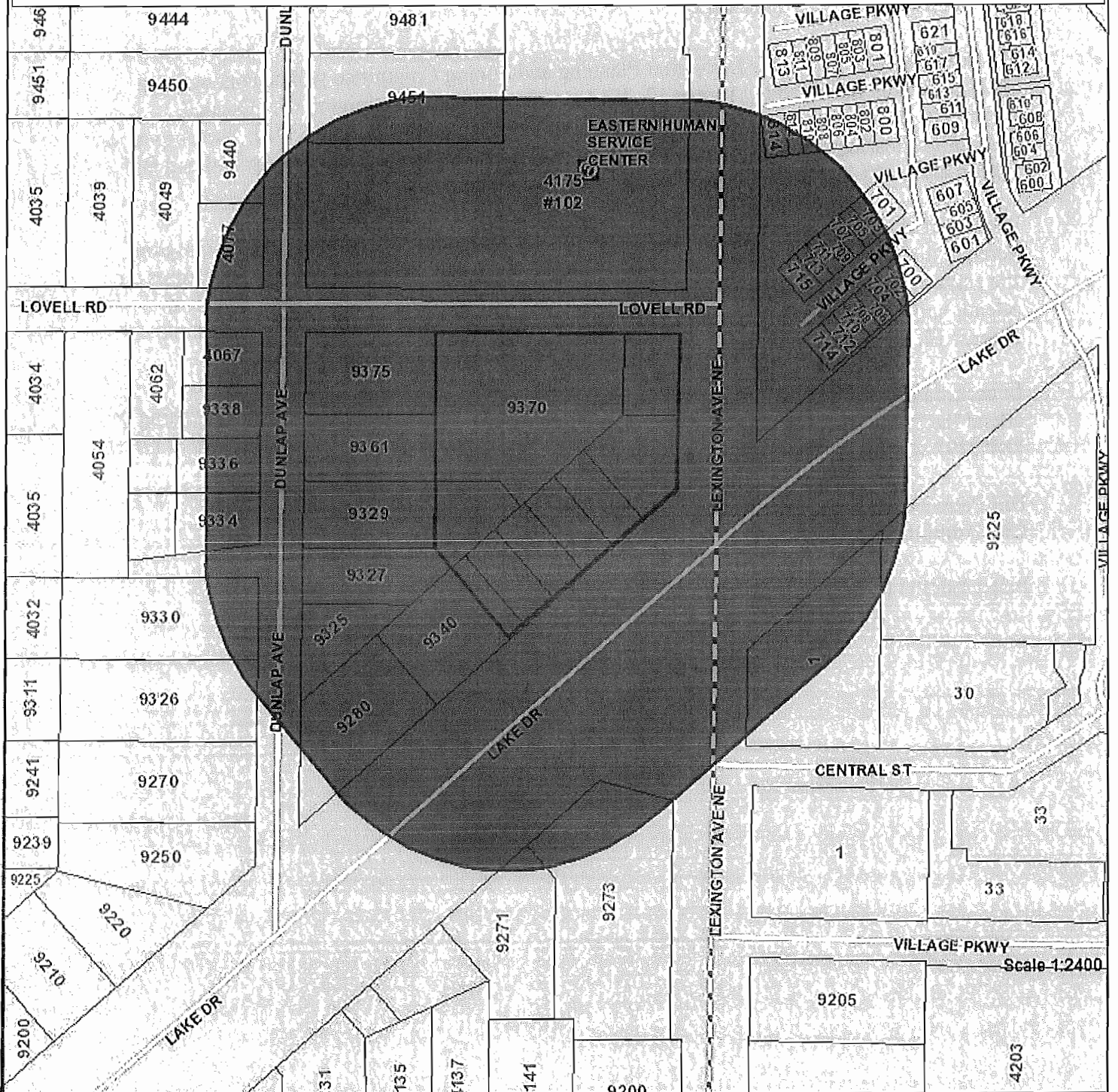
In accordance with the Americans With Disability Act, a hearing impaired individual wishing to attend the Public Hearing may request a sign language translator by contacting City Hall at (763) 784-2792 within one week prior to the hearing.

