

**AGENDA
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
FEBRUARY 4, 2021 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Murphy

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

3. 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.

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

5. PRESENTATION OF EPHESIANS PHASE II – APPLICATION FOR ZONING REQUEST

pp. 1-13

6. INFORMATIONAL REPORTS:

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

7. LETTERS AND COMMUNICATIONS:

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.

8. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – January 21, 2021
- B. Recommendation to Approve Claims and Bills:

pp. 14-17

pp. 18-26

Check #'s 13725 through 13725
Check #'s 47279 through 47330
Check #'s 13616 through 13623
Check #'s 13627 through 13631

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.

9. ACTION ITEMS:

- A. Recommendation to approve Resolution NO. 21-06 A Resolution approving Land Use Applications for Ephesians II pp. 27-28
- B. Recommendation to approve Centennial Lakes Little League request for use of Memorial Park ball fields and facilities from April 1st through late September 2021 pp. 29
- C. Recommendation to NOT WAIVE the monetary limits on municipal tort liability established by Minn. Stat. § 466.04 pp. 30-31

10. CLOSED SESSION

This portion of the meeting is closed pursuant Minn. Stat. Section 13D.05, subd. 3(b), and is permitted by the attorney-client privilege to discuss legal aspects of options related to the interconnected water and sewer with the City of Blaine. This portion of the meeting is also closed pursuant Minn. Stat. Section 13D.05, subd. 3(c), and is permitted to determine the asking price for, and to develop or consider offers or counteroffers for the purchase or sale to parts of the interconnected water and sewer with the City of Blaine.

11. RECONVENE FROM CLOSED SESSION

12. MAYOR AND COUNCIL INPUT

13. ADJOURNMENT

MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM: KURT B. GLASER
SUBJECT: EPHESIANS II: APPROVAL OF:
 PLANNED UNIT DEVELOPMENT
 STREET VACATION
 PRELIMINARY PLAT
DATE: 1/26/2021
CC: BILL PETRACEK, CITY ADMINISTRATOR

SUMMARY: Ephesians II asks the City to approve their land use applications. The Planning and Zoning recommends the Council to approve their applications.

The Council can approve these applications by voting to adopt the attached Resolution.

DOCUMENTS ATTACHED:

Memoranda from the Planning and Zoning Commission (dated 1/12/21).
Memoranda from the City Engineer (dated 1/5/2021).
Proposed Resolution 21-06.

MEMORANDUM

TO: PLANNING AND ZONING COMMISSION
FROM: KURT B. GLASER
SUBJECT: EPHESIANS II - PUBLIC HEARING
PLANNED UNIT DEVELOPMENT
STREET VACATION
PRELIMINARY PLAT
DATE: 1/12/2021
CC: BILL PETRACEK, CITY ADMINISTRATOR

The applicant, Tim and Karen Harmsen, request for land use approvals to develop the Preliminary Plat for and development of Ephesians II. They acquired and now operate the existing three buildings on this site for the purpose of redevelopment. In order to redevelop the site, they request the following:

- Planned Unit Development with variances from performance standards
- Vacate a City Street – Duwayne Avenue south of Restwood Avenue
- Preliminary Plat approval (this topic is addressed by the report by the City Engineer)

Procedure for acting on a request for a Planned Unit Development (“PUD”)

A conditional or interim use permit shall be required of all PUDs. The city may approve the PUD if it finds the development is consistent with the following principals:

- The development shall be planned so that it is consistent with the city comprehensive plan.
- 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.
- The planned unit development proposal appears to harmonize with both existing and proposed development in the area surrounding the project site.
- The proposed total development is designed in a manner as to form a desirable and unified environment within its own boundaries.

- Any exceptions to the standard requirements of the zoning and subdivision chapters are justified by the design of the development.
- 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.
- 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.
- 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.
- 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.

Request for Planned Unit Development for Ephesians II

The Harmsens will present their development plan during the public hearing. The following are the highlights of the redevelopment project.

Proposed Structure - The proposed Ephesians II, is a three-story apartment building comprised of two-stories of housing and one-level of partially underground parking.

Site Conditions - The site is located on the corner of Restwood Road and Duwayne Avenue. ACAP owns and operates multi-unit rental housing across Duwayne Avenue to the west. The Harmsens own and operate multi-unit rental housing to the south. Residential single-family homes exist immediately to the east of the site. These parcels, including the single-family homes, are zoned as R-4. Lexington Lofts is currently constructing multi-unit rental housing to the north, across Restwood Road. Their parcels are zoned as M-1.

Redevelopment Goal - Ephesians II will replace three existing apartment buildings on the site. The existing buildings have been poorly maintained and have seen a high call volume for emergency services. The Harmsens purchased the buildings in 2019 for the purpose of redeveloping that site and incorporating it into their existing campus of two other apartment buildings on their adjoining parcels.

Apartment Units - The building will consist of 39 rental units. In a response to market conditions, those 39 units are comprised of 19 studio units, 18 one-bedroom units and 2 two-bedroom units.

Parking Stalls - Parking consists of 68 stalls. 38 of those single stalls underneath the building. 30 are surface parking stalls accessed as nose-in parking from a driveway (what is currently Duwayne Avenue). Two of the surface parking stalls are tandem, stacked parking stalls. The remaining 28 are single parking stalls. The surface parking stalls have been shortened slightly as a result of the need to maintain a driveway width which can properly accommodate fire trucks and equipment in the event of an emergency.

Land Use Variances

Subject to this PUD, the Harmsens requests the following variances.

	<u>Code</u>	<u>Existing</u>	<u>Proposed</u>
Zoned (<i>no change</i>)	R-4	R-4	R-4
Units / Acre	20 Units per acer	18 Units per acer	44 Units per acer*
Parking Spaces	2.0 per unit	1.75 per unit	1.74 per unit
Parking Space Dimensions	9'-0" x 20'-0"	Varies	9'-0" x 18'-0"

*39 units x 0.9 acres = 44 Units per acre

Legal Staff Analysis

Each of the following bullet points analyzes the criteria from in the City's Code of Ordinances for granting a Planned Unit Development.

- The development shall be planned so that it is consistent with the city comprehensive plan.

This development is consistent with the 2030 Comprehensive Plan because the parcels are currently zoned for the R-4 district. The neighboring single-family homes are also zoned as R-4 and, as a matter of law, do not need a buffer zone. This site is also consistent with the existing M-1 district to the north which will be operated as high-density, multi-unit housing.

- 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.

The development plan is consistent with the requirements for Open Space and surface water treatment. The area has no other distinguishing natural features.

- The planned unit development proposal appears to harmonize with both existing and proposed development in the area surrounding the project site.

