

AGENDA
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
MARCH 5, 2020 – 7:00 P.M.
9180 LEXINGTON AVENUE

1. CALL TO ORDER: – Mayor Murphy

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

2. CITIZENS FORUM

This is a portion of the Council meeting where individuals will be allowed to address the Council on subjects which are not a part of the meeting agenda. Persons wishing to speak may be required to complete a sign-up sheet and give it to a staff person at the meeting. The Council may take action or reply at the time of the statement or may give direction to staff for future action based on the concerns expressed.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

4. INFORMATIONAL REPORTS:

- A. Airport (Councilmember DeVries)
B. Cable Commission (Councilmember Winge)
C. City Administrator (Bill Petracek)

5. LETTERS AND COMMUNICATIONS:

- A. Eagle Building Company – Monthly Progress Report – Landings of
Lexington – February 20230 pp. 1-4
B. Anoka County – Coronavirus Informational Resource Contact Information pp. 5-6
C. Park Board meeting minutes – February 3, 2020 pp. 7
D. Centennial Lakes Police Department – Media Report 2-19 / 2-25, 2020 pp. 8-10
E. USagain Certificate of Sustainability pp. 11-13
F. Council Workshop meeting minutes – February 20, 2020 pp. 14-15

Consent Agenda:

The Consent Agenda covers routine administrative matters. These items are not discussed, and are approved in their entirety pursuant to the recommendations on the staff reports. A Council Member or citizen may ask that an item be moved from the Consent Agenda to the end of section 7 of the agenda in order to be discussed and receive separate action.

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – February 20, 2020

pp. 16-21

- B. Recommendation to Approve Claims and Bills:

pp. 22-29

Check #'s 13663 through 13663
Check #'s 45967 through 46012
Check #'s 13076 through 13088
Check #'s 13089 through 13094

Action Items:

These items are intended primarily for Council discussion and action. It is up to the discretion of the Mayor as to what, if any, public comment will be heard on these items. Persons wishing to speak on discussion items must complete a sign-up sheet and give it to a staff person at the meeting.

7. ACTION ITEMS:

- A. Recommendation to approve Compliance Agreement with the Minnesota
Department of Health

pp. 32

- B. First Reading: Ordinance NO. 20-05 – An Ordinance Incorporating Chapter
11.8 – Planned Unit Development

pp. 33-43

- C. Recommendation to approve Entertainment License Application – City Heat
Charities Annual Ride- May 31, 2020

pp. 44-53

- D. Recommendation to accept \$1200.00 donation to Lexington Fire Department
from Mrs. Barbara Decheine and record it in the Fire Department's Capitol
Equipment Fund

pp. 54

8. MAYOR AND COUNCIL INPUT

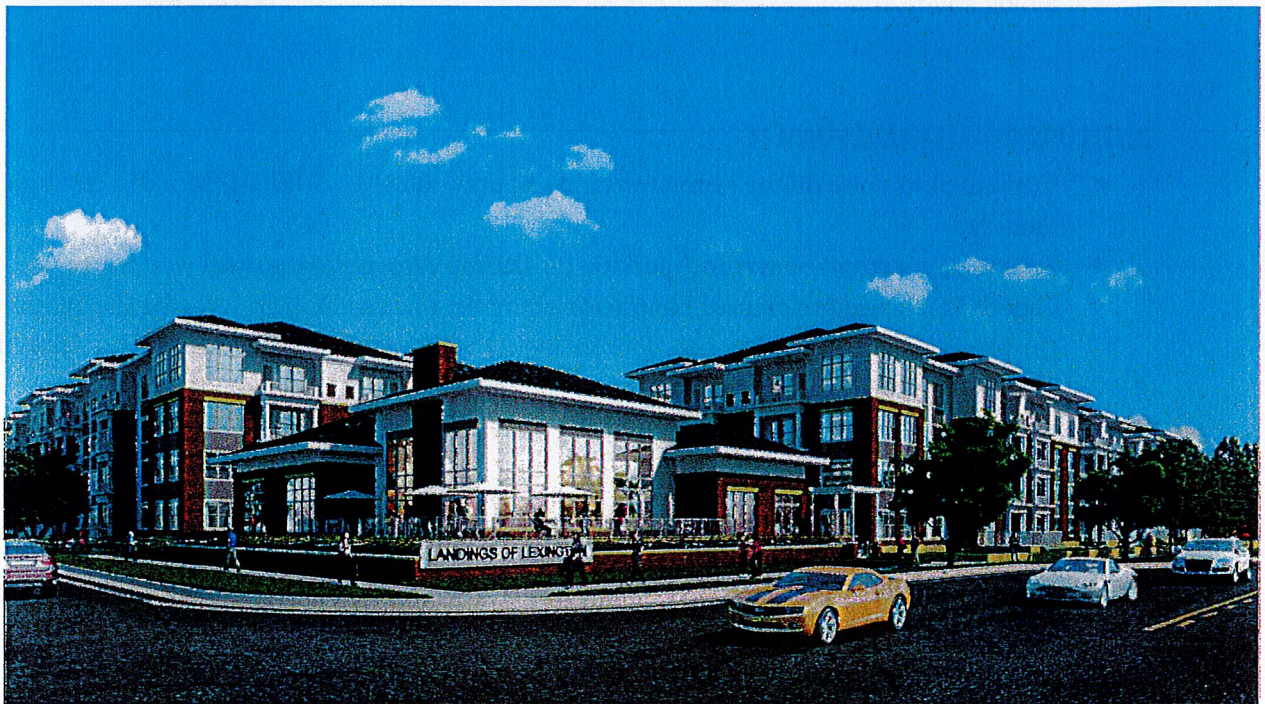
9. ADJOURNMENT

EAGLE BUILDING COMPANY

Monthly Progress Report

Landings of Lexington

February 2020

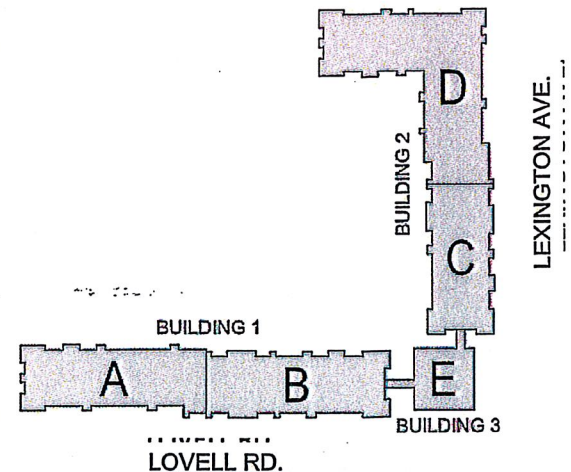


PROJECT STATUS

- Punchlist in areas A & B
- Siding in areas C & D
- Plumbing, mechanical & electrical in areas C, D & E
- Interior finishes in areas C, D & E
- Punchlist in areas C, D & E

3 WEEK LOOK AHEAD

- Retaining wall along Lexington Ave.
- Concrete egress walks throughout site
- Interior Finishes in areas C, D & E
- Plumbing, mechanical & electrical in areas C, D & E
- Siding and in areas C, D & E



NEIGHBORHOOD IMPACT

- Construction noise during normal working hours (7:00AM – 7:00PM) Monday through Saturday.
- Increased construction traffic / parking on Dunlap Ave. during normal working hours.
- City of Lexington has granted contractor permission to use Dunlap Ave. for site access up to the project's north property line. This includes the temporary staging of vehicles delivering construction materials and machinery.

ITEMS TO NOTE

- Safety is our #1 concern. Public must stay outside of the construction fence during working and non-working hours. Also, please be mindful of moving equipment near the construction entrances.

EMAIL

- If you wish to receive this progress report via email, please send us an email with your name to LandingsOfLexington@eaglebuildingllc.com.

Landings of Lexington
February 2020 Progress Report

EAGLE
BUILDING
COMPANY

PROGRESS PHOTOS



Landings of Lexington
February 2020 Progress Report

EAGLE
BUILDING
COMPANY

PROGRESS PHOTOS





Anoka County

COUNTY ADMINISTRATION

Respectful, Innovative, Fiscally Responsible

RHONDA SIVARAJAH
County Administrator

February 27, 2020

Dear Community Partners,

The Anoka County Public Health Department has been closely watching the 2019 Novel Coronavirus (COVID-19) situation. We wanted to make you aware of a reliable resource for information for you and your staff. Anoka County has posted general information on our county website with links to the most up-to-date information for this evolving situation. The site can be found at: www.anokacounty.us/coronavirus.

The links include information on personal and family preparedness; currently, there is no vaccine or tested treatment. Please consider discussing and preparing your family for a possible pandemic where there may be interruptions in work or school. There is also a link on the Anoka County website for travel alerts and advisories from the Center for Disease and Control (CDC) so you can have up-to-date information on how to avoid contact with COVID-19 — this is the most effective way of preventing infection. The recommendations to cover your cough, stay home when you're sick and wash your hands are good health practices to minimize spreading any infection.

Currently, there are no specific recommendations for screening clients or the general public. The information and recommendations are changing often, so please check the Anoka County website and use the links for the CDC and the MN Department of Health (MDH) websites for the most current details.

Thank you for being situationally aware for the benefit of you and our community!

Sincerely,

Rhonda Sivarajah
County Administrator
763-324-4715

Rhonda.Sivarajah@co.anoka.mn.us



COVID-19 Situation Summary (2-27-2020)

Confirmed COVID-19 Cases Global Map



2019 Novel Coronavirus (COVID-19)

- Coronavirus disease 2019 (COVID-19) is a respiratory illness that can spread from person to person. The virus that causes COVID-19 is a novel coronavirus that was first identified during an investigation into an outbreak in Wuhan, China
- Patients with COVID-19 have had mild to severe respiratory illness with symptoms of: fever, cough and shortness of breath
- Testing in the United States continues to only be available at CDC. A 4th Person Under Investigation(PUI) in MN- test sent yesterday
- The MN Department of Health is the lead for Isolation and Quarantine(I & Q) and local public health is responsible for essential services for people in I & Q
- This is an evolving situation and personal preparedness is encouraged with links to additional information at:
www.anokacounty.us/coronavirus

Anoka County Public Health is:

- Maintaining situational awareness by monitoring CDC and MDH communications; preparing essential services
- Reviewing inventory of supplies (to include face masks)
- Messaging to partners and updating website
- Monitoring public messaging: There is currently no vaccine to prevent COVID-19 or specific treatment once you have COVID-19. The best protective recommendation is to avoid being exposed to the COVID-19 virus and follow the same recommendations as for avoiding colds and flu:

⇒ **Stay home when you are sick**

⇒ **Cover your cough**

⇒ **Practice good handwashing**

- There are no current confirmed cases in MN

COVID-19: Confirmed Cases in the United States*†

Travel-related	12
Person-to-person spread	2
Total confirmed cases	14
Total tested	445

COVID-19: Cases among Persons Repatriated to the United States*†

	Wuhan, China	Diamond Princess Cruise Ship†
Positive	3	42

*Numbers closed out at 4 p.m. the day before reporting.

