

AGENDA
REGULAR PLANNING COMMISSION MEETING
March 10, 2020 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER
 - A. Roll Call: Chairperson VanderBloomer, Commissioners Bautch, Thorson, Koch and Murphy
2. CITIZENS FORUM
3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
4. LETTERS AND COMMUNICATION
 - A. Building Permits for February 2020 pg. 1-2
5. APPROVAL OF PLANNING COMMISSION MINUTES
 - A. February 10, 2020 pg. 3-4
6. DISCUSSION ITEM:
 - A. Discuss City Council's request to review Tree Management Ordinance pg. 5-19
7. NOTE COUNCIL MINUTES:
 - A. February 6, 2020 pg. 20-23
 - B. February 20, 2020 pg. 24-29
8. PLANNING COMMISSION INPUT
9. ADJOURNMENT

City of Lexington
Permits Issued & Fees Report - Detail by Address
Issued Date From: 2/1/2020 To: 2/29/2020
Permit Type: All Property Type: All Construction Type: All
Include YTD: Yes Status: Not Voided

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Building													
Permit Kind: Commercial Sign - Permanent													
2020-00021	02/14/2020	9002 N HIGHWAY DR	0		4,000.00	127.76	83.04	2.00					212.80
Permit Kind: Residential MOVING A STRUCTURE													
Permit Kind: Residential OVER WEIGHT PERMIT													
Permit Kind: Residential Remodel													
Permit Kind: Residential Repair													
Permit Kind: Residential Roofing													
2020-00019	02/11/2020	9028 Lexington	0		7,000.00	145.00		1.00					146.00
Permit Kind: Residential Siding													
2020-00020	02/11/2020	9028 Lexington	0		10,500.00	145.00		1.00					146.00
Permit Kind: Residential WINDOW, EGRESS AND/OR SIZE CHANGE													
Permit Type: Building - Totals													
			Period	3	0	21,500.00	417.76	83.04	4.00				504.80
			YTD	12	0	255,165.00	4,198.76	2,373.31	114.83				6,786.90
Permit Type: Fire													
Permit Kind: Commercial Fire Suppression													
Permit Type: Fire - Totals													
			Period	0									
			YTD	1	0		253.50	32.50					676.00

permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Mechanical													
Permit Kind: Residential HVAC													
Permit Type: Mechanical - Totals													
	Period		0										
	YTD		3	0		160.00		3.00					163.00
Permit Type: Plumbing													
Permit Kind: Residential Alteration/Repair/Extension													
120-00022	02/14/2020	9465 GRIGGS AVE		0	13,500.00	430.00		6.75					436.75
Permit Kind: Residential Remodel													
Permit Kind: Residential Water Heater													
Permit Type: Plumbing - Totals													
	Period		1	0	13,500.00	430.00		6.75					436.75
	YTD		6	0	25,000.00	945.00		11.75					956.75
Report Total													
	Period		4	0	\$35,000.00	847.76	83.04	10.75					941.55
	YTD		22	0	\$280,165.00	5,303.76	2,626.81	162.08					8,582.65

MINUTES
REGULAR PLANNING COMMISSION MEETING
February 10, 2020 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER

- A. Roll Call: Chairperson VanderBloomer, Commissioners Bautch, Thorson, Koch and Murphy

Chairperson Vanderbloomer called to order the Regular Planning Commission meeting on February 10, 2020 at 7:00 p.m. Commissioners Present: John Bautch, Michelle Koch, Gloria Murphy, and Ron Thorson. Also present: John Hughes, City Councilmember; Bill Petracek, City Administrator.

2. CITIZENS FORUM

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

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

4. LETTERS AND COMMUNICATION

- A. Building Permits for January 2020

Some discussion was had on the number of permits issued during the past month.

5. APPROVAL OF PLANNING COMMISSION MINUTES

- A. January 14, 2020

Koch made a motion to approve the December 10, 2019 minutes. Thorson seconded the motion. Motion carried 5-0.

6. DISCUSSION ITEM:

- A. No Discussion Items

No discussion on discussion items

7. NOTE COUNCIL MINUTES:

- A. January 2, 2020
B. January 16, 2020

Vanderbloomer asked how much the costs were for the fire station damages. Petracek stated the estimate from the contractor was \$4,900. Discussion ensued.

8. PLANNING COMMISSION INPUT

Councilmember Hughes asked the Planning Commission to look at considering a tree ordinance for the community. He explained that dead trees on private property are a problem in Lexington. Discussion ensued.

Councilmember Hughes also asked the Planning Commission to consider an ordinance regarding the number of rental properties allowed in Lexington. Discussion ensued.

Petracek explained that that discussion on ordinances that aren't a part of the zoning regulations should originate at the City Council, first. He added that if the Council wants the Planning Commission to review and make a recommendation, which would be up to them. Discussion ensued.

Petracek stated to Councilmember Hughes that he would have items on the next Council workshop regarding tree ordinance and rental properties for discussion.

9. ADJOURNMENT

Bautch made a motion to adjourn at 7:20 p.m. Murphy seconded the motion. Motion carried 5-0.

MEMORANDUM

TO: PLANNING & ZONING COMMISSION

FROM: KURT GLASER, CITY ATTORNEY

SUBJECT: TREE MANAGEMENT

DATE: MARCH 5, 2020

The City's ordinances related to tree management are outdated and limited in scope. Our existing Code only allows the City to remove trees when they have either of two tree diseases. The Code does not allow the City to remove dangerous trees on private property. The proposed ordinance will govern all diseased and dangerous trees.

Other areas of the Code govern tree planting and management related to new construction and subdivisions. This proposed Ordinance would effectively replace the existing Section 10.30 of our Code.

The issue of expanding the City's ability to manage trees came from a workshop discussion of the City Council. They referred this matter to the Planning & Zoning Commission for your consideration.

Three documents are attached:

1. A sample ordinance based on an ordinance from the City of Maplewood.
2. Section 10.30 Lexington Code.
3. The City of Maplewood "Tree Standards" (Lexington will need to create its own Tree Standards with assistance from a Tree Arborist, City Engineer, Public Works, etc.)

TREES (PROPOSED)

Sec. XX-141. - Findings and purpose.