The proposed building is a great improvement over the existing buildings and site. The existing site contains three residential apartment buildings used as multi-unit rental housing. These buildings have been poorly maintained. The almost dilapidated condition of these buildings makes it very difficult to conduct a cost-effective rehabilitation. It is more cost-effective to demolish the existing buildings and rebuild as multi-unit rental housing. Given that the proposed development is not a change of use for the site, the only consideration is the intensity of this change to have a slightly higher density.

From a design perspective, the proposed building harmonizes the design features from the other two buildings owned by the Harmsens situated on the adjoining parcels. The proposed building continues with the “campus” feel of the three buildings owned by the Harmsens.

Both from the perspectives of the use of the site and the campus design of the development, the proposed development is consistent and in harmony with the existing use in the surrounding area.

- The proposed total development is designed in a manner as to form a desirable and unified environment within its own boundaries.

The proposed design is an improvement from the poor conditions which currently exist on the site. Accordingly, the form of the proposed design is a more desirable form of the existing conditions.

The proposed development is a single building. Strictly applying this rule, the proposed form of the development is uniform because of how it redevelops the existing three building site into a single building. Therefore, as a single building, it is uniform to the site within its own boundaries.

- Any exceptions to the standard requirements of the zoning and subdivision chapters are justified by the design of the development.

All of the variances requested for this project are justified given planned accommodations within the Project plans. The primary objective of this development is to redevelop the existing blighted buildings. All of the proposed variances stem from the land-size restrictions of the existing parcel. The need for these variances are caused by traditional

'give and take' issues common to redevelopment of existing buildings: the need to maximizing building size on an existing lot to increases the owners' return on investment to a point which makes redevelopment financially viable. In general, it is far more expensive and challenging to redevelop existing buildings than to build new construction on previously unimproved property. From a policy perspective, the City is wise to encourage redevelopment of blighted rental house by reasonably relaxing some of its performance standards.

The City's focus for the proposed development should surround the ratio of apartment units per acer. While the Harmsens also requests variances related to parking, it is worth noting that the City Code allows parking standards to be modified without a PUD. However, given parking issues seen by the City at other apartment buildings within the City, it is wise for the City to manage parking uses surrounding large concentrations of rental housing.

Increased Density

The City's density standard is driven by the number of units constructed in a proposed building. This standard is not tied to the number of occupants that a building can accommodate. Here, Ephesians II has an extremely high number of single-bedroom or studio units. The building only has two, two-bedroom units and does not have any three or four-bedroom units. Accordingly, this mix of low-occupancy units in Ephesians II lends itself to a deceptively higher density ratio than compared to buildings with a traditional mix of primarily two-bedroom units. Had the City's density standard been tied to the approved number of occupants of a building instead of number of units, this building would have a much lower density ratio per acer than other recent development within the City.

Parking Standards – Number of Stalls – Like the discussion about density (above), the City's parking standards are also based on the number of units contained in a building and not based on the number of occupants the building can accommodate. Various studies have shown how larger-scale projects no longer need two parking spaces per unit, especially where public transportation is regionally available. Some studies show how as little as 1.4 spaces per unit can support all necessary parking on a residential building of this size.

Using a per-unit basis to judge the number of parking stalls is deceiving since this building will have lower number of people who live in the building due to the high number of studio and one-bedroom units. Relaxing the City's standards to accommodate the request for 1.74 spaces per unit will be adequate to store all parked vehicles on the development site.

Historically, the Harmsens' buildings have not produced parking congestion surrounding their other apartment buildings. This can be attributed in part to generous number of spaces as part of site design and in part to wise management practices employed by the Harmsens. In the previous two apartment complexes constructed in the City pursuant to a PUD, the City has now employed measures to externally manage parking. However, given the Harmsens' history, this may not be necessary except to permanently designate fire lanes or other life-safety measures.

Parking Standards – Length of Stalls - Shortening the length of the stalls by two-feet helps accommodate the width of the existing lot. Every inch of the width of this lot is used to accommodate the building, building setbacks, and a fire lane. The most reasonable area to relax is take two-feet from the length of a standard parking stall since the vast majority of vehicles are far shorter than the City's 20-foot standard. The City has previously relaxed this standard on private property to accommodate development of other apartment buildings. Notably, Ephesians II has two tandem parking stalls which could be assigned to residents who have longer vehicles such as long-bed trucks.

- 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.

The land is all owned by the Harmsens and will be developed uniformly at one time. The City Engineer has approved a site plan and landscape plan to preserve and promote any natural amenities.

- 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.

This is a single-phase development.

- 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.

The Centennial School District has excess and planned capacity for growth given its location within the Metropolitan area. The City previously constructed parks, streets, and other public facility to accommodate growth of this nature.

Vacate Duwayne Avenue

Minnesota law requires a City to make a formal finding that vacating a city street is “in the interest of the public.” The Commission can make this conclusion after hearing testimony at the public hearing. Ultimately, the Council must pass a resolution vacating Duwayne Avenue. In 2020, the City Council informally reviewed this request to vacate Duwayne Avenue. At that time, it was the unanimous consensus of the Council members that vacating Duwayne Avenue would be appropriate given the proposed redevelopment of the existing buildings.

Ephesians II - Duwayne vacation



The Developer requests the City vacate that portion of Duwayne Avenue within its project site. Previously, the City vacated the southernmost portion of Duwayne Avenue to allow the Harmsens to construct the first phase of Ephesians. Unlike that portion of Duwayne, the current section of Duwayne would revert to two owners: the Harmsens and ACAP (who owns the parcels to the west). ACAP joins the Harmsens and jointly request the City to vacate of Duwayne Avenue. These property owners plan on turning the street into a private driveway to serve the buildings on their property.

Overall, the vacation of the street allows the Harmsens additional, useful property. They intend to use that property to develop nose-in parking for their proposed building. This additional property also lowers the ratio of units per acers. This additional property has been factored into the proposed Planned Unit Development request of 44 units per acer.

Vacation of Duwayne Avenue would cost nothing to the taxpayers because the Harmsens and ACAP would be financially responsible for the roadway surface and underground infrastructure. Since vacation of this section of the street would facilitate a more productive use of the land, Staff believes vacation of this section of Duwayne Avenue is "in the interest of the public."

Conclusion and Action

Legal Staff recommends the following:

1. That the Commission ADOPT this memorandum as its Findings of Fact, along with any changes or revisions it may find during the Public Hearing;
2. That the Commission RECOMMEND that the City Council vacate Duwayne Avenue within the project site because it is in the interest of the public;
3. That the Commission RECOMMEND that the City Council approve the Planned Unit Development per the application by the Harmsens;
4. That the Commission RECOMMEND that the City Council conditions its approval of the Planned Unit Development on a Conditional Use Permit that will be based on those conditions the Commission may find during the Public Hearing; that may arise in the near future during the Plat or Plan approval process; and all comments and concerns of the City Engineer, City Planner, City Attorney, City Clerk, City Administrator, Building Inspector and Fire Marshal shall be met;

5. That the Commission RECOMMEND that the City Council adopt the Preliminary Plat for Ephesian 2. The Planned Unit Development shall be on the condition the adoption of the Preliminary and Final Plat for Ephesians 2. These conditions shall be governed by the Conditional Use Permit.

