

AGENDA
REGULAR PLANNING COMMISSION MEETING
December 11, 2018 - 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
5. Building Permits for November 2018 pg. 1-3
6. APPROVAL OF PLANNING COMMISSION MINUTES
 - A. November 13, 2018 pg. 4-5
7. DISCUSSION ITEM:
 - A. **NO DISCUSSION ITEMS**
8. NOTE COUNCIL MINUTES:
 - A. November 1, 2018 pg. 6-10
 - B. November 15, 2018 pg. 11-13
9. PLANNING COMMISSION INPUT
10. ADJOURNMENT

City of Lexington
Permits Issued & Fees Report - Detail by Address

Issued Date From: 11/1/2018 To: 11/30/2018
 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 Addition													
2018-00092	11/19/2018	4175 LOVELL RD	0		109,500.00	1,378.07	895.75	54.75					2,328.57
Permit Kind: Commercial New Construction													
2018-00080	11/14/2018	4175 LOVELL RD	0		25,650,000.00	125,434.99	81,532.74	2,532.50		173	429,905.00		639,405.23
Permit Kind: Commercial Remodel													
Permit Kind: Commercial Roofing													
Permit Kind: Commercial Siding													
Permit Kind: Commercial Sign - Permanent													
Permit Kind: Multi-Dwelling (2+ Units) New Construction													
Permit Kind: Residential Accessory Building													
Permit Kind: Residential Deck/Porch													
Permit Kind: Residential Demolition													
2018-00086	11/08/2018	8864 HAMLINE AVE	0			100.00		1.00					101.00
2018-00081	11/05/2018	3825 LIBERTY LN	0			100.00		1.00					101.00
Permit Kind: Residential New Construction													
Permit Kind: Residential Remodel													
Permit Kind: Residential Repair													
Permit Kind: Residential Roofing													
2018-00089	11/08/2018	9270 DUNLAP AVE	0			145.00		1.00					146.00
2018-00094	11/14/2018	9128 JACKSON AVE	0			145.00		1.00					146.00
2018-00091	11/13/2018	8830 N HIGHWAY DR	0			145.00		1.00					146.00
2018-00095	11/20/2018	8835 S HIGHWAY DR	0			145.00		1.00					146.00

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	Surcharge	State Fees	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Building														
Permit Kind: Residential Siding														
2018-00088	11/08/2018	9270 DUNLAP AVE	0	0	25,000.00	145.00		1.00						146.00
Permit Type: Building - Totals														
Period			9	0	25,784,500.00	127,738.06	82,428.49	2,594.25			173	429,905.00		642,665.80
YTD			62	0	40,113,002.46	214,479.04	135,559.58	5,349.35			265	658,525.00		1,025,312.97
Permit Type: Mechanical														
Permit Kind: Commercial New Construction														
Permit Kind: Commercial Remodel														
Permit Kind: Residential Addition														
Permit Kind: Residential Remodel														
2018-00096	11/26/2018	8950 ALBERT AVE	0	0		40.00		1.00						41.00
2018-00090	11/09/2018	8913 ARONA AVE	0	0		40.00		1.00						41.00
2018-00084	11/06/2018	3827 Minuteman	0	0		40.00		1.00						41.00
Permit Type: Mechanical - Totals														
Period			3	0		120.00		3.00						123.00
YTD			14	0	585,000.00	12,180.00	7,605.00	304.50						20,089.50
Permit Type: Plumbing														
Permit Kind: Commercial New Construction														
Permit Kind: Commercial Remodel														
Permit Kind: Residential New Construction														
Permit Kind: Residential Remodel														
2018-00082	11/05/2018	9217 RYAN PL	0	0		40.00		1.00						41.00
Permit Type: Plumbing - Totals														
Period			1	0		40.00		1.00						41.00
YTD			6	0	948,440.00	19,348.80	4,926.20	478.22						24,753.22

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Fees	WAC Fees	Total Fees
Permit Type: Zoning												
Permit Kind: Residential Driveway												
2018-00093	11/13/2018	3881 FLOWERFIELD RD	0	0		60.00						60.00
Permit Kind: Residential Fence/Wall < 6 FT												
Permit Type: Zoning - Totals												
			1	0		60.00						60.00
			8	0		480.00						480.00
Report Total												
			14	0	\$25,784,500.00	127,958.06	82,428.49	2,598.25	173	429,905.00		642,889.80
			90	0	\$41,646,442.46	246,487.84	148,090.78	6,132.07	265	658,525.00		1,070,635.69

Minutes
REGULAR PLANNING COMMISSION MEETING
November 13, 2018 - 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 November 13, 2018 at 7:00 p.m. Commissioners Present: John Bautch, Michelle Koch, Gloria Murphy, and Ron Thorson. Also present: John Hughes, Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney.