†Cases have laboratory confirmation and may or may not have been symptomatic.

MINUTES
CITY OF LEXINGTON
REGULAR PARK BOARD MEETING MINUTES
February 3, 2020 –5:30 P.M.
9180 Lexington Avenue
Lexington, MN 55014

1. CALL TO ORDER

Roll Call: Present Chairperson Hylton, Commissioners Fields, Murphy, Ginter, and Koch.
Absent – none. Also present - Finance Director Galiov.
Call to order 5:30 pm

2. CITIZENS FORUM

No one wished to address the Board.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Commissioner Koch, seconded by Commissioner Murphy, made motion to approve the agenda. Motion carried.

4. LETTERS AND COMMUNICATION

None.

5. APPROVAL OF PARK BOARD MINUTES

Commissioner Fields, seconded by Commissioner Ginter, made a motion to approve the Park Board Minutes of January 6, 2020. Motion carried.

6. ACTION ITEMS:

None

7. NOTE COUNCIL MINUTES:

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

The Board noted the new fee schedule and the new utility rates. Finance Director Galiov explained the need for the increases. Finance Director Galiov also explained the advantages of the senior rates.

8. PARK BOARD INPUT

Chairperson Hylton asked for suggestions for any new projects, inviting the Board members to present ideas for the upcoming budget years. Finance Director Galiov explained the budget calendar, providing a timeline for any funding requests. Discussion ensued. Finance Director Galiov responded to the Board's inquiry into available funding, that all available funds have been allocated to the 2020 Memorial Park improvements and any significant funding will depend on the approval of new development. The Board also discussed the future of Tot Park and Lexington Lofts.

9. ADJOURNMENT

Commissioner Ginter made a motion to adjourn the meeting. Commissioner Murphy seconded the motion. Meeting adjourned at 5.52 pm.



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
20042460	Feb 19 2020	18:01	MEDICAL	91XX SOUTH HIGHWAY DR	LEXINGTON
Summary: OFFICER DISPATCHED TO THE 9100 BLOCK OF SOUTH HIGHWAY DRIVE ON THE REPORT OF A MEDICAL. BWC. CLEAR.					
20042638	Feb 19 2020	22:15	MEDICAL	38XX LIBERTY LN	LEXINGTON
Summary: MEDICAL OFFICERS WERE DISPATCHED TO THE 3800 BLK OF LIBERTY LN FOR AN ADULT MALE HAVING A MEDICAL EMERGENCY. MALE WAS TRANSPORTED TO THE HOSPITAL VIA AMBULANCE. CLEAR.					
20042519	Feb 19 2020	19:39	FRAUD	19XX MAIN ST	CENTERVILLE
Summary: OFFICER DISPATCHED TO THE 1900 BLOCK OF MAIN STREET ON THE REPORT OF A FRAUD. BWC. CLEAR.					
20042188	Feb 19 2020	12:51	ACCIDENT-MV PI	LEXINGTON AVE / WOODLAND RD	LEXINGTON
Summary: PI ACCIDENT. DISPATCHED TO 9200 BLOCK OF LEXINGTON AVE ON A PERSONAL INJURY ACCIDENT. INFORMATION COLLECTED.					
20042378	Feb 19 2020	16:20	VEHICLE- LOCKOUT		CIRCLE PINES
20042221	Feb 19 2020	13:40	ORDINANCE VIOLATION	1XX SOUTH DR	CIRCLE PINES
Summary: STORAGE AND DISPOSAL OF REFUSE VIOLATION OBSERVED WITHIN THE 100 BLOCK OF SOUTH DRIVE. PENDING.					
20041855	Feb 19 2020	02:25	HOUSE/PROPERTY CHECK		CENTERVILLE
20042016	Feb 19 2020	09:40	ORDINANCE VIOLATION	XX EAST RD	CIRCLE PINES
Summary: OFFICERS FOLLOWED UP ON AN ORDINANCE VIOLATION ON THE 90 BLOCK OF EAST ROAD. CITATION ISSUED.					
20042742	Feb 20 2020	04:34	BARKING DOG - DISTURBING	XX EAST RD	CIRCLE PINES
Summary: BARKING DOG DISTURBING. OFFICERS WERE DISPATCHED TO THE 20 BLK OF EAST RD FOR A BARKING DOG COMPLAINT. OWNER WAS VERBALLY WARNED. CLEAR.					
20043114	Feb 20 2020	15:03	FRAUD	89XX DUWAYNE AVE	LEXINGTON
Summary: OFFICER DISPATCHED A PHONE CALL TO THE 8900 BLOCK OF DUWAYNE REGARDING FRAUD. CLEAR.					
20043210	Feb 20 2020	17:10	THEFT	XX VILLAGE PKWY	CIRCLE PINES
Summary: FRAUD. OFFICERS WERE DISPATCHED TO A PHONE CALL FRAUD REPORT. OFFICERS TOOK INFORMATION FROM A VICTIM OF A PHONE SCAM WHO HAD LOST \$5000. NO KNOWN SUSPECTS. CLEAR.					
20042828	Feb 20 2020	08:33	MEDICAL	39XX RESTWOOD RD	LEXINGTON
Summary: MEDICAL: RESPONDED WITH EMS AND FIRE TO THE 3900 BLOCK OF RESTWOOD RD ON MEDICAL EMERGENCY CALL INVOLVING AN ADULT FEMALE. ARRIVED WITH LFD AND LOCATED FEMALE VICTIM. MEDICAL TREATMENT WAS RENDERED AND SHE WAS THEN TRANSPORTED TO THE HOSPITAL.					
20043153	Feb 20 2020	15:44	ACCIDENT-MV PD	91XX SOUTH HIGHWAY DR	LEXINGTON
Summary: OFFICER DISPATCHED TO THE 9100 BLOCK OF SOUTH HIGHWAY DRIVE ON THE REPORT OF A TWO VEHICLE PROPERTY ACCIDENT. CITATION ISSUED. BWC. CLEAR.					
20043561	Feb 21 2020	02:01	DWI-3RD DEGREE	700-BLK OF VILLAGE PKWY	CIRCLE PINES



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
Summary: OFFICERS RESPONDED TO THE 700 BLK OF VILLAGE PKWY REGARDING A PD ACCIDENT. OFFICERS LOCATED THE SUSPECT, AND THE SUSPECT WAS ARRESTED FOR DWI.CLEAR BY ARREST.					
20043804	Feb 21 2020	10:53	DOG AT LARGE	17XX DUPRE RD	CENTERVILLE
Summary: LOOSE DOG: RESPONDED TO THE AREA OF THE 1700 BLOCK OF DUPRE RD ON A CONTAINED DOG. UPON ARRIVAL, I ASSISTED THE REPORTING PARTY IN LOCATING THE OWNER OF THE YELLOW LAB A COUPLE BLOCKS AWAY FROM LOCATION. DOG RELEASED TO THE PROPER OWNER WITH NO CHARGES.					
20043742	Feb 21 2020	09:24	TRAFFIC COMPLAINT	1800-BLK MAIN ST	CENTERVILLE
Summary: TRAFFIC COMPLAINT.RECEIVED A TRAFFIC COMPLAINT IN THE 1800 BLOCK OF MAIN ST. INFORMATION COLLECTED.					
20043991	Feb 21 2020	14:34	ASSIST OTHER		LINO LAKES
20044090	Feb 21 2020	16:37	ASSIST OTHER		BLAINE
20044484	Feb 21 2020	23:57	TRAFFIC	NORTH RD / GALAXY DR	CIRCLE PINES
Summary: TRAFFIC STOP.OFFICERS CONDUCTED A TRAFFIC STOP IN THE AREA OF NORTH RD AND GALAXY DR.OFFICER VERBALLY WARNED DRIVER FOR VIOLATIONS.CLEAR.					
20044623	Feb 22 2020	06:32	MEDICAL	2XX TWILITE TER	CIRCLE PINES
Summary: OFFICERS WERE DISPATCHED TO THE 200 BLOCK OF TWILITE TERRACE FOR A MEDICAL EMERGENCY. FEMALE TRANSPORTED TO HOSPITAL.CLEAR.					
20044654	Feb 22 2020	08:32	MEDICAL	39XX RESTWOOD RD	LEXINGTON
Summary: OFFICERS WERE DISPATCHED TO A MEDICAL IN THE 3900 BLOCK OF RESTWOOD RD. FEMALE TRANSPORTED TO THE HOSPITAL.CLEAR.					
20044957	Feb 22 2020	16:30	MEDICAL	17XX CENTER ST	CENTERVILLE
Summary: OFFICERS DISPATCHED TO THE 1700 BLOCK OF CENTER ST ON THE REPORT OF AN UNCONSCIOUS FEMALE. BWC. CLEAR.					
20044714	Feb 22 2020	10:48	ORDINANCE VIOLATION	XX POINTCROSS DR	CIRCLE PINES
Summary: OFFICERS OBSERVED AN ORDINANCE VIOLATION AT THE 0 BLOCK OF POINTCROSS DR.ACTIVE.					
20044580	Feb 22 2020	03:16	ASSIST OTHER		BLAINE
20045137	Feb 22 2020	20:25	TRAFFIC	LAKE DR / PINE DR	CIRCLE PINES
Summary: OFFICER CONDUCTED TRAFFIC STOP ON VEHICLE FOR AN EQUIPMENT VIOLATION. MARIJUANA FOUND IN CAR, AND PASSENGER PROVIDED FALSE INFO. CITATIONS ISSUED. BWC. CLEAR.					
20045874	Feb 23 2020	17:58	MEDICAL	39XX RESTWOOD RD	LEXINGTON
Summary: OFFICER DISPATCHED TO THE 3900 BLOCK OF RESTWOOD ROAD ON THE REPORT OR A MEDICAL. PATIENT TRANSPORTED VIA AMBULANCE. BWC. CLEAR.					
20045812	Feb 23 2020	16:34	FOUND PROPERTY	7100-BLK 21ST AVE N	CENTERVILLE
Summary: POLICE WAS FLAGGED DOWN BY A METRO TRANSIT BUS DRIVER REGARDING A FOUND KNIFE ON THE GROUND. THE DRIVER ASKED LAW ENFORCEMENT TO DISPOSE OF THE KNIFE. THE KNIFE WAS COLLECTED AND PLACED INTO PROPERTY.					
20045372	Feb 23 2020	00:31	INFORMATION	90XX LEXINGTON AVE	LEXINGTON