Motion to Recommend approval of all of the Ephesians II applications and adopt this Memorandum as the Commission's Findings of Fact; by Mark Vanderbloomer, seconded by John Bautch; all Commission members in favor.

To: City Administrator and City of Lexington Planning Commission
Dinkytown Rentals, Tim Harmsen
Rhet Architecture, Rhet Fiskness

From: Chris Jansen and Steven M. Winter, P.E.

Subject: Ephesians at Lexington 2 Preliminary Plat, Ephesian II Site Plans and PUD application

Date: January 5, 2021

We reviewed the site plans and the preliminary plat for The Ephesians at Lexington 2. The site plan application was submitted November 24, 2020.

Here is just a preliminary list of items:

1. Data for Preliminary Plat: Sect. 12.20
 - a. The project name must be consistent with the preliminary plat and the site plans. Consider changing the plat name to 'Ephesians at Lexington Second Addition'.
 - b. Proposed ingress and egress easement on needs to be provided for entire roadway on for both parcels of vacated Duwayne ROW to allow access and maintenance.
2. The sidewalk connection needs to align with Lexington Lofts sidewalk on the north side of Restwood Road.
3. Signs for private drive
4. Storm sewer Utilities
 - a. Existing 12" and Pond – provide legal agreements for Ephesian 1 and 2 using 1 pond. Pond and access
 - b. Soil report for this property is required.
 - c. All Existing and Proposed pipe and HWL of the ponds must be on Drainage and Utility Easements with proper O&M agreements.
 - d. The stormwater from parking area north of the building needs to be redirected to grass pond area. Stormwater management report Basin 3S should be modified to reflect this change.
 - e. Chapter 13 Section 13.10 Subd, 2 Storm Water Management Plan C.
 - i. 5) A clear delineation and tabulation of all areas which shall be paved or surfaced, including a description of the surfacing material to be used;
 - f. Sheet C3 - EC plan needs timeline for excavation and restoration of the new NURP pond.

MEMO

January 5, 2021

5. Chapter 11 Subd. 22
 - a. Parking numbers and ratios are shown in the application.
 - b. Chapter 11 Subd. 22 Parking,
 - i. B Size Minimum Size 9 feet x 20 feet; PUD request item #9
 - ii. Two parking stalls are shown as tandem or stacked together and must be removed. Per the following City Code:
 1. C Access.
Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to parking spaces. This access may be allow in underground or the controlled access parking, but will not be allow for parking spaced that are open.
 - iii. D Yards.
Off-street parking spaces shall not be permitted within any front yard or side yard setback. This parking allowance in the PUD request item #4.
6. General Site Plan review comments:
 - a. Sheet C1. The pavement on Restwood Road shall be removed and restored adjacent to all curb removals to a minimum of 4 feet to allow for proper compaction of the pavement.
 - b. Sheet C2. Concrete driveway shall have a 3-foot valley gutter across the driveway set at the same grade at the curb and gutter that is replaced. Modify Detail 9 – C5 to include 3 - #4 rebars placed evenly across and at 3.5' deep of the concrete valley gutter.
 - c. Sheet C2. The 26 foot Fire Lane needs to be marked the same as Ephesians 1
 - d. Sheet C2. The valley gutter on Private Drive shall to be placed at the centerline or edge of 26-foot Fire Lane. Consideration should be made for changing this valley gutter to 3 feet wide to match the west side valley gutter.
 - e. Sheet C4. Add a utility note to include all Watermain and fittings must be made in North America.
 - f. Sheet C5 Add detail for Standard Manhole casting and manhole seal. Add detail for the Gate Valve to include with Adaptor Inc gave valve adaptor.
 - g. The water supply is shown. The Developer needs to submit how much water the building will require on an average day to determine if the City has an adequate water supply for this project.

We do recommend the approval of the site plans with modifications listed above. We also recommend the approval of the Preliminary Plat with the modifications listed above.

[illegible]

Bearings shown are based on Anoka County Coordinates.
Utilities shown are from information furnished by the City of Lullington
and utilities shown are from information in response to Open House One Call Ticket Nos.
2017020486, 2017020497 and 2017020507 and are verified where possible.
Contact Cooper Street Office for utility locations before any construction
shall begin. Phone 651-454-6000.
Area = 20,165 square foot (0.00 acre).
This property is located in Flood Zone X (area or original flooding) per
Flood Insurance Panel Number 2700230342 dated December 16, 2015.

MUNICIPALITY
City of Lexington
9160 Lexington Avenue
Lexington, Minnesota 55014
Phone: 763-784-2792

DEVELOPER & OWNER
Diskytown Rentals, LLC
11111 6th Street Southeast
Minneapolis, Minnesota 55414
Phone: 612-709-0943
Attention: Glen Rank

ARCHITECT
RHET Architects
27 11th Street North
Fargo, North Dakota 58102

SURVEYOR/ENGINEER
Rehder & Associates, Inc.
Suite 110
3440 Federal Drive
Eagan, Minnesota 55122
Phone: 651-452-8051
Attention: Nick Adam

PROPERTY DESCRIPTION

The North 94 feet of that part of Lot Forty (43), Lexington Park 2nd Addition, lying West of the East 144.73 feet thereof, according to the plat thereof on file and of record in the Office of the Register of Deeds in and for Anoka County, Minnesota.

that part of Lot Forty (40), Lexington Park 2nd Addition, lying South of the North 26 feet and West of the East 144.73 feet thereof, and the North 48 feet of that part of Lot thirty-nine (39) lying West of the East 121 feet thereof, except the North 7.87 feet of the East 144.73 feet of said thirty-nine (39), Lexington Park 2nd Addition, according to the plat thereof on file and recorded in the Office of the Register of Deeds in and for Anoka County, Minnesota.

That part of Lot 39, LEWINGTON PARK 2ND ADDITION lying South of the North 49 feet bearing and West of the East 131 feet thereof.

Granting them a five foot (5') easement along the rear and side lot lines for public utility use, such as setting of poles, stringing of wires, trimming or removing of trees as necessary, for fire clearance, or for laying of underground conduits.

I hereby certify that this preliminary plat was prepared by me or under my direction and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

ORDERED this 27th day of August, 2023.

RESEARCH & RECOMMENDATIONS, 1989

Gary C. Huber, Lead Surveyor
Minnesota License No. 270216
Redlined September 4, 2020
Redlined October 15, 2020

Rehder and Associates, Inc.