The city desires to protect the trees and woodlands in the City of Lexington. Trees and woodlands provide numerous environmental, economic, and scenic benefits. They help filter air pollutants, absorb stormwater runoff, provide wildlife habitat, moderate temperatures, reduce cooling costs, increase property values, provide scenic beauty, provide sound and visual buffers, and provide screening for privacy. It is therefore the city's intent to protect, preserve, and enhance the trees and woodlands of Lexington and to encourage a resourceful and prudent approach to development in the city thereby promoting and protecting public health, safety, and welfare of the citizens of Lexington. The purpose of this division is to establish tree preservation and protection regulations which apply to public and private property to assure the continuance of significant and specimen trees and woodlands for present and future generations which:

- (1) Preserve the natural character of neighborhoods (in developed and undeveloped areas).
- (2) Ensure the health and wellbeing of Lexington's urban forest.
- (3) Protect the health and safety of residents.
- (4) Protect water quality and minimize stormwater runoff.
- (5) Help prevent erosion or flooding.
- (6) Assure orderly development within wooded areas to minimize tree loss and environmental degradation.
- (7) Establish a minimum standard for tree preservation and mitigation of environmental impacts resulting from tree removal.
- (8) Ensure the city's urban forest has a good age distribution, from young trees through large old specimen trees.
- (9) Promote the planting of trees as outlined in the city's Living Streets Policy.

Sec. XX-142. - Definitions.

The following words, terms and phrases, as used in this division, shall have the meanings ascribed to them in this section:

Applicant means developer, builder, contractor, or owner who applies for a woodlot alteration, land use, grading, or building permit.

Certified arborist means an arborist with up-to-date certification by the International Society of Arborists.

City forester means a forester who is employed by the city or appropriate agent or independent contractor designated by the city administrator.

Conifer tree means a woody plant that is a member of the division Pinophyta and at maturity is at least 12 feet or more in height. Conifers are cone bearing and most in our climate keep their leaves (also called needles) year-round. Tamarack (also called larch) is the one conifer in our climate that drops its needles in the fall.

Control includes measures to prevent, slow the spread, suppress, eradicate, or destroy a shade tree disease or pests.

Deciduous tree means a woody plant, which sheds leaves annually, having a defined crown and at maturity is at least 15 feet or more in height.

Hardwood deciduous tree means all deciduous tree species except those listed as softwood deciduous trees below.

Hazard tree means a tree that has structural defects that may cause the tree or tree part to fail, and the city forester determines that such failure could cause property damage or personal injury.

Invasive species means species that are not native to Minnesota and cause economic or environmental harm or harm to human health.

Shade tree means a woody perennial that at maturity is at least 15 feet in height and grown primarily for aesthetic or environmental purposes.

Shade tree pest means any vertebrate or invertebrate animal, plant pathogen, or plant that is determined by the city council to be harmful, injurious, or destructive to shade trees or community forests.

Softwood deciduous tree means the following tree species: box elder, cottonwood, elm, poplar/aspen, silver maple, and willow.

Tree standards mean a separate document authorized through this division to help achieve the goals of the city's tree ordinance and living streets policy. The standards highlight important aspects of the requirements for tree preservation, removal, replacement, and shade tree pest management. The standards do not replace or supersede city ordinances.

Sec. XX-143. - Standards.

The Building official and city forester shall have the authority to develop tree standards concerning the management of trees. These standards shall not be contrary to this division.

Sec. XX-146. - Diseased and hazardous trees.

- (a) *Findings and declaration of purpose.* The health of trees in the city is threatened by epidemic shade tree pests. Hazardous trees can cause property damage or personal injury. The loss of trees, ill health of trees, or presence of hazardous trees on public and private property depreciates the value of property within the city and impairs the safety and general welfare of the public. In addition to, and in accordance with, Minn. Stats. §§ 89.001, 89.01, and 89.51—.64, the provisions of this section are adopted as an effort to control and prevent the spread of these shade tree pests.
- (b) *Declaration of a shade tree pest.* The Building official or city forester may declare any vertebrate or invertebrate animal, plant pathogen, or plant in the community threatening to cause significant damage to a shade tree or community forest to be a shade tree pest and prescribe control measures to effectively eradicate, control, or manage the shade tree pest as defined by Minn. Stats. § 89.001.

- (c) *Public nuisances.* Public nuisances relating to trees are outlined in the tree standards.
- (d) *Inspection.*
 - (1) The Building official and city forester shall have the ability and authority to inspect all premises and places within the city for public nuisances relating to trees. Inspection shall be of living or dead trees, parts of trees, stumps, and firewood.
 - (2) The Building official and city forester may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned under this ordinance.
- (e) *Abatement of shade tree pest nuisances.*
 - (1) The Building official or city forester shall notify in writing the owner of record or occupant of the premise that a public nuisance exists. The notice shall specify the measures to be taken to abate the nuisance and shall specify that the nuisance shall be abated within a reasonable amount of time, not less than ten days from the date of mailing.
 - (2) If the owner fails to comply with the removal or control measures specified for the hazard tree, infested tree, or wood on his/her property as outlined in this division and the tree standards, and within the time specified, the Building official or city forester may order the work done either by city employees or by contractor. The cost of this work shall be billed to the owner. If the bill is not paid within 30 days, the city shall assess the costs to the property.
- (f) *High-cost abatement.* If the cost of abating a nuisance from a shade tree pest will exceed \$5,000.00 in a given year or in two consecutive years, based on a reasonable, good faith estimate from a certified arborist, the owner or occupant may request the matter be referred to the city council for a hearing as outlined in the tree standards. This does not apply to hazardous trees.
- (g) *Emergency abatement.* Nothing in this division shall prevent the city, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety.

Sec. XX-147. - Enforcement.

The city shall be responsible for the enforcement of this division. Any person who fails to comply with or violates this section shall be deemed guilty of a misdemeanor. In addition to criminal prosecution, the City shall suspend all land use, building, and grading permits until the applicant or owner has corrected the violation. Each day that a separate violation exists shall constitute a separate offense.

The city reserves the right to inspect the site or property at any reasonable time for compliance with tree standards. If the city finds the site or property in violation, the city may issue a stop work order until conditions are corrected.

LEXINGTON CODE

SECTION 10.30. SHADE TREE DISEASE CONTROL AND PREVENTION.