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

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

4. LETTERS AND COMMUNICATION

- A. Building Permits for October 2018

Discussion on the accessory building permit at 8854 N. Highway Drive

5. APPROVAL OF PLANNING COMMISSION MINUTES

- A. October 9, 2018

Bautch made a motion to approve the October 9, 2018 minutes. Koch seconded the motion. Motion carried 5-0.

6. DISCUSSION ITEM:

- A. Discuss Proposed Planned Unit Developments Ordinance

Attorney Glaser explained the need for having a Planned Unit Development Ordinance in the code book due to tightened rules for granting a variance at the State level. He added that this ordinance will allow you to consider a project, but say, "no" to a developer if they bring a crazy project to the City that does not meet your standards. He also explained that this ordinance allows you to recruit developers by using a PUD as an incentive. Discussion ensued.

Vanderbloomer asked if a project didn't meet the Comprehensive Plan requirements, would that disallow a proposed project. Glaser stated that if it fits the political environment to change the Comp Plan, no, it would not. Discussion ensued.

Vanderbloomer asked if there are any downsides to this ordinance. Glaser replied by saying if you have a network of people in local politics that would let their friends do whatever they want would be a potential downside. He cited an example in Centerville where the Commission and Council knew an individual and was well liked, and was granted permission to do a project in a residential zone that was questionable. Discussion ensued.

Bautch asked about Section 11.859 (2C) on what defines a minor change. Glaser stated that the Commission can define what a minor change would be in the ordinance. Discussion ensued.

Murphy asked about the cost of an application for a PUD. Petracek stated he is working on a specific fee for a PUD, but explained that in big projects such as the Ephesians and Landings of Lexington, fees for consultants to set-up a PUD and such are generally addressed in the development agreement due to the high costs to the developer during this process. Discussion ensued.

7. NOTE COUNCIL MINUTES:

- A. October 4, 2018
- B. October 18, 2018

Murphy asked about the Lovell Road speed issues brought forward by Joe Ackerman. Petracek explained that the County has commissioned a traffic study to determine the need for better speed controls. Discussion ensued.

Some discussion on the Parkview Lawsuit.

8. PLANNING COMMISSION INPUT

Bautch stated there is a pothole at Lake Dr. and Albert Ave.

Bautch asked about O'Reillys construction. Petracek stated he had nothing to report on O'Reillys. He added that there has been no discussion with O'Reillys.

9. ADJOURNMENT

Bautch made a motion to adjourn at 8:07 p.m. Koch seconded the motion. Motion carried 5-0.

**Unapproved minutes
CITY OF LEXINGTON
PUBLIC HEARING
&
REGULAR COUNCIL MEETING
NOVEMBER 1, 2018 – 7:00 P.M.
9180 LEXINGTON AVENUE**

PUBLIC HEARING #1

1. CALL TO ORDER: – Mayor Kurth

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

*Mayor Kurth called to order public hearing #1 for November 1, 2018 at 7:00 p.m.
Councilmembers present: Devries, Harris, and Murphy. Excused Absence: Hughes*

Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Ryan Lunderby, Logan Schmidt and other representatives from Dominium Acquisitions, LLC.; Quad Press Press Reporter, Joe Ackerman, Citizen; Centennial High School Students.

- A. **PUBLIC HEARING #1: The purpose the public hearing will be to take public comments on approving a Resolution Authorizing A Housing Program to Finance A Multifamily Housing Project and Approving Issuance and Sale of Multifamily Housing Revenue Refunding Note (Landings of Lexington Project), Series 2018 Pursuant to Minnesota Statutes, Chapter 462C.**

No citizens were present to comment on Public Hearing #1

2. ADJOURN PUBLIC HEARING #1

*Councilmember Harris made a motion to adjourn public hearing #1 at 7:01 p.m.
Councilmember Devries seconded the motion. Motion carried 4-0.*

PUBLIC HEARING #2

3. CALL TO ORDER: – Mayor Kurth

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

*Mayor Kurth called to order public hearing #2 for November 1, 2018 at 7:02 p.m.
Councilmembers present: Devries, Harris, and Murphy. Excused Absence: Hughes*

Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Ryan Lunderby, Logan Schmidt and other representatives from Dominion Acquisitions, LLC.; Quad Press Press Reporter, Joe Ackerman, Citizen; Centennial High School Students.

PUBLIC HEARING #2: The purpose of the public hearing will be to take public comments on the proposed vacation of a public utility easement on the parcel Lexington Park, Block 1, Lot 8. The reason for this vacation is to accommodate a proposed replatting of the parcel for a plat named, Landings Of Lexington.

No citizens were present to comment on Public Hearing #2

4. ADJOURN PUBLIC HEARING #2

Councilmember Murphy made a motion to adjourn public hearing #2 at 7:03 p.m. Councilmember Devries seconded the motion. Motion carried 4-0.