CIVIL ENGINEERS AND LAND SURVEYORS

1-800-204-2995 012

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
JANUARY 21, 2021– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. 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 January 21, 2021 at 7:00 p.m. Councilmember's present: Devries, Hughes, and Winge. Excused Absence: Harris. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Jack Borgen, Liquor Store Manager; Gina Estrem and Holly McCallister, Dominion Housing.

3. CITIZENS FORUM

No citizens were present to address the Council on items not on the agenda

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

5. REPRESENTATIVES FROM DOMINIUM /LANDINGS OF LEXINGTON WILL BE PRESENT TO ADDRESS CITY COUNCIL

Gina Estrum and Holly McCallister, Representatives from Dominion, were present to address the City Council on the issues surrounding Landings of Lexington. Ms. McCallister apologized for how their building has been a drain on the City's resources – police and fire departments. McCallister went on to explain that they are taking steps to alleviate this strain on these city services. They have set-up regular meetings with both the fire department and police department to work through problems to alleviate any issues with Landings of Lexington. She also stated they are educating their residents on being a good neighbor and have hired a resident advocate to help them address any language barriers they may have with their residents. Discussion ensued.

Mayor Murphy asked Dominion how they are handling the increase domestic violence calls. Ms. Estrum explained the legal challenges to evict someone causing domestic violence. Discussion ensued.

Petracek asked about the background check on applicants. Ms. Estrum explained that they use a third-party company that does background checks and evaluates future tenants. That company follows the proper procedures and then makes a recommendation to sign a lease or not with an individual.

Councilmember Hughes stated that he is disappointed at how Landings of Lexington has operated up to this point. Discussion ensued.

Mayor Murphy stated that the City Council made a commitment to their citizens and assured them that there wouldn't be an increase in crime and he feels like this is not going well at all. Discussion ensued.

Petracek stated we need to keep communicating with Dominion to ensure that they get this under control.

6. LETTERS AND COMMUNICATIONS:

- A. Public Notice – January 12, 2021 Planning & Zoning Public Hearing
- B. Minnesota Green Step Cities
- C. Centennial Lakes Police Department Media Reports 12-23-20 through 1-12-21
- D. City Report – December 2020
- E. North Metro TV – December 2020 Update
- F. Public Notice – January 21, 2021 Council Workshop meeting cancelled
- G. Planning & Zoning meeting and Public Hearing minutes January 12, 2021

No discussion on Letters and Communications.

7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – January 7, 2021
- B. Recommendation to Approve Claims and Bills:
Check #'s 13724 through 13724
Check #'s 47222 through 47278
Check #'s 13582 through 13597
Check #'s 13600 through 13615
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

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

8. ACTION ITEMS:

- A. 2nd Reading of Ordinance NO. 21-01 and Recommendation to Approve Ordinance NO. 21-01 An Ordinance Revising Chapter 10 Regarding Shade Tree Regulation

Attorney Glaser summarized the 2nd reading of Ordinance NO. 21-01 due to the length of the ordinance. Petracek explained the next steps following the adoption of this ordinance, involves the Council appointing a City Forester so that we can begin the enforcement of the new regulations. Discussion ensued.

Councilmember Hughes made a motion to approve Ordinance NO. 21-01 and Recommendation to Approve Ordinance NO. 21-01 An Ordinance Revising Chapter 10 Regarding Shade Tree Regulation. Councilmember Devries seconded the motion. Motion carried 4-0.

- B. Recommendation to approve Resolution No. 21-05 A Resolution of the City Council of Lexington, Minnesota Approving Summary Publication of Ordinance

Councilmember Devries made a motion to approve Resolution No. 21-05 A Resolution of the City Council of Lexington, Minnesota Approving Summary Publication of Ordinance. Councilmember Hughes seconded the motion. Motion carried 4-0.

- C. Recommendation to approve low quote from Stan Morgan & Associates not to exceed \$47,108.22 for installation of beer cooler #2 at Lexington Municipal Liquor Store

Jack Borgen, Liquor Store Manager, was present to explain that this project started at the end of 2019. He further explained that the extra space that beer cooler #2 is needed for new and popular products such as: Craft beer, seltzer, and Minnesota produced liquors. Discussion ensued.

Councilmember Devries made a motion to approve the low quote from Stan Morgan & Associates not to exceed \$47,108.22 for installation of beer cooler #2 at Lexington Municipal Liquor Store. Councilmember Winge seconded the motion. Motion carried 4-0.

- D. Recommendation to approve the recommendation from Lexington Park Board to rename Tot Park to Lexington City Park

Councilmember Winge made a motion to approve the recommendation from Lexington Park Board to rename Tot Park to Lexington City Park. Councilmember Devries seconded the motion. Motion carried 4-0.

9. MAYOR AND COUNCIL INPUT

Councilmember Devries asked about the installation of the new liquor store sign. Borgen stated it would be installed this month.

Councilmember Hughes asked if Certificates of Occupancy's have been issued for the new Parkview homes. Petracek stated that he believed that some C.O.'s have been issued. Discussion ensued.

10. ADMINISTRATOR INPUT

Petracek stated they have started the process to install the light at Lovell and Lexington Ave. He added that O'Reilly's is expecting to begin the construction phase on Monday. Discussion ensued.

11. ADJOURNMENT

Councilmember Hughes made motion to adjourn the meeting at 7:42 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.

NO WORKSHOP WAS HELD DUE TO LACK OF DISCUSSION ITEMS

/mv

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 February 4, 2021.**

(1) Payroll

Checks	13725 through	13725	\$	473.44
Vouchers	503436 through	503454	\$	20,482.80
Payroll Taxes				
	Federal Tax	\$2,661.49		
	Social Security	\$3,603.18		
	Medicare	\$842.72		
				\$7,107.39
	State Tax	\$1,235.27	\$1,235.27	
	Total			\$8,342.66

(2) General and Liquor Payment Recommendations:

Checks	47279 through	47330	\$	352,338.12
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(3) ACH and Credit Card Payments for:

ACH Checks:	through	\$	-
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Total Payments and Withdrawals Approval	<u>\$ 381,637.02</u>
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Centennial Lakes Police Payment Recommendations:

Checks	13616 through	13623	\$	4,762.23
	13627 through	13631	\$	6,487.35
ACH	2021003 through	2021004	\$	12,555.89
Total Payments			<u>\$</u>	<u>23,805.47</u>