Subd. 1. Policy and Purpose. The City has determined that the health of oak and elm trees is threatened by fatal diseases known as oak wilt and Dutch elm disease. It has further determined that the loss of oak and elm trees located on public and private property would substantially depreciate the value of property and impair the safety, good order, general welfare and convenience of the public. It is declared to be the intention of the Council to control and prevent the spread of these diseases, and provide for the removal of dead or diseased trees, as nuisances.

Subd. 2. Definitions. The following terms, as used in this Section, shall have the meanings stated:

- A. **"Shade Tree Disease"** - Dutch elm disease or oak wilt disease.
- B. **"Tree Inspector"** - The Clerk, or such other employee of the City as the Council may designate and who shall thereafter qualify, together with his/her duly designated assistants.
- C. **"Nuisance"** - (1) any living or standing tree infected to any degree with a shade tree disease; or (2) any logs, branches, stumps or other parts of any dead or dying tree, so infected, unless such parts have been fully burned or treated under the direction of the Tree Inspector.

Subd. 3. Scope and Adoption by Reference. Minnesota Statutes, Section 18.023, is hereby adopted by reference, together with the Rules and Regulations of the Minnesota Commissioner of Agriculture relating to shade tree diseases; provided that this Section shall supersede such Statutes, Rules and Regulations, only to the extent of inconsistencies.

Subd. 4. Unlawful Act. It is unlawful for any person to keep, maintain or permit upon premises owned by him/her or upon public property where he/she has the duty of tree maintenance, any nuisance as herein defined.

Subd. 5. Inspection and Diagnosis. It is the power and duty of the Tree Inspector to enter upon public or private property, at any reasonable time, for the purpose of inspecting for, and diagnosing, shade tree disease. In cases of suspected shade tree disease, and in performance of his/her duties, the Tree Inspector may remove such specimens, samples and biopsies as may be necessary or desirable for diagnosis.

Subd. 6. Abatement of Nuisance. Abatement of a nuisance, defined herein, shall be by spraying, removing, burning, or otherwise effectively treating the infected tree or wood to prevent spread of shade tree disease. Such

abatement procedures shall be carried out in accordance with current technical and expert methods and plans as may be designed by the Commissioner of Agriculture of the State of Minnesota. The City shall establish specifications for tree removal and disposal methods consistent therewith.

Subd. 7. Procedure for Removal of Infected Trees and Wood.

- A. Whenever the Tree Inspector finds with reasonable certainty that the infection, or danger of infection, exists in any tree or wood on any public or private property, he/she shall proceed as follows:
- 1) If the Tree Inspector finds that the danger of infection of other trees is not imminent because of dormancy of shade tree disease, he/she shall make a written report of his/her finding to the Council which shall proceed by (a) abating the nuisance as a public improvement under Minnesota Statutes, Chapter 429, or (b) abating the nuisance as provided in Subparagraph B of this Subdivision.
 - 2) If the Tree Inspector finds that the danger of infection of other trees is imminent, he/she shall notify the owner of the property, or the abutting property, as the case may be, by certified mail that the nuisance will be abated within a specific time, not less than five (5) days from the date of mailing of such notice. The Tree Inspector shall immediately report such action to the Council, and after the expiration of the time limited by the notice he/she may abate the nuisance.
 - 3) If the Tree Inspector finds with reasonable certainty that immediate action is required to prevent the spread of shade tree disease, he/she may proceed to abate the nuisance forthwith. He/she shall report such action immediately to the Council and to the abutting property owner, or to the owner of the property where the nuisance is located.
- B. Upon receipt of the Tree Inspector's report required by Subparagraph A, Item 1, the Council shall by resolution order the nuisance abated. Before action is taken on such resolution, the Council shall publish notice of its intention to meet to consider taking action to abate the nuisance. This notice shall be mailed to affected property owners and published once no less than one week prior to such meeting. The notice shall state the time and place of the meeting, the streets affected, action proposed, the estimated cost of the abatement, and the proposed basis of assessment, if any, of costs. At such hearing or adjournment thereof, the Council shall hear property owners with reference to the scope and desirability of the proposed project. The Council shall thereafter adopt a resolution confirming the original resolution with such modifications as it considers desirable and provide for the doing of the work by day labor or by contract.

- C. The Tree Inspector shall keep a record of the costs of abatements done under this Subdivision and shall report monthly to the Council all work done for which assessments are to be made stating and certifying the description of the land, lots, parcels involved and the amount chargeable to each.
- D. On or before September 1 of each year the Clerk shall list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable under this Section. The Council may then spread the charges or any portion thereof against the property involved as a special assessment under Minnesota Statutes, Section 429.101 and other pertinent statutes for certification to the County Auditor and collection the following year along with current taxes.
- E. No damage shall be awarded the owner for destruction of any tree, wood or part thereof pursuant to this Section.

Subd. 8. Spraying Trees.

- A. Whenever the Tree Inspector determines that any tree or wood is infected or threatened with infection, he/she may spray or treat all nearby high value trees with an effective concentrate or fungicide or both. Activities authorized by this Subdivision shall be conducted in accordance with technical and expert opinions and plans of the Commissioner of Agriculture and under the supervision of the Commissioner and his/her agents whenever possible.
- B. The notice and assessment provisions of Subdivision 7 apply to spraying and treatment operations conducted under this Subdivision.

Subd. 9. Transporting Wood Prohibited. It is unlawful for any person to transport elm wood, including elm firewood, with bark intact into or through the City, or into or through any designated "disease control area" as defined by Minnesota Statutes, Section 18.023. This prohibition shall not apply to movement of such wood pursuant to an approved wood disposal or utilization program authorized by Minnesota Statutes, Section 18.023, or to transportation of elm wood intended for industrial use not to include firewood, provided such transportation of elm logs for industrial use continues without interruption through the City of "disease control area" to their intended destination lying outside the City and "disease control area".

Subd. 10. Interference Prohibited. It is unlawful for any person to prevent, delay or interfere with the Tree Inspector while he/she is engaged in the performance of duties imposed by this Section.

Subd. 11. Additional Duties of Tree Inspector. It is the additional duty of the Tree Inspector to coordinate, under the direction and control of the Council, all activities of the City relating to the control and prevention of shade tree disease. He/she shall recommend to the Council the details of a program for the control of the diseases, and perform the duties incident to such a program adopted by the Council.