**AGENDA
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
NOVEMBER 1, 2018 – 7:00 P.M.
9180 LEXINGTON AVENUE**

5. CALL TO ORDER: – Mayor Kurth

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

Mayor Kurth called to order the Regular City Council meeting for November 1, 2018 at 7:03 p.m. Councilmembers present: Devries, Harris, and Murphy. Excused Absence: Hughes

Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Ryan Lunderby, Logan Schmidt and other representatives from Dominion Acquisitions, LLC.; Quad Press Press Reporter, Joe Ackerman, Citizen; Centennial High School Students.

6. CITIZENS FORUM

*Joe Ackerman
3875 Lovell Road
Lexington, MN.*

Mr. Ackerman was present to discuss the letter he had received from Anoka County regarding the speeding on Lovell Road. Ackerman read the letter to the Council, which stated that a study would be conducted Lovell Road to determine the need for speed control measures. Discussion ensued.

7. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

8. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Harris) – *Councilmember Harris stated the next meeting is November 14th at 4:00 p.m.*
- B. Cable Commission (Councilmember Murphy)- *No report given.*
- C. City Administrator (Bill Petracek) – *Petracek stated Mohammed Elsharkaway has opted not to accept the part-time position with public works and Bob Hunt would stay on longer. Discussion ensued.*

9. LETTERS AND COMMUNICATIONS:

- A. Workshop Minutes October 18, 2018
- B. City of Blaine: Notice to LUGs Regarding WHP Plan Approval and Implementation Intent
- C. Centennial Lakes Police Department Media Report October 10-16, 2018
- D. Centennial Lakes Police Department Media Report October 17-23, 2018

No discussion on Letters and Communications

10. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – October 18, 2018
- B. Recommendation to Approve Claims and Bills:
Check #'s 44084 through 44129
Check #'s 12241 through 12266

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

11. ACTION ITEMS:

- A. Second Reading and Planning Commission's recommendation to approve Ordinance No. 18-01 - An Ordinance Amending City Code 11.34 Dimensional Requirements-

Schedule of Zoning District Regulations For Area, Bulk, Placement and Land Use Intensity

Councilmember Devries made a motion to approve Ordinance No. 18-01 - An Ordinance Amending City Code 11.34 Dimensional Requirements-Schedule of Zoning District Regulations For Area, Bulk, Placement and Land Use Intensity. Councilmember Murphy seconded the motion. Motion carried 4-0.

- B. Second Reading and Recommendation to approve Ordinance No. 18-02 - An Ordinance Repealing Ordinance 16-03 Regarding the Regulation of Private Water Supplies

Councilmember Murphy made a motion to approve Ordinance No. 18-02 - An Ordinance Repealing Ordinance 16-03 Regarding the Regulation of Private Water Supplies. Councilmember Harris seconded the motion. Motion carried 4-0.

- C. Second Reading and Recommendation to approve Ordinance No. 18-03 - A Resolution of the City Council of Lexington, Minnesota Approving a Planned Unit Development and Conditional Use Permit for the Landings of Lexington.

Councilmember Devries made a motion to approve the amended Ordinance No. 18-03 - A Resolution of the City Council of Lexington, Minnesota Approving a Planned Unit Development and Conditional Use Permit for the Landings of Lexington. Councilmember Murphy seconded the motion. Motion carried 4-0.

- D. Recommendation to approve Resolution 18-28 – A Resolution Approving A Housing Program to Finance A Multifamily Housing Project and Approving Issuance and Sale of Multifamily Housing Revenue Refunding Note (Landings of Lexington Project), Series 2018 Pursuant to Minnesota Statutes, Chapter 462C

Councilmember Harris made a motion to approve Resolution 18-28 – A Resolution Approving A Housing Program to Finance A Multifamily Housing Project and Approving Issuance and Sale of Multifamily Housing Revenue Refunding Note (Landings of Lexington Project), Series 2018 Pursuant to Minnesota Statutes, Chapter 462C. Councilmember Devries seconded the motion. Motion carried 4-0.

- E. Recommendation to approve Resolution 18-29 – A Resolution Approving the Vacation of Easement (Otte Property) – Landings of Lexington

Councilmember Harris made a motion to approve Resolution 18-29 – A Resolution Approving the Vacation of Easement (Otte Property) – Landings of Lexington. Councilmember Murphy seconded the motion. Motion carried 4-0.

- F. Recommendation to approve Development Agreement – Landings of Lexington.

Councilmember Harris made a motion to Development Agreement – Landings of Lexington. Councilmember Devries seconded the motion. Motion carried 4-0.

- G. Recommendation to approve Resolution 18-30 – A Resolution Approving A Deed of the City of Lexington conveying the Lovell Building at 4175 Lovell Road to Lexington Leased Housing Associates I, LLLP (Dominium Acquisitions, LLC.)

