

**AGENDA**  
**REGULAR PLANNING COMMISSION MEETING**  
**January 14, 2020 - 7:00 P.M.**  
**9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER
  - A. Roll Call: Chairperson VanderBloomer, Commissioners Bautch, Thorson, Koch and Murphy
2. CITIZENS FORUM
3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
4. LETTERS AND COMMUNICATION
  - A. Building Permits for December 2019 pg. 1-3
5. APPROVAL OF PLANNING COMMISSION MINUTES
  - B. December 10, 2019 pg. 4-6
6. DISCUSSION ITEM:
  - A. Election of Chairperson and Vice Chairperson for 2020
  - B. Recommendation to Approve Planning Commission Meeting Dates of Monday, February 10<sup>th</sup> and Monday, August 10<sup>th</sup> to Accommodate the Upcoming Special Elections
  - C. Discuss Lexington Lofts Revised Plans – Norhart Development pg. 7-14
  - D. Discuss Final Draft of Revised Outdoor Storage Ordinance. pg. 15-20
7. NOTE COUNCIL MINUTES:
  - A. December 5, 2019 pg. 21-24
  - B. December 19, 2019 pg. 25-27
8. PLANNING COMMISSION INPUT
9. ADJOURNMENT



**City of Lexington**  
**Permits Issued & Fees Report - Detail by Address**  
**Issued Date From: 12/1/2019 To: 12/31/2019**  
**Permit Type: All Property Type: All Construction Type: All**  
**Include YTD: Yes Status: Not Voided**

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
<b>Permit Type: Building</b>													
Permit Kind: Commercial New Construction													
Permit Kind: Commercial Remodel													
Permit Kind: Commercial Roofing													
Permit Kind: Commercial Sign - Permanent													
2019-00139	12/02/2019	3940 RESTWOOD RD	0			60.00							60.00
Permit Kind: Residential Demolition													
Permit Kind: Residential New Construction													
Permit Kind: Residential Remodel													
2019-00141	12/03/2019	8950 JACKSON AVE	0		25,000.00	513.74	333.93	12.50					860.17
Permit Kind: Residential Repair													
Permit Kind: Residential Roofing													
Permit Kind: Residential Siding													
2019-00145	12/13/2019	9127 DUNLAP AVE	0		6,400.00	145.00		1.00					146.00
<b>Permit Type: Building - Totals</b>													
			Period	3	0	31,400.00	718.74	333.93	13.50				1,066.17
			YTD	77	0	1,183,776.01	18,429.78	6,503.12	397.20	1	2,485.00		28,244.10

**Permit Type: Mechanical**  
Permit Kind: Commercial HVAC  
Permit Kind: Commercial New Construction

Permit#	Date Issued	Site Address	Permit Type:	Mechanical	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
<b>Permit Type: Mechanical</b>															
<b>Permit Kind: Commercial Remodel</b>															
<b>Permit Kind: Residential Fireplace</b>															
<b>Permit Kind: Residential HVAC</b>															
019-00142	12/02/2019	9239 GRIGGS AVE			0			40.00		1.00					41.00
019-00143	12/04/2019	8950 JACKSON AVE			0			40.00		1.00					41.00
<b>Permit Kind: Residential Remodel</b>															
<b>Permit Type: Mechanical - Totals</b>															
Period					2	0		80.00		2.00					82.00
YTD					26	0	2,076,740.00	42,442.80	26,966.42	963.09					70,372.31
<b>Permit Type: Other</b>															
<b>Permit Kind: Residential Roofing</b>															
<b>Permit Type: Other - Totals</b>															
Period					0										
YTD					2	0		290.00		2.00					292.00
<b>Permit Type: Plumbing</b>															
<b>Permit Kind: Commercial New Construction</b>															
<b>Permit Kind: Commercial Remodel</b>															
<b>Permit Kind: Residential Interior Remodel</b>															
019-00144	12/04/2019	8950 JACKSON AVE			0			202.00		3.00					205.00
<b>Permit Kind: Residential Remodel</b>															
<b>Permit Kind: Residential Water Heater</b>															
<b>Permit Type: Plumbing - Totals</b>															
Period					1	0		202.00		3.00					205.00
YTD					21	0	1,973,272.00	40,563.44	25,562.19	913.10					67,267.73



Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Zoning													
Permit Kind: Residential Accessory Building													
Permit Kind: Residential Driveway													
Permit Kind: Residential Fence/Wall < 6 FT													
Permit Type: Zoning - Totals													
			Period	0									
			YTD	15	0	900.00							900.00
Report Total													
			Period	6	0	\$31,400.00	1,000.74	333.93	18.50				1,353.17
			YTD	141	0	\$5,233,788.01	102,626.02	59,031.73	2,275.39	1	2,485.00		167,076.14

**MINUTES**  
**REGULAR PLANNING COMMISSION MEETING**  
**December 10, 2019 - 7:00 P.M.**  
**9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER

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

*Vice Chairperson Bautch called to order the Regular Planning Commission meeting on December 10, 2019 at 7:00 p.m. Commissioners Present: Michelle Koch, Gloria Murphy, and Ron Thorson. Excused Absence: Mark Vanderbloomer. Also present: John Hughes, City Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Mike Kaeding and Marie Dickover, Norhart Development; Bob Dedyne, Citizen.*

2. CITIZENS FORUM

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

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

4. LETTERS AND COMMUNICATION

- A. Building Permits for November 2019

*Some discussion about the mobile home removal and demolition in Parkview.*

5. APPROVAL OF PLANNING COMMISSION MINUTES

- B. November 12, 2019

*Koch made a motion to approve the November 12, 2019 minutes. Thorson seconded the motion. Motion carried 4-0.*

6. DISCUSSION ITEM:

- A. Discuss the City Council's Recommendation to have Planning and Zoning Review Lexington Lofts Plans.

