

AGENDA
REGULAR PLANNING COMMISSION MEETING
June 11 2014 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER

Roll Call: Chairperson Olsson, Commissioners Bautch, Hoska, Johnson,
Vanderbloomer

2. PUBLIC HEARING CANCELLED - Conditional Use Permit Rescinded for Blue Collar BBQ, 4115 Woodland Road

3. CITIZENS FORUM

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

5. LETTERS AND COMMUNICATION

A. Building Permits for May 2014

6. APPROVAL OF PLANNING COMMISSION MINUTES

B. May 14, 2014

7. DISCUSSION ITEM:

A. Letter from Tom Kranz rescinding Conditional Use Permit for Blue Collar BBQ,
4115 Woodland Road

B. Discuss B-5 Zoning Regulations

C. Discuss Proposed Amendment 14-01 - An Ordinance Amending B-2 and B-4

8. NOTE COUNCIL MINUTES:

A. May1, 2014

B. May 15, 2014

9. PLANNING COMMISSION INPUT

10. ADJOURNMENT

BUILDING PERMITS - MAY 2014

TYPE	PERMIT #	DATE	OWNER/ADDRESS	DESCRIPTION/CONTRACTOR	VALUE	TTL PMT	PMT/FEE
Plumbing	14-18	5/5/14	Angela Michalick 9171 Jackson Ave	Rough In Bathroom/toilet,sink, shower Weld & Sons Plumbing		40.00	40.00
Other	14-19	5/5/14	Sandy Tran 9313 Ryan Place	Fence Quan Nguyen		60.00	60.00
Plumbing	14-20	5/5/14	Walgreens 9273 Lake Dr.	RPZ Rebuild Norblom Plumbing		50.00	50.00
Plumbing	14-21	5/7/14	Mark Wienhold 9329 Dunlap Ave.	Rough In Bath/laundry Lake Area Plumbing		40.00	40.00
Other	14-22	5/8/14	Chris Olsson 9250 Dunlap Ave.	Sewer Repair Roto Rooter		100.00	100.00
Mechanical	14-23	5/13/14	Paster Enterprises/EI L 9141 So Hwy Drive	HVAC Optimum Mechanical Systems	20,190.00	403.80	403.80
Other	14-24	5/15/14	Bistro LaRoux 9372 Lexington Ave	Sprinkler system repair/add heads Brothers Fire Protection		75.00	75.00
Building	14-25	5/22/14	Chad Payment 9579 Hamline Ave.	Addition Self	6,000.00	164.52	164.52
Building	14-26	5/22/14	EI Loro 9141 So Hwy Drive	Alterations Self	20,000.00	421.84	421.84
Other	14-27	5/23/14	Dairy Queen 4131 Woodland Rd.	Replace sign Signs by RSG	17,000.00	366.70	366.70
Plumbing	14-28	5/27/14	Choua Xiong 8950 Jackson	Replace toilet/sink self		40.00	40.00

**CITY OF LEXINGTON
REGULAR PLANNING COMMISSION MEETING MINUTES
May 14, 2014 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER

A. Roll Call

Vice chairperson Hoska called to order the Regular Planning Commission meeting of the City of Lexington on May 14, 2014 at 7:00 p.m.. Commissioners Present: John Bautch, Caleb Johnson, and Mark Vanderbloomer. Absent: Chairperson Chris Olsson Also Present: John Hughes, Councilmember; Bill Petracek, City Administrator; Dawn Grote, Administrative Coordinator; Jim Willard, Blue Collar BBQ; Tim & Lori Glover, Bistro Leroux.

2. CITIZENS FORUM

No one was present to address the Planning Commission

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Vanderbloomer made a motion to approve the agenda as type written. Motion seconded by Johnson. Motion carried 4-0

4. LETTERS AND COMMUNICATION

A. Building Permits for April 2014 – Some discussion. No action taken.

5. APPROVAL OF PLANNING COMMISSION MINUTES

A. April 9, 2014

Hoska made a motion to approve the April 9, 2014 minutes. The motion was seconded Bautch. Motion carried 4-0.