Councilmember Devries made a motion to approve Resolution 18-30 – A Resolution Authorizing the Conveyance of Real Property To Lexington Leased Housing Associates I, LLLP. Councilmember Harris seconded the motion. Motion carried 4-0.

12. MAYOR AND COUNCIL INPUT

Councilmember Devries asked about O'Reilly's expansion. Discussion ensued.

Devries also asked about the culvert that was replaced on Lake Drive by Anoka county. He asked if they were going to place a grate on the ends. Petracek stated he would check with the county. Discussion ensued.

Mayor Kurth reminded people about winter parking rules and asked to have it posted on our facebook page. Petracek stated he would make that happen. Discussion ensued.

13. ADJOURNMENT

Councilmember Murphy made motion to adjourn the meeting at 7:23 p.m. Councilmember Harris seconded the motion. Motion carried 4-0.

**Unapproved minutes
Canvass Election Results
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
NOVEMBER 15, 2018 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. CALL TO ORDER: – Mayor Kurth

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

Mayor Kurth called to order the Regular City Council meeting for November 15, 2018 at 7:00 p.m. Councilmember's present: Devries, Harris, Hughes, and Murphy. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; John Chirhart, Gaughan Company; Centennial High School Students.

2. CITIZENS FORUM

No citizens were present to address the council on items not on the agenda.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

4. Canvass Municipal Election results – State General Election of November 6th, 2018

Mayor Kurth read the election results to the audience. Discussion ensued.

Councilmember Hughes made a motion to accept the Municipal Election results – State General Election of November 6th, 2018. Councilmember Harris seconded the motion. Motion carried 5-0.

5. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports

- 10-24-18 – 10-30-18

- B. Anoka County Transportation Division – Lovell Road Safety Evaluation

- C. Anoka County Parks – October Newsletter

No discussion on Letters and Communications.

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – November 1, 2018
- B. Recommendation to Approve Claims and Bills:
Check #'s 13595 through 13603
Check #'s 44130 through 44195
Check #'s 12267 through 12269
Check #'s 12272 through 12282
Check #'s 12284 through 12296
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

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

7. ACTION ITEMS:

- A. Discuss review of Lovell Building Closing Process

Attorney Glaser provided an explanation to the closing process of the Lovell Building. Discussion ensued. No action was taken.

- B. Discuss Lovell Building Realtor Request – John Chirhart – Gaughan Companies

John Chirhart, Gaughan Companies, discussed discrepancies that were omitted in the approved contract with Gaughan to sell the Lovell Building. He asked that due to the missing language providing for a minimum commission to Gaughan for the sale of the building, and the final price being dropped from \$975,000 to \$200,000, he is requesting that the sales commission be set at a sale price of \$650,000 or \$32,500 commission. Chirhart added that Gaughan Companies had already received payment for the contracted amount of \$10,000 at closing, so the City would pay \$22,500. Discussion ensued.

Mayor Kurth asked if the building sold for more than the list price, would Gaughan give the City a discount on the Commission. Chirhart replied, "No, that is my commission." Discussion ensued.

Petracek explained that the City is making a lot of money on the building permit fees, bond issuance fees, park dedication fees, and TIF funds that aren't a part of the sale

price. He recommended that the Council consider Mr. Chirharts request. Discussion ensued.

Councilmember Devries made a motion to approve the sales commission to Gaughan Companies of \$22,500 based on a \$650,000 sale price. Councilmember Harris seconded the motion. Motion carried 3-2

C. Recommendation to approve Denial of Liability Coverage Waiver Form

Councilmember Murphy made a motion to approve denial of the liability coverage waiver form. Councilmember Hughes seconded the motion. Motion carried 5-0.

D. Recommendation to approve Resolution NO. 18-31 A Resolution Certifying Delinquent Water and Sewer Assessments Against Benefited Property

Councilmember Murphy made a motion to approve Resolution NO. 18-31 A Resolution Certifying Delinquent Water and Sewer Assessments against Benefited Property. Councilmember Devries seconded the motion. Motion carried 5-0.

E. Recommendation to approve Resolution NO. 18-32 A Resolution Of The City Council Of Lexington, Minnesota, Approving Summary Publication Of Ordinance

Councilmember Murphy made a motion to approve Resolution NO. 18-32 A Resolution Of The City Council Of Lexington, Minnesota, Approving Summary Publication Of Ordinance. Councilmember Devries seconded the motion. Motion carried 5-0.

8. MAYOR AND COUNCIL INPUT

Mayor and Council had some discussion on the write-in votes for the 2019 election.

9. ADMINISTRATOR INPUT

No input from the city administrator

10. ADJOURNMENT

Councilmember Devries made a motion to adjourn at 7:24 p.m. Councilmember Hughes seconded the motion. Motion carried 5-0.