*Petracek explained that the City Council had voted to send the Lexington Lofts plans back to the Planning Commission for further review.*

*Murphy asked Councilmember Hughes what his biggest concerns for the Lexington Lofts plans were. Councilmember Hughes stated that the height of the building and the setbacks are his concerns for the development. Hughes added that the 8'-13' setbacks is too close to the street when you are driving down Griggs Ave. Discussion ensued.*

*Mike Kaeding, President of Norhart, discussed redesigning the project with altered setbacks. He stated the setbacks could be changed from 8'-13' to 13'-18' depending on which building is involved. He stated that the setbacks could be changed to that level without changing the building structure and compromising the number of units.*

*Kaeding addressed the height of the building. He explained that to reduce the height of the building would reduce the unit count, which they would have to reduce their expenses as a result. Hughes stated that Landings of Lexington was able to do it with 4-stories without any issues. Discussion ensued.*

*Hughes stated that Ephesians asked for a 5-story building. He added that he objected to having 5 livable stories with Ephesians and explained that there are no 5-story buildings in the area; they are mostly 3-4 story buildings. Discussion ensued.*

*Koch asked if it is the look of the building, concerned citizens, or fire suppression that Hughes is concerned about. Hughes responded that all three of those items are his concern.*

*Bautch asked the Commission what they wanted to do with the Lexington Lofts plans. Murphy stated that by eliminating the 5th story would eliminate a lot of selling features for the development, such as the sky lounge. Discussion ensued.*

*Murphy made a motion to have Norhart Development propose a new set of Lexington Lofts plans with 13'-18' setbacks along with the option of only 4-story buildings for the project. Koch seconded the motion. Motion carried 4-0.*

*Petracek explained to Kaeding to have those plans ready for the January Planning Commission meeting.*

- B. Discuss City Council's recommendation for Planning and Zoning to Review Ordinance 11.20 Subdiv. 4 – Zoning Amendments.

*Attorney Glaser explained that the City Council has asked the Planning Commission to provide their thoughts and recommendation on Ordinance 11.20 Subdiv. 4 – Zoning Amendments. Glaser explained that the requests for zoning change needed a 4/5's majority and the planned unit development to be approved, which the Council vote did not reflect that. He added that the City of Lexington's ordinance reflects an old minimum State Law, which was pointed out by Norhart that our ordinance does not meet Minnesota State Standards. Discussion ensued.*

*Glaser provided an overview of the League of Minnesota Cities opinion on cities in Minnesota changing their ordinance if it doesn't comply with State Law. Glaser did some*

*research and couldn't find any city within the vicinity that still has the old voting threshold standards. He continued by saying that the City Council wants the Planning Commission's opinion on the idea of having a standard that is more restrictive than State Law and to consider changing these restrictions. Glaser stated that we would be reducing our litigation risk if we changed the ordinance to meet State Law. Discussion ensued.*

*Koch made a motion to recommend to the City Council to update the voting threshold to meet the current State Law for zoning amendments. Murphy seconded the motion. Motion carried 4-0.*

*Bob Dedayn asked if there is public input on this ordinance. Petracek stated that at the first readings of the ordinance with the City Council there would be public input.*

#### C. Discuss Proposed Ordinance Changes – Outdoor Storage

*Attorney Glaser asked for clarification on the proposed outdoor storage ordinance regarding comments made by Ron Wasmund, Building Official, that involves trailers.*

*The Commission discussed trailer storage and how many vehicles can be stored on the trailers – ATV's, personal watercraft, and snowmobiles.*

*Glaser proposed drafting language for the ordinance that allows trailers being stored outside the ability hold the amount of vehicles – ATV's, personal watercraft, and snowmobiles – to the level that the trailer is designed to transport.*

*Glaser will redraft the ordinance and bring it back to the Planning Commission for final review and recommendation to the City Council.*

#### 7. NOTE COUNCIL MINUTES:

- A. November 7, 2019
- B. November 21, 2019

*Some discussion on the sewer usage ordinance that was adopted.*

#### 8. PLANNING COMMISSION INPUT

Bautch wished everyone happy holidays!