Subd. 12. Diseased Trees in Streets. The rights, duties and responsibilities of property owners set forth in this Section shall be equally applicable to, and binding upon, abutting property owners with tree maintenance responsibilities under the Section of the City Code entitled "Regulation of Grass, Weeds and Trees".

Subd. 13. Subsidies. The duty of any property owner to bear the cost of removing or maintaining trees, whether by private contract or assessment, shall be subject to a subsidy policy, if any, established by the City for the treatment or removal of trees infected with shade tree disease.

Maplewood Tree Standards
Adopted - December 21, 2015
Revised – January 3, 2017

The City of Maplewood has developed tree standards to help achieve the goals of the City's Tree Ordinance and Living Streets Policy. The standards highlight important aspects of the requirements for tree preservation, removal, replacement, and shade tree pest management. The standards do not replace or supersede City ordinances.

1. Definitions. All definitions as outlined in the Tree Ordinance apply to the Tree Standards including the following additional definitions:

Critical Root Zone (CRZ) means an imaginary linear circle surrounding the tree trunk with a radius distance of one and one half (1-1/2) foot per one (1) inch of tree diameter (e.g., a sixteen (16) inch diameter tree has a CRZ with a radius of twenty four (24) feet).

Drip Line means the farthest distance around and away from the trunk of a tree that rain or dew will fall directly to the ground from the leaves or branches of that tree.

Infestation includes actual, potential, incipient, emergent infestation, or infection by forest pests or shade tree pests.

Retaining Wall means a structure utilized to hold a slope in a position in which it would not naturally remain.

Slope means the inclination of the natural surface of the land from the horizontal; commonly described as a ratio of the length to the height.

Tree Replacement Schedule means the per caliper inch cost of replacement trees as set by resolution by the City Council from time to time.

Wilding Tree means a tree that was not grown in a nursery or been maintained by a nursery.

2. Tree preservation plan. A tree preservation plan is required for any project which requires a woodlot alteration, land use, grading, or building permit; excluding the exemptions and exceptions as outlined in the Tree Ordinance. A tree preservation plan shall reflect the applicant's best effort to determine the most feasible and practical layout of buildings, parking lots, driveways, streets, storage, and other physical features, so that the fewest significant and specimen trees are destroyed or damaged and to minimize the negative environmental impact to the site. The tree preservation plans shall include the following:
 - a. A tree inventory overlay on the site plans that shows size, species, general health, and location of all significant and specimen trees located within the property where significant and specimen tree removal is proposed. The tree inventory plan:

- 1) Shall be drawn at the same scale as the other site plan submittals and shall coincide with required engineering documents such as topography maps, wetland information, grading plans, road locations, and building locations;
 - 2) Shall include trees growing in clump form. These trees will be considered individual trees and each stem/trunk is measured as individual trees.
 - 3) Include the location of groups of standing dead or diseased significant and specimen trees.
 - 4) Include the outer boundaries of all contiguous wooded areas, with a general description of trees not meeting the significant and specimen tree size threshold and any indication of the presence of epidemic tree diseases.
 - 5) Include significant and specimen trees (species and diameter) identified in both graphic and tabular form.
 - 6) Include locations of the proposed buildings, structures, or impervious surfaces.
 - 7) Include delineation of all limits of land disturbance, clearing, grading, and trenching.
- b. A list of total diameter inches of all healthy significant and specimen trees inventoried.
 - c. The total diameter inches of healthy significant and specimen trees removed.
 - d. Location of trees protected and the proposed measures for protection including delineation of tree protection fencing, tree protection signs, location for material storage, parking, debris storage, and wash out area for redi-mix trucks.
 - e. Protection measures for replacement trees being planted in areas with high deer population.
 - f. The name(s), telephone number(s), and address(es) of the person(s) responsible for tree preservation during the course of the development project.
 - g. Size, species, number, and location of all replacement trees and woody shrubs proposed to be planted on the property, planted on city property, or amounts to be paid into the city's tree fund in accordance with the tree removal, mitigation, and replacement section of the tree ordinance.
 - h. All tree preservation plans shall be prepared by a forestry or horticultural professional whose qualifications are approved by the EEDD Director.
 - i. The tree preservation plan shall be reviewed by the EEDD Director for compliance with this ordinance. Reasons for denial shall be noted on the tree preservation plan, or otherwise stated in writing.

3. Safeguarding preserved trees. The following measures will be taken to ensure survival of trees scheduled to be preserved:
- a. Layout of the project site utility and grading plans shall accommodate the tree preservation areas. Utilities are recommended to be placed along corridors between tree preservation areas and use of common trenches or tunnel installation if possible.
 - b. Custom grading, retaining walls, or tree wells to maintain existing grade for preserved trees can be used.
 - c. Prior to issuance of a grading or building permit the EEDD Director may require one or all of the following measures for safeguarding preserved trees:
 - 1) Tree protective areas shall be located at a minimum of the CRZ of trees or drip line, whichever is greater, whenever possible. Saving groups or stands of trees is encouraged over protecting individual trees scattered throughout the site.
 - 2) Suitable tree protection fencing in active areas includes use of orange polyethylene laminar safety fencing or woven polyethylene fabric (silt fencing). Fencing shall be self-supportive. Tree protection fencing shall be maintained and repaired by the applicant for the duration of construction.
 - 3) Use of passive forms of tree protection may be allowed, i.e., tree protection fencing consisting of continuous rope or flagging (heavy mil plastic four (4) inches or wider).
 - 4) Active tree protection areas with "Tree Save Area" signs posted and readable from at least ten (10) feet away.
 - 5) Minimize tree wounding by felling or removing trees away from trees remaining on site.
 - 6) Construction site activities such as parking, material storage, concrete washout, placement of holes, etc., shall be arranged so as not to encroach on tree protection areas.
 - 7) Measures such as deep mulching may be required in some situations.
 - 8) Identify and prevent oak wilt infection. Treat all known oak wilt infected areas with current accepted guidelines including root cutting and removal of infected trees. If pruning oaks is required between April 1 and July 1 fresh wounds shall be covered with nontoxic tree wound sealant or latex paint.
 - d. No construction work shall begin until tree protection fencing has been installed, inspected, and approved by the EEDD Director. Once EEDD

Director approves tree protection fencing or devices it shall not be altered or removed without EEDD Director approval.