6. DISCUSSION ITEM:

A. Conditional Use Permit – Blue Collar BBQ, 4115 Woodland Road.

Petracek provided an explanation of the conditional use permit application that has been submitted by Tom & Sharon Kranz, property owner at 4115 Woodland Road, on behalf of Blue Collar BBQ. He stated that Attorney Glaser requested Blue Collar BBQ obtain a conditional use permit on the property prior to them moving ahead with a “sit down” restaurant and based on a legal opinion provided by Glaser in 2007 for Classic Pizza for the same building and

property, the applied conditions would be the same for Blue Collar BBQ. Petracek added that the conditions of the permit issuance would make the lot and building legal for its intended use. The Commission had much discussion on Attorney Glaser's legal opinion and its application to Blue Collar BBQ's lot and building.

Jim Willard from Blue Collar BBQ was present to answer the Commission's questions about their business. Discussion ensued.

Vanderbloomer questioned the need for Blue Collar BBQ to have to go through the process of obtaining a conditional use permit when this permit was issued to Classic Pizza in 2007. He explained that since the land use – sit down restaurant – hasn't changed since 2007, it shouldn't be necessary. Vanderbloomer further explained that as long as the property maintains its use, there is no need for P & Z to reissue the permit. Hughes agreed with Vanderbloomer. Discussion ensued. Petracek explained that Attorney Glaser said it was necessary for Blue Collar BBQ to apply for the conditional use permit when they decided that they were going to provide seating for their business. Discussion ensued. Petracek stated he would have Attorney Glaser provide clarification through a written opinion on the need for a conditional use permit.

The Commission discussed the parking requirements that Attorney Glaser provided as a condition of the permit. It was discussed that more conditions may need to be placed on the parking requirements.

A motion was made by Johnson for the conditional use permit application to proceed to a public hearing with further conditions to be determined following public comments at the hearing. The motion was seconded by Vanderbloomer. Motion carried 4-0.

B. Proposed Amendment 14-01 – An Ordinance Amending B-2 and B-4 Zoning Regulations

Petracek explained that the proposed ordinance amendment to the zoning code is being brought to the Commission for discussion as a result of Tim & Lori Glover wanting to serve beer and wine in their new restaurant, Bistro Laroux.

Tim and Lori Glover were present to answer questions from the Commission. Ms. Glover explained that the intention of Bistro Laroux is to not be open past 10:00 pm, and they would like to be able to serve beer and wine in their restaurant because it goes hand-in-hand with Cajun style food. They are not planning on serving liquor.

Councilperson Hughes asked the question if the zoning ordinance amendment could allow for a beer and wine license, but not allow a liquor license. Discussion ensued. Commissioner Johnson asked to have Attorney Glaser provide some clarification of the ordinances cited in the proposed ordinance amendment. Discussion ensued.

Petracek provided an explanation to the proposed ordinance amendment in a B-2 zone, as Carbone's currently has a liquor license, which is a non-conforming use in a B-2 zone; serving liquor, beer, and wine is currently not a permitted use. Discussion ensued. Vanderbloomer explained that the Commission should consider allowing beer and wine to be sold in a B-4 zone,

but maintain the B-2 zone as is currently written, so that Carbones would continue as a non-conforming use. Discussion ensued.

The Commission asked that an item be placed on the June P & Z agenda to discuss the regulations in a B-5 zone and its permitted uses. Petracek also stated he would check with Attorney Glaser if a beer and wine could be allowed as a permitted use, and not allow liquor.

A motion was made by Vanderbloomer to deny the proposed amendment 14-01 – an ordinance amending B-2 and B-4 zoning regulations. The motion was seconded by Hoska. Motion carried.

C. Ordinance 14-02 – An Ordinance Revising City Code Chapters 5, 6, and 10

John Bautch had requested to have this item on the agenda for discussion so that Planning and Zoning had an opportunity to see the amendments that were made to the Entertainment License Ordinance by the City Council. Discussion ensued. No action taken.