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February 2021

			Check Amt	Invoice	Comment
10100 4M FUND					
Paid Chk#	047279	2/4/2021	AMAZON		
E 101-42260-208	Training and Instruction		\$44.05	1NCD-3GMH-T TEXTBOOKS - FIRE DEPT	
E 101-41500-400	General Maintenance		\$182.08	1PVV-4TLF-P3 CLEANING SUPPLIES - CITY HALL	
E 101-42260-208	Training and Instruction		\$82.02	1PYR-LYNY-6 TEXTBOOKS - FIRE DEPT	
	Total AMAZON		\$308.15		
Paid Chk#	047280	2/4/2021	AMERICAN BOTTLING		
E 609-00000-254	Miscellaneous Purchase		\$286.20	3562822583	
	Total AMERICAN BOTTLING		\$286.20		
Paid Chk#	047281	2/4/2021	ANOKA COUNTY TREASURY		
E 101-41900-329	Cable/Internet		\$75.00	B210119W	FEB 2021 BROADBAND
E 101-42260-329	Cable/Internet		\$75.00	B210119W	FEB 2021 BROADBAND
E 101-43100-329	Cable/Internet		\$45.00	B210119W	FEB 2021 BROADBAND
E 101-45200-329	Cable/Internet		\$30.00	B210119W	FEB 2021 BROADBAND
E 101-41500-433	Dues and Subscriptions		\$116.00	EC010421P	2021 ECON DEV COST SHARE
	Total ANOKA COUNTY TREASURY		\$341.00		
Paid Chk#	047282	2/4/2021	ARTISAN BEER COMPANY		
E 609-00000-252	Beer Purchase		(\$29.20)	300650	
E 609-00000-252	Beer Purchase		\$587.98	3454616	
E 609-00000-252	Beer Purchase		\$625.10	3455602	
E 609-00000-252	Beer Purchase		\$35.60	3455603	
	Total ARTISAN BEER COMPANY		\$1,219.48		
Paid Chk#	047283	2/4/2021	BELLBOY CORPORATION		
E 609-00000-251	Liquor Purchase		\$2,243.55	0087632100	
E 609-00000-254	Miscellaneous Purchase		\$23.10	0102634900	
	Total BELLBOY CORPORATION		\$2,266.65		
Paid Chk#	047284	2/4/2021	BREAKTHRU BEVERAGE MN		
E 609-00000-251	Liquor Purchase		\$3,947.07	1081230091	
E 609-00000-254	Miscellaneous Purchase		\$185.60	1081230092	
G 609-20202	Accounts Payable - Resale		(\$111.65)	2080298362	
	Total BREAKTHRU BEVERAGE MN		\$4,021.02		
Paid Chk#	047285	2/4/2021	CAPITOL BEVERAGE SALES		
E 609-00000-252	Beer Purchase		\$6,078.75	2501603	
E 609-00000-252	Beer Purchase		(\$59.50)	2501604	
E 609-00000-252	Beer Purchase		\$6,765.78	2504035	
	Total CAPITOL BEVERAGE SALES		\$12,785.03		
Paid Chk#	047286	2/4/2021	CENTENNIAL LAKES PD		
E 101-42110-230	Contracted Services		\$62,188.17		FEB 2021 MONTHLY POLICE SERVICES
	Total CENTENNIAL LAKES PD		\$62,188.17		
Paid Chk#	047287	2/4/2021	CINTAS		
E 609-00000-255	Linen		\$44.56	4073174282	MAT SERVICE
E 609-00000-255	Linen		\$133.02	4073806529	MAT SERVICE
	Total CINTAS		\$177.58		
Paid Chk#	047288	2/4/2021	CITYWIDE WINDOW SERVICES INC.		
G 609-20200	Accounts Payable		\$32.49	683350	NOV 2020 SERVICE
	Total CITYWIDE WINDOW SERVICES INC.		\$32.49		

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February 2021

	Check Amt	Invoice	Comment
Paid Chk# 047289 2/4/2021 CLEAR RIVER BEVERAGE COMPANY			
E 609-00000-252 Beer Purchase	(\$65.00)	563970	
E 609-00000-252 Beer Purchase	\$417.00	565521	
Total CLEAR RIVER BEVERAGE COMPANY	\$352.00		
Paid Chk# 047290 2/4/2021 CONNEXUS ENERGY			
E 101-43100-225 General Street Maintenance	\$2,317.00	LGT0000821	STREET LIGHT @ LOVELL & LEXINGTON
Total CONNEXUS ENERGY	\$2,317.00		
Paid Chk# 047291 2/4/2021 DAHLHEIMER DISTRIBUTING			
E 609-00000-252 Beer Purchase	\$17,755.35	1339153	
E 609-00000-252 Beer Purchase	\$157.00	1341163	
E 609-00000-252 Beer Purchase	\$9,466.53	1341164	
E 609-00000-252 Beer Purchase	\$239.00	1344493	
Total DAHLHEIMER DISTRIBUTING	\$27,617.88		
Paid Chk# 047292 2/4/2021 ENERGY MECHANICAL SERVICES INC			
E 101-41500-401 Repair Buildings	\$163.00	6323	HEATER REPAIR
otal ENERGY MECHANICAL SERVICES INC	\$163.00		
Paid Chk# 047293 2/4/2021 FERGUSON WATERWORKS			
E 101-43100-224 Street Maint Materials	\$825.00	0468430	ASPHALT MIX
Total FERGUSON WATERWORKS	\$825.00		
Paid Chk# 047294 2/4/2021 HAWKINS INC			
E 730-00000-216 Chemicals	\$10.00	4867012	
Total HAWKINS INC	\$10.00		
Paid Chk# 047295 2/4/2021 HOHENSTEINS INC			
E 609-00000-252 Beer Purchase	\$909.00	381833	
E 609-00000-252 Beer Purchase	\$1,189.60	382967	
Total HOHENSTEINS INC	\$2,098.60		
Paid Chk# 047296 2/4/2021 INSPECTRON INC			
G 101-20200 Accounts Payable	\$45,632.77		4TH QTR 2020 INSPECTIONS
Total INSPECTRON INC	\$45,632.77		
Paid Chk# 047297 2/4/2021 JACK PINE BREWERY			
E 609-00000-252 Beer Purchase	\$346.00	3756	
Total JACK PINE BREWERY	\$346.00		
Paid Chk# 047298 2/4/2021 JJ TAYLOR			
E 609-00000-252 Beer Purchase	\$7,928.25	3153139	
E 609-00000-252 Beer Purchase	\$4,030.95	3153172	
Total JJ TAYLOR	\$11,959.20		
Paid Chk# 047299 2/4/2021 JOHNSON BROTHERS LIQUOR			
G 609-20202 Accounts Payable - Resale	(\$34.95)	129471	
G 609-20202 Accounts Payable - Resale	(\$17.79)	129864	
E 609-00000-251 Liquor Purchase	\$92.46	1721358	
E 609-00000-253 Wine Purchase	\$2,702.07	1721359	
E 609-00000-254 Miscellaneous Purchase	\$44.16	1721360	
E 609-00000-251 Liquor Purchase	\$818.26	1721361	
E 609-00000-251 Liquor Purchase	\$6,373.42	1722420	
E 609-00000-253 Wine Purchase	\$3,753.60	1722421	
E 609-00000-254 Miscellaneous Purchase	\$210.00	1722422	