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
Summary: POLICE WERE DISPATCHED TO A REPORT OF A CIVIL DISPUTE. POLICE PROVIDED THE REPORTING PARTY WITH SUGGESTIONS IN HOW TO HANDLE THE SITUATION.					
20046417	Feb 24 2020	11:50	ORDINANCE VIOLATION	90XX GRIGGS AVE	LEXINGTON
Summary: OFFICERS WERE ADVISED OF A DOG AT LARGE IN THE 9000 BLOCK OF GRIGGS AVENUE. THE DOG WAS RETURNED TO THE OWNER.CLEAR.					
20046772	Feb 24 2020	19:27	TRAFFIC	MAIN ST / 20TH AVE	CENTERVILLE
Summary: TRAFFIC STOP RESULTED IN CITATION AND VEHICLE TOWED. BWC. CLEAR.					
20046331	Feb 24 2020	10:03	THEFT	3XX FOREST DR	CIRCLE PINES
Summary: OFFICERS WERE DISPATCHED TO A PHONE CALL REGARDING A POSSIBLE LICENSE PLATE THEFT AT THE 300 BLOCK OF FOREST DRIVE. LICENSE PLATE ENTERED TO DISPATCH.CLEAR.					
20047377	Feb 25 2020	15:07	ASSIST OTHER AGENCY		LINO LAKES
20047047	Feb 25 2020	07:25	MEDICAL	72XX CLEARWATER DR	CENTERVILLE
Summary: OFFICERS DISPATCHED TO A MEDICAL IN THE 7200 BLOCK OF CLEARWATER DRIVE. FEMALE TRANSPORTED TO HOSPITAL.CLEAR.					
20047615	Feb 25 2020	19:57	SUSPICIOUS ACTIVITY	70XX LAMOTTE DR	CENTERVILLE
Summary: SUSPICIOUS ACTIVITY.OFFICERS WERE DISPATCHED TO THE 7000 BLK OF LAMOTTE DR FOR A REPORT OF SUSPICIOUS ACTIVITY.OFFICERS WERE UNABLE TO LOCATE.INFO ONLY.CLR.					
20047716	Feb 25 2020	22:55	DOMESTIC-VERBAL	XX W GOLDEN LAKE RD	CIRCLE PINES
Summary: POLICE WERE DISPATCHED TO THE 0 BLOCK OF WEST GOLDEN LAKE ROAD ON A REPORT OF A VERBAL DOMESTIC INCIDENT. POLICE MEDIATED THE INCIDENT AND ONE OF THE PARTIES INVOLVED OFFERED TO LEAVE FOR THE NIGHT.					



CERTIFICATE OF SUSTAINABILITY

LANDFILL AVOIDED

85 cubic yards of landfill

WATER CONSERVED

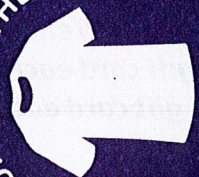
equivalent to the annual use by 243 homes

CO₂ EMISSIONS



equivalent to taking 21 cars off the road

PEOPLE CLOTHED



296 people

TREES PLANTED



37 trees



"The TreeMachine"

Helping You Make a Positive Impact for People and for Planet!



Printed on 100% recycled paper

— presented to —

City Of Lexington

for recycling 14,807 pounds of textiles in 2019

M. Wallander

Mattias Wallander, CEO

February 7, 2020

Dear Valued Partner,

Thank you for hosting a USAgain TreeMachine for collection of used clothes and shoes! We are excited to share the extraordinary results that we achieved together in 2019, making a difference for PEOPLE and PLANET.

For PEOPLE we made a difference by clothing more than 875,000 people and creating employment for over 259 individuals in the US and downstream markets.

For PLANET we made a difference by planting 120,000 trees to fight climate change and by saving more than 660 million pounds of CO2 emissions and more than 100 billion gallons of water.

Our fight for PEOPLE and PLANET is more important than ever before, with 2019 marking the second warmest year in the 140-year record. In the U.S. we experienced 14 weather and climate disasters each costing more than one billion dollars. Around the world, millions of people have fled their homes and become climate refugees, to survive droughts, floods, wildfires, hurricanes and more. There is much cause to be concerned and every reason to take radical action to fight for a livable world!

By partnering with USAgain you help recirculate good clothes and shoes as a sustainable alternative to the wasteful practice of tossing perfectly good clothing. This is important since the manufacturing of new clothes is contributing 10% of all greenhouse gases emitted in the world.

Remember that a TREE is planted every time you fill a USAgain TreeMachine with clothes. Planting trees is a very effective way to reduce the concentration of CO2 in the atmosphere, along with many other benefits. This is why USAgain has planted more than 1 million trees since 2013.

We are proud to award you with the enclosed Certificate of Sustainability for 2019. Please accept this Certificate as an award to be displayed proudly, to showcase the results of your sustainability initiatives.

We are also excited to announce our seventh annual SPRING GREENING CHALLENGE. The Spring Greening Challenge is a month-long partner appreciation contest starting May 1st, where you, our valued partner, are eligible to win attractive prizes based on the pounds collected per TreeMachine at your location.

SPRING GREENING CHALLENGE IS BACK!

1st Prize: *iPad mini*

2nd Prize: *\$200 gift card*

3rd Prize: *\$150 gift card*

4th to 8th Prize: *\$100 gift card each*

9th to 14th Prize: *\$50 gift card each*

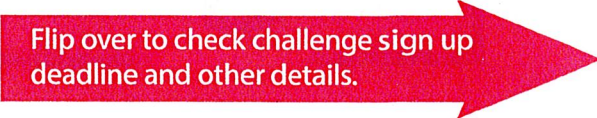
15th to 21st Prize: *\$25 gift card each*

Sign up for the challenge at www.usagain.com/spring by April 20, 2020.

Thank you for all that you do!



Mattias Wallander, CEO



Flip over to check challenge sign up
deadline and other details.

2020

Spring Greening Challenge

May 1 - May 30, 2020



- ✓ Promote
- ✓ Collect
- ✓ Win

21 Prizes!

- 1st - iPad mini
- 2nd - \$200 gift card
- 3rd - \$150 gift card
- 5 - \$100 gift cards
- 6 - \$50 gift cards
- 7 - \$25 giftcards



Here's how it works!

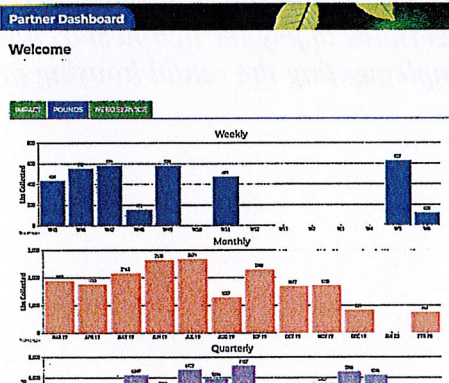
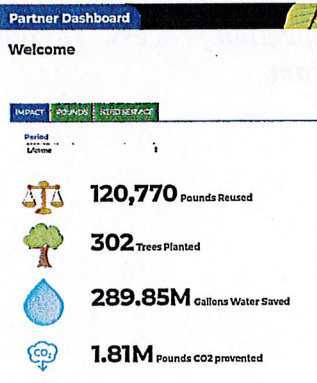
1. Sign up for the challenge on www.usagain.com/spring by 4/20
2. Spread the word among your customers and community to increase collections in your bin. Order promotional flyers during sign up or by emailing info@usagain.com
3. Track collections on our website! The top 21 participating sites that collect the most pounds during the contest win prizes

**April
20**

Registration ends April 20, 2020

For terms and conditions or to sign-up, visit www.usagain.com/spring

Create a Partner Login on www.usagain.com to track your results!



Partner Dashboard

Welcome

IMPACT POUNDS REED SERVICE

Type*

Address

City State Zip

Details*

FIND YOUR LOCAL DROP BOX

City Select State OR Zip

**CITY OF LEXINGTON
WORKSHOP MINUTES
Thursday, February 20 2020
Immediately following Council meeting
City Hall**

1. Call to Order: Mayor Murphy

2. Roll Call: DeVries – Harris – Hughes – Winge

Mayor Murphy called to order the workshop for February 20, 2020 at 8:14 p.m. Councilmember's present: Devries, Harris, Hughes, and Winge. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Steve Winter, City Engineer; Brian Noma and Anna Schliep, Minnesota Department of Health.

3. Discussion Items:

A. Discuss Compliance Agreement with Minnesota Department of Health

Brian Noma and Anna Schliep from the Minnesota Department of Health were present to provide details and guidance on the proposed compliance agreement with MDH addressing the Gross Alpha non-compliance issue with the City's water system. Discussion ensued.

Petracek stated this agreement will be on the March 5th agenda for approval and a press release drafted for discussion.

B. Discuss Tree Maintenance Ordinance – Councilmember Hughes

Councilmember Hughes explained the need to have tree inspections and tree removal on private property. He also understands that the city attorney isn't in favor of doing this type of regulation. Attorney Glaser explained that the City will pay out money from a lawsuit unless you have someone trained – forester or arborist – to conduct your inspections. Councilmember Hughes asked why the City can't contract with a consultant to conduct tree inspections. Discussion ensued.

Councilmember Harris how do we would move forward with this. Petracek explained the need to adopt an ordinance authorizing a city forester or arborist to conduct inspection and hire a consultant on retainer, budget funds to pay for it, and start the inspection process. He added it would be no different than implementing the rental housing program.

Discussion ensued about having the Planning Commission review a draft ordinance and make a recommendation to the Council on the proposed regulations. The consensus was to have P & Z review a draft ordinance and make a recommendation to the Council.

Attorney Glaser will draft the ordinance and put it in front of the Planning Commission for review.

C. Discuss Limiting Rental Housing in Lexington – Councilmember Hughes

Councilmember Hughes discussed limiting future rental units in Lexington. Mayor Murphy asked how many rental units the City currently has in operation. Petracek stated he would have to have our administrative assistant provide data on the number of rental units in Lexington. Discussion ensued.

Petracek stated he would have this information on the number of rental units for discussion at the next workshop.

4. Staff Input

No staff input

5. Council Input

No Council input.

6. Adjourn

Councilmember Devries made motion to adjourn the workshop at 9:49 p.m. Councilmember Winge 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.