Bill Petracek  
City Administrator

PUBLISHED IN THE QUAD COMMUNITY PRESS:



<Title>



LEXINGTON CITY OF  
9180 LEXINGTON AVE N  
LEXINGTON, MN 55014

HOLLEN MICHAEL K & KAREN R  
9361 DUNLAP AVE  
LEXINGTON, MN 55014

THOMPSON RICHARD  
6732 BEAVER POND WAY  
CENTERVILLE, MN 55038

SORENSEN JOHN  
810 VILLAGE PKY  
CIRCLE PINES, MN 55014

GERBER RICK L & RONNA J  
808 VILLAGE PKWY  
CIRCLE PINES, MN 55014

SLAVENS JONELLE  
700 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

WALGREEN CO  
PO BOX 1159  
DEERFIELD, IL 60015

LEXY PROPERTIES LLC 1315  
LARPENTER AVE STE B  
ROSEVILLE, MN 55113

HUIE LILLY & WING  
1325 BUCHER AVE  
SHOREVIEW, MN 55126

PERSUITTI JOSEPH A & MICHEL  
4337 HIGHWAY 10  
ARDEN HILLS, MN 55112

WOODGATE MICHELLE  
711 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

GORIS GRANT  
706 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

SANTHANAM SRINIVASAN  
545 OWASSO HILLS DR  
SAINT PAUL, MN 55113

GUSTAFSON DEREK  
PO BOX 173  
COLERAINE, MN 55722

VILLAGE AT CIRCLE PINES MAS  
4672 SLATER RD  
EAGAN, MN 55122

ANDERSON MATTHEW  
2462 ARNOLD PALMER DR NE  
BLAINE, MN 55449

PETERSON WAYNE & COLLEEN  
715 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

MORELL ALYCIA  
710 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

WEBER BRENDA L &  
MACNAUGHTO  
17608 QUEENSBURY ST NE  
COLUMBUS, MN 55025

TIMOTHY GIDEON  
712 VILLAGE PKWY  
CIRCLE PINES, MN 55014

MC DONALDS CORP  
1633 COUNTY HIGHWAY 10 NE S  
SPRING LAKE PARK, MN 55432

FINNEMAN BRIAN  
702 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

HOLLOHAN LEWIS  
46722 DARWOOD CT  
PLYMOUTH, MI 48170

WILLKE II THEODORE & WILLKE  
707 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