4. Post construction tree care mitigation. The city may require post construction tree care mitigation for trees protected to include:
 - a. Tree root aeration, fertilization, and/or irrigation systems.
 - b. Therapeutic pruning.
 - c. Mitigate soil compaction by the following:
 - 1) Mulch drive lanes with eight (8) to ten (10) inches of woodchips.
 - 2) Soil fracturing with deep tillage or other similar methods.
 - 3) Inclusion of organic matter to existing soil.
 - 4) Core aeration.
5. Tree mitigation. Once the total caliper inches for replacement trees are determined, the applicant shall mitigate loss of significant and specimen trees by planting replacement trees in appropriate areas on the property in accordance with the tree removal, mitigation, and replacement section of the tree ordinance. After putting as many trees as feasible on the site, if the replacement requirement is still not met, the EEDD Director can approve tree replacement steps as outlined below prior to issuance of a grading or building permit:
 - a. Planting replacement trees on city property under the direction of the EEDD Director.
 - b. Mulched beds of native or drought tolerant shrubs that are not required as part of foundation, screening, stormwater planting requirements, or other city-required plantings will qualify towards tree replacement at a rate of .5 caliper inches per number three (#3) shrub.
 - c. Alternative forms of mitigation can be approved by the EEDD Director. Examples of alternative mitigation includes buckthorn removal and management. Buckthorn removal and management will qualify the applicant for reducing the number of replacement trees or the payment into the city's tree fund with a dollar for dollar credit.
 - d. Paying the city a sum per caliper inch in accordance with the tree replacement schedule set forth in the city fee schedule. Payment shall be deposited into an account designated specifically for tree planting on public property or providing financial assistance for properties that want to voluntarily plant trees. The maximum tree reimbursement required for a single family house is \$10,000 if the following apply:
 - a. The lot is two (2) acres or less.

- b. The lot is an existing vacant lot or a lot approved through the City's minor subdivision process.

6. Tree replacement requirements. The applicant shall follow tree replacement requirements as outlined below:

- a. Three-year replacement period: The applicant shall maintain replacement trees for three (3) years after planting. If any tree requires replacement during this three (3) year period, the replacement period shall start at the date the replacement tree was planted. Trees required to be planted pursuant to any other provision of the city ordinances are not included in this and shall be replaced according to such ordinance.
- b. Species requirements: Where ten (10) or more replacement trees are required, not more than thirty (30) percent shall be of the same type of tree without the written approval of the EEDD Director. Tree species native to the Maplewood area are preferred. The following plant species are potentially invasive and should be avoided in city plantings and on development projects.

Norway maple	<i>Acer platanoides</i>
Amur maple	<i>Acer ginnala</i>
Siberian elm	<i>Ulmus pumila</i>
Common buckthorn	<i>Rhamnus cathartica</i>
Glossy buckthorn	<i>Rhamnus frangula</i>
Black locust	<i>Robinia pseudoacacia</i>
Siberian pea shrub	<i>Caragana arborescens</i>

If elm trees are planted on city projects they should be cultivars resistant to Dutch Elm Disease. Ash trees should not be planted.

- c. Sources of trees: Replacement trees shall consist of certified nursery stock as defined by current Minnesota Statutes and shall be hardy for USDA plant hardiness zones 2, 3, or 4 (hardiness rated trees) or other trees including wilding trees, so long as such wilding trees comply with the following standards and are approved by the EEDD Director. All replacement trees shall be healthy and free from insect or disease infestation. A wilding tree measured in caliper inches shall not exceed the maximum height as shown on the table below:

Caliper Inches	Maximum Height (Feet)
2-3	18
3-4	20
4-5	24

The lowest branch of a wilding tree shall not be at a height above the surface of the ground more than one-half (1/2) the total height of the tree (e.g., a fourteen (14) foot tree shall have a branch within seven (7) feet of the surface of the surrounding ground).

- d. Tree replacement size: Replacement trees shall be no less than two (2) caliper inches deciduous or six (6) foot height conifer tree unless pre-approved by the EEDD Director. Use the following table to convert conifer trees to caliper inches:

Conifer Tree Height (Feet)	Caliper Inches
6	2.0
7	2.5
8	3.0
9	3.5
10	4.0
11	4.5
12	5.0

- e. Other required replacement trees: Trees required to be planted pursuant to any other provision of city ordinances shall comply with tree size specification of such ordinance.
7. Tree replacement escrow. The applicant shall post tree replacement escrow with the city, such as a tree replacement cash deposit or letter of credit. The tree replacement escrow will be equal to a sum per caliper inch in accordance with the tree replacement schedule set forth in the city fee schedule. The escrow will be held by the city until successful completion of final planting inspection and assurance that the trees are covered by at least a one (1) year warranty for replacement. In areas where trees are planted in an area with heavy deer population or other tree hazards not normally covered under a warranty, the city may hold the escrow for longer to ensure viability of trees. Once the escrow is reimbursed to the applicant, it is still the applicant's responsibility to maintain the replacement trees for three years after planting as outlined in the three-year replacement period section above. It shall be the applicant's responsibility to call for final escrow reimbursement inspection. Tree replacement escrow does not include other escrows required pursuant to any other provision of city ordinances or city directive.
8. Public nuisances. The following may be declared nuisances whenever they are found within the city:
- a. Any living or standing elm tree (*Ulmus* spp.) or part thereof infected to any degree with the Dutch elm disease fungus *Ceratocystis ulmi* (Buisman) Moreau or which harbors the elm bark beetles *Scolytus multistriatus* (Eichh.) or *Hylurgopinus rufipes* (Marsh).
 - b. Any dead elm tree or part thereof including logs, branches, stumps, firewood, or other material from which the bark has not been removed. Proper disposal of removed bark includes chipping or burning.
 - c. Any living, standing, or dead oak tree (*Quercus* spp.) or part thereof infected to any degree with the oak wilt fungus *Ceratocystis fagacearum* (Bretz) Hunt. Also, any living, standing, or dead oak tree that, due to its proximity to an oak infected with oak wilt, possesses a threat of

transmission of the oak wilt fungus to other oak trees through interconnected root systems.

- d. Any living, standing, or dead ash tree (*Fraxinus* spp.) or part thereof with infestation of emerald ash borer (*Agrilus planipennis*).
- e. Other shade trees or parts thereof infested with shade tree pests that are epidemic.
- f. Hazardous trees.