CITY OF LEXINGTON

RECOMMEND FOR APPROVAL OF CLAIMS AND BILLS

**The following claims and bills have been presented to the Council for approval
at the Council Meeting of March 5, 2020.**

(1) Payroll

Checks	13663 through	13663	\$	511.09
Vouchers	502611 through	502628	\$	19,173.24
Payroll Taxes				
	Federal Tax	\$2,515.52		
	Social Security	\$3,385.16		
	Medicare	\$791.70		
				\$6,692.38
	State Tax	\$1,174.62	\$1,174.62	
	Total			\$7,867.00

(2) General and Liquor Payment Recommendations:

Checks	45967 through	46012	\$	179,585.32
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(3) ACH and Credit Card Payments for:

ACH Checks:	through	\$	-
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Total Payments and Withdrawals Approval	<u>\$ 207,136.65</u>
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Centennial Lakes Police Payment Recommendations:

Checks	13076 through	13088	\$	11,761.16
	13089 through	13094	\$	19,781.43
Total Payments			<u>\$</u>	<u>31,542.59</u>

***Check Detail Register©**

March 2020

		Check Amt	Invoice	Comment
10100 4M FUND				
Paid Chk#	045967	3/5/2020	AMAZON	
E 101-41500-400	General Maintenance	\$66.75	1696-4D3C-F1	SUPPLIES - CITY HALL
Total AMAZON		\$66.75		
Paid Chk#	045968	3/5/2020	AMERICAN BOTTLING	
E 609-00000-254	Miscellaneous Purchase	\$417.85	3562816479	
Total AMERICAN BOTTLING		\$417.85		
Paid Chk#	045969	3/5/2020	ANOKA COUNTY TREASURY	
E 101-41900-329	Cable/Internet	\$75.00	B200214W	MARCH 2020 BROADBAND
E 101-42260-329	Cable/Internet	\$75.00	B200214W	MARCH 2020 BROADBAND
E 101-43100-329	Cable/Internet	\$45.00	B200214W	MARCH 2020 BROADBAND
E 101-45200-329	Cable/Internet	\$30.00	B200214W	MARCH 2020 BROADBAND
Total ANOKA COUNTY TREASURY		\$225.00		
Paid Chk#	045970	3/5/2020	ARTISAN BEER COMPANY	
E 609-00000-252	Beer Purchase	\$801.35	3404801	
E 609-00000-252	Beer Purchase	\$690.60	3406227	
Total ARTISAN BEER COMPANY		\$1,491.95		
Paid Chk#	045971	3/5/2020	AVESIS VISION PLAN	
E 101-41500-160	Health/Dental Insurance	\$14.72	2475502	MARCH 2020 PREMIUM
E 101-43100-160	Health/Dental Insurance	\$8.36	2475502	MARCH 2020 PREMIUM
E 101-45200-160	Health/Dental Insurance	\$5.58	2475502	MARCH 2020 PREMIUM
E 609-00000-160	Health/Dental Insurance	\$28.66	2475502	MARCH 2020 PREMIUM
Total AVESIS VISION PLAN		\$57.32		
Paid Chk#	045972	3/5/2020	BENT BREWSTILLERY	
E 609-00000-252	Beer Purchase	\$39.96	INV-008773	
Total BENT BREWSTILLERY		\$39.96		
Paid Chk#	045973	3/5/2020	BRASS FOUNDRY BREWING CO.	
E 609-00000-252	Beer Purchase	\$92.32	E-3318	
Total BRASS FOUNDRY BREWING CO.		\$92.32		
Paid Chk#	045974	3/5/2020	BREAKTHRU BEVERAGE MN	
E 609-00000-251	Liquor Purchase	\$3,075.68	1081100553	
E 609-00000-251	Liquor Purchase	\$4,368.42	1081103663	
E 609-00000-254	Miscellaneous Purchase	\$56.00	1081103714	
E 609-00000-251	Liquor Purchase	(\$13.27)	2080267580	
E 609-00000-254	Miscellaneous Purchase	(\$31.46)	2080268325	
Total BREAKTHRU BEVERAGE MN		\$7,455.37		
Paid Chk#	045975	3/5/2020	BROKEN CLOCK BREWING	
E 609-00000-252	Beer Purchase	\$108.00	3377	
Total BROKEN CLOCK BREWING		\$108.00		
Paid Chk#	045976	3/5/2020	CAPITOL BEVERAGE SALES	
E 609-00000-252	Beer Purchase	(\$14.40)	254-01276	
E 609-00000-252	Beer Purchase	\$5,172.77	7773734	
E 609-00000-252	Beer Purchase	\$3,793.55	7773754	
Total CAPITOL BEVERAGE SALES		\$8,951.92		
Paid Chk#	045977	3/5/2020	CAPSTONE PSS	
E 101-42260-208	Training and Instruction	\$375.00	1080	TRAINING - FIRE DEPT

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March 2020

		Check Amt	Invoice	Comment
Total CAPSTONE PSS		\$375.00		
Paid Chk# 045978	3/5/2020	CENTENNIAL LAKES PD		
E 101-42110-230	Contracted Services	\$57,814.83		MARCH 2020 MONTHLY POLICE SERVICES
Total CENTENNIAL LAKES PD		\$57,814.83		
Paid Chk# 045979	3/5/2020	CINTAS		
E 609-00000-255	Linen	\$107.47	4043348481	MAT SERVICE
Total CINTAS		\$107.47		
Paid Chk# 045980	3/5/2020	CIRCLE PINES, CITY OF		
E 599-42110-601	Bond Principal	\$5,000.00		POLICE BLDG PAYMENT
E 599-42110-611	Bond Interest	\$122.50		POLICE BLDG PAYMENT
Total CIRCLE PINES, CITY OF		\$5,122.50		
Paid Chk# 045981	3/5/2020	CLEAR RIVER BEVERAGE COMPANY		
E 609-00000-252	Beer Purchase	\$373.00	525873	
E 609-00000-252	Beer Purchase	\$509.00	526294	
Total CLEAR RIVER BEVERAGE COMPANY		\$882.00		
Paid Chk# 045982	3/5/2020	DAHLHEIMER DISTRIBUTING		
E 609-00000-252	Beer Purchase	\$191.00	111-02623	
E 609-00000-252	Beer Purchase	\$7,946.75	111-02718	
E 609-00000-252	Beer Purchase	\$321.00	111-02732	
E 609-00000-252	Beer Purchase	\$128.00	111-02733	
E 609-00000-252	Beer Purchase	\$3,690.56	111-02773	
E 609-00000-252	Beer Purchase	\$450.00	111-02784	
E 609-00000-252	Beer Purchase	(\$86.13)	1195814	
Total DAHLHEIMER DISTRIBUTING		\$12,641.18		
Paid Chk# 045983	3/5/2020	FIESTER, MINDY		
E 101-42260-208	Training and Instruction	\$64.26		BOOKS - FIRE DEPT
Total FIESTER, MINDY		\$64.26		
Paid Chk# 045984	3/5/2020	FISCHER, JIM		
E 101-43100-210	Operating Supplies	\$79.44		SHOP SUPPLIES
Total FISCHER, JIM		\$79.44		
Paid Chk# 045985	3/5/2020	FRATTALLONE S HARDWARE		
E 101-41500-401	Repair Buildings	\$4.79	070913/G	REPAIR SUPPLIES - CITY HALL
Total FRATTALLONE S HARDWARE		\$4.79		
Paid Chk# 045986	3/5/2020	GAUSMAN BROTHERS CONSTRUCTION		
E 101-42260-401	Repair Buildings	\$980.00	20%DOWN	FIRE STATION REPAIRS
Total GAUSMAN BROTHERS CONSTRUCTION		\$980.00		
Paid Chk# 045987	3/5/2020	HAWKINS INC		
E 730-00000-216	Chemicals	\$10.00	4667550	
Total HAWKINS INC		\$10.00		
Paid Chk# 045988	3/5/2020	HOHENSTEINS INC		
E 609-00000-252	Beer Purchase	\$1,535.18	192831	
Total HOHENSTEINS INC		\$1,535.18		
Paid Chk# 045989	3/5/2020	INDIAN ISLAND WINERY		
E 609-00000-253	Wine Purchase	\$258.24	3082	
Total INDIAN ISLAND WINERY		\$258.24		

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March 2020

		Check Amt	Invoice	Comment
Paid Chk# 045990	3/5/2020	INVICTUS BREWING CO.		
E 609-00000-252	Beer Purchase	\$298.00	990	
Total INVICTUS BREWING CO.		\$298.00		
Paid Chk# 045991	3/5/2020	JJ TAYLOR		
E 609-00000-252	Beer Purchase	\$7,282.90	3062745	
E 609-00000-252	Beer Purchase	\$119.00	3062760	
E 609-00000-252	Beer Purchase	\$95.25	3062768	
E 609-00000-252	Beer Purchase	\$6,470.14	3062787	
E 609-00000-252	Beer Purchase	\$193.00	3074412	
Total JJ TAYLOR		\$14,160.29		
Paid Chk# 045992	3/5/2020	JOHNSON BROTHERS LIQUOR		
E 609-00000-253	Wine Purchase	\$1,770.97	1499546	
E 609-00000-251	Liquor Purchase	\$1,191.10	1504334	
E 609-00000-253	Wine Purchase	\$1,207.46	1504335	
E 609-00000-254	Miscellaneous Purchase	\$395.81	1504336	
E 609-00000-251	Liquor Purchase	\$1,114.65	1504337	
E 609-00000-251	Liquor Purchase	\$2,078.40	1505072	
E 609-00000-251	Liquor Purchase	\$3,938.74	1505073	
E 609-00000-253	Wine Purchase	\$891.96	1505074	
E 609-00000-251	Liquor Purchase	\$436.53	1509384	
E 609-00000-253	Wine Purchase	\$11,536.50	1509385	
E 609-00000-251	Liquor Purchase	\$4,347.81	1510116	
E 609-00000-251	Liquor Purchase	\$13,737.61	1510117	
E 609-00000-253	Wine Purchase	(\$37.34)	591282	
E 609-00000-253	Wine Purchase	(\$49.95)	591283	
E 609-00000-253	Wine Purchase	(\$136.15)	591284	
Total JOHNSON BROTHERS LIQUOR		\$42,424.10		
Paid Chk# 045993	3/5/2020	KIRVIDA FIRE		
E 101-42260-404	Repair Machinery/Equipment	\$669.85	8557	MAINTENANCE - 2011 PIERCE PUMPER
E 101-42260-404	Repair Machinery/Equipment	\$661.61	8558	MAINTENANCE - 2001 KENWORTH PUMPER
E 101-42260-404	Repair Machinery/Equipment	\$577.99	8559	MAINTENANCE - 2016 FORD F550
E 101-42260-404	Repair Machinery/Equipment	\$119.23	8560	MAINTENANCE - 2003 FORD F250
Total KIRVIDA FIRE		\$2,028.68		
Paid Chk# 045994	3/5/2020	LINN BUILDING MAINTENANCE, INC		
E 609-00000-401	Repair Buildings	\$589.19	30862	SHELVING WORK AND REPAIRS - MLS
Total LINN BUILDING MAINTENANCE, INC		\$589.19		
Paid Chk# 045995	3/5/2020	M AMUNDSON LLP		
E 609-00000-256	Tobacco Products For Resale	\$2,130.26	296042	
E 609-00000-256	Tobacco Products For Resale	\$3,257.58	296425	
Total M AMUNDSON LLP		\$5,387.84		
Paid Chk# 045996	3/5/2020	MKL SERVICES, LLC		
E 101-41500-400	General Maintenance	\$100.00	03052020	WEEK ENDING 02/22/20220
E 101-41500-400	General Maintenance	\$100.00	03052020	WEEK ENDING 02/29/2020
Total MKL SERVICES, LLC		\$200.00		
Paid Chk# 045997	3/5/2020	MN DEPT OF HEALTH		
G 730-23000	Water Testing	\$1,516.00		Q1 2020 WATER SUPPLY CONN. FEE
Total MN DEPT OF HEALTH		\$1,516.00		
Paid Chk# 045998	3/5/2020	MODIST BREWING COMPANY		
E 609-00000-252	Beer Purchase	\$112.50	E-11993	