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February 2021

		Check Amt	Invoice	Comment
E 609-00000-251	Liquor Purchase	\$3,043.30	1722423	
E 609-00000-253	Wine Purchase	\$3,468.51	1725789	
E 609-00000-251	Liquor Purchase	\$358.65	1725790	
E 609-00000-251	Liquor Purchase	\$4,619.04	1726961	
E 609-00000-253	Wine Purchase	\$4,820.62	1726962	
E 609-00000-254	Miscellaneous Purchase	\$44.16	1726963	
E 609-00000-251	Liquor Purchase	\$4,689.72	1726964	
Total	JOHNSON BROTHERS LIQUOR	\$34,985.23		
Paid Chk# 047300	2/4/2021	LEAGUE OF MN CITIES-INSURANCE		
E 101-41500-361	General Liability Ins	\$14,039.00		2021 P/C INSURANCE
E 101-42260-361	General Liability Ins	\$1,878.00		2021 P/C INSURANCE
E 101-43100-361	General Liability Ins	\$5,414.40		2021 P/C INSURANCE
E 101-45200-361	General Liability Ins	\$6,184.60		2021 P/C INSURANCE
E 609-00000-361	General Liability Ins	\$5,108.00		2021 P/C INSURANCE
E 730-00000-361	General Liability Ins	\$694.00		2021 P/C INSURANCE
E 770-00000-361	General Liability Ins	\$3,037.00		2021 P/C INSURANCE
E 101-41500-361	General Liability Ins	\$3,811.00		2021 P/C INSURANCE
E 609-00000-361	General Liability Ins	\$3,359.00		2021 P/C INSURANCE
Total	LEAGUE OF MN CITIES-INSURANCE	\$43,525.00		
Paid Chk# 047301	2/4/2021	LINN BUILDING MAINTENANCE, INC		
E 609-00000-400	General Maintenance	\$321.38	31810	FLOOR MAINTENANCE - MLS
Total	LINN BUILDING MAINTENANCE, INC	\$321.38		
Paid Chk# 047302	2/4/2021	M AMUNDSON LLP		
E 609-00000-256	Tobacco Products For Resale	\$2,930.55	314685	
E 609-00000-256	Tobacco Products For Resale	\$2,728.84	315016	
Total	M AMUNDSON LLP	\$5,659.39		
Paid Chk# 047303	2/4/2021	MACQUEEN EMERGENCY		
G 310-20200	Accounts Payable	\$8,438.33	16620	TURNOUT GEAR - FIRE DEPT
G 310-20200	Accounts Payable	\$3,128.14	16621	TURNOUT GEAR - FIRE DEPT
Total	MACQUEEN EMERGENCY	\$11,566.47		
Paid Chk# 047304	2/4/2021	MENARDS - BLAINE		
E 101-41500-400	General Maintenance	\$31.91	9145	CLEANING SUPPLIES - CITY HALL
Total	MENARDS - BLAINE	\$31.91		
Paid Chk# 047305	2/4/2021	MKL SERVICES, LLC		
E 101-41500-400	General Maintenance	\$100.00	0204021	WEEK ENDING 01/23/2021
E 101-41500-400	General Maintenance	\$100.00	0204021	WEEK ENDING 01/30/2021
Total	MKL SERVICES, LLC	\$200.00		
Paid Chk# 047306	2/4/2021	MN MUNICIPAL UTILITIES ASSOC		
E 730-00000-433	Dues and Subscriptions	\$166.00	56948	
E 770-00000-433	Dues and Subscriptions	\$166.00	56948	
Total	MN MUNICIPAL UTILITIES ASSOC	\$332.00		
Paid Chk# 047307	2/4/2021	MODIST BREWING COMPANY		
E 609-00000-252	Beer Purchase	\$276.00	E-18723	
Total	MODIST BREWING COMPANY	\$276.00		
Paid Chk# 047308	2/4/2021	MSA PROFESSIONAL SERVICES		
E 101-41500-303	Engineering Fees	\$812.00	R10481000.0-8	GENERAL SERVICES
G 101-20200	Accounts Payable	\$3,293.80	R10481000.0-8	GENERAL SERVICES

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	Check Amt	Invoice	Comment
G 101-20200 Accounts Payable	\$352.50	R10481025.0-2	2040 COMPREHENSIVE PLAN
G 101-22046 O'Reilly Escrow	\$105.00	R10481027.0-1	O'REILLY AUTO PARTS
G 220-22040 Dominion Escrow - Lovell Bldg	\$131.00	R10481030.0-2	LANDINGS OF LEXINGTON PROJECT
G 310-20200 Accounts Payable	\$174.00	R10481034.0-1	SALT SHED
G 101-22047 Norhart Development	\$1,501.80	R10481036.0-1	NORHART DEVELOPMENT
G 310-20200 Accounts Payable	\$2,716.00	R10481039.0-1	MEMORIAL PARK IMPROVEMENTS
G 730-20200 Accounts Payable	\$350.00	R10481040.0-6	GROSS ALPHA
G 101-22050 Ephesians II	\$6,475.00	R10481042.0-4	THE EPHESIANS II PROJECT
E 421-00000-303 Engineering Fees	\$7,391.25	R10481043.0-1	2021 STREET IMPROVEMENTS
E 651-00000-303 Engineering Fees	\$1,278.75	R10481044.0-1	NPDES PHASE II MS4
G 730-20200 Accounts Payable	\$2,341.25	R10481046.0-1	WATER SUPPLY FEASIBILITY STUDY
Total MSA PROFESSIONAL SERVICES	\$26,922.35		
Paid Chk# 047309 2/4/2021 NCPERS GROUP LIFE INSURANCE			
G 101-21724 Life Insurance	\$80.00	586800022021	FEB 2020 PREMIUM
Total NCPERS GROUP LIFE INSURANCE	\$80.00		
Paid Chk# 047310 2/4/2021 OMNI BREWING CO.			
E 609-00000-252 Beer Purchase	\$253.00	E-8813	
Total OMNI BREWING CO.	\$253.00		
Paid Chk# 047311 2/4/2021 OREILLY AUTO PARTS			
E 101-43100-210 Operating Supplies	\$32.60	3472-109596	SHOP SUPPLIES
Total OREILLY AUTO PARTS	\$32.60		
Paid Chk# 047312 2/4/2021 PACE ANALYTICAL			
E 730-00000-306 Water Testing	\$50.00	21100320137	WATER TEST FEE
Total PACE ANALYTICAL	\$50.00		
Paid Chk# 047313 2/4/2021 PAUSTIS & SONS			
E 609-00000-253 Wine Purchase	\$317.25	114093	
E 609-00000-253 Wine Purchase	\$220.50	114762	
E 609-00000-253 Wine Purchase	(\$122.25)	115181	
Total PAUSTIS & SONS	\$415.50		
Paid Chk# 047314 2/4/2021 PHILLIPS WINE AND SPIRITS INC			
G 609-20202 Accounts Payable - Resale	\$255.58	6137109	
E 609-00000-251 Liquor Purchase	\$86.86	6145549	
E 609-00000-251 Liquor Purchase	\$1,286.24	6146285	
E 609-00000-253 Wine Purchase	\$639.77	6146286	
E 609-00000-254 Miscellaneous Purchase	\$227.26	6146287	
E 609-00000-251 Liquor Purchase	\$1,381.79	6148802	
E 609-00000-254 Miscellaneous Purchase	\$54.96	6148803	
E 609-00000-251 Liquor Purchase	\$2,347.04	6149561	
E 609-00000-253 Wine Purchase	\$2,256.64	6149562	
E 609-00000-253 Wine Purchase	\$521.54	6149563	
Total PHILLIPS WINE AND SPIRITS INC	\$9,057.68		
Paid Chk# 047315 2/4/2021 PRYES BREWING COMPANY, LLC			
E 609-00000-252 Beer Purchase	\$256.00	W-18269	
Total PRYES BREWING COMPANY, LLC	\$256.00		
Paid Chk# 047316 2/4/2021 SHAMROCK GROUP, INC.			
E 609-00000-257 Ice For Resale	\$349.23	2588677	
Total SHAMROCK GROUP, INC.	\$349.23		

