

**AGENDA**  
**REGULAR PLANNING COMMISSION MEETING**  
**March 14, 2023 - 7:00 P.M.**  
**9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER
  - A. Roll Call: Chairperson Bautch, Commissioners, Thorson, Koch and Murphy
2. CITIZENS FORUM
3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
4. LETTERS AND COMMUNICATION
  - A. Building Permits for February 2023 pg.1
5. APPROVAL OF PLANNING COMMISSION MINUTES
  - A. February 14, 2023 pg. 2-3
6. DISCUSSION ITEM:  
NONE
7. NOTE COUNCIL MINUTES:
  - A. February 2, 2023 pg. 4-5
  - B. February 16, 2023 pg. 6-9
8. PLANNING COMMISSION INPUT
9. ADJOURNMENT



## Permits Issued and Fees

From Date: 02/01/2023  
 To Date: 02/28/2023  
 Permit Type: City of Lexington Building Permit  
 All Cities And Townships: N

| Permit#             | Subtype       | Issue Date | Address               | Applicant                    | Type of Construction  | Completed Value | Revenue    | Plan Check | State Surcharge | Park Fees | SAC Units | SAC Fees   | WAC Fees   | Total Fees  |
|---------------------|---------------|------------|-----------------------|------------------------------|-----------------------|-----------------|------------|------------|-----------------|-----------|-----------|------------|------------|-------------|
| LEX23-000010        | Building      | 02/14/2023 | 9115 JACKSON AVE      | Innovative Building & Design | Residential Siding    | \$3,200.00      | \$146.00   |            |                 |           |           |            |            | \$146.00    |
|                     | Building: 1   |            |                       |                              |                       | \$3,200.00      | \$146.00   |            |                 |           |           |            |            | \$146.00    |
| LEX23-000012        | Mechanical    | 02/21/2023 | 8930 ALBERT AVE       | The Fireplace Guys           | Residential Fireplace | \$8,200.00      | \$40.00    |            | \$1.00          |           |           |            |            | \$41.00     |
| LEX23-000014        | Mechanical    | 02/23/2023 | 9515 DUNLAP AVE       | AQUARIUS HOME SERVICES       | Residential Furnace   | \$5,400.00      | \$40.00    |            | \$1.00          |           |           |            |            | \$41.00     |
|                     | Mechanical: 2 |            |                       |                              |                       | \$13,600.00     | \$80.00    |            | \$2.00          |           |           |            |            | \$82.00     |
| LEX23-000013        | Plumbing      | 02/23/2023 | 9040 NORTH HIGHWAY DR | Industrial Utilities Inc     |                       | \$20,000.00     | \$421.84   | \$274.20   | \$10.00         |           |           |            |            | \$706.04    |
| LEX23-000011        | Plumbing      | 02/16/2023 | 3640 CENTERWOOD RD    | Five Star Bath Solutions     |                       | \$11,555.00     | \$385.00   |            | \$5.78          |           |           |            |            | \$390.78    |
| LEX23-000009        | Plumbing      | 02/09/2023 | 9361 DUNLAP AVE       | HERO PHC                     |                       | \$7,395.00      | \$249.70   |            | \$1.00          |           |           |            |            | \$250.70    |
|                     | Plumbing: 3   |            |                       |                              |                       | \$38,950.00     | \$1,056.54 | \$274.20   | \$16.78         |           |           |            |            | \$1,347.52  |
| GRAND TOTAL:        | 6             |            |                       |                              |                       | \$55,750.00     | \$1,282.54 | \$274.20   | \$18.78         |           |           |            |            | \$1,575.52  |
| YEAR RUNNING TOTAL: | 82            |            |                       |                              |                       | \$964,103.68    | \$0.00     | \$3,548.94 | \$276.90        |           |           | \$2,485.00 | \$1,800.00 | \$25,532.45 |

**MINUTES**  
**REGULAR PLANNING COMMISSION MEETING**  
**FEBRUARY 14, 2023 - 7:00 P.M.**  
**9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER

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

*Chairperson Bautch called to order the Regular Planning Commission meeting on February 14, 2023 at 7:00 p.m. Commissioners Present: Michelle Koch, Gloria Murphy, and Ron Thorson. Also present: Brandon Winge, City Councilmember; Bill Petracek, City Administrator*

2. CITIZENS FORUM

*No citizens were present to address the Planning Commission on items not on the agenda.*

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

*Koch made a motion to approve the agenda as typewritten. Murphy seconded the motion. Motion carried 4-0.*

4. LETTERS AND COMMUNICATION

A. Building Permits for January 2023

*No discussion on January building permits.*

5. APPROVAL OF PLANNING COMMISSION MINUTES

B. January 10, 2023

*Thorson made a motion to approve the January 10, 2023 Planning Commission Minutes with a correction. Koch seconded the motion. Motion carried 4-0.*