#### 9. ADJOURNMENT

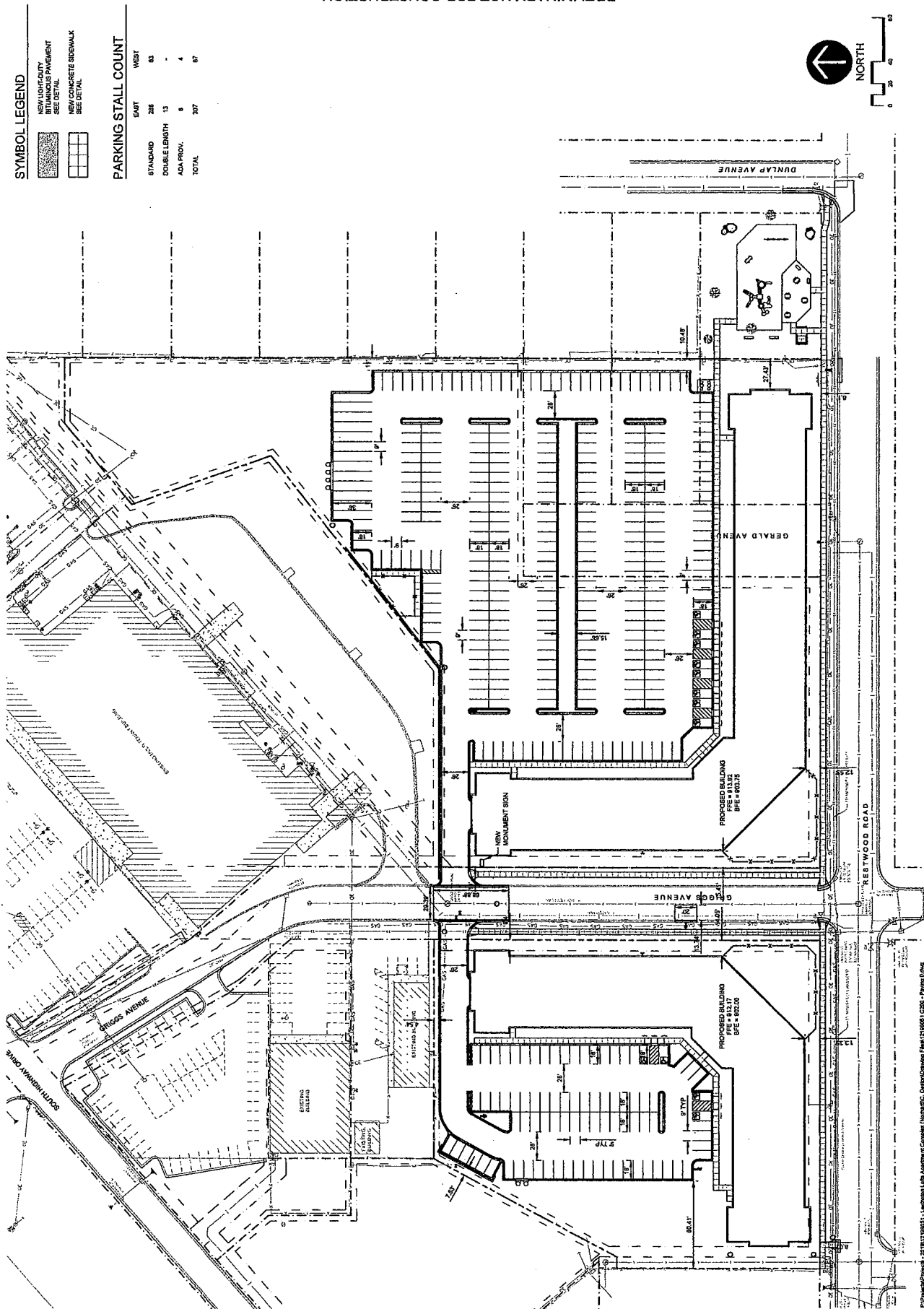
*Murphy made a motion to adjourn at 8:05 p.m. Koch seconded the motion. Motion carried 4-0.*





Original





**SYMBOL LEGEND**

- NEW LIGHT-DUTY BITUMINOUS PAVEMENT SEE DETAIL
- NEW CONCRETE SIDEWALK SEE DETAIL

**PARKING STALL COUNT**

	EAST	WEST
STANDARD	286	83
DOUBLE LENGTH	13	-
ADA PROJ.	8	4
<b>TOTAL</b>	<b>307</b>	<b>87</b>



**Larson Engineering, Inc.**  
3524 Lakewood Road  
West Lake, MN 55110  
612.451.1200 (T) 612.451.1201  
www.larsoneng.com

**NORHART, LLC**  
280 9TH AVE SW #311  
FOREST LAKE, MN 55025

**LEXINGTON LOFTS**  
LEXINGTON, MN

**Project Title:** LEXINGTON LOFTS  
**Client:** NORHART, LLC

**Design:** T. J. Shaw, P.E.  
**Date:** 10.13.10  
**Rev. No.:** 1

**Project #:** 1210002.000  
**Drawn By:** MTH  
**Checked By:** TJS  
**Issue Date:** 10.14.10  
**Sheet Title:** PAVING PLAN