WEINHOLD MARK N & LYNN M  
9329 DUNLAP AVE  
LEXINGTON, MN 55014

EGGERTH HELEN  
9330 DUNLAP AVE  
LEXINGTON, MN 55014

CLEMENTS JOANNE G  
708 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

DEMAREST KEITH WILLIAM & KE  
709 VILLAGE PARKWAY  
CIRCLE PINES, MN 55014

FRATTALONE FAMILY LIMITED  
3527 LEXINGTON AVE N  
ARDEN HILLS, MN 55112

MBL LLC  
5515 237TH AVE NE  
STACY, MN 55079

HARRISON-STREFF DEBBIE  
4067 LOVELL RD  
LEXINGTON, MN 55014

ROHDE AMANDA  
2771 RADISSON WOODS DR NE  
BLAINE, MN 55449

OSIECKI JAMES A  
9326 DUNLAP AVE  
LEXINGTON, MN 55014

ERICKSON JEREMY  
9440 DUNLAP AVE  
LEXINGTON, MN 55014

FISHER DENNY  
4077 LOVELL RD  
LEXINGTON, MN 55014

VANSETH CHRISTOPHER L  
9336 DUNLAP AVE  
LEXINGTON, MN 55014

FEDERAL HOME LOAN  
MORTGAGE  
1410 SPRING HILL RD  
MCLEAN, VA 22102

JOHNSON DARIN  
9451 DUNLAP AVE  
LEXINGTON, MN 55014

WASSON JESSICA  
9375 DUNLAP AVE  
LEXINGTON, MN 55014

IJW LLC  
3313 CHURCHILL DR  
WOODBURY, MN 55125

TURNBULL HELENE V  
9327 DUNLAP AVE  
LEXINGTON, MN 55014

MARSH JERRY  
9325 DUNLAP AVE  
LEXINGTON, MN 55014

IJW LLC  
3070 WHITE BEAR AVE  
MAPLEWOOD, MN 55109

# BUILDING PERMITS - JULY 2014

TYPE	PERMIT #	DATE	OWNER/ADDRESS	DESCRIPTION/CONTRACTOR	VALUE	TTL PMT	PMT/FEE
Mechanical	2014-00037	7/16/14	Parkview Estates	Main Gas Line		45.00	40.00
			3815 Patriot Lane	Mobile Maintenance			
Building	E 2014-00038	7/16/14	City of Lexington	Concrete Slab		87.14	87.14
			9180 Lexington	Paragon Paving			
Other	2014-00039	7/17/14	Karl Maanum	Fence		60.00	60.00
			9501 Aspen Ave	Midwest Fencing			
Building	2014-00046	7/17/14	Beck's Northway Collisi	Roofing		681.75	405.00
			3721 Flowerfield	R&N Roofing			
Other	2014-00047	7/17/14	Marie Peterson	Install Mobile Home on Lot		105.00	100.00
			3815 Patriot Lane	Crosstown Mobile Home Service			
Plumbing	2014-00048	7/17/14	Bistro LaRoux	Plumbing/Restrooms		201.00	120.00
			9372 Lexington Ave	Circle Plumbing			
Plumbing	2014-00049	7/17/14	Bistro LaRoux	Drain for Bar Sinks		134.00	80.00
			9372 Lexington Ave	Circle Plumbing			
Building	2014-00050	7/17/14	Bistro LaRoux	Install Awning		104.74	63.08
			9372 Lexington Ave	Tim Glover			
Building	2014-00051	7/23/14	John and Linda Oneil	Siding		150.00	145.00
			9409 Hamline Ave	Champion Window			
Building	2014-00052	7/23/14	John and Linda Oneil	Windows		80.00	75.00
			9409 Hamline Ave	Champion Window			

**CITY OF LEXINGTON  
REGULAR PLANNING COMMISSION MEETING MINUTES  
July 9, 2014 - 7:00 P.M.  
9180 Lexington Avenue, Lexington, MN**

**1. CALL TO ORDER**

**A. Roll Call**

*Chairperson Olsson called to order the Regular Planning Commission meeting of the City of Lexington on July 9, 2014 at 7:00 p.m.. Commissioners Present: Mike Hoska, John Bautch, Caleb Johnson, and Mark Vanderbloomer. Also: John Hughes, Councilmember; and Bill Petracek, City Administrator.*

**2. PUBLIC HEARING CANCELLED - Proposed Ordinance Amendments**

*Petracek explained that he had to cancel the public hearing on the proposed ordinance amendments that were to be brought forward for the July meeting. He added that it was due to a miscommunication with the city attorney dealing with the notification requirements for the public hearing, and our inability to meet the timeframe required by ordinance. Discussion ensued. No action taken.*

**3. CITIZENS FORUM**

*No one was present to address the Planning Commission*

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

*Vanderbloomer made a motion to approve the agenda as type written. Motion seconded by Olsson. Motion carried 5-0*

**5. LETTERS AND COMMUNICATION**

**A. Building Permits for June 2014**

*No discussion*

**5. APPROVAL OF PLANNING COMMISSION MINUTES**

**A. June 11, 2014**

*Bautch made a motion to approve the June 11, 2014 minutes. The motion was seconded Hoska. Motion carried 4-0. Olsson abstained from voting.*