6. DISCUSSION ITEM:

A. NONE

*No discussion*

7. NOTE COUNCIL MINUTES:

A. January 5, 2023

B. January 19, 2023

*Some discussion on City Council minutes.*

## 8. PLANNING COMMISSION INPUT

*Thorson talked about nuisance wild turkey's on Hamline Ave. Discussion ensued.*

*Petracek explained that Scooter's Coffee is interested in a property on North Highway Drive and Woodland Ave. The company has been negotiating with the land owner and conducting traffic counts for the property. He stated that the property needs to be rezoned from an R-2 zone to an M-1 or M-2 zone before they can begin submitting plans for approval. The rezoning is contiguous with adjacent M-1 and M-2 zones, so the city attorney will not have a problem with this. Discussion ensued. Petracek stated he is unsure of the timeframe on this process for the land purchase.*

## 9. ADJOURNMENT

*Thorson made a motion to adjourn at 7:36 p.m. Koch seconded the motion. Motion carried 4-0.*

**MINUTES  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
FEBRUARY 2, 2023– 7:00 P.M.  
9180 LEXINGTON AVENUE**

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER:** – Mayor Grote

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

*Mayor Grote called to order the Regular City Council meeting for February 2, 2023 at 7:00 p.m. Councilmember's present: Harris, Devries, and Winge. Excused Absence: Councilmember Benson. Also Present: Chris Galiov, Finance Director; Kurt Glaser, City Attorney.*

**3. CITIZENS FORUM**

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

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

*Councilmember Devries made a motion to approve the agenda with the removal of both closed sessions. Councilmember Devries also suggested tabling the discussion on item 6 B from Letters and Communications in order to get more information at the next meeting. Councilmember Harris seconded the motion. Motion carried 4-0.*

**5. INFORMATIONAL REPORTS:**

- A. Airport (Councilmember Devries) – *No meeting held*  
B. Cable Commission (Councilmember Winge) *Quarterly meetings – No meeting held.*  
C. City Administrator (Bill Petracek) *Not present.*

**6. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Reports 1-11 through 1-24, 2023  
B. Minnesota Pollution Control Agency –Administrative Penalty Order  
C. Council Workshop meeting minutes – January 19, 2023

*No discussion on Letters and Communications*

**6. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – January 19, 2023  
B. Recommendation to Approve Claims and Bills:  
Check #'s 49866 through 49924

Check #'s 14608 through 14613  
Check #'s 14614 through 14625

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

## **7. ACTION ITEMS:**

- A. 1<sup>st</sup> Reading of Proposed Ordinance NO. 23-02 An Ordinance Regarding  
Native Landscape

*Attorney Glaser presented a summary of the ordinance. He explaining that the new ordinance would help find a good balance between the desire of residents to grow native grass on their properties and the ability of the City to control property maintenance. Discussion ensued. Attorney Glaser answered Council questions regarding the permitting and inspecting, as well as the wording of the proposed Ordinance. Attorney Glaser advised that this is only a first reading of the ordinance and there is no need to take a motion.*

- B. Recommendation to approve Minnesota State High School League request  
to use Memorial Park ball fields for Section 4AAA Softball Tournament

- May 24
- May 25 (May 26 rain back up date)
- May 30
- June 1 (June 2 rain back up date).

*Councilmember Devries noted that this is an annual event that is beneficial to the City, and the League is very responsible when using the fields.*

*Councilmember Devries made a motion to approve the use of the ball fields. Councilmember Harris seconded the motion. Motion carried 4-0.*

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

*Council did not have any input.*

## **9. ADMINISTRATOR INPUT**

*Finance Director Galiov informed the Council that a Sales Tax Audit of the City's liquor store has successfully concluded. He gave a brief description of the findings, noting only a couple of minor corrections after review of three years' worth of records.*

## **10. ADJOURNMENT**

*Councilmember Devries made motion to adjourn the meeting at 7:12 p.m. Councilmember Winge seconded the motion. Motion carried 4-0.*

**MINUTES  
PUBLIC HEARING  
&  
REGULAR COUNCIL MEETING  
FEBRUARY 16, 2023– 7:00 P.M.  
9180 LEXINGTON AVENUE**

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER: – Mayor Grote**

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

*Mayor Grote called to order the Public Hearing meeting for February 16, 2023 at 7:00 p.m. Councilmember's present: Devries and Winge. Excused Absence: Councilmember Benson and Harris. Also Present: Chris Galiov, Finance Director; Kurt Glaser, City Attorney; Steve Winter, City Engineer. Citizens for the public hearing.*

**PUBLIC HEARING**

**PUBLIC HEARING:**

**PUBLIC HEARING: THE CITY COUNCIL WILL TAKE COMMENTS ON THE 2023 STREET IMPROVEMENTS, THE PROPOSED IMPROVEMENT OF THE FOLLOWING STREETS: DUNLAP AVENUE BETWEEN RESTWOOD ROAD AND FLOWERFIELD ROAD**

*William Farbelo  
8740 Dunlap Ave.  
Lexington, Mn*

*Mr. Farbelo asked about garbage pick-up and if there was a possibility of the city going to a single waste hauler. He feels that the streets are being beaten up from too many waste haulers allowed in the city. Discussion ensued.*