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March 2020

		Check Amt	Invoice	Comment
Total MODIST BREWING COMPANY		\$112.50		
Paid Chk# 045999	3/5/2020	NCPERS GROUP LIFE INSURANCE		
G 101-21724	Life Insurance	\$80.00	586800032020	MAR 2020 PREMIUM
Total NCPERS GROUP LIFE INSURANCE		\$80.00		
Paid Chk# 046000	3/5/2020	OMNI BREWING CO.		
E 609-00000-252	Beer Purchase	\$246.00	E-6567	
E 609-00000-252	Beer Purchase	\$138.00	E-6622	
Total OMNI BREWING CO.		\$384.00		
Paid Chk# 046001	3/5/2020	PACE ANALYTICAL		
E 730-00000-306	Water Testing	\$50.00	20100286776	WATER TEST FEE
Total PACE ANALYTICAL		\$50.00		
Paid Chk# 046002	3/5/2020	PAUSTIS & SONS		
E 609-00000-253	Wine Purchase	\$243.50	80688	
E 609-00000-253	Wine Purchase	\$679.75	81260	
Total PAUSTIS & SONS		\$923.25		
Paid Chk# 046003	3/5/2020	PHILLIPS WINE AND SPIRITS INC		
E 609-00000-251	Liquor Purchase	\$295.57	2705305	
E 609-00000-253	Wine Purchase	\$147.30	2705306	
E 609-00000-251	Liquor Purchase	(\$22.23)	356493	
E 609-00000-251	Liquor Purchase	\$1,044.31	6000286	
E 609-00000-253	Wine Purchase	\$883.25	6000287	
E 609-00000-253	Wine Purchase	\$211.38	6003506	
E 609-00000-251	Liquor Purchase	\$1,395.83	6003890	
E 609-00000-253	Wine Purchase	\$1,512.30	6003891	
Total PHILLIPS WINE AND SPIRITS INC		\$5,467.71		
Paid Chk# 046004	3/5/2020	SHAMROCK GROUP, INC.		
E 609-00000-257	Ice For Resale	\$130.26	2471075	
Total SHAMROCK GROUP, INC.		\$130.26		
Paid Chk# 046005	3/5/2020	SOUTHERN GLAZERS OF MN		
E 609-00000-253	Wine Purchase	\$1.28	1923844	
E 609-00000-251	Liquor Purchase	\$2,118.54	1923845	
E 609-00000-254	Miscellaneous Purchase	\$30.28	1923846	
E 609-00000-251	Liquor Purchase	\$524.24	1923847	
E 609-00000-251	Liquor Purchase	\$1,346.26	1926424	
E 609-00000-254	Miscellaneous Purchase	\$51.27	1926425	
E 609-00000-253	Wine Purchase	\$1,035.86	1926426	
Total SOUTHERN GLAZERS OF MN		\$5,107.73		
Paid Chk# 046006	3/5/2020	SPRINT		
E 730-00000-321	Telephone	\$122.52	495076029-21	JAN-FEB 2020 CELL SERVICE AND EQUIPMENT
E 770-00000-321	Telephone	\$122.55	495076029-21	JAN-FEB 2020 CELL SERVICE AND EQUIPMENT
E 651-00000-321	Telephone	\$49.00	495076029-21	JAN-FEB 2020 CELL SERVICE AND EQUIPMENT
E 101-45200-321	Telephone	\$98.01	495076029-21	JAN-FEB 2020 CELL SERVICE AND EQUIPMENT
E 101-43100-321	Telephone	\$98.01	495076029-21	JAN-FEB 2020 CELL SERVICE AND EQUIPMENT
Total SPRINT		\$490.09		
Paid Chk# 046007	3/5/2020	ST PAUL STAMP WORKS		
E 609-00000-213	Uniforms	\$44.95	464406	NAME TAGS - MLS
Total ST PAUL STAMP WORKS		\$44.95		

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March 2020

		Check Amt	Invoice	Comment
Paid Chk#	046008	3/5/2020	TIRES PLUS	
E 101-43100-430	Miscellaneous	\$18.83	103727	TIRES DISPOSAL
Total TIRES PLUS		\$18.83		
Paid Chk#	046009	3/5/2020	TOTAL COMPLIANCE SOLUTIONS	
E 609-00000-430	Miscellaneous	\$46.00	64132	PRE-EMP. SCREENING - MLS
Total TOTAL COMPLIANCE SOLUTIONS		\$46.00		
Paid Chk#	046010	3/5/2020	TWIST OFFICE PRODUCTS	
E 609-00000-200	Office Supplies	\$152.94	901251-0	TONERS - MLS
Total TWIST OFFICE PRODUCTS		\$152.94		
Paid Chk#	046011	3/5/2020	VINOCOPIA	
E 609-00000-253	Wine Purchase	\$826.67	0251539-IN	
Total VINOCOPIA		\$826.67		
Paid Chk#	046012	3/5/2020	WALTERS RUBBISH INC	
E 101-41500-384	Refuse/Garbage Disposal	\$66.95	4384483	FEB 2020 SERVICE
E 101-43100-384	Refuse/Garbage Disposal	\$38.76	4384483	FEB 2020 SERVICE
E 101-45200-384	Refuse/Garbage Disposal	\$38.76	4384483	FEB 2020 SERVICE
E 651-00000-384	Refuse/Garbage Disposal	\$11.65	4384483	FEB 2020 SERVICE
E 730-00000-384	Refuse/Garbage Disposal	\$52.32	4384483	FEB 2020 SERVICE
E 770-00000-384	Refuse/Garbage Disposal	\$52.32	4384483	FEB 2020 SERVICE
E 609-00000-384	Refuse/Garbage Disposal	\$104.20	4384483	FEB 2020 SERVICE
Total WALTERS RUBBISH INC		\$364.96		
10100 4M FUND		\$179,585.32		

Fund Summary

10100 4M FUND	
101 GENERAL FUND	\$62,306.73
599 POLICE BUILDING	\$5,122.50
609 MUNICIPAL LIQUOR FUND	\$110,169.73
651 STORM WATER FUND	\$60.65
730 WATER FUND	\$1,750.84
770 SEWER FUND	\$174.87
	<u>\$179,585.32</u>

Report Criteria:
Report type: Summary

GL Period	Check Issue Date	Ck No	Payee	Description	Check Amount
02/20	02/18/2020	13076	ASPEN MILLS, INC	TRL-1 RAIL MOUNT LIGHT	297.70
02/20	02/18/2020	13077	CWKK CrimeDex	LAW ENFORCEMENT SUBSCRIPTION	79.00
02/20	02/18/2020	13078	CENTENNIAL UTILITIES	JAN UTILITIES	688.99
02/20	02/18/2020	13079	CENTURY LINK	COMMUNICATIONS FEB	120.00
02/20	02/18/2020	13080	CONNEXUS ENERGY	ELECTRIC JANUARY	3,047.61
02/20	02/18/2020	13081	CONSOLIDATED COMMUNICATIONS	PHONES FEB	394.05
02/20	02/18/2020	13082	DELL MARKETING L.P.	LATITUDE 5424 COMPUTER & DOCKI	2,497.16
02/20	02/18/2020	13083	DON'S CIRCLE SERVICE	VEHICLE REPAIRS & MTC	1,609.54
02/20	02/18/2020	13084	HOLIDAY COMPANIES	FUEL JANUARY	2,821.41
02/20	02/18/2020	13085	NEAL A. NOREN	BLDG MTC HOURS JAN	90.00
02/20	02/18/2020	13086	OFFICE OF MN IT SERVICES	WAN SERVICES JANUARY	43.20
02/20	02/18/2020	13087	OPTUM	MONTHLY SERVICE FEE JANUARY	22.50
02/20	02/18/2020	13088	TRANSUNION RISK & ALTERNATIVE	INVESTIGATION EXPENSES JAN	50.00
Grand Totals:					11,761.16

M = Manual Check, V = Void Check

Report Criteria:

Report type: Summary

GL Period	Check Issue Date	Ck No	Payee	Description	Check Amount
02/20	02/24/2020	13089	ANOKA CO TREASURY OFFICE	JLEC 2020 SHARED COSTS	15,544.00
02/20	02/24/2020	13090	ASPEN MILLS, INC	UNIFORMS	59.95
02/20	02/24/2020	13091	MMKR INC	PROGRESS BILLING 2019 AUDIT	1,450.00
02/20	02/24/2020	13092	POPP COMUNICATIONS	DSL LINE FOR WIFI	70.90
02/20	02/24/2020	13093	SHI INTERNATIONAL CORP	8 MICROSOFT OFFICE LICENSES	2,144.00
02/20	02/24/2020	13094	TWIN CITIES TRANSPORT & RECOVE	FORFEITURE TOW 07 FORD F150	512.58
Grand Totals:					<u>19,781.43</u>

M = Manual Check, V = Void Check



PROTECTING, MAINTAINING & IMPROVING THE HEALTH OF ALL MINNESOTANS

February 5, 2020

Lexington City Council
c/o Bill Petracek, City Administrator
Lexington City Hall
9180 Lexington Avenue
Lexington, Minnesota 55014

Dear Council Members:

Subject: **Compliance Agreement – Request for Signature**, City of Lexington, Anoka County,
PWSID 1020032

Based on our earlier discussions and correspondence, enclosed are two copies of a Compliance Agreement (CA) for your review.

If you are in agreement with the conditions of the CA, please sign both copies and return them to this office within 30 days of the date of this letter. Both copies will then be signed and dated in our office, and a completed original will be returned to you for your records.

The CA establishes a formal, enforceable agreement between the city of Lexington and the Minnesota Department of Health (MDH) regarding the correction of water quality violations.

If you have any questions regarding this agreement, please contact Anna Schliep at 651/201-4667, or email anna.schliep@state.mn.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KRP', followed by a horizontal line.

Karla R. Peterson, P.E., Supervisor
Community Public Water Supply Unit
Environmental Health Division
625 North Robert Street
P.O. Box 64975
St. Paul, Minnesota 55164-0975

KRP:nkk
Enclosure

cc: Anna Schliep, MDH St. Paul
Cindy Swanson, MDH St. Paul
Brian Noma, MDH St. Paul
Anita Smith, MDH St. Paul

An equal opportunity employer



Environmental Health Division
Section of Drinking Water Protection
P.O. Box 64975
St. Paul, MN 55164-0975
651-201-4700

City of Lexington
PWSID No. 1020032

COMPLIANCE AGREEMENT

Contaminant: Gross Alpha

The City of Lexington Community Public Water System and the Minnesota Department of Health

This agreement, by and between Lexington, PWSID 1020032 (hereinafter "System"), and the Minnesota Department of Health (hereinafter "MDH") becomes effective on the date signed on behalf of the MDH.