7. NOTE COUNCIL MINUTES:

- A. April 3, 2014
- B. April 10, 2014
- C. April 17, 2014

The Commission discussed the April 10th City Council minutes and the Council's discussion on organized waste hauling. No action taken.

8. PLANNING COMMISSION INPUT – *Johnson asked about the Flowerfield Road project. Discussion ensued.*

9. ADJOURNMENT

A motion to adjourn was made by Bautch at 9:12 pm. The motion was seconded by Hoska. Motion carried 4-0

TO: Planning and Zoning Commission
FROM: Tom Kranz : Owner Jim Willard : Blue Collar BBQ
DATE: June 2, 2014
RE: Application for consideration of Planning Request


On Monday, June 2, 2014, Mr. Willard and I met with the City Manager and City Attorney to discuss our request for a variance on the property located at 4115 Woodland Road. After approximately two hours of discussion concerning the property size, previous variances already granted and in effect, a possible need to review current zoning or parking regulations, green space requirements, and a decision to allow outside seating for current takeout customers, Mr. Willard and I have decided to rescind the request submitted on April 28, 2014.

We want to thank the planning committee for considering our request and acting on it in a timely manner. We look forward to working with you in the near future as we endeavor to develop this property in Lexington and expand the Blue Collar BBQ to its fullest potential.

Respectfully,

Tom Kranz 

&

Jim Willard 

MEMORANDUM

TO: Planning & Zoning Commission
FROM: Kurt B. Glaser, City Attorney
DATE: May 23, 2014
RE: Application for Conditional Use Permit and/or Variance for 4115 Woodland Road

In both 2000 and 2007, the City Council approved a variety of variances to allow a restaurant with seating to operate at 4115 Woodland Road. Despite the grant of these variances, the property owner failed to complete a set of conditions approved by the Council to activate these variances. The property owner also allowed condition on the property to change which created zoning problems to allow a restaurant to operate under the City's performance standards. In both cases, neither the 2000 nor 2007 variances were recorded with the County Property Records Department. Comparing the current request made by Mr Kranz and Mr. Willard for Blue Collar BBQ to the variances granted in 2007, the current request appears to almost exactly mirror what was authorized in 2007 for allowing a restaurant and professional offices to operate on the site. So long as the property owner meets the conditions imposed by the Council in 2007, it appears that no further action by the Planning & Zoning Commission or Council would be necessary to allow Blue Collar BBQ to operate. The two hurdles to activating these variances would be: (1) for the property to meet the conditions set by the Council in 2007; and (2) the square footage authorized for restaurant use in 2007 was 900 square feet while Blue Collar BBQ currently operates out of 1300 square feet.

The property already has the necessary variances to allow a restaurant with seating to operating on the premises. The restaurant must be no greater than 900 square feet and the professional offices must be no greater than 900 square feet. The parking was calculated to allow the restaurant to use 12 spaces and the professional offices to use 5 spaces, for a total of 17 parking spaces. 17 spaces meets the City's minimum parking standards. However, the variances set in 2007 allow some of those spaces are allow to occupy the City's right of way, allow the parking lot to exceed the size allowed by the minimum green space, and allow it and the building to be within the minimum set back requirements. In order to activate these variance the property owner was required to make a number of improvements to the bituminous surface, paint the parking lot stripes, and construct barriers. These improvements were never made. Since the previous, unused variances were authorized in 2007, it appears that simply constructing these improves in 2014 would activate these unused variances.