9. Abatement of shade tree pest nuisances.

- a. The abatement measures required may include removal of an infested tree or wood to control the airborne spread of epidemic shade tree pests. If the city forester or EEDD Director finds that Dutch elm disease or oak wilt threatens to cross property boundaries, the city forester or EEDD Director may require root graft disruption to prevent the spread of the disease through roots.
- b. For hazardous tree abatement may include removal of branches or the whole tree or other control measures that are widely accepted to abate the nuisance.
- c. If the owner served fails to abate the shade tree pest nuisance, the city will abate the shade tree pest nuisance per Section 18-37 of city code. The cost of abatement shall be in accordance with the abatement schedule set forth in the city fee schedule.

10. High cost abatement.

- a. The owner may request a high cost abatement matter referred to the city council for a hearing as outlined below:
 - 1) The owner or occupant shall notify the EEDD Director within twenty (20) days of the date on the abatement notification letter, provide an estimate from a certified arborist, and provide in writing a request for exemptions and the reasons for exemption.
 - 2) The EEDD Director will notify the owner of the date, time, and location of the hearing at least three (3) days in advance of the hearing.
 - 3) The owner shall be given the opportunity to present evidence at the hearing.
 - 4) The city council may modify the abatement notice or extend the time by which abatement shall be completed.

Minutes
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
FEBRUARY 6, 2020 – 7:00 P.M.
9180 LEXINGTON AVENUE

1. CALL TO ORDER: – Mayor Murphy

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

Mayor Murphy called to order the Regular City Council meeting for February 6, 2020 at 7:00 p.m. Councilmember's present: DeVries, Harris, Hughes, and Winge. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Mike Kaeding and Marie Dickover, Norhart; Brian Garin, Citizen; Joe Ackerman, Citizen; Sherri and John Urbanski, Citizen; Vonnie Taylor, Citizen; Shawn Olsten, Citizen; Numerous Centennial High School Students; Quad Press Reporter.

2. CITIZENS FORUM

*Brian Garin
9064 Jackson Ave.
Lexington, MN.*

Mr. Garin asked the Council if Dunlap Ave. is being opened up as a through street with all of the construction happening. Mayor Murphy stated he wants to bring it up at a workshop. Discussion ensued.

*Joe Ackerman
3875 Lovell Road
Lexington, MN.*

Ackerman explained that the police department is stepping up to more speed enforcement on Lovell Road, and realizes that they can't be everywhere. He stated that the County told him that the speeding on Lovell Road is only a perception. He also added that when he contacted Congressman Emmer's office for help, he was told that he does not reside in Emmer's district and feels it is a kick in the teeth by Emmer's office. Discussion ensued.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Councilmember DeVries made a motion to approve the agenda as typewritten. Councilmember Harris seconded the motion. Motion carried 5-0.

**4. PRESENTATION OF PLANNING COMMISSION RECOMMENDATION
FOR THE PROPOSED LEXINGTON LOFTS PLANS – NORHART
DEVELOPMENT**

Mike Kaeding, Norhart Development, provided an overview of the changes that were proposed and approved by the Planning Commission. He explained that Norhart has altered the setbacks on both buildings, and provided PowerPoint slides to show the changes to the setbacks. Discussion ensued.

Vonnie Tayler
4060 Restwood Road
Lexington, MN.

Ms. Taylor asked Kaeding with the changes and the 5-story building, are there any additional residents and cars allowed. Kaeding explained that there would 355 units, so there would not be a change from the original plan in the amount of residents or vehicles allowed.

Sherri Urbanski
8740 Hamline Ave.
Lexington, MN.

Ms. Urbanski asked Kaeding if residents are going to have any trouble getting through on the roads. She stated the route past this development is how they get to Festival Foods. Kaeding explained that there aren't going to be any changes to the streets during construction. Discussion ensued.

Urbanski added that she is disappointed about the changes to the rules that were made to make this development happen. Attorney Glaser explained that the rules were changed to bring our zoning approval ordinances in to compliance with State law that changed in 2001. He added that we needed to make our Code consistent with State law. Discussion ensued.

Shawn Olsten
9115 Jackson Ave.
Lexington, MN.

Mr. Olsten asked Kaeding if sidewalks will be added. Kaeding explained that there will be sidewalks along the street on the entire length of the buildings. Discussion ensued.

5. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Devries) *No report given***
- B. Cable Commission (Councilmember Winge) *No report given***
- C. City Administrator (Bill Petrcek) – *Petrcek asked Attorney Glaser to update the Council on the liquor store loan and the legal issues surrounding it. Attorney Glaser stated that the liquor store loan has been paid off and all of the legal challenges have been satisfied with the lienholder; the City now owns the liquor store improvements.***

Choose a building block.

6. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department – Media Reports – January 8-27, 2020**
- B. Public Notice – Elected Leaders Institute – January 24-25, 2020**
- C. Summer Fun Enrichment Program letter of thanks**
- D. Park Board meeting minutes – January 6, 2020**
- E. Council Workshop meeting minutes – January 16, 2020**
- F. Planning & Zoning meeting minutes – January 14, 2020**

No discussion on Letters and Communications.

7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – January 16, 2020
- B. Recommendation to Approve Claims and Bills:
Check #'s 13657 through 13657
Check #'s 45841 through 45908
Check #'s 13021 through 13030
Check #'s 13034 through 13044
Check #'s 13045 through 13057
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

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

8. ACTION ITEMS:

- A. First Reading - Planning Commission Recommendation to Approve Ordinance NO. 20-02 – An Ordinance of the City Council of Lexington, Minnesota Changing Zoning Districts

Attorney Glaser summarized the first reading of Ordinance No. 20-02 by explaining that the Planning Commission had recommended to rezone certain parcels owned by the City, Scott Mejia, and Paster Properties from an R-3 zone to an M-1. The property needs to be rezoned to accommodate the Lexington Lofts Development. Discussion ensued

- B. First Reading - Planning Commission Recommendation to approve Ordinance NO. 20-03 – An Ordinance of the City Council of Lexington, Minnesota Approving a Planned Unit Development for the Plat of Lexington Lofts

Attorney Glaser summarized the first reading of Ordinance 20-03 by giving an overview of the zoning changes being requested by Norhart through the Planned Unit Development, along with the need to vacate Gerald Ave. to accommodate the proposed Lexington Lofts Development.