**C200**  
OPTION 0  
PAVING PLAN

PRELIMINARY NOT FOR CONSTRUCTION



Option #1





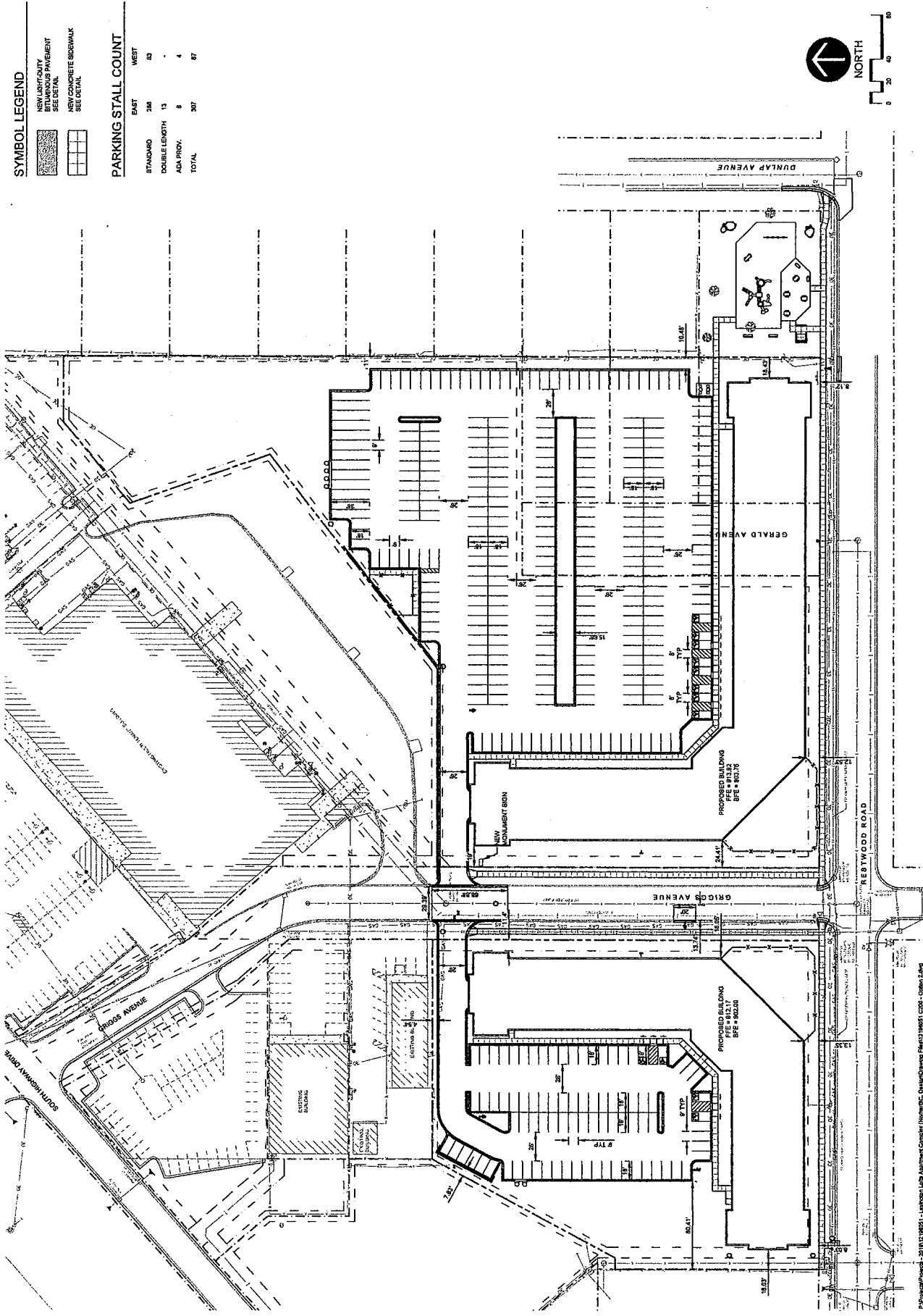




Option #2







**SYMBOL LEGEND**

- NEW CURB CUT
- BITUMINOUS PAVEMENT
- SEE DETAIL
- NEW CONCRETE SIDEWALK
- SEE DETAIL

**PARKING STALL COUNT**

	EAST	WEST
STANDARD	246	80
DOUBLE LENGTH	13	-
ADA PROV.	8	4
<b>TOTAL</b>	<b>307</b>	<b>87</b>

**Larson Engineering, Inc.**  
 3524 Lakota Road  
 Forest Lake, MN 55025  
 651.461.9120  
 www.larsoneng.com

**NORHART, LLC**  
 290 9TH AVE SW #311  
 FOREST LAKE, MN 55025

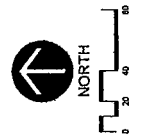
**LEXINGTON LOFTS**  
 LEXINGTON, MN

1. I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Minnesota.

T. J. Jones, P.E.  
 Date: 10.16.19 Reg. No.:  
 Title: Designer  
 Project #: 1206051.000  
 Drawn By: MTH  
 Checked By: TJB  
 Issue Date: 10.16.19  
 Sheet Title: PAVING PLAN

