

# AGENDA

## PUBLIC HEARING

&

## REGULAR PLANNING COMMISSION MEETING

May 11, 2021 - 7:00 P.M.

9180 Lexington Avenue, Lexington, MN

### 1. CALL TO ORDER PUBLIC HEARING

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

**Public Hearing** TO WHOM IT MAY CONCERN: Notice is hereby given, the Lexington Planning & Zoning Commission will be conducting a Public Hearing on May 11, 2021, at 7:00 P.M. in the Lexington City Council Chambers, 9180 Lexington Avenue, Lexington, MN 55014. The purpose of the Public Hearing will be an annual meeting to receive public opinion on the adequacy and effectiveness of the Storm Water Pollution Prevention Program (SWPPP). Anyone wishing to make a comment on the SWPPP is invited to attend the Public Hearing. If you are unable to attend, written comments are welcome and will be accepted until 4:30 P.M on May 11, 2021. In accordance with the Americans With Disability Act, a hearing impaired individual, wishing to attend the Public Hearing, you may request a sign language translator by contacting City Hall (763) 784-2792 within one week prior to the hearing

A. SWPPP memo

pg. 1

### 2. ADJOURNMENT OF PUBLIC HEARING

## REGULAR PLANNING COMMISSION MEETING

### AGENDA

## REGULAR PLANNING COMMISSION MEETING

, 2021 - 7:00 P.M.

9180 Lexington Avenue, Lexington, MN

### 3. CALL TO ORDER

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

### 4. CITIZENS FORUM

### 5. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

6. LETTERS AND COMMUNICATION
  - A. Building Permits for April 2021 pg. 2-4
  
7. APPROVAL OF PLANNING COMMISSION MINUTES
  - A. April 13, 2021 pg. 5-6
  
8. NOTE COUNCIL MINUTES:
  - A. April 1, 2021 pg. 7-10
  - B. April 15, 2021 pg. 11-12
  
9. PLANNING COMMISSION INPUT
  
10. ADJOURNMENT

**To:** Planning and Zoning Commission

**From:** Bill Petracek, City Administrator



**Date:** May 7, 2021

**Subject:** Public Hearing to Receive Public Opinion on the Storm Water Pollution Prevention Program (SWPPP) on May 11, 2021

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The MS4 permit and SWPPP outlines the steps The City of Lexington will take during the current permit cycle of five years (2020-2025) to reduce storm water pollution and is commonly referred to as a Storm Water Pollution Prevention Plan (SWPPP) which is required by the State Clean Water Act. The Minnesota Pollution Control Agency (MPCA) is the statutory agency authorized to issue the permits, review the SWPPP and ensure compliance with the State mandates.

The MS4 permit is designed to reduce and regulate pollutants that enter Minnesota waterbodies through stormwater systems. Since the last MS4 permit issuance in 2013, there have been some updates. They include having a stronger emphasis with involving and educating the public on stormwater issues. Another update is expanding documentation and procedural requirements for stormwater to ensure compliance.

The purpose of this public hearing is to hold an annual meeting to receive public opinion on the adequacy and effectiveness of the SWPPP. A copy of the MS4 and SWPPP will be available upon request at the public hearing. The 2021 annual report will incorporate any comments received and all additional required documentation prepared before submittal to MPCA by June 30, 2021.

Staff recommends that the Planning Commission take the comments, if any, made at the public hearing, and pass them along to the City Council for additional input. The City Council may review that information and staff will include it in the City's Annual Report to be submitted to MPCA by June 30, 2021.

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

Issued Date From: 4/1/2021 To: 4/30/2021  
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>													
<b>Permit Kind: Commercial New Construction</b>													
<b>Permit Kind: Commercial Sign - Permanent</b>													
021-00023	04/28/2021	9001 GRIGGS AVE	0		9,888.00	238.04	154.73	4.94					397.71
<b>Permit Kind: Residential Accessory Building</b>													
021-00016	04/08/2021	8761 GRIGGS AVE	0		18,000.00	385.08	250.30	9.00					644.38
<b>Permit Kind: Residential Demolition</b>													
021-00026	04/26/2021	3846 BOSTON LN	0			100.00		1.00					101.00
<b>Permit Kind: Residential New Construction</b>													
<b>Permit Kind: Residential OVER WEIGHT PERMIT</b>													
021-00025	04/23/2021	3844 EDITH LN	0			50.00							50.00
<b>Permit Kind: Residential Roofing</b>													
<b>Permit Kind: Residential Siding</b>													
<b>Permit Type: Building - Totals</b>													
			4	0	27,888.00	773.12	405.03	14.94					1,193.09
			YTD	10	17,097,046.00	88,130.20	56,904.38	2,576.98		269	340,445.00		815,156.56

<b>Permit Type: Mechanical</b>													
<b>Permit Kind: Commercial HVAC</b>													
<b>Permit Kind: Commercial New Construction</b>													
<b>Permit Kind: Commercial Remodel</b>													
021-00017	04/08/2021	9271 SOUTH HIGHWAY DRIVE	0										0.00
<b>Permit Kind: Residential HVAC</b>													
021-00015	04/01/2021	8804 Lexington	0			40.00		1.00					41.00