*Judy Bell  
8824 Dunlap Ave.  
Lexington, Mn.*



*Ms. Bell feels that the roads in Lexington are treacherous. She used to live in Blaine and feels that Lexington doesn't do a very good job of maintaining roads. She added that she also feels that the city should have just one waste hauler and the city should look into this. Discussion ensued.*

**Karen Johnson**  
8887 Dunlap Ave.  
Lexington, MN.

*Ms. Johnson asked if someone could provide the actual costs per resident for the assessment on this project. Steve Winter, City Engineer, stated he could provide that information following the public hearing.*

### **3. ADJOURN PUBLIC HEARING**

*Councilmember Devries made motion to adjourn the public hearing at 7:17 p.m. Councilmember Winge seconded the motion. Motion carried 3-0.*

## **CITY OF LEXINGTON REGULAR COUNCIL MEETING FEBRUARY 16, 2023– 7:00 P.M. 9180INGTON AVENUE**

- 4. CALL TO ORDER: – Mayor Grote**  
A. Roll Call - Council Members: DeVries, Harris, Winge and Benson

*Mayor Grote called to order the Public Hearing meeting for February 16, 2023 at 7:17 p.m. Councilmember's present: Devries and Winge. Excused Absence: Councilmember Benson and Harris. Also Present: Chris Galiov, Finance Director; Kurt Glaser, City Attorney; Steve Winter, City Engineer. Citizens for the public hearing.*

### **5. CITIZENS FORUM**

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

### **6. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS**

*Councilmember Devries made a motion to approve the agenda with the removal of closed session item to discuss personnel issues. Councilmember Winge seconded the motion. Motion carried 3-0.*

### **7. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Reports – 1-25 through 2-7-2023

- B. City Report – January 2023
- C. North Metro TV – January 2023 Update
- D. Public Notice
- E. Minnesota Pollution Control Agency – Administrative Penalty Order

*Petracek explained the letter from MPCA regarding the administrative penalty order and the background on the MPCA audit in regards to our storm water discharge permit process. He explained that we were going to get a monetary penalty regardless of how well the auditing process went. He added that we had some deficiencies in our storm water discharge permit program that needed some updating and we have made those changes and are now compliant with MPCA's orders.*

*He said the \$2,700 penalty was explained to him by MPCA official as the State's way of offsetting their costs for the auditing process – there was potential for a \$10,000 penalty - and the idea of appealing the process would not be advised. He stated that the costs to have the city attorney and the city engineer to help us appeal the process would not be worth the effort and costs. Petracek directed the finance director to pay the penalty. Discussion ensued.*

## 2. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:  
Council Meeting – February 2, 2023
- B. Recommendation to Approve Claims and Bills:  
Check #'s 49925 through 49977  
Check #'s 14628 through 14634  
Check #'s 14635 through 14640  
Check #'s 14644 through 14654
- 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 3-0.*

## 3. ACTION ITEMS:

- A. Recommendation to approve Resolution NO. 23-07 A Resolution Ordering Improvement and Preparation of Plans

*Councilmember Winge made a motion to approve Resolution NO. 23-07 A Resolution Ordering Improvement and Preparation of Plans. Councilmember Devries seconded the motion. Motion carried 3-0.*

- B. Second Reading and Recommendation to approve Ordinance NO. 23-02 An Ordinance Regarding Native Landscape

*Attorney Glaser provided an overview of Ordinance No. 23-02 as the second reading. Discussion ensued.*

*Councilmember Devries made a motion to approve Ordinance NO. 23-02 An Ordinance Regarding Native Landscape. Councilmember Winge seconded the motion. Motion carried 3-0.*

#### 4. MAYOR AND COUNCIL INPUT

*No input from Mayor and City Council*

#### 5. ADMINISTRATOR INPUT

*No input from the administrator.*

#### 6. CLOSED SESSION

*Attorney Glaser explained the need to go into closed session to discuss the lawsuit with the City of Blaine regarding our water system.*

*Councilmember Devries made a motion to go into closed session at 7:37 pm pursuant to Minnesota Statute Section 13D.05, subdivision 3(b), and is permitted by the attorney-client privilege to discuss the pending litigation versus the City of Blaine regarding the interconnected water and sewer systems. Councilmember Winge seconded the motion 3-0.*

- This portion of the meeting is closed pursuant to Minnesota Statute Section 13D.05, subdivision 3(b), and is permitted by the attorney-client privilege to discuss the pending litigation versus the City of Blaine regarding the interconnected water and sewer systems.

*Councilmember Devries made a motion to reconvene into open session at 8:06 pm. Councilmember Winge seconded the motion. Motion carried 3-0.*

#### 7. ADJOURNMENT

*Councilmember Winge made motion to adjourn the meeting at 8:06 p.m. Councilmember Devries seconded the motion. Motion carried 3-0.*

No workshop was held.