I. Authorities and Findings

A. Pursuant to the Safe Drinking Water Act (SDWA), Minnesota Statutes 2011, sections 144.381 to 144.387, and Minnesota Rules, chapter 4720, the MDH enforces the National Primary Drinking Water Regulations. In Minnesota Rules, part 4720.0350, the MDH has adopted the federal National Primary Drinking Water Regulations, 40 CFR, part 141, by reference. 40 CFR, section 141.66, establishes the maximum contaminant levels (MCL) for Gross Alpha.

B. The System is in violation of the National Primary Drinking Water Regulations because the System's water supply exceeds the MCL of 15.4 picocuries per liter (pCi/L) for Gross Alpha, at Well #1. Through this Agreement, the parties seek to bring the System into compliance with the National Primary Drinking Water Regulations.

II. Corrective Actions

It is agreed between the System and MDH that until the corrective actions set forth below have been implemented and compliance with the MCL for Gross Alpha has been accomplished, the System shall meet the following conditions:

1. The System shall continue notifying the consuming public quarterly (as directed in the Notice of Violation letter – copy enclosed) of the Gross Alpha MCL exceedances. The System shall provide documentation quarterly to MDH that the notice has been distributed – within 10 days of distributing each notice. In addition, the System shall report the Gross Alpha MCL exceedances in the Consumer Confidence Report annually.
2. The System shall complete investigative sampling and feasibility study as follows:

Actions Required:	Complete no later than:
A. System will coordinate sampling with District Engineer (Brian Noma) to do timed samples at Well #1 collecting a start-up sample, a sample at 10 minutes, 20 minutes, and 30 minutes of run-time These results will help determine if radionuclide levels decrease as the well is pumped	Completed
B. Determine if Feasibility Study is needed based on results from required action "A"	June 30, 2020

C. The System shall monitor the Entry Point supplied by Well 1 every three months for Gross Alpha. The entry point samples shall be collected from the source of water after treatment. MDH will mail the sample kits to the system and the system will be responsible for shipping to the lab.	Quarter 2: June 30, 2020 Quarter 3: September 30, 2020 Quarter 4: December 31, 2020
D. Complete feasibility study (if needed) and provide a copy to MDH per letter from System dated 12-12-19. System will evaluate options including: a. Blending and Flow-Weighted Averaging with water from Blaine under multiple scenarios (i.e. 50/50 blend) b. Adding water treatment at Well #1 to reduce radionuclide levels. c. Using only water from Blaine and setting Well #1 to emergency status.	December 31, 2020
E. Provide MDH with actions and timetable to return to compliance based on results of the feasibility study. These actions will be used to create a new compliance agreement.	December 21, 2020
F. Sign and return new compliance agreement	January 31, 2021

3. The System shall provide confirmation to the MDH Community Public Water Supply Unit at 651-201-4700 that the corrective actions required in Conditions 1 and 2 are being accomplished. The required information must be provided to MDH within 15 days after each completion deadline listed.

III. Further Agreements

1. If the System fails to comply with any term or condition of this Compliance Agreement, the MDH may take enforcement actions authorized in Minnesota Statutes, sections 144.99 and 144.991, or any other applicable law, including, where appropriate, the assessment of monetary penalties. By entering into this Compliance Agreement, the System waives its opportunity to contest the violation of the Federal National Primary Drinking Water Regulations set forth in Part I above and shall not contest such violation in any proceeding to enforce this agreement.
2. This Compliance Agreement terminates when the System is in compliance with National Primary Drinking Water Regulations. The MDH will send written notification to the System when compliance is met.
3. This Compliance Agreement may not be modified or amended except in writing and any modifications or amendments must be signed by all the parties.

MINNESOTA DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

City of Lexington, MINNESOTA

Sandeep R. Burman, PG, Manager
Section of Drinking Water Protection

Bill Petracek, City Administrator
City of Lexington

Date _____

This agreement becomes effective on the date signed by the representative of the MDH.

To: Mayor Murphy and City Council
From: Bill Petracek, City Administrator
Date: February 27, 2020



Re: Ordinance No. 20-05 – An Ordinance Incorporating Chapter 11.8 – Planned Unit Developments.

Back in October 2018, the city attorney had proposed this ordinance regulating Planned Unit Developments in Lexington to the Planning Commission. The Commission had reviewed and made a recommendation to the City Council to approve this ordinance at their November 13, 2018 Regular meeting .

I have to apologize, but for some reason this ordinance was inadvertently forgotten about, and it was not placed on a subsequent City Council agenda for review and approval back in 2018 or 2019.

Nonetheless, the city attorney will provide more details on the ordinance and the purpose for having in our code book at the City Council meeting during the first reading.

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

ORDINANCE NO. 20-05

**AN ORDINANCE INCOPORATING CHAPTER 11.8 – PLANNED UNIT
DEVELOPMENTS**

PLANNED UNIT DEVELOPMENTS

Chapter 11.8

§ 11.800 OBJECTIVES.

To help encourage a more creative approach to the use of land, departures from the city zoning chapter may be granted by the City Council in the form of Planned Unit Development (PUD) Districts, to achieve:

- (A) A maximum choice of living environments by allowing a variety of housing building types and permitting an increased density per acre and a reduction in lot dimensions, yard, building setbacks and area requirements;
- (B) A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;
- (C) A development pattern which preserves and utilizes natural features, trees and other vegetation, and prevents the disruption of natural drainage patterns;
- (D) A more efficient use of land and a resulting substantial savings through shorter utilities and streets; and
- (E) A development pattern in harmony with land use density, transportation facilities and community facilities objectives of the comprehensive plan.

§ 11.810 GENERAL REQUIREMENTS.

A conditional or interim use permit shall be required of all planned unit developments. The city may approve the PUD only if it finds the development satisfies all the following standards:

- (A) The development shall be planned so that it is consistent with the city comprehensive plan;
- (B) The PUD is an effective and unified treatment of the development possibilities on the project site and the development plan provides for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain and similar areas;
- (C) The planned unit development proposal appears to harmonize with both existing and proposed development in the area surrounding the project site;
- (D) The proposed total development is designed in a manner as to form a desirable and unified environment within its own boundaries;
- (E) Any exceptions to the standard requirements of the zoning and subdivision chapters are justified by the design of the development;
- (F) The tract of land shall be under unified control at the time of application and scheduled to be developed as one unit. In addition, the development plan must include provisions for the preservation of natural amenities;
- (G) Each phase of the proposed development, as it is proposed to be completed, is of sufficient size, composition and arrangement that its construction, marketing and operation are feasible as a complete unit, and that provision and construction of dwelling units and common open space are balanced and coordinated;
- (H) The PUD will not create an excessive burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the district;
- (I) The plans required under this section must be submitted in a form which will satisfy the requirements for preliminary and final plats;
- (J) Permission to develop specific parcels of land under the provisions which follow shall be binding on all construction. Any change in the development plan after approval by the City Council shall be resubmitted for consideration;
- (K) Subdivision review under the subdivision chapter shall be carried out simultaneously with the review of a PUD under this section; and
- (L) The Planning and Zoning Commission may apply additional criteria as may be necessary as due to the unique nature of a proposed site, neighborhood or type of development.

§ 11.822 MINIMUM SIZE.

- (A) A PUD may be used on any development of more than two (2) residential units. A PUD may be used for any commercial or industrial development or on

developments that include a combination of uses. The Planning & Zoning Commission may require that any development be submitted as a PUD when in their opinion the proposed development could be best handled as a PUD.

- (B) The minimum lot size requirements of other sections of this chapter do not apply to a PUD except that the minimum lot size requirements of the underlying zone shall serve as a general guideline to determine the maximum dwelling unit density of the total development.

§ 11.824 SETBACK AND SIDE YARD REQUIREMENTS.

Notwithstanding other provisions of this subchapter, setback and side yard requirements of lots in a PUD shall be at least equivalent to the spacing requirements of buildings similarly developed under the terms of this chapter on separate parcels.

§ 11.825 ACCESS TO PUBLIC RIGHT-OF-WAY.

The site of a PUD shall abut, and the major internal street or streets serving the PUD shall be connected to, at least one primary arterial, or neighborhood collector street.

§ 11.826 UTILITY REQUIREMENTS.

Utilities, including telephone and electrical systems, installed within a PUD shall be placed underground. Utility appurtenances, which can be effectively screened, may be exempted from this requirement if the city finds that the exception will be consistent with the objectives of this subchapter and the character of the proposed PUD.

§ 11.827 OPEN SPACE.

A minimum of 20 percent of the gross land area for private or public open air recreational use protected by covenants running with the land or by conveyances or dedicated as the Planning and Zoning Commission may specify shall be an integral part of the plan. These open space areas shall not include land devoted to streets, parking and private yards. Whenever possible, common open space shall be linked to the open space areas of adjoining developments. Common open space shall be of a size, shape, character and locations as to be usable for its proposed purpose.

§ 11.830 ARRANGEMENT OF COMMERCIAL USES.

When a PUD includes commercial uses, commercial buildings shall be planned as groups having common parking areas and common ingress and egress points. Each commercial area

shall be separated from abutting residential areas by appropriate screens or fences. The design of commercial areas shall provide for the integrated and harmonious design of buildings and for adequate and properly arranged facilities for internal traffic, circulation, landscaping and other features and facilities as may be necessary to make the areas attractive and efficient from the standpoint of adjacent noncommercial areas. Any area which is not to be immediately improved or developed shall be landscaped or otherwise maintained in a neat and orderly manner as specified by the city.

§ 11.840 ARRANGEMENT OF INDUSTRIAL USES.

In any PUD including industrial uses, the industrial uses shall be provided in park-like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas and outdoor storage of raw materials or products. An industrial area in a PUD shall provide for the harmonious design of buildings and a compact grouping in order to economize in the provisions of required utility services. Streets in a planned industrial area shall be kept to a minimum in order to reduce traffic. All spaces between the right-of-way line and the industrial building line and all intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained.

§ 11.850 PRE-APPLICATION MEETING; PROCEDURE.

Before submitting a formal application for a PUD under this chapter, the developer shall meet with the Planning and Zoning Commission. The purpose of this meeting is to discuss early and informally the purpose and effect of this chapter and the criteria and standards contained in this chapter, and to familiarize the developer with the city's comprehensive plan, including the land use plan, the major thoroughfare plan, and the parks and open space plan, and with the subdivision regulations and the drainage, sewer and water systems of the city.

§ 11.851 APPLICATION.