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check Fees	State Surcharge	Park SAC Fees	SAC Fees	WAC Fees	Total Fees
<b>Permit Type: Mechanical</b>												
<b>Permit Type: Mechanical - Totals</b>												
	Period		2	0		40.00		1.00				41.00
	YTD		6	0	37,000.00	860.00	390.00	21.50				1,271.50
<b>Permit Type: Plumbing</b>												
<b>Permit Kind: Commercial New Construction</b>												
<b>Permit Kind: Residential Alteration/Repair/Extension</b>												
<b>Permit Kind: Residential Water Heater</b>												
2021-00022	04/21/2021	9200 Lexington		0		40.00		1.00				41.00
<b>Permit Kind: Residential WATER SOFTENER</b>												
2021-00027	04/28/2021	9550 ASPEN AVE		0		40.00		1.00				41.00
<b>Permit Type: Plumbing - Totals</b>												
	Period		2	0		80.00		2.00				82.00
	YTD		5	0	21,038.00	605.00	240.50	13.52				859.02
<b>Permit Type: Zoning</b>												
<b>Permit Kind: Residential Accessory Building 200 sq ft or &lt;</b>												
2021-00019	04/15/2021	9510 ASPEN AVE		0		60.00						60.00
2021-00020	04/15/2021	3695 RESTWOOD RD 2		0		60.00						60.00
<b>Permit Kind: Residential Driveway</b>												
2021-00021	04/16/2021	9554 DUNLAP AVE		0		60.00						60.00
2021-00024	04/23/2021	3844 EDITH LN		0		60.00						60.00
<b>Permit Kind: Residential Fence/Wall &lt; 6 FT</b>												
2021-00018	04/14/2021	4140 WOODLAND RD		0		120.00						120.00
<b>Permit Type: Zoning - Totals</b>												
	Period		5	0		360.00						360.00
	YTD		6	0		420.00						420.00

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
			13	0	\$27,888.00	1,253.12	405.03	17.94					1,676.09
			27	0	\$17,155,084.00	90,015.20	57,534.88	2,612.00		269	340,445.00		817,707.08
<b>Report Total</b>			<b>Period</b>										
			<b>YTD</b>										

**MINUTES**  
**REGULAR PLANNING COMMISSION MEETING**  
**April 13, 2021 - 7:00 P.M.**  
**9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER

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

*Chairperson Vanderbloomer called to order the Regular Planning Commission meeting on April 13, 2021 at 7:00 p.m. Commissioners Present: John Bautch, Michelle Koch, Gloria Murphy, and Ron Thorson. Also present: John Hughes, City Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney.*

2. CITIZENS FORUM

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

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

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

4. LETTERS AND COMMUNICATION

- A. Building Permits for March 2021

*Vanderbloomer asked about zoning permit and building permit applications and fees not being available on the website. Petracek stated he would look into it. Discussion ensued.*

5. APPROVAL OF PLANNING COMMISSION MINUTES

- B. March 9, 2021

*Bautch made a motion to approve the March 9, 2020 minutes as typewritten. Koch seconded the motion. Motion carried 5-0.*

6. DISCUSSION ITEM:

- A. Discuss Auto Sales lot as a Conditional Use Permit in an M-1 Zone

*Petracek explained that with Cook's Auto Body shop being for sale he stated he is starting to get phone calls from potential buyers wanting to be able to have an auto sales lot in the building. He added that it seems like every time a property goes up for sale on Lake Drive, used car dealers inquire about buying the property. He stated he has talked to approximately 10 people over the past 4 years wanting to start a used car lot at George's Texaco, P & N Auto Sales, and Cooks Auto Body properties. He continued by saying that*

*we've had to tell potential buyers that due to the size of the lots, there would not be staff support for a conditional use permit that would allow them to operate. Petracek stated it would make more sense just to not allow auto sales lots in an M-1 Zone altogether.*

*Attorney Glaser stated that auto sales lots do not really generate a lot of tax revenue. He added some legal implications for allowing an auto sales lot to operate on Lake Drive properties. Discussion ensued.*

*The Planning Commission discussed auto sales lots as a conditional use permit in an M-1 zone.*

*Petracek also brought up the fact that A-1 Towing Company, which owns George's Texaco has an expired conditional use permit and still has not completed the original plan that he presented to the Planning Commission when he applied and was approved for the CUP. Discussion ensued.*

*The Planning Commission discussed getting A-1 Towing CUP completed before moving forward with removing Auto Sales Lots from an M-1 Zone. Discussion ensued.*

*The Planning Commission requested:*

- 1. To give A-1 Towing a timeline to get his CUP application in to get it reissued or extended by the City Council within 1-month:*
- 2. A-1 Towing would have 4 months to comply with the conditions of the CUP and complete the project.*
- 3. Discuss further the removal of Auto Sales Lots