**OPTION 2**  
**C200**

PRELIMINARY NOT FOR CONSTRUCTION

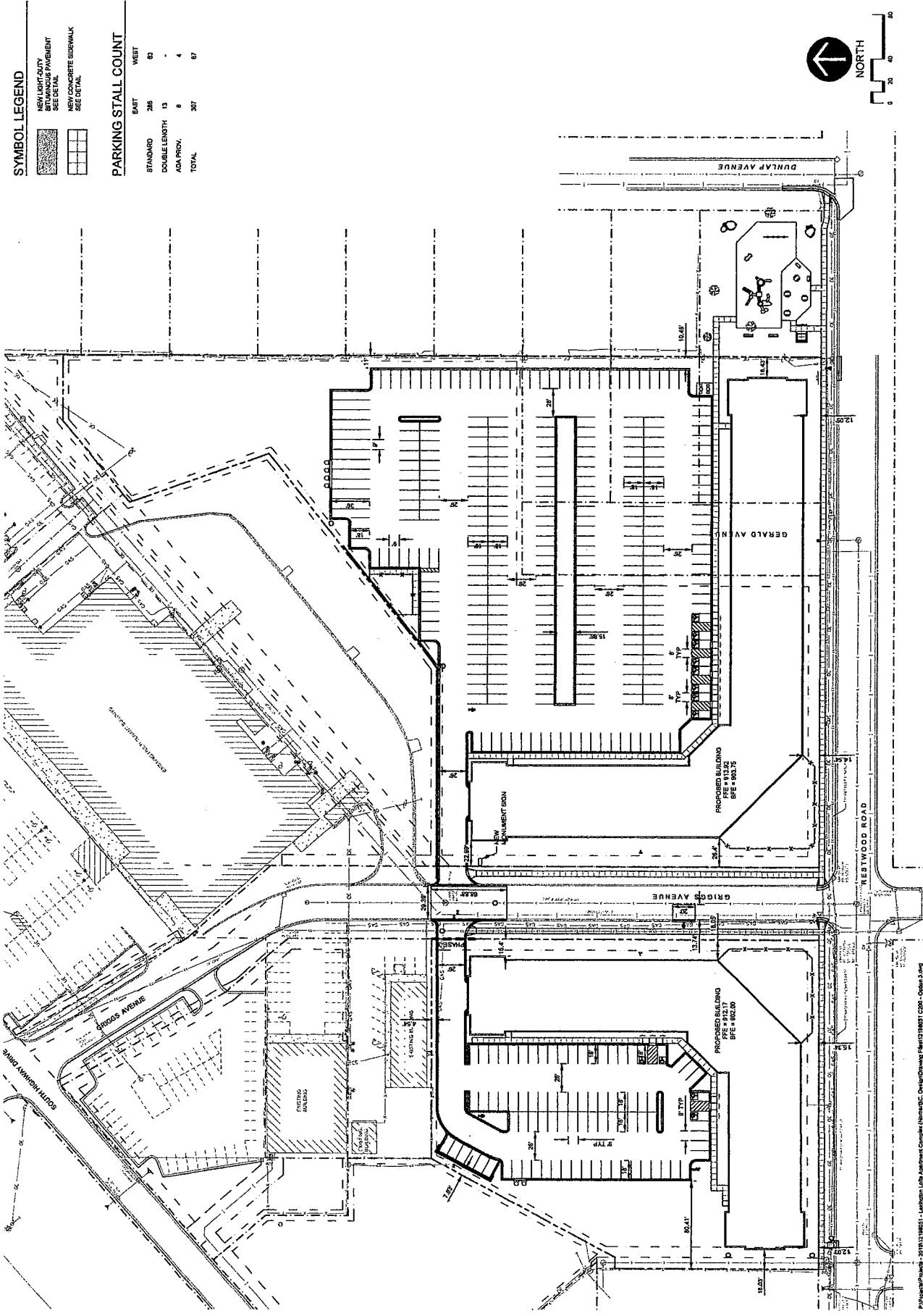




Option #3







**SYMBOL LEGEND**

- NEW ASPHALT DRIVE
- BRICK PAVEMENT
- SEE DETAIL
- NEW CONCRETE SIDEWALK
- SEE DETAIL

**PARKING STALL COUNT**

	EAST	WEST
STANDARD	286	83
DOUBLE LENGTH	13	-
ADA PRN.	8	-
<b>TOTAL</b>	<b>307</b>	<b>83</b>

**Larson Engineering, Inc.**  
 5524 Labov Road  
 White Bear Lake, MN 55110  
 (612) 439-1920  
 www.larsoneng.com

**NORHART, LLC**  
 280 9TH AVE SW #311  
 FOREST LAKE, MN 55025

**LEXINGTON LOFTS**  
 LEXINGTON, MN

**Project Title:**  
 I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

**Professional Engineer:**  
 Date: 10/10/19 Reg. No.:  
 Title: Designer  
 Project # 12100001000  
 Drawn By: MTH  
 Checked By: JAB  
 Issue Date: 10/16/19  
 Sheet Title:

**PAVING PLAN**  
**OPTION 3**  
**C200**

PRELIMINARY NOT FOR CONSTRUCTION

Memorandum

TO: Planning & Zoning Commission  
FROM: Kurt Glaser, City Attorney  
DATE: 01/07/2020  
RE: Outdoor Storage  
Proposed Ordinance Changes From December Meeting

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**SUMMARY: Changes to the Memo can be found**

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Chapter 11.02, Definitions:

**NOTE, THE TERM "OUTDOOR STORAGE" HAS BEEN REMOVED FROM THE CHAPTER 11 AND IS NOT USED ANYWHERE ELSE IN THE CODE. REFERENCES USING THE TERM "OUTDOOR STORAGE" HAVE BEEN CHANGED TO "EXTERIOR STORAGE". "OUTSIDE STORAGE" IS USED IN CHAPTER 15.**

~~**"Outdoor Storage"** - The storage of any goods, junk, equipment, wood, trailers, material, merchandise, supplies or vehicles not fully enclosed in a building for more than twenty-four hours.~~

**"Exterior Storage"** - The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building.

**SECTION 11.60. PERFORMANCE STANDARDS.**

Any item outside of a principal or accessory structure is allowable as either an Accessory Use or Conditional Use in each land use district. "Exterior storage" as set forth in Chapter 11, shall govern business and multiuse districts. "Outside storage" as set forth in Chapter 15, shall govern residential district.

**Subd. 12. Exterior Storage.**

- A. All materials and equipment shall be stored within a building or fully screened by fencing from adjacent properties and the street, except for the following: clothes lines, recreational equipment, patio furniture, patio furniture, firewood and operable and currently licensed automobiles and trucks weighing not more than one ton.
- B. In non-residential and multiuse districts, all materials, equipment, and items shall be stored within a building or fully screened from adjacent properties and the street. The exceptions are: (1) merchandise being displayed for immediate sale; (2) materials and equipment currently being used for construction on the premises; (3) merchandise located on service station pump islands.

- C. In non-residential district, up to three commercial vehicles such as delivery and service trucks up to 12,000 pounds of gross weight may be parked without screening if such vehicles relate to the principal use. Construction equipment, trailers, and vehicles over 12,000 pounds shall require screening.

**NOTE, SUBDIVISION 14 IS DELETED AND MOVED TO CHAPTER 15.**

~~**Subd. 14. Parking or Storage of Motor Home or Travel Trailer.** One travel trailer, motor home, camper, or similar vehicle may be parked or stored on a residential site when used by the family residing in the dwelling on such site. Such vehicles or items shall have affixed thereto current registration or license plates as required by law and shall be stored so that same shall meet all minimum side, front and rear yard setback requirements of the residential district of this Chapter and such parking or storage shall otherwise meet all other requirements of any other City Code provision and State laws. None of such parked or stored vehicles or items shall be connected to any water or sewage disposal system on said residential property where same is so parked or stored.~~

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**SECTION 15.102. DEFINITIONS.**

**Subd. 1. Definitions.** The following definitions shall apply in the interpretation and enforcement of this Chapter.

- A. **"Recreational vehicle"** – The following are considered Recreational Vehicles:
- a. Motor vehicles and trailers which include living quarters designed for temporary accommodation; or,
  - b. Mobile vehicles used for recreational purposes capable of being towed or being self-propelled, including but not limited to boats, watercraft, snowmobiles, or all-terrain vehicles.
  - c. A recreational vehicle does not include a manufactured home, construction trailer, or any other vehicle or trailer designed for permanent habitation as evidenced by its capability for a permanent connection to a water, sewer or electricity service.
- B. **"Trailer"** - An unpowered vehicle capable of being towed by another.
- C. **"Fish house"** - A shelter, generally used for ice fishing or fish spearing, commonly known as an ice shelter, dark house, fish house, or wheelhouse, otherwise requiring a license from the State. These shelters include any shelter ever licensed for use when taking fish from public waters. Once any structure or shelter is licensed by the State for use as a fish house, it is thereafter designated to be a "fish house" under this definition.