- (A) An application for approval of a preliminary development plan for a proposed PUD shall be made to the Planning and Zoning Commission, by at least one owner or lessee of property for which the PUD is proposed. The application shall be accompanied by a certified check or money order to cover the costs incurred in checking and processing the plans in an amount affixed by resolution of the City Council.
- (B) The application with accompanying outline development plan shall be submitted (16 copies) and shall include:
 - (1) A vicinity map at a scale of one inch equals 250 feet showing property lines, existing streets, existing zoning, and any other items as the Planning and Zoning Commission may require to show the relationship of the proposed PUD to the

comprehensive plan of the city, to existing schools and other community facilities and services, and to the surrounding area;

(2) A preliminary plan of the PUD in schematic form showing the following:

- (a) The existing topographic character of the land;
- (b) A composite of all natural amenities of the site including steep slopes, drainageways plus marshes, ponds and lakes;
- (c) The size of site and proposed uses of the land to be developed together with an identification of off-site land use;
- (d) The density of land use to be allocated to the several parts of the development;
- (e) The approximate location of thoroughfares;
- (f) The location of common open space including public schools, parks and playgrounds or private natural preserves; and
- (g) The off-street parking system.

(3) A written statement including the following:

- (a) A statement of the ownership of all land involved in the PUD together with a summary of previous work experience;
- (b) An explanation of the general character of the planned development;
- (c) A statement describing the ultimate ownership and maintenance of all parts of the development including streets, structures and open spaces;
- (d) A statement describing how all necessary governmental services will be provided to the development; and
- (e) The total anticipated population to occupy the PUD, with breakdowns indicating the number of school-age children, adults and families.

(4) The proposed schedule for the development of the site; and

(5) A statement setting forth the reasons why, in the opinion of the applicant, the PUD will be in the public interest and consistent with the objectives specified in this Chapter.

§ 11.852 ACTIONS.

- (A) *By the Commission.* Within 60 days of the filing of the application, the Planning and Zoning Commission shall hold a public hearing on the proposed PUD following written and published notice as required for amendments of this chapter. Following the hearing and within 60 days of the filing of the application or at a later time agreed to by the applicant, the Planning and Zoning Commission shall recommend approval or disapproval of the preliminary proposal with any changes and conditions as it may suggest and shall transmit its recommendations to the City Council. In its recommendations the Commission shall determine whether the proposed PUD is consistent with the objectives for PUDs specified in section 11.810 and with the comprehensive land use plan of the city; and whether the benefits, combination of various land uses, if proposed, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations allowed by this chapter for PUDs.
- (B) *By City Council.* Upon receipt of the recommendations of the Planning and Zoning Commission, the Council shall consider the application and, after holding the public hearing as it deems desirable, shall approve or disapprove the application with the changes or conditions, if any, as it may deem appropriate. Refusal of any changes or conditions shall constitute denial of the plans by the City Council. Failure of the landowner to notify the City Council of his or her acceptance or refusal of the modification to the plan constitutes acceptance of these conditions. No building permits may be issued on land within the PUD until final plans for the development have been approved by the City Council under the procedures provided in the following sections.

§ 11.853 PUD AGREEMENT.

The Zoning Administrator shall instruct the City Attorney to review the PUD application and draft a PUD agreement (aka development agreement) which stipulates the specific terms and conditions approved by the City Council and accepted by the applicant. This agreement shall be signed by the Mayor of the city, Administrator and the applicant within 30 days of the City Council approval of the PUD application and final plat. Where the PUD application and/or final plat is to be resubmitted or denied approval, the City Council action shall be by written report setting forth the reasons for its actions.

§ 11.854 FINAL REVIEW AND APPROVAL.

An application for review and approval of the final development plan shall be filed by the applicant with the Planning and Zoning Commission within six months of the date on which approval of the preliminary plan was given by the Council. If application for final approval is not made within the time required, the proposal shall be considered abandoned unless an extension period is requested and granted by the City Council.

§ 11.855 DOCUMENTATION REQUIRED.

The final application shall be accompanied by the following supporting documentation:

(A) A final plan of the PUD in schematic form including the following:

- (1) The street system, lot layout and off-street parking and loading plan;
- (2) The use, height, bulk and approximate location of buildings and other structures;
- (3) Land areas to be conveyed, dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses;
- (4) A site plan for each building site and common open area, showing approximate location of buildings, structures and improvements;
- (5) Generalized elevations and perspectives of all structures;
- (6) A site grading plan indicating the direction of flow of surface drainage and all easements necessary for both ponding and runoff;
- (7) Plans, profiles and specifications for the distribution of water, collection of sanitary waste and stormwater;
- (8) A landscape plan indicating the location, size and type of plant materials to be used;
- (9) Plans, profiles, typical sections and specifications for proposed street improvements; and
- (10) The density of land use to be allocated to the several parts of the site being developed.

(B) A written statement including:

- (1) The approximate date when construction will begin by stage of development and the area of open space to be provided at each stage;
- (2) Agreements, provisions or covenants which govern the use, maintenance and continued protection of the development and any of its common open areas; and
- (3) Other conditions specifically required by the Commission and the Council for the particular PUD.

§ 11.856 ACTION ON FINAL APPLICATION.

- (A) Procedure for action by the Planning and Zoning Commission and the Council on an application for review and approval of the final plan for a PUD shall be the same as prescribed by this subchapter for the action on the preliminary proposal. In giving approval, the Council may specify the length of time within which construction of the project must be begun or completed, and it may attach other conditions as seem necessary. The final development plan shall be in general conformance with the preliminary development plan as approved.
- (B) (1) *Criteria for approval.* The findings necessary for approval of both the preliminary and final development plans shall be based on the criteria in section 11.810 and shall describe in what respect the plan would or would not be in the public interest.
- (2) *Noncompliance.* In the event the plan as submitted for final approval is not in substantial compliance with the preliminary development plan, the Zoning Administrator shall attempt to notify the applicant within 45 days of the date of application, setting forth the ways in which the plan is not in substantial compliance.
- (a) The applicant may treat the notification as denial of preliminary approval;
 - (b) The applicant may refile his or her plan so that it does substantially comply with the outline development plan; or
 - (c) The applicant may file a written request with the Planning and Zoning Commission that it hold a public hearing on his or her request for final approval.
- (3) *Final approval.* The City Council shall review and approve the final development plan if it is in substantial compliance with preliminary development plan. Following this, the applicant shall record the final development plan in the manner provided for recording subdivision plats. If the final development plan is not in substantial compliance, the applicant shall be requested to repeat the procedures outlined for the preliminary development plan. Approval may be conditioned on the applicant executing a PUD agreement.

§ 11.859 OPERATION OF COMPLETION.

- (A) If work on the PUD is not started within the time limits prescribed in the final development plan or PUD agreement, approval shall terminate unless an extension period is requested or granted by the City Council.
- (B) Completion of the PUD shall be certified by the Planning and Zoning Commission on the final development plan or PUD agreement. Thereafter, the use of land and the

construction, modification or alteration of any buildings shall be governed by the recorded CUP or IUP.

(C) Changes may be authorized only under the procedures provided below:

- (1) Minor extensions, alterations or modifications of existing structures may be authorized by the Planning and Zoning Commission if they are consistent with the intent and purpose of the final development plan and do not increase the cube of any building or structure by more than 10%;
- (2) Minor changes in the location, siting, and height of buildings and structures may be authorized by the City Engineer if requested by engineering or other unforeseen circumstances.
- (3) Changes in the use of common open space or the replacement of any building substantially destroyed which exceeds the intent and purposes of the final development plan may be authorized only by amendment to the final development.
- (4) All other changes in use, rearrangement of lots, blocks and open space, must be authorized by the City Council.

§ 11.860 SITE IMPROVEMENTS.

At any time following the execution of a PUD agreement and receiving a notice to proceed from the City Administrator, the applicant may, pursuant to the applicable codes of the city, apply for and the Zoning Administrator may issue grading permits for the area within the PUD for which development stage plan approval has been given.

§ 11.861 CONSTRUCTION.

The construction and provisions of all the common open spaces and public and recreational facilities which are shown on the final development plan must proceed at the same phase as the construction of dwelling units. At least once every six months following the approval of the final development plan, the Zoning Administrator shall review all of the building permits issued for the planned development and examine the construction which has taken place on the site. If he or she shall find that the rate of construction of dwelling units is greater than the rate at which common open spaces and public and recreational facilities have been constructed and provided, he or she shall forward this information to the City Council, which may revoke the PUD Permit.

§ 11.862 MAINTENANCE OF COMMON OPEN SPACE.

All land shown on the final development plan as common open space must be conveyed to a homeowners' association or similar organization for the maintenance of the planned development. The common open space must be conveyed to the homeowners' association or similar organization subject to covenants, to be approved by the City Council, which restrict the common open space to the uses specified on the final development plan, and which provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purpose.

§ 11.863 HOMEOWNERS' ASSOCIATION.

If a homeowners' association or cooperative is created, the applicant shall submit plans at the time of final plan of development and documents which explain or set forth:

- (A) Ownership and membership requirements;
- (B) Articles of incorporation and bylaws;
- (C) Time at which the developer turns the association over to the homeowners;
- (D) Approximate monthly or yearly association fee for homeowners; and
- (E) Specific listing of items owned in common including items as roads, recreation facilities, parking, common open space ground and utilities.

The first reading of this Ordinance occurred on March 5, 2020. The second reading of this Ordinance occurred on March 19, 2020.

Effective Date. This ordinance shall be effective immediately upon its passage.

PASSED AND DULY ADOPTED this 19th day of March 2020 by the City Council of the City of Lexington.

Mike Murphy, Mayor

Attest:

Bill, Petracek, City Administrator

Published in the Quad Press on _____, 2020



9180 Lexington Avenue
Lexington, MN 55014
Phone: (763) 784-2792
Fax: (763) 785-8951
www.ci.lexington.mn.us

ENTERTAINMENT LICENSE APPLICATION

APPLICATION FOR: ☐ Annual Entertainment License \$ 200.00
☒ Single Use Special Event Permit \$ 300.00

The Council shall act upon all entertainment license applications at a regular meeting within sixty (60) days of the completed application and fee being received by City staff. Inaction by the Council within this period is a denial of the application.

No entertainment license is valid until approved by the Council and the appropriate fees are paid to the City.

Licenses are valid only for the date(s) specified on the license. Annual licenses are valid from July 1st through June 30th of the following year, or pro rata from the date granted through June 30th.

1. APPLICANT INFORMATION

Attach a written approval from the organization(s) in whose name the event will be advertised which authorizes you, the applicant, to apply for this special event permit on their behalf.