Difference primary between the 2007 variances and the 2014 proposed restaurant use on the property is the size of the proposed restaurant use versus the size of the professional space (currently a barber shop). The Code requires one parking space for every 75 square feet of restaurant with seating, and one parking space every 200 square feet of professional space. (Code Section 11.60, subd 22, I) This building has a total of 1800 square feet. In 2007 the building was split where one half was restaurant (900 sq ft) and the other half was professional space (900 sq ft). (12 restaurant / 5 professional spaces = 17 total spaces) Today 1300 square feet is dedicated to restaurant space and 500 square feet for professional (17 restaurant / 3 professional spaces = 20 total spaces). [Note: The code indicates that when mathematically performing parking space

calculations, any fraction of spot equals a full parking spot.] Since the variances previously granted to this property did not actually deviate for the minimum number of parking spaces required by City Code, the 900 square foot restaurant configuration was the only authorized restaurant size. Moreover, while the Council discussed creating exceptions to its minimum parking standards in 2007, such provisions were never adopted. Therefore to afford sufficient parking to Blue Collar BBQ, the current 1300 sq. ft configuration would require a zoning variance from the minimum parking standards. To achieve that result the entire set of 2007 variances would have to be vacated before there would be a factual basis to consider a new set of variances to include a deviation from the minimum parking standards. Since 2007, the State of Minnesota has changed its criteria for granting variances. It should not be presumed that the Planning and Zoning Commission and/or Council would authorize new variances to allow the restaurant to operate with less than the required 20 spaces necessary for this property.

In summary, the choices to the property owner are:

1. Accept the 2007 variances and restrict the restaurant to operating in a space no greater than 900 sq. ft.
2. Do not accept the 2007 variances, and make a new set of variance requests similar to the 2007 requests but with the additional variance request to allow a restaurant with seating to operate within 1300 sq. ft and professional spaces to operate within 500 sq. ft while using only 17 to 18 parking spaces. These variance deviations would be as follows:
 - a. Deviation from parking standards to allow less than the minimum number of parking spaces for the proposed restaurant use on the property.
 - b. Deviation from the green space standard to allow the amount of impervious surface to exceed the maximum amount allowed for this parcel.
 - c. Deviation from the set back requirements to allow the structure and/or parking surfaces to be constructed closer to lot lines than allowed.
 - d. Deviation from the legal standard to allow parking spaces to be constructed over the City's right of way, and for the owner to accept liability for construction or maintenance performed in the right of way.
3. Ask the Council to change the City's Code of Ordinances to create an exception to its minimum parking standards for existing, non-conforming commercial properties. Thereby allowing the property owner to accept the 2007 variances and gain an exception to the parking standards to allow the proposed restaurant use.

Manufactured home Park	Manufactured Housing Manufactured Homes	Common Garage	Day Care Center
Manufactured Residential Structures at a maximum density of 10 dwelling units per acre	Public Utility Structures	Pool	Supervised Living Group Homes
	Parks & Playgrounds	Tennis Courts	Temp. Real Estate Office
		Playground	
		Storage Shed	Home Occupations

LAND USE DISTRICT INTENT	USES PERMITTED PRINCIPAL	ACCESSORY	CONDITIONAL
B-1			
Limited Business			
Limited Retail and Services to meet daily needs of residents	Professional & Business Office Retail Shops (2,000 S.F.)	Surface Parking Signs	School (Public) Farmers Market
	Pharmacy		Veterinary Clinic
	Day Care Facility		
	Personal Service		Churches
	Small Appliance Repairs		
	Medical/Dental Clinic		
	Public Utility Structures		
	Government Buildings		
B-2	As permitted in B-1 Ord. 05-09		Major Auto Repair
Highway & Business Services	Fast Food & Family Restaurant	Signs	Print Shop
Highway Oriented Commercial Development Restricted to a low building profile	Motel	Surface Parking	Machine Shop
Retail Shops			Gasoline Pumps
Minor Auto Repair			
			Automotive Sales Lot
Car Wash			Veterinary Clinic
Convenience Food Store			Tattoo Parlor
Liquor Stores			Welding/Fabrication
Lodge			
Medical/Dental Clinic			Day Care Facility
Public Utility Structures			