Councilmember Harris questioned the 1'ft setback. Discussion ensued.

Councilmember Hughes stated that he doesn't believe that Norhart did enough to consider a 4-story option for the project. Kaeding showed a PowerPoint slide with the 4-story option for Lexington Lofts. Councilmember Winge stated that he would rather see a 5-story building than a 4-story building that borders the residents along Dunlap Ave. Discussion ensued.

Councilmember Hughes stated that he wouldn't be in favor of approving this Planned Unit Development because the changes that were recommended by the Planning Commission were minimal, and this development goes too far beyond our current zoning regulations. Discussion Ensued.

Councilmember Harris stated that she has liked the 5-story option from the beginning. She added that she likes the look of these buildings and she believes this development will look beautiful in this community. Hughes replied by saying that a 4-story option would look good too. Discussion ensued.

- C. First Reading - Planning Commission Recommendation to Approve Ordinance NO. 20-04 – An Ordinance Revising Chapter 11 Regarding the Regulation of Zoning Amendments – Outdoor Storage

Attorney Glaser summarized Ordinance No. 20-04 and explained that the proposed ordinance condenses existing storage ordinances for easier enforcement. Discussion ensued.

- D. Recommendation to Approve Email Accounts for the Lexington City Councilmembers through Metro-Inet in the Amount of \$1,122.00 Annually

Councilmember Hughes made a motion to approve email accounts for the Lexington City Councilmembers through Metro-Inet in the Amount of \$1,122.00 annually. Councilmember Devries seconded the motion. Motion carried 5-0.

- E. Recommendation to approve Election Judges for February 11, 2020 Special Election and March 3, 2020 Presidential Nomination Primary

Councilmember Devries made a motion to approve Election Judges for February 11, 2020 Special Election and March 3, 2020 Presidential Nomination Primary. Councilmember Harris seconded the motion. Motion carried 5-0.

9. MAYOR AND COUNCIL INPUT

Councilmember Harris said that she met the snowmobiler that has been trespassing on her property, and she had had nice conversation with him and his dad. She added that the problem is solved.

Councilmember Murphy encouraged citizens to vote for our next County Commissioner that represents our district at the election on Tuesday.

10. ADJOURNMENT

Councilmember Hughes made motion to adjourn the meeting at 8:05 p.m. Councilmember Harris seconded the motion. Motion carried 5-0.

**UNAPPROVED MINUTES
CITY OF LEXINGTON
PUBLIC HEARING
&
REGULAR COUNCIL MEETING
FEBRUARY 20, 2020 – 7:00 P.M.
9180 LEXINGTON AVENUE**

PUBLIC HEARING

1. CALL TO ORDER: – Mayor Murphy

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

*Mayor Murphy called to order the Public Hearing for February 20, 2020 at 7:00 p.m.
Councilmember's present: Devries, Harris, Hughes, Winge. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Travis Schmid, Public Works; Mike Kaeding and Marie Dickover, Norhart Development; Tom Clasin, Knowlan's Super Markets, Inc; Dan Dobson, 9174 Jackson Ave.; Brian Garin, 9065 Jackson Ave.; Christine Olson, 3909 Lovell Road. Other citizens were present.*

PUBLIC HEARING:

A. **PUBLIC HEARING: THE CITY COUNCIL WILL TAKE COMMENTS
ON APPROVING JACKSON AVENUE BETWEEN WOODLAND AVENUE
AND RESTWOOD ROAD – PATCHING, EDGE MILLING AND BITUMINOUS
OVERLAY**

*Steve Winter, City Engineer, provided a PowerPoint presentation on the proposed Jackson Ave. mill and overlay project. Winter discussed the City's attempt to resurface the road in 2019, but tabled the project due to bids coming in over budget. He explained that the estimated cost to mill and overlay Jackson Ave from Woodland Ave to Restwood Road is \$105,000. Winter further explained the assessment policy of the City and the estimated rates for property owners.
Discussion ensued.*

*Dan Dobson
9174 Jackson Ave.
Lexington, MN.*

*Mr. Dobson supported to mill and overlay project and asked questions on the special assessment.
Discussion ensued.*

Brian Garin
9064 Jackson Ave.
Lexington, Mn.

Mr. Garin told the Council that before Jackson Ave. is done, they need to reopen Dunlap Ave. He added that garbage trucks are going up and down the street and believes the road will get wrecked if Dunlap Ave. isn't reopened. Mayor Murphy explained that he wants to have a discussion at a workshop regarding reopening Dunlap Ave. Discussion ensued.

Steve Winter addressed the idea of opening Dunlap Ave. He recommended conducting a traffic study.

Garin also discussed the on-street truck parking by Carbone's and on-street parking during the farmer's market. Discussion ensued.

2. ADJOURN PUBLIC HEARING

Councilmember Hughes made motion to adjourn the public hearing at 7:12 p.m. Councilmember DeVries seconded the motion. Motion carried 5-0.

UNAPPROVED MINUTES CITY OF LEXINGTON REGULAR COUNCIL MEETING FEBRUARY 20, 2020– 7:00 P.M. 9180 LEXINGTON AVENUE

3. CALL TO ORDER: – Mayor Murphy

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

Mayor Murphy called to order the Regular City Council meeting for February 20, 2020 at 7:12 p.m. Councilmember's present: DeVries, Harris, Hughes, Winge. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Travis Schmid, Public Works; Mike Kaeding and Marie Dickover, Norhart; Tom Classin, Knowlan's Super Markets, Inc; Dan Dobson, 9174 Jackson Ave.; Brian Garin, 9065 Jackson Ave.; Christine Olson, 3909 Lovell Road. Other citizens were present.

4. CITIZENS FORUM

Christine Olson
3909 Lovell Road
Lexington, MN.

Ms. Olson asked about Landings of Lexington and the on-street parking and increased traffic. Petracek stated that the on-street parking and traffic will subside when construction is complete and parking for the complex will be on-site and underground.

5. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Councilmember Hughes made a motion to approve the agenda as typewritten. Councilmember Harris seconded the motion. Motion carried 5-0.