**6. DISCUSSION ITEM:**

*There were no discussion items*

**7. NOTE COUNCIL MINUTES:**

- A. June 5, 2014
- B. June 19, 2014

*The Commission discussed the May 1<sup>st</sup> and 15<sup>th</sup> City Council minutes. No action taken.*

**8. PLANNING COMMISSION INPUT – *Some discussion. No action taken.***

**9. ADJOURNMENT**

*A motion to adjourn was made by Olsson at 7:53 pm. The motion was seconded by Johnson. Motion carried 5-0.*

**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**ORDINANCE 14-01**

**AN ORDINANCE AMENDING CHAPTER 11 ZONING  
SECTION 11.33, SCHEDULE OF USES BY  
DISTRICT IN A B-4 ZONE BY ADDING  
RESTAURANT WITH OR WITHOUT BAR AS A USES  
PERMITTED**

The City Council of Lexington does hereby ordain as follows:

CHAPTER 11 ZONING SECTION 11.33, SCHEDULE OF USES BY DISTRICT is hereby amended by adding as a Uses Permitted Principal in a B-4 Zone:

“Restaurant”

“Establishments holding a liquor license pursuant to Section 5.212, except licenses pursuant to 5.212, subd. 4A.”

This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

**PASSED** by the City Council of the City of Lexington this 21<sup>st</sup> day of August, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator

**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**ORDINANCE 14-04**

**AN ORDINANCE AMENDING CHAPTER 11 ZONING  
SECTION 11.60, SUBDIVISION 22, PERFORMANCE  
STANDARDS**

The City Council of Lexington does hereby ordain as follows:

CHAPTER 11 ZONING SECTION 11.60, SUBDIVISION 22, PERFORMANCE  
STANDARDS is hereby amended by adding the following:

- J) Exception to Required Parking Spaces: The city may modify the minimum parking requirements in any Multiuse or Business District, as part of a planned unit development approval process or for other exception circumstances, if it is determined that the use is consistent with the purpose of the district and that parking is determined by the City to be sufficient to accommodate the use.

This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

**PASSED** by the City Council of the City of Lexington this 21<sup>st</sup> day of August, 2014.

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Mayor

ATTEST:

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City Administrator

**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**ORDINANCE 14-05**

**AN ORDINANCE AMENDING CHAPTER 11 ZONING  
SECTION 11.31, REDESIGNATING THE M-2  
PARCEL AJOINING LOVELL ROAD AS B-4**

The City Council of Lexington does hereby ordain as follows:

THE EXISTING M-2 PARCLE AJOINING LOVELL ROAD is hereby designated as a B-4 Zone.

This Ordinance shall be in full force and effect from and after its adoption and publication as required by law, and the City Zoning Map shall be revised to accommodate this change.

**PASSED** by the City Council of the City of Lexington this 21<sup>st</sup> day of August, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator

**CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
JULY 2, 2014 – 7:00 P.M.  
9180 LEXINGTON AVENUE**

**1. CALL TO ORDER: – Mayor Pitchford**

A. Roll Call - Council Members: Bailey, Hughes, Payment, Plasch

*Mayor Pitchford called to order the Regular Council meeting of the City of Lexington of July 2, 2014 at 7:00 p.m. Councilmember's present: Hughes, Payment, Bailey, and Plasch. Also Present: Bill Petracek, City Administrator; Tina Northcutt, Accounting Coordinator; Paul Floyd, Employment Attorney; Chad Payment.*

**2. CITIZENS FORUM**

*No member of the public provided discussion.*

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

*Motion was made by Councilmember Payment, seconded by Councilmember Hughes to approve the agenda as presented. Passed unanimously. Motion carried 5-0.*