Bar			
Government Buildings			
Fire Station			

LAND USE DISTRICT INTENT	USES PERMITTED PRINCIPAL	ACCESSORY	CONDITIONAL
B-3			
Central Business	Shopping Center	Parking	Indoor Amusement Center
Downtown business supporting a strong central business district while enhancing the overall character of the community	Retail Shops and Stores Restaurants with or w/o bar Entertainment Financial Institutions w/o drive-in Medical/Dental Clinic	Surface or Structure	Automotive Sales Lot Gasoline Pumps Veterinary Clinic
	Grocery Stores (10,000 S.F.+)		
	Personal Services		
	Health/Recreation Club		
	Fast Food Restaurant as part of complex		
	Public Utility Structures		
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
O-S			
OPEN SPACE	Public Recreation		
Public Parks, Recreation and Open Space	Public Works Buildings		
	Public Utilities		

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 in Feet (e)	Minimum Lot Depth in Feet	Maximum Lot Coverage (All structures & paved surfaces)	Minimum Front Yard in Feet (i)	Minimum Rear Yard in Feet (b) (i)	Minimum Side Yard in Feet (c)(l)	Maximum Height Principal Structure	Maximum Height Accessory Structure
B-1(a)	N.L.	N.L.	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)(d)	N.L.	N.L.	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(j)	10,000/sf 12,000/dup	75/sf 80/dup	130	45%	30	20 (h)	5	3 stories or 40'	1 story
R-3 (a)(g)	3,500/du or 12,000 (whichever is greater)	N.L.	80	60%	25	30	10	3 stories or 40'	1 story
R-4 (a)(g)	3,000/du or 12,000 (whichever is greater)	N.L.	N.L.	70%	25		25	4 stories or 45'	1 story
R-5 (a)(g)	3,500/du	35	100	45%	25	10	15/5 (f)	1 story	1 story
M-1 (a)	N.L.	N.L.	100	80%	35	30	15/5 (f)	45' (k)	1 story
M-2 (a)(g)	3,500/du or 12,000 (whichever is greater)	N.L.	N.L.	75%	25	25 (h)	15/5 (f)	40'	1 story

**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-2 ZONE BY ADDING
RESTAURANT WITH OR WITHOUT BAR AS A USES
PERMITTED PRINCIPAL AND IN A B-4 ZONE BY
ADDING RESTAURANT WITH OR WITHOUT BAR
AS A USES PERMITTED PRINCIPAL OF THE
LEXINGTON CITY CODE**

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-2 Zone and in a B-4 Zone:

“Restaurant”

“Establishments holding a liquor license pursuant to Section 5.212, except such 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 ____ day of June, 2014.

Mayor Pitchford

ATTEST:

City Administrator

**BOARD OF REVIEW
&
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
MAY 1, 2014 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. CALL TO ORDER BOARD OF REVIEW

A. Roll Call

Mayor Pitchford called to order the meeting of the Board of Review for the City of Lexington at 7:00 pm of May 1, 2014. Councilmember's present: Plasch, Hughes, Payment. Councilmember Bailey not present. Also Present: City Administrator Bill Petrcek, Accounting Coordinator Tina Northcutt, and Jack Purkis, Dan Eischens, Alex Guggenberger from Anoka County Assessor's office.

2. INTRODUCTION OF COUNTY ASSESSOR

Jack Purkis provided an overview of Lexington's taxable market value and stated that he had not received any phone calls from citizens on individual property values.

3. CITIZENS WHO WISH TO ADDRESS ASSESSOR

There were no Lexington citizens present to address the County Assessor.

4. CLOSE BOARD OF REVIEW

Motion was made by Councilmember Payment, seconded by Councilmember Hughes to close the Board of Review at 7:07 pm. Passed unanimously. Motion carried 4-0

REGULAR COUNCIL MEETING

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 May 1, 2014. Councilmember's present: Plasch, Hughes, and Payment. Also Present: City Administrator Bill Petrcek, Accounting Coordinator Tina Northcutt and City Attorney Kurt Glaser. Councilmember Bailey arrived at 7:13 pm.

2. CITIZENS FORUM

Kevin Ryan, a Linwood Township resident was present to address the City Council about Police Chief Jim Coan. He was there to inform the Council about a phone call that Mr. Ryan had made to the Chief about a situation the Centennial Lakes Police

Department had responded to involving a family dispute. Ryan explained that he felt the phone call was handled inappropriately by the Chief. Discussion ensued.