6. LETTERS AND COMMUNICATIONS:

- A. Public Notice – Public Accuracy Test
- B. Public Notice – Notice of Public Hearing
- C. Planning & Zoning meeting minutes – February 10, 2020
- D. Centennial Lakes Police Department Media Reports 2-1- through 2-11-2020
- E. City Report – January 2020
- F. North Metro TV – January 2020 Update
- G. Eagle Building Company – monthly Progress Report – Landing of Lexington – January 2020

No discussion on Letters and Communications.

7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – February 6, 2020
- B. Recommendation to Approve Claims and Bills:
Check #'s 13658 through 13662
Check #'s 45909 through 45966
Check #'s 13058 through 13073
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

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

8. ACTION ITEMS:

- A. Second Reading - Planning Commission Recommendation to Approve Ordinance NO. 20-02 – An Ordinance of the City Council of Lexington, Minnesota Changing Zoning Districts

Mayor Murphy asked Tom Clasin, Vice President of Knowlan's Super Markets, Inc, to provide comments. Mr. Clasin stated he was at the meeting on behalf of Festival Foods. He explained that he has worked for Knowlan's Super Markets, Inc. since 1977, which has been operating Festival Foods in Lexington since 1985. He added that on behalf of Festival Foods, they strongly support the construction of Lexington Lofts. Discussion ensued.

Attorney Glaser summarized the 2nd reading of Ordinance NO. 20-02 – An Ordinance of the City Council of Lexington, Minnesota Changing Zoning Districts. He stated that the parcels of land on the eastside of the property in question need to be rezoned from an R-3 to an M-1 zone.

Councilmember Devries made a motion to Approve Ordinance NO. 20-02 – An Ordinance of the City Council of Lexington, Minnesota Changing Zoning Districts. Councilmember Harris seconded the motion. Motion carried 5-0.

- B. Second Reading - Planning Commission Recommendation to approve Ordinance NO. 20-03 – An Ordinance of the City Council of Lexington, Minnesota Approving a Planned Unit Development for the Plat of Lexington Lofts***

Attorney Glaser summarized the 2nd reading of Ordinance No. 20-03. He explained the variances requested for the planned unit development proposed by Norhart to accommodate the construction of a 355 unit apartment complex.

Councilmember Hughes stated that he is not in favor of this development as presented. He feels the City is giving the developer too much, as the planned unit development varies too much from the zoning regulations. He questioned where it will end.

Councilmember Devries stated that the owner of Ephesians told him that he is only planning on building a 3-story complex on DuWayne Ave. Discussion ensued.

Councilmember Harris commented that Paster Property is more of a commercial location because it is located directly behind Northway Mall and other area businesses. She feels that the proposed Lexington Lofts fits the property and will blend in with the mall. She added that Norhart has been thoughtful in their development and presentation of this project and she supports this project.

Councilmember Winge feels this project fits the location better than Ephesians. He supports this project. Discussion ensued.

Mayor Murphy added that Lexington Lofts has an overwhelming support of local businesses, and we want to improve our tax base to offset the rising costs of providing services and tax levies that we can't control – Centennial School District, Rice Creek Watershed District, Anoka County, etc. Murphy stated the construction of Lexington Lofts will benefit the City for the long-term. He understands it is a big change, but it is necessary. Discussion ensued.

Councilmember Devries called for a vote. Mayor Murphy asked for a motion.

Councilmember Devries made a motion to approve Ordinance NO. 20-03 – An Ordinance of the City Council of Lexington, Minnesota Approving a Planned Unit Development for the Plat of Lexington Lofts. Councilmember Harris seconded the motion.

Mayor Murphy asked for a roll call vote.

***Roll call vote: Devries – Yes; Harris- Yes; Hughes – No; Winge – Yes; Mayor Murphy – Yes.
Motion carried 4-1***

- C. Second Reading - Planning Commission Recommendation to Approve Ordinance NO. 20-04 – An Ordinance Revising Chapter 11 Regarding the Regulation of Zoning Amendments – Outdoor Storage

Attorney Glaser summarized the second reading of Ordinance No. 20-04 explaining that the Planning Commission has been working on changes to the outdoor storage regulations for approximately a year. He added that this ordinance was crafted based on ordinances from Blaine and Centerville. Discussion ensued.

Councilmember Hughes made a motion to Approve Ordinance NO. 20-04 – An Ordinance Revising Chapter 11 Regarding the Regulation of Zoning Amendments – Outdoor Storage. Councilmember Harris seconded the motion. Motion carried 5-0.

- D. Recommendation to Approve Resolution NO. 20-07 – A Resolution of the City Council of the City Council of Lexington, Minnesota Approving Summary Publication of Ordinance No. 20-02 and Ordinance No. 20-03

Councilmember Harris made a motion to approve Resolution NO. 20-07 – A Resolution of the City Council of the City Council of Lexington, Minnesota Approving Summary Publication of Ordinance No. 20-02 and Ordinance No. 20-03. Councilmember Winge seconded the motion. Motion carried 5-0.

- E. Recommendation to Approve Resolution NO. 20-08 – A Resolution of the City Council of Lexington, Minnesota Approving Summary Publication of Ordinance No. 20-04

Councilmember Harris made a motion to Approve Resolution NO. 20-08 – A Resolution of the City Council of Lexington, Minnesota Approving Summary Publication of Ordinance No. 20-04. Councilmember Harris seconded the motion. Motion carried 5-0.

- F. Recommendation to Approve Resolution NO. 20-09 – A Resolution Ordering Improvements and Preparation of Plans – Jackson Avenue between Restwood Avenue and Woodland Road

Councilmember Harris made a motion to Approve Resolution NO. 20-09 – A Resolution Ordering Improvements and Preparation of Plans – Jackson Avenue between Restwood Avenue and Woodland Road. Councilmember Hughes seconded the motion. Motion carried 5-0.

9. MAYOR AND COUNCIL INPUT

Mayor Murphy thanked the Lexington Firefighters for assisting with the fire in Becker Minnesota.

10. ADMINISTRATOR INPUT

Petracek stated that Police Chief Jim Coan will be retiring in the summer of 2020 and that the Police Governing Board has hired Baker Tilly to conduct a police chief search to replace Chief Coan. It is anticipated that the new chief of police will start the summer of 2020. discussion ensued.

11. ADJOURNMENT

Councilmember Hughes made motion to adjourn the meeting at 8:00 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.