**4. INFORMATIONAL REPORTS:**

- A. Airport (Councilmember Plasch) – *Plasch stated the July Airport meeting was cancelled, but will resume in August*
- B. Cable Commission (Councilmember Payment) – *Payment stated the Cable Commission has been working on the 2015 budget, which is on the agenda for approval.*
- C. City Administrator (Bill Petracek) – *Petracek stated the employee yearly evaluations were complete; he also provided an update on the Lake Drive construction project with Anoka County.*

**5. LETTERS AND COMMUNICATIONS:**

- A. Council Workshop meeting minutes – June 19, 2014
- B. Park Board meeting minutes – June 2, 2014
- C. Rice Creek Watershed District – Notice of Annual Public Information Meeting on July 9, 2014
- D. Anoka County Solid Waste Abatement – 2014 Recycling Awards

*No discussion or action taken*

**Consent Agenda:**

**6. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – June 19, 2014
- B. Recommendation to Approve Claims and Bills:  
Check #'s 13264 through 13271  
Check # 38509  
Check #'s 38510 through 38549
- C. Recommendation to approve Business Licenses

*Motion was made by Councilmember Plasch, seconded by Mayor Pitchford to approve the consent agenda. Passed unanimously. Motion carried 5-0.*

**Action Items:**

**7. ACTION ITEMS:**

- A. City Hall Parking Lot Overlay / City Hall Landscape Project.

*Jim Fischer was present to provide an overview of the City Hall parking lot overlay project. Discussion ensued.*

*Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to accept the bid from Paragon Company for the base bid and alternate bid not to exceed \$18,295 for the city hall parking lot overlay/city hall landscape project. Passed unanimously. Motion carried 5-0.*

- B. Recommendation to approve Purchase of Used Asphalt Roller from City  
of Circle Pines for a cost not to exceed \$1500.00.

*Motion made by Mayor Pitchford, seconded by Councilmember Plasch to approve the purchase of a used asphalt roller from the City of Circle Pines for a cost not to exceed \$1,500. Passed unanimously. Motion carried 5-0.*

- C. Recommendation to approve MSA Master plan Proposal for Memorial Park  
and DuWayne Park not to exceed \$20,000.00.

*Motion made by Councilperson Bailey, seconded by Councilmember Plasch to approve the MSA master plan proposal for Memorial Park and DuWayne Park not to exceed \$20,000. Passed unanimously. Motion carried 5-0.*

- D. Approval of 2015 North Metro Telecommunications Budget.

*Motion made by Councilperson Payment, seconded by Councilmember Bailey to approve the 2015 North Metro Telecommunications Budget. Passed unanimously. Motion carried 5-0.*

E. Recommendation to approve creation of Finance Officer position

*Motion made by Councilperson Bailey, seconded by Councilmember Hughes to approve the creation of Finance Director Job description and position. Passed unanimously. Motion carried 5-0.*

F. Recommendation to approve Employment contract of Tina Northcutt as Finance Officer effective July 13, 2014

*Motion made by Councilperson Bailey, seconded by Councilmember Hughes to approve the employment contract of Tina Northcutt as Finance Director effective July 13, 2014. Passed unanimously. Motion carried 5-0.*

#### **8. MAYOR AND COUNCIL INPUT**

*Discussion and no action taken.*

#### **9. ADJOURNMENT**

*Motion made by Councilmember Payment, seconded by Councilmember Hughes to adjourn the Regular Council meeting of July 2, 2014 @ 7:42 pm. Passed unanimously. Motion carried 5-0.*

*I hereby certify that the July 2, 2014, Regular City Council Minutes as presented, were approved by the Lexington City Council on July 17, 2014.*