Applicant Name: Bill Kenow Title: President

Mailing Address: 12215 Urbank St NE, Unit A, Blaine, MN 55449

Affiliation: City Heat Charities

Day Phone: 612-419-1105 Evening/Cell phone: 612-419-1105

Emergency Contact/Phone : 612-644-7253

Email Address: kebowski9@gmail.com

Is applicant 18 years of age or older Yes ☒ No ☐

Who is the primary person in charge and/or responsible for this event?

Name: Bill Kenow Title: President

Mailing Address: same

Day Phone: _____ Evening/Cell phone: _____

Emergency Contact/Phone : _____

Email Address : _____

2. TITLE, PURPOSE AND DESCRIPTION OF EVENT:

City Heat Charities Annual Benefit Ride.

To raise monies for families in need.

an annual motorcycle ride.

3. EVENT PRINCIPALS

Submit a list of principals involved in the proposed special event, including professional organizers, promoters, financial underwriters, commercial sponsors, charitable agencies for whose benefit the event is being produced or advertised, etc. Attach additional pages if necessary to include all of the principals involved.

Name: _____ Title: _____

Organization / Business / Agency / Affiliation: _____

Name: _____ Title: _____

Organization / Business / Agency / Affiliation: _____

Name: _____ Title: _____

Organization / Business / Agency / Affiliation: _____

Name: _____ Title: _____

Organization / Business / Agency / Affiliation: _____

4. EVENT COMPONENTS

Date requested: May 31, 2020 Alternate date: _____

Requested hours of operation: from: 1600 ☐ AM ☒ PM to 0200 ☒ AM ☐ PM

Set-up beginning date and time: 05-31-2020 @ 0900

Complete dismantle date and time: 06-01-2020 @ 0200

(Attach a draft of any entry forms for participants and/or spectators.)

Anticipated number of participants: 140 Spectators: _____

Will any city streets require temporary closure or restrictions? Yes ☐ No ☒

Identify streets and times/dates of closure or restrictions: _____

5. LOCATION AND MAP

Please attach a map or plans for your event layout. At minimum, the following items should be included. Check off items below that pertain to your event and indicate them on the event map. Please use a "to-scale" drawing.

- A) ☐ If a route is involved, mark the beginning and finishing area with arrows and places where any motorized vehicles need to be considered.
 - B) ☐ Size and location of any tables, tents, structures and enclosures,
 - C) ☐ Entertainment or stage locations
 - D) ☐ Alcoholic beverage concession area
 - E) ☐ Non-alcoholic beverage concession area
 - F) ☐ Food concession area (cooking, serving and consumption areas)
 - G) ☐ General merchandise concession areas
 - H) ☐ Portable toilet facilities
 - I) ☐ First-aid facilities
 - J) ☐ Event participant and/or spectator parking areas
 - K) ☐ Event organizer's command post
 - L) ☐ Fireworks or pyrotechnics site
 - M) ☐ Vehicle fuel handling site
 - N) ☐ Fencing or others method for securing event area
 - O) ☐ Site of electrical wiring to be installed for the event
 - P) ☐ Trash receptacles
 - Q) ☐ Electrical sources to be used for cooking
 - R) ☐ Temporary structures constructed for the event
 - S) ☐ Other – Please describe: _____
-

6. FOOD, BEVERAGES AND ENTERTAINMENT

Will food and/or non-alcoholic beverages be served? Yes ☒ No ☐

If yes, describe sanitation measures, food handling procedures and the nature of the food (such as pre-packaged foods, hot dogs, pre-mixed soda, raw meats, fish, vegetables, unpeeled fruit or peeled and cut fruit): Food will be served in the venue.

Beverages will be served by the venue in the venue.

Describe any plans you have for cooking food in the event area including fuel or electrical source to be used: The food will be prepared on-site by an inspected vendor, the same vendor as years before.

if you intend to serve food you will need a permit from the Anoka County Department of Environmental Health. Please attach a copy of the permit to this application.

Will alcoholic beverages be served? Yes ☒ No ☐

If yes, describe what method will be used to ensure that alcoholic beverages will be consumed only by persons 21 years of age and older: _____

Alcohol will be served by the venue.

Describe how, where, when and by whom the alcoholic beverages will be served:

All alcoholic beverages will be served by the venue.

If a casino party, a dance, or live entertainment is part of your event, please describe: _____

Please describe all of the activities of your event for which a license is required, for example: a cabaret license, etc. Attach all required licenses to this application. Please note that certain licensing may be required by City, County and State agencies, such as a Large Assembly License for gatherings over 1,000 people, some types of food handling licensing, Gambling License, Cabaret License, etc. It is your responsibility to

check with the City Clerk or local authorities to determine what licensing is required prior to submitting this application.

Describe entertainment plans and intended hours: _____

We will be applying for a state gambling license.

If there will be music, sound amplification or any other noise impact, please describe, including the intended hours of the music, sound or noise: _____

The venue will be providing music inside the venue.

7. VENDORS OR CONCESSIONAIRES

Describe what vendors or concessionaires you will allow in conjunction with the event and the purpose of these concessions: _____

Describe how you intend to regulate, monitor and control the type, number and quality of vendors/concessionaires whom you may permit to operate in conjunction with the event: _____

8. SECURITY AND SAFETY PROCEDURES

Describe your proposed procedures for set-up, operation, internal security and crowd control: The venue will be providing security, but City Heat

Charity members, a fraternal law enforcement organization,

will be present as well.

If the event is to occur at night, describe how you are going to light the event area in order to increase the safety of participants and spectators coming to and leaving the event: All activities will be conducted indoors.

Describe plans to provide first aid, if needed: The venue will
follow their protocol.

Give the name, address and phone numbers of the agency or agencies which will provide first aid staff and equipment if required. Attach additional sheets if necessary.

Name of agency: _____

Name of Representative: _____

Address: _____

Day phone: _____ Evening phone: _____

Indicate medical services (if required) that will be provided for this event: _____

Attach to this application a copy of your building permit(s) if you are installing any electrical wiring on temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, stages or platforms.

Attach a copy of your fire department permit or inspection report to this application if you will use parade floats; an open flame; fireworks or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those closures); tents, air supported structures, canopies, or fabric shelters.

Attach a copy of a proposed site security plan and a proposed parking plan

9. SANITATION PLAN

Describe your plan for clean-up and material preservation. Include number, type and location of portable toilets or permanent toilets, and trash and recycling containers to be provided for the event. Indicate who will be responsible for clean-up activities during and after the event: There will be no additional sanitation needs.

10. CITY SERVICES/EQUIPMENT

Describe City services and/or equipment requested for this event. City barricades,

cones, signs and other equipment may be borrowed on an as-available basis. You should make advance arrangements to pick up and return this equipment. If you or any volunteers cannot pick up and return this equipment, please attach a letter requesting these services and explaining why your organization cannot perform them. This will be reviewed, then approved or denied by the public works foreman.

11. FEE STRUCTURE / EVENT CHARGES

If there is a fee or donation required as a condition of attendance or participation of this event, please describe the amounts to be collected from various categories of participants or spectators: There is a suggested donation at the start of the event

If a donation is requested on a purely voluntary basis, describe how you intend to inform participants/spectators or others that they may participate in the event whether they make a donation or not: We make this notification verbally, but it is understood
by participants that have participated in the past.

12. OTHER PERTINENT INFORMATION

Please list below any other miscellaneous information you feel would be important and have a bearing on the approval of this Special Event Permit request: _____

13. INSURANCE

You must provide proof of insurance coverage for your event. Attach to this application a certificate of insurance including the policy number, amount and the provision that the City of Lexington is included as an additional insured. (Please note – insurance requirements depend upon the risk level of the event. Also, if your event can be classified as first amendment expressive activity, insurance requirements can be waived under certain circumstances.)

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: City Heat Charities

Previous Gambling Permit Number: _____

Minnesota Tax ID Number, if any: _____

Federal Employer ID Number (FEIN), if any: _____

Mailing Address: 12215 Urbank St NE, Unit A

City: Blaine State: MN Zip: 55449 County: Anoka

Name of Chief Executive Officer (CEO): Bill Kenow

CEO Daytime Phone: 612-419-1105 CEO Email: kebowski9@gmail.com

(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): _____

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☒ Fraternal ☐ Religious ☐ Veterans ☐ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

☒ **A current calendar year Certificate of Good Standing**

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103

Secretary of State website, phone numbers:

www.sos.state.mn.us

651-296-2803, or toll free 1-877-551-6767

☐ **IRS income tax exemption (501(c)) letter in your organization's name**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Cowboy's Saloon

Physical Address (do not use P.O. box): 3801 Restwood Rd

Check one:

☒ City: Lexington Zip: 55014 County: Anoka

☐ Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): May 31, 2020

Check each type of gambling activity that your organization will conduct:

☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

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Page 2 of 2

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
<input checked="" type="checkbox"/> The application is acknowledged with no waiting period. <input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city). <input type="checkbox"/> The application is denied.	<input type="checkbox"/> The application is acknowledged with no waiting period. <input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days. <input type="checkbox"/> The application is denied.
Print City Name: _____	Print County Name: _____
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date: _____	Title: _____ Date: _____
<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>The city or county must sign before submitting application to the Gambling Control Board.</p> </div>	
TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.) Print Township Name: _____ Signature of Township Officer: _____ Title: _____ Date: _____	

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: [Signature] Date: 2-24-20
(Signature must be CEO's signature; designee may not sign)

Print Name: BILL KENOW

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:
 A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Questions?
 Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

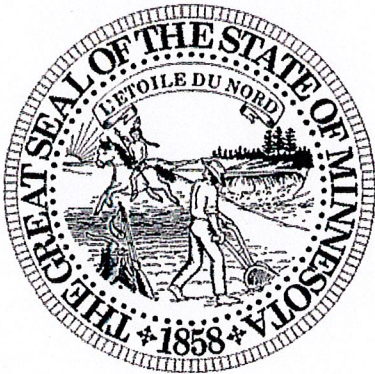
An equal opportunity employer

**Office of the Minnesota Secretary of State
Certificate of Good Standing**

I, Steve Simon, Secretary of State of Minnesota, do certify that: The business entity listed below was filed pursuant to the Minnesota Chapter listed below with the Office of the Secretary of State on the date listed below and that this business entity is registered to do business and is in good standing at the time this certificate is issued.

Name: CITY HEAT CHARITIES
Date Filed: 05/05/2006
File Number: 1837830-2
Minnesota Statutes, Chapter: 317A
Home Jurisdiction: Minnesota

This certificate has been issued on: 03/11/2018



A handwritten signature in black ink that reads "Steve Simon".

Steve Simon
Secretary of State
State of Minnesota

Memorandum

To: Lexington Mayor and Council Members
From: Bill Petracek, City Administrator
Date: Mar 5, 2020
Re: Donation to the Fire Department

Last month the Fire Department received a generous donation of \$1,200.00 from Mrs. Barbara Decheine, in memory of her late husband Mr. Thomas Decheine.

I recommend that the City Council approve the acceptance of the donation and record it in the Fire Department's Capital Equipment account.