Brandon Paul, general manager, Bamboo Betty's, was present to ask the City Council to consider making some revisions to the penalties and violations section of the City of Lexington liquor license ordinance. Discussion ensued. Mr. Paul provided some hand outs to the Council of other City liquor license ordinances. Discussion ensued. The consensus of the City Council was to discuss revising the ordinance at the next workshop. Mayor Pitchford asked to have the liquor license ordinance placed on a workshop agenda for discussion.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

4. INFORMATIONAL REPORTS:

- A. Airport - *Councilmember Plasch stated the next meeting will be on May 14th and reminded residents that Aviation Days is coming up the weekend end of May 31st and June 1st and there will be a lot of aircraft activity at that time.*
- B. Cable Commission - *Councilmember Payment reported that by the Federal Trade Commission Ruling that Comcast will be forced to change how customer's bills will read. Discussion ensued.*
- C. City Administrator - *Administrator Petrcek provided an update on the Organized Solid Waste Citizens committee and the Building Services interview process.*

5. LETTERS AND COMMUNICATIONS:

- A. 45th Annual Municipal Clerks Week – May 4-10, 2014
- B. Council Workshop meeting minutes – April 17, 2014
- C. Park Board meeting minutes – April 7, 2014

No discussion.

Consent Agenda:

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – April 17, 2014
- B. Recommendation to Approve Claims and Bills:
Check #'s 13247 through 13253
Check #'s 38294

Check #'s 38295
Check #'s 38296 through 38347
VOID #38293
Check #'s 9872 through 9890
VOID #9772

- C. Recommendation to approve Resolution NO. 14-10 A Resolution Amending Appointees For 2014

Motion was made by Councilmember Hughes, seconded by Councilmember Plasch to approve the Consent Agenda. Passed unanimously. Motion carried 5-0.

Action Items:

7. ACTION ITEMS:

- A. Recommendation to approve Joint Powers Agreement For The Reconstruction Of Flowerfield Road From Lake Drive To Lexington Avenue In The Cities Of Blaine And Lexington

Steve Winter, City Engineer, was present to provide an update on the Flowerfield Road project and explain the Joint Powers Agreement with Blaine for the reconstruction of Flowerfield Road.

Motion was made by Councilmember Bailey, seconded by Councilmember Payment to approve the Joint Powers Agreement for the Reconstruction of Flowerfield Road from Lake Drive to Lexington Avenue in the Cities of Blaine and Lexington. Passed unanimously. Motion was carried 5-0.

- B. Recommendation to approve Business License – Bistro LaRoux

Tim and Lori Glover were present to answer questions about their proposed business – Bistro LaRoux. Lori Glover stated they have signed a three-year lease at 9372 Lexington Ave. Discussion ensued.

Motion was made by Councilmember Hughes, seconded by Councilmember Plasch to approve the business license for Bistro LaRoux . Passed unanimously. Motion carried 5-0.

Motion was made by Councilmember Payment, seconded by Councilmember Bailey to prorate license fee through June 30, 2015 . Passed unanimously. Motion carried 5-0.

- C. Recommendation to approve Post Issuance Debt Compliance Policy and Post Issuance Debt Compliance Procedures

Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve the Post Issuance Debt Compliance Policy and Post Issuance Debt Compliance Procedures. Passed unanimously. Motion carried 5-0.

- D. Recommendation to approve Resolution NO. 14-11 A Resolution Adopting Post Issuance Debt Compliance Policy For Tax Exempt and Tax Advantaged Governmental Bonds

Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve Resolution No. 14-11 – A Resolution Adopting Post Issuance Debt Compliance Policy For Tax Exempt and Tax Advantaged Governmental Bonds. Passed unanimously. Motion carried 5-0.