*Bill Petracek  
City Administrator*

/mv

**CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
JULY 17, 2014 – 7:00 P.M.  
9180 LEXINGTON AVENUE**

**1. CALL TO ORDER: – Mayor Pitchford**

- A. Roll Call - Council Members: Bailey, Hughes, Payment, Plasch

*Mayor Pitchford called to order the Regular Council meeting of the City of Lexington of July 17, 2014 at 7:01 p.m. Councilmember's present: Bailey, Hughes, and Plasch. Not present: Councilmember Payment. Also Present: Bill Petracek, City Administrator; Tina Northcutt, Finance Director; Kurt Glaser, City Attorney; John & Cheri Urbanski, 8740 Hamline Ave, Lexington; Caleb and Abigail Johnson, 8780 Hamline Ave. Lexington; Raymundo Gonzalez, 3801/3811 Flowerfield Road, Lexington.*

**2. CITIZENS FORUM –**

*There were no citizens present for discussion under this item.*

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

*Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve the agenda as presented. Passed unanimously. Motion carried 4-0.*

**4. INFORMATIONAL REPORTS:**

- A. Airport (Councilmember Plasch) – *Councilmember Plasch provided a brief update on the airport Commission*
- B. Cable Commission (Councilmember Payment) – *No update provided*

*City Administrator (Bill Petracek) – Petracek provided an update on the Parkview Manufactured homes park and an explanation on some of the troubles that are occurring with the project manager hired by National Loan Acquisition Company, and the plan they were proposing to upgrade the park. Discussion ensued.*

*Petracek also stated that Paster Enterprises has approached the City and is interested in making some upgrades to Northway Mall with the possibilities of working with a developer to develop their property located behind the mall. Discussion ensued. Petracek stated there are some rough plans in place, but it is a work in progress at this point; city staff will be working with Paster Enterprises to assist them with the process. Discussion ensued.*

**5. LETTERS AND COMMUNICATIONS:**

- A. Public Notice – Closed Executive Session
- B. Rice Creek Watershed District – Public Hearing
- C. CLPD - Notice of Successful Tobacco Compliance Check
- D. Notice of Filing for 2014 City General Election



*Some discussion, no action taken.*

**Consent Agenda:**

**6. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – July 2, 2014
- B. Recommendation to Approve Claims and Bills:  
Check #'s 13272 through 13274  
Check # 38550  
Check #'s 38551 through 38598  
Check #'s 9963 through 9984
- C. Recommendation to approve Business License Renewals
- D. Recommendation to approve Resolution NO. 14-15 A Resolution Approving Appointment of Election Judges

*Motion was made by Councilmember Bailey, seconded by Councilmember Plasch to approve the consent agenda as presented. Passed unanimously. Motion carried 4-0.*

**Action Items:**

**7. ACTION ITEMS:**

- A. P & V Automotive Business License

*Petracek provided an overview of his memo to the City Council about the problems that the City has been having with P & V Auto and the recommendation to not approve their business license. Discussion ensued. Several citizens that surround the property at 3731 Flowerfield Road, where P & V Automotive conducts their business, were present to provide their input on the problems that they have had with the business. Discussion ensued.*

*The following individuals provided testimony to the City Council about P & V Auto:*

*Abigail and Caleb Johnson*

*John & Cheri Urbanski*

*Raymundo Gonzalez*

*Motion was made by Mayor Pitchford, seconded by Councilmember Bailey to deny the P & V Automotive business license application. Passed unanimously. Motion carried 4-0.*

**8. MAYOR AND COUNCIL INPUT –**

*No input from the Mayor or City Council*

**9. MOVE TO CONVENE REGULAR COUNCIL MEETING FOR CLOSED SESSION**

A. The purpose is to discuss Administrator's Performance Evaluation

*Motion was made by Bailey, seconded by Councilmember Hughes at 7:58 p.m. to convene the regular council meeting for closed session for the purpose of discussing the administrator's performance evaluation. Passed unanimously. Motion carried 4-0.*

**10. MOVE TO RECONVENE REGULAR COUNCIL MEETING AFTER CLOSED SESSION**

**11. ADJOURNMENT**

*A motion was made by Bailey to reconvene in open session and to adjourn the regular city council meeting at 9:45 pm. The motion was seconded by Plasch. Motion carried unanimously 4-0.*

/mv