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February 2021

			Check Amt	Invoice	Comment
Paid Chk#	047317	2/4/2021	SMITH & GLASER, L.L.C.		
G 101-20200	Accounts Payable		\$2,308.50	201778	APRIL 2020 CIVIL SERVICES
G 101-22042	Dinkytown Rentals Escrow		\$1,380.00	201778	APRIL 2020 CIVIL SERVICES
G 101-22046	O'Reilly Escrow		\$120.00	201778	APRIL 2020 CIVIL SERVICES
G 101-22047	Norhart Development		\$4,440.00	201778	APRIL 2020 CIVIL SERVICES
G 220-22040	Dominium Escrow - Lovell Bldg		\$120.00	201778	APRIL 2020 CIVIL SERVICES
Total SMITH & GLASER, L.L.C.			\$8,368.50		
Paid Chk#	047318	2/4/2021	SOUTHERN GLAZERS OF MN		
E 609-00000-253	Wine Purchase		\$1.28	2036524	
E 609-00000-251	Liquor Purchase		\$2,785.75	2036525	
E 609-00000-254	Miscellaneous Purchase		\$121.40	2036526	
E 609-00000-253	Wine Purchase		\$441.52	2036527	
E 609-00000-251	Liquor Purchase		\$2.56	2038879	
E 609-00000-251	Liquor Purchase		\$3,388.90	2038880	
E 609-00000-253	Wine Purchase		\$1,685.84	2038881	
Total SOUTHERN GLAZERS OF MN			\$8,427.25		
Paid Chk#	047319	2/4/2021	SPRINT		
E 101-43100-321	Telephone		\$38.23	495076029-22	DEC-JAN 2021 CELL SERVICE
E 101-45200-321	Telephone		\$38.23	495076029-22	DEC-JAN 2021 CELL SERVICE
E 651-00000-321	Telephone		\$19.11	495076029-22	DEC-JAN 2021 CELL SERVICE
E 730-00000-321	Telephone		\$47.79	495076029-22	DEC-JAN 2021 CELL SERVICE
E 770-00000-321	Telephone		\$47.82	495076029-22	DEC-JAN 2021 CELL SERVICE
Total SPRINT			\$191.18		
Paid Chk#	047320	2/4/2021	STACKED DECK BREWING		
E 609-00000-252	Beer Purchase		\$290.00	001784	
Total STACKED DECK BREWING			\$290.00		
Paid Chk#	047321	2/4/2021	STAN MORGAN & ASSOCIATES, INC.		
E 609-00000-500	Capital Expenditures		\$23,500.00	60799	NEW BEER WALK IN AT MLS
Total STAN MORGAN & ASSOCIATES, INC.			\$23,500.00		
Paid Chk#	047322	2/4/2021	TOTAL COMPLIANCE SOLUTIONS		
G 101-20200	Accounts Payable		\$48.00	66731	PRE-EMP. SCREENING
Total TOTAL COMPLIANCE SOLUTIONS			\$48.00		
Paid Chk#	047323	2/4/2021	TWIST OFFICE PRODUCTS		
G 101-20200	Accounts Payable		\$23.70	924765-0	OFFICE SUPPLIES
E 609-00000-200	Office Supplies		\$28.14	926574-0	OFFICE SUPPLIES
Total TWIST OFFICE PRODUCTS			\$51.84		
Paid Chk#	047324	2/4/2021	URBAN GROWLER BREWING CO.		
E 609-00000-252	Beer Purchase		\$176.00	E-27962	
Total URBAN GROWLER BREWING CO.			\$176.00		
Paid Chk#	047325	2/4/2021	VIKING AUTOMATIC SPRINKLER CO		
E 609-00000-400	General Maintenance		\$175.00	1025-F142817	ANNUAL INSPECTION
Total VIKING AUTOMATIC SPRINKLER CO			\$175.00		
Paid Chk#	047326	2/4/2021	VINOCOPIA		
E 609-00000-253	Wine Purchase		\$247.50	0272232-IN	
Total VINOCOPIA			\$247.50		
Paid Chk#	047327	2/4/2021	WALTERS RUBBISH INC		