- E. Recommendation to approve Resolution NO. 14-12 A Resolution Awarding The Sale Of General Obligation Improvement Bonds Series 2014A, In The Original Aggregate Principal Amount Of \$665,000; Fixing Their Form And Specifications; Directing Their Execution And Delivery; And Providing For Their Payment

Jason Aarsvald was present from Ehler's & Associates to provide an overview of the process to issue General Obligation debt in the amount of \$665,000 to pay the City back for the road construction projects that were completed in 2012 and 2013. Discussion ensued.

Motion was made by Councilmember Bailey, seconded by Councilmember Payment to approve Resolution No. 14-12 – A Resolution Awarding the Sale Of General Obligation Improvement Bonds Series 2014A, In the Original Aggregate Principal Amount not to exceed \$665,000; Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment. Passed unanimously. Motion carried 5-0.

- F. Recommendation from Planning & Zoning Commission to approve Proposed Entertainment License Ordinance

Attorney Glaser provided a brief overview of the amendments to the entertainment license ordinance that the City Council had directed. The city attorney handed out a revised ordinance at the meeting, which has the edits implemented. Discussion ensued.

Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve Ordinance NO. 14-02 An Ordinance Revising City Code Chapters 5, 6 and 10 – Entertainment License Ordinance.

Mayor Pitchford questioned the revised ordinance to ensure everyone was comfortable with the draft of the ordinance that City Attorney Glaser had handed out at the meeting. Discussion ensued.

Mayor Pitchford called for the vote with the motion on the table. Passed unanimously. Motion carried 5-0.

8. MAYOR AND COUNCIL INPUT

Discussion and no action taken.

9. ADJOURNMENT

Motion made by Mayor Pitchford, seconded by Councilmember Plasch to adjourn the Regular Council meeting of May 1, 2014 @ 8:58 pm. Passed unanimously. Motion carried 5-0.

I hereby certify that the May 1, 2014, Regular City Council Minutes as presented, were approved by the Lexington City Council on May 15, 2014.

***Bill Petracek
City Administrator***

/mv

unapproved
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
MAY 15, 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 May 15, 2014. Councilmember's present: Bailey, Hughes, Payment and Plasch. Also Present: City Administrator Bill Petracek, Accounting Coordinator Tina Northcutt, City Attorney Kurt Glaser and Administrative Coordinator Mary Vinzant.

2. CITIZENS FORUM

No citizens were present for discussion.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Motion was made by Councilmember Payment, seconded by Councilmember Plasch to approve the agenda without changes or corrections. Passed unanimously. Motion carried 5-0.

4. AUDIT PRESENTATION

Matt Vos from Abdo, Eick, and Meyers was present to provide the 2013 Audit report.

5. LETTERS AND COMMUNICATIONS:

- A. Public Notice – Lexington Park Board
- B. Circle Pines – Lexington Lions Club Fund Raiser – June 7th
- C. Minnesota Pollution Control Agency – Approval of MS4 General Permit

Consent Agenda:

6. CONSENT ITEMS:

A. Recommendation to Approve Council Minutes:

Council Meeting – April 10, 2014

Council Meeting – May 1, 2014

B. Recommendation to Approve Claims and Bills:

Check #'s 13254 through 13255

Check #'s 38348 through 38390

Check #'s 9891 through 9907

C. Financial Reports

- Cash Balances
- Fund Summary – Budget to Actual

Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve the Consent Agenda without changes or corrections. Passed unanimously. Motion carried 5-0.

Action Items:

7. ACTION ITEMS:

A. Health/Dental Insurance Benefit Contribution

Motion was made by Councilperson Bailey, seconded by Mayor Pitchford to approve the Health/Dental Insurance Benefit Contribution to coincide with the Collective Bargaining Agreement (CBA). Passed unanimously. Motion carried 5-0.

8. MAYOR AND COUNCIL INPUT -Some discussion. No action taken.

9. ADMINISTRATOR INPUT - No input from the city administrator.

10. ADJOURNMENT

Motion was made by Councilmember Hughes, seconded by Councilmember Bailey to adjourn the Regular Council meeting of May 15, 2014 @ 7:44 pm. Passed unanimously. Motion carried 5-0.

/mv