### **SECTION 15.103. GENERAL REQUIREMENTS.**

#### **Subd. 1 (F) [GOVERNING RESIDENTIAL PROPERTY]**

Outside Storage. Where allowed in a zoning district, the outside storage of materials, equipment or other personal property on or adjacent to any building property shall conform to the following:

1) All materials, equipment or other personal property shall be stored within a building or fully screened by fencing from adjacent properties and the street, except for the following: clothes lines, recreational equipment, patio furniture, firewood and operable, currently licensed automobiles and trucks weighing not more than one ton, and those other exceptions defined in subsection 3 (below).

2) No commercial vehicles of over one (1) ton capacity or commercial trailers shall be parked or stored in any residential district except when loading, unloading or rendering a service. All vehicles equipped with truck parking permits shall be exempt.

3) The outside storage of large items is permitted and shall conform to the following:

a) Outside storage of these following large items is permitted:

i) Recreational vehicles;

ii) Boats;

iii) Fish houses; and,

iv) Trailers:

a) Boat trailers;

b) Trailers designed to accommodate recreational vehicles; and,

c) Other types of unoccupied trailers with a maximum gross weight of 3,000 pounds which are not intended for commercial use.

b) Outside storage of permitted large items is limited to the following areas on each parcel:

i) Rear yard at least ten (10) feet from the rear property line;

- ii) Side yard at least five (5) feet from the side property line;  
and,
  - iii) Except that outside storage in the front yard is limited to recreational vehicles and trailers where they can only park on a driveway surface at least ten (10) feet from the back of the curb line.
  - iv) In no case shall the location of any recreational vehicle, boat, fish house, or trailer cause a safety hazard due to poor traffic sight distance or make properties inaccessible by public safety personnel or vehicles.
- c) Outside storage of permitted large items is subject to the following conditions:
- i) When permitted large items are stored in the permitted areas of a rear yard or a side yard (except the front yard portion of a side yard) they are exempt from Section 11.60, subdivision 22 (H), which otherwise requires them to park, stand or operate only on a hard and dust-free.
  - ii) Permitted large items are required to have current registration or licensure as required by law, and proof of registration or licensure shall be conspicuously affixed thereto.
  - iii) No permitted large items shall be connected to any water or sewage disposal system.
  - iv) No person shall occupy a permitted large item except to load, unload, repair, or clean.
  - v) Trailers stored pursuant to this section may not be used to store materials, garbage, equipment, or other unintended articles on or about the trailer, except that a boat trailer or recreational vehicle trailer may store a boat or recreational vehicle(s) in a manner as intended for use with the trailer.
- 5) The outside storage of firewood shall be restricted to the side or rear yards provided it is no closer than five (5) feet to any property line. Such wood shall be stacked in a neat, orderly, safe manner. The maximum height allowed is six (6) feet. Storage of firewood in the front yard shall be permitted for loading and unloading on temporary basis only not to exceed five (5) days.
- 6) For purposes of this section, materials or equipment existing outside of a building for a period greater than 24 hours shall be considered "stored."



Stored materials, permitted large items, equipment or personal property shall not be used for human habitation.

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**NOTE, SECTION 15.103 REQUIRES AN EXCEPTION FROM THE PARKING REQUIREMENT IN SECTION 11.60**

**Section 11.60 PERFORMANCE STANDARDS**

**Subd. 22. Parking. H.** Design, Maintenance, and Installation. 1) All open off-street parking areas and access to those areas shall be paved and improved with a hard and dust-free surface, **and vehicles shall park, stand or operate only on that surface.**

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## PROPOSED STORAGE PER DISTRICT

These Accessory and Conditional Uses would be added to the existing Table of Uses.

LAND USE DISTRICT INTENT	USES PERMITTED PRINCIPAL	ACCESSORY	CONDITIONAL
M-1		-No RV, Trailer, or Fish House Storage on property with any commercial use -Outside, RV or Fish House Storage allowed on residential property	Outside or exterior storage on property with any commercial use
M-2		-No RV, Trailer, or Fish House Storage on property with any commercial use -Outside, RV or Fish House Storage allowed on residential property	Outside or exterior storage on property with any commercial use
B-1		-No RV, Trailer, or Fish House Storage	Outside or exterior storage
B-2		-No RV, Trailer, or Fish House Storage	Outside or exterior storage
B-3		-No RV, Trailer, or Fish House Storage	Outside or exterior storage
B-4		-No RV, Trailer, or Fish House Storage	Outside or exterior storage
B-5		-No RV, Trailer, or Fish House Storage	Outside or exterior storage
R-1		-Allowed: Outside Storage, RV, Trailer, or Fish House Storage	
R-2		-Allowed: Outside Storage, RV, Trailer, or Fish House Storage	
R-3		-No RV, Trailer, or Fish House Storage	Outside or exterior storage
R-4		-No RV, Trailer, or Fish House Storage	Outside or exterior storage
R-5		-No RV, Trailer, or Fish House Storage	Outside or exterior storage

**Minutes**  
**CITY OF LEXINGTON**  
**PUBLIC HEARING – TRUTH IN TAXATION 7:00 PM**  
**&**  
**CITY OF LEXINGTON**  
**REGULAR COUNCIL MEETING**  
**DECEMBER 5, 2019 - Immediately Following Public Hearing**  
**9180 LEXINGTON AVENUE**

**1. CALL TO ORDER: - Mayor Murphy**

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

*Mayor Murphy called to order the Truth in Taxation hearing for December 5th, 2019 at 7:00 p.m. Councilmember's present: Devries, Harris, and Hughes. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Brian Garin, Citizen; Bob Dedyne, Citizen; Joe Ackerman, Citizen; Brandon Winge, Citizen; Numerous Centennial High School students; Chris Frye, Quad Press Reporter.*

**2. PUBLIC HEARING: TRUTH IN TAXATION**

A. Final 2020 Budget Recommendations

*Brian Garin  
9064 Jackson Ave.  
Lexington, MN*

*Mr. Garin questioned why his taxes were going up 21% for the coming year. Petracek explained that the General Levy is only going up 3%, and that the 21% is the total amount being proposed for 2020 of all the taxing jurisdictions – School, County, City, and other taxing jurisdictions. He also explained that his property value assessment may have gone up, as well. Discussion ensued.*

*No other citizens were present.*

**3. ADJOURN PUBLIC HEARING**

*Councilmember Devries made motion to adjourn the Truth in Taxation hearing at 7:05 p.m. Councilmember Harris seconded the motion. Motion carried 4-0.*

**CITY OF LEXINGTON**  
**REGULAR COUNCIL MEETING**

**1. CALL TO ORDER: – Mayor Murphy**

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

*Mayor Murphy called to order the Regular City Council meeting for December 5th, 2019 at 7:05 p.m. Councilmember's present: Devries, Harris, and Hughes. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Brian Garin, Citizen; Bob Dedyne, Citizen; Joe Ackerman, Citizen; Brandon Winge, Citizen Numerous; Centennial High School students; Chris Frye, Quad Press*

**2. CITIZENS FORUM**

*Brian Garin  
9064 Jackson  
Lexington, MN.*

*Mr Garin asked if the Council is voting on zoning changes to allow the new apartments to be approved. Mayor Murphy explained that the City Council is voting to send an ordinance that requires the 4/5's majority vote of the Council for zoning requests to the Planning Commission for their review and recommendation, as well as the Lexington Lofts plans. Discussion ensued.*

**3. 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 4-0.*

**4. INFORMATIONAL REPORTS:**

- A. Airport (Mayor Murphy) – *Mayor Murphy had nothing to report.*
- B. Cable Commission (Mayor Murphy) – *Mayor Murphy had nothing to report.*
- C. City Administrator (Bill Petracek) – *Petracek stated that John, Mike, and Diane are signed up for the January 24th and 25th City Council advanced training.*

*Petracek also added that staff has restarted discussions with O'Reilly's on their expansion project, and they will be coming to the Council requesting an extension on their preliminary plat. Devries asked if it needed to go to the Planning Commission. Petracek explained if the Council requires them to go through the process again, yes; they will be bringing a request for extension to the Council in January, tentatively.*

**5. LETTERS AND COMMUNICATIONS:**

- A. Council Workshop meeting synopsis – November 21, 2019
- B. United States Census 2020

- C. Centennial Lakes Police Department Media Report – 11-12 -19 /11-26-19

*No discussion on Letters and Communications*

**6. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – November 21, 2019
- B. Recommendation to Approve Claims and Bills:  
Check #'s 13643 through 13649  
Check #'s 45610 through 45660  
Check #'s 12910 through 12927  
Check #'s 12928 through 12931

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

**7. ACTION ITEMS:**

- A. Recommendation to Approve Resolution NO. 19-24 – A Resolution  
Ordering Preparation of Report on Improvements – Jackson Ave.

*Councilmember Devries made a motion to approve Resolution NO. 19-24 – A  
Resolution Ordering Preparation of Report on Improvements – Jackson Ave.  
Councilmember Harris seconded the motion. Motion carried 4-0.*

- B. Recommendation to Approve Resolution NO. 19-25 – A Resolution  
Adopting Final 2020 Operating Budget for the City Of Lexington.

*Councilmember Harris made a motion to approve Resolution NO. 19-25 – A  
Resolution Adopting Final 2020 Operating Budget for the City Of Lexington.  
Councilmember Hughes seconded the motion. Motion carried 4-0.*

- C. Recommendation to Approve Resolution NO. 19-26 – A Resolution  
Certifying the 2019 Tax Levy Collectable in 2020.

*Councilmember Harris made a motion to approve Resolution NO. 19-26 – A Resolution  
Certifying the 2019 Tax Levy Collectable in 2020. Councilmember Hughes seconded the motion.  
Motion carried 4-0.*

- D. Recommendation to Send the Proposed Lexington Lofts Development Plans  
Back to the Planning & Zoning Commission for Further Review.

*Councilmember Harris made a motion to send the Proposed Lexington Lofts  
Development Plans Back to the Planning & Zoning Commission for Further Review.  
Councilmember Devries seconded the motion. Motion carried 4-0.*

- E. Recommendation to Send Ordinance 11.20 Subdiv. 4 – Zoning Amendments to the Planning & Zoning Commission for Review.

*Attorney Glaser explained that the State of Minnesota changed the law requiring a 4/5's majority vote of the Council to approve zoning amendments in 2001. He stated at the time city staff and the City Council did not want to change this provision in the ordinance to mimic State Law. He explained that other cities in the vicinity have changed their ordinances to a simple majority vote of the Council to approve zoning requests. Discussion ensued.*

*Glaser also explained that this ordinance can also be changed without a recommendation from the Planning Commission. Discussion ensued.*

*Councilmember Devries asked that if the Planning Commission does not make recommendation on this ordinance, that it should be placed on the next workshop for discussion.*

*Councilmember Harris made a motion to send Ordinance 11.20 Subdiv. 4 – Zoning Amendments to the Planning & Zoning Commission for Review. Councilmember Devries seconded the motion. Motion carried 4-0.*

- F. Recommendation to Approve Voluntary Cost Sharing Agreement for Anoka County Economic Development.

*Councilmember Hughes made a recommendation to approve Voluntary Cost Sharing Agreement for Anoka County Economic Development. Councilmember Harris seconded the motion. Motion carried.*

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

*Councilmember Devries reminded residents of the Park Board's annual christmas lights judging. Discussion ensued.*

*Councilmember Harris stated she appreciated the signs for keeping snowmobiles on the roads, but explained that they are still driving on her front lawn. Discussion ensued.*

## **9. ADJOURNMENT**

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

**Minutes**  
**CITY OF LEXINGTON**  
**REGULAR COUNCIL MEETING**  
**DECEMBER 19, 2019– 7:00 P.M.**  
**9180 LEXINGTON AVENUE**

**1. CALL TO ORDER: – Mayor Murphy**

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

*Mayor Murphy called to order the Regular City Council meeting for December 19, 2019 at 7:00 p.m. Councilmember's present: Devries, Harris, and Hughes. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Mike Kaeding and Marie Dickover, Norhart Development; Brandon Winge, City Council Candidate; Joe Ackerman, City Council Candidate; numerous Centennial High School students.*

**2. CITIZENS FORUM**

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

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

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

**4. LETTERS AND COMMUNICATIONS:**

- A. Planning & Zoning meeting minutes – December 10, 2019
- B. Council Workshop Synopsis
- C. Quad Press request to be official publication
- D. City Report – November 2019
- E. North Metro TV – November 2019 Update
- F. Centennial Lakes Police Department – Media Report 11-27 thru 12-3-19
- G. 2020 meeting calendar
- H. Summer Fun contribution request

*No discussion on Letters and Communications.*

**5. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – December 5, 2019
- B. Recommendation to Approve Claims and Bills:  
Check #'s 13652 through 13653  
Check #'s 45661 through 45718  
Check #'s 12935 through 12940

Check #'s 12943 through 12957  
Check #'s 12958 through 12966

C. Financial Reports

- Cash Balances
- Fund Summary -- Budget to Actual

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

**6. ACTION ITEMS:**

- A. Recommendation to approve \_\_\_\_\_ as the new City Councilperson to Complete Mike Murphy's Council Term Through December 31, 2020 (will be sworn in at the January 2<sup>nd</sup> City Council Meeting.)

***Councilmember Devries made a motion to approve Joe Ackerman as the new City Councilperson to Complete Mike Murphy's Council Term Through December 31, 2020. No second to the motion. Motion failed.***

***Councilmember Harris made a motion to approve Brandon Winge as the new City Councilperson to Complete Mike Murphy's Council Term Through December 31, 2020. Councilmember Hughes seconded the motion. Motion carried 4-0.***

- B. Planning & Zoning Commission Recommendation to Update the Voting Threshold to Meet the Current State Law for Zoning Amendments – First Reading of Ordinance 20-01 – An Ordinance Revising Chapter 11 Regarding the Regulation of Zoning Amendments.

***Attorney Glaser read Ordinance 20-01 to the audience. Glaser provided an overview of why the ordinance is being recommended for approval. He stated that our current ordinance does not meet State Statutes, and Ordinance 20-01 will bring the City of Lexington into compliance.***

***The second reading of Ordinance 20-01 and approval will be January 2nd.***

- C. Recommendation to approve Centennial Little Leagues usage of Memorial Park from April 1<sup>st</sup> through September 30<sup>th</sup>, 2020 – Ball Fields 1-5.

***Councilmember Hughes made a motion to approve Centennial Little Leagues usage of Memorial Park from April 1st through September 30th, 2020 – Ball Fields 1-5. Councilmember Devries seconded the motion. Motion carried 4-0.***

- D. Recommendation to approve Minnesota State High School League Section 4AAA Softball 2020 Tournament Dates for Memorial Park Ball Fields:



- May 18<sup>th</sup>
- May 19<sup>th</sup> (May 20 rain back-up)
- May 21 (May 22 rain back-up)
- May 26 (May 27 rain back-up date)
- May 28 ( May 29 rain back-up date)

***Councilmember Devries made a motion to approve Minnesota State High School League Section 4AAA Softball 2020 Tournament Dates for Memorial Park Ball Fields: May 18th; May 19th (May 20 rain back-up); May 21 (May 22 rain back-up); May 26 (May 27 rain back-up date); May 28 ( May 29 rain back-up date). Councilmember Harris seconded the motion. Motion carried 4-0.***

- E. Recommendation to approve Resolution NO. 19-27 A Resolution Establishing Precincts and Polling Places

***Councilmember Harris made a motion to approve Resolution NO. 19-27 A Resolution Establishing Precincts and Polling Places. Councilmember Hughes seconded the motion. Motion carried 4-0.***

## **7. MAYOR AND COUNCIL INPUT**

***Mayor Murphy announced the Park Board's Christmas lighting contest winners:***

***1st Place: Bradley Gavin and Jeffrey Geiger, 8874 Pascal Ave.***

***2nd Place: William and Lori graham, 9251 Hamline Ave.***

***3rd place: John & Wendy Woelfel, 8996 Lexington Ave.***

***Murphy also announced Lexington Fire Department "Santa Around Town" on December 21<sup>st</sup>. He added that they will be collecting food donations. Discussion ensued.***

## **8. ADMINISTRATOR INPUT**

***Petracek thanked everyone for a good year in 2019 and hopes for an even better year 2020.***

## **9. ADJOURNMENT**

***Councilmember Hughes made motion to adjourn the meeting at 7:13 p.m. Councilmember Devries seconded the motion. Motion carried 4-0.***

**No Council Workshop**