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February 2021

		Check Amt	Invoice	Comment
E 101-41500-384	Refuse/Garbage Disposal	\$66.95	5078693	JANUARY 2021 SERVICE
E 101-43100-384	Refuse/Garbage Disposal	\$40.70	5078693	JANUARY 2021 SERVICE
E 101-45200-384	Refuse/Garbage Disposal	\$40.70	5078693	JANUARY 2021 SERVICE
E 651-00000-384	Refuse/Garbage Disposal	\$7.77	5078693	JANUARY 2021 SERVICE
E 730-00000-384	Refuse/Garbage Disposal	\$52.32	5078693	JANUARY 2021 SERVICE
E 770-00000-384	Refuse/Garbage Disposal	\$52.32	5078693	JANUARY 2021 SERVICE
E 609-00000-384	Refuse/Garbage Disposal	\$108.39	5078693	JANUARY 2021 SERVICE
Total WALTERS RUBBISH INC		\$369.15		
<hr/>				
Paid Chk# 047328	2/4/2021	WINE COMPANY		
E 609-00000-253	Wine Purchase	\$106.10	161963	
Total WINE COMPANY		\$106.10		
<hr/>				
Paid Chk# 047329	2/4/2021	WINE MERCHANTS		
G 609-20202	Accounts Payable - Resale	\$89.21	7310216	
E 609-00000-253	Wine Purchase	\$489.93	7315174	
Total WINE MERCHANTS		\$579.14		
<hr/>				
Paid Chk# 047330	2/4/2021	WRS IMPORTS		
E 609-00000-253	Wine Purchase	\$547.50	2926	
Total WRS IMPORTS		\$547.50		
<hr/>				
10100 4M FUND		\$352,338.12		

Fund Summary**10100 4M FUND**

101 GENERAL FUND	\$164,531.71
220 LOVELL BUILDING	\$251.00
310 CAPITAL PROJECTS	\$14,456.47
421 2021 STREET IMPROVEMENTS	\$7,391.25
609 MUNICIPAL LIQUOR FUND	\$157,387.56
651 STORM WATER FUND	\$1,305.63
730 WATER FUND	\$3,711.36
770 SEWER FUND	\$3,303.14
	<hr/>
	\$352,338.12

Report Criteria:

Report type: Summary

Check Number	Check Issue Date	Payee	Amount
13616	01/21/2021	AMAZON	141.35
13617	01/21/2021	ANOKA CO TREASURY OFFICE	540.00
13618	01/21/2021	CENTURY LINK	.48
13619	01/21/2021	CONNEXUS ENERGY	2,141.65
13620	01/21/2021	DON'S CIRCLE SERVICE	149.00
13621	01/21/2021	KENNEDY & GRAVEN, CHARTERED	556.00
13622	01/21/2021	NAC	1,200.00
13623	01/21/2021	OPTUM	33.75
2021003	01/21/2021	DEARBORN NATIONAL	1,628.87
2021004	01/21/2021	HEALTH PARTNERS	10,927.02
Grand Totals:			17,318.12

Report Criteria:

Report type: Summary

Check Number	Check Issue Date	Payee	Amount
13627	01/28/2021	ASPEN MILLS, INC	1,329.90
13628	01/28/2021	CITY OF CIRCLE PINES	1,545.67
13629	01/28/2021	DON'S CIRCLE SERVICE	436.78
13630	01/28/2021	NAC	1,175.00
13631	01/28/2021	T & B PAINTING LLC	2,000.00
Grand Totals:			6,487.35

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

RESOLUTION 21-06

**A RESOLUTION OF THE CITY COUNCIL OF LEXINGTON, MINNESOTA,
APPROVING LAND USE APPLICATIONS FOR EPHESIANS II**

WHEREAS, Tim and Karen Harmsen, (“Applicant”), with respect to their proposed development, Ephesians II, have submitted the following applications to the City for APPROVAL requesting:

- Planned Unit Development for Ephesians II.
- Preliminary Plat approval for Ephesians II.
- Vacate Duwayne Avenue south of Restwood Road.

WHEREAS, a public hearing was held before the Planning and Zoning Commission on January 12, 2021 to consider these applications. The Commission made Findings of Fact and did RECOMMEND approval of these applications. These Findings of Fact are submitted with this Resolution.

WHEREAS, City Staff and Consultants RECOMMENDS approval of these applications.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lexington, Minnesota, does act as follows:

1. The City Council ADOPTS the January 12, 2021, Memorandum from the Planning and Zoning Commission as its Findings of Fact.
2. The City Council APPROVES the Planned Unit Development per the application submitted by the Applicant, and;
 1. The Planned Unit Development shall be subject to approval of the Preliminary and Final Plat for Ephesians II, AND conditions of the Planned Unit Development shall be governed by a Conditional Use Permit, and;
 2. The Conditional Use Permit for Ephesians II will be based on those conditions the Commission may find during the Public Hearing; that may arise in the near future during the Plat or Plan approval process; and all comments and concerns of the City Engineer, City Planner, City Attorney, City Clerk, City Administrator, Building Inspector and Fire Marshal shall be met.
3. That the City Council ADOPTS the Preliminary Plat for Ephesians II subject to any directions and conditions from the City Engineer.

4. That the City Council hereby VACATES Duwayne Avenue within the project site because it is in the interest of the public, and said vacation is subject to drafting and execution of deeds and title to be drafted hereinafter.

THE VOTE OF THE CITY COUNCIL FOR ADOPTION OF THIS RESOLUTION WAS UNANIMOUSLY IN FAVOR OF THE RESOLUTION.

PASSED AND DULY ADOPTED this 4TH day of February 2021 by the City Council of the City of Lexington.

Michael Murphy, Mayor

Attest:

Bill Petracek, City Administrator



Centennial Lakes Little League

Established in 1958

January 15th, 2021

Mayor Mike Murphy, Lexington City Council Members, and Park Board Members
Lexington City Hall
9180 Lexington Avenue
Lexington, MN 55014

Dear Mayor Murphy, Council Members, and Park Board Members:

The generous facility use granted in the past by the city of Lexington is greatly appreciated by Centennial Lakes Little League. The use of the fields at Lexington Memorial Park has continually improved our programs and allowed us to hold special events for the youth in Lexington and surrounding communities. Without the use of the fields at Lexington Memorial Park, we would have to turn away youth from our program as we would be unable to accommodate the number of children who want to participate.

Our organization would again like to reserve the ball fields at Lexington Memorial Park for the 2021 spring and summer season beginning April 1st through the end of September, 2021. This would include all fields (1 through 5); Monday through Friday, from approximately 4:00pm until 10:00pm, with the weekend schedules to be determined and submitted before the season begins. As in previous years, Centennial Lakes Little League will be responsible for the clean-up of all fields throughout the season. We will send you a copy of our game schedules as soon as they are printed in April.

In addition, our organization will host the Fastpitch Softball State tournaments for the 2021 season. The tournaments will be hosted at Lexington Memorial Park in June & July. We also may have the opportunity of hosting a National Tournament which would be held late July. Similarly, we plan to host Fastpitch Softball Fall League on Saturdays and Sundays in August and September.

Our park clean-up day is scheduled for Saturday, April 17th, 2021 with a back-up date of Saturday, April 24th, 2021. We invite the Mayor and the members of the Park Board and Council to stop by your fields and meet our volunteers cleaning and raking the fields.

Sincerely,

Patrick Mahr, President
Centennial Lakes Little League
(763) 780-3836



LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to psstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: City of Lexington

Check one:

☐ The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.

☐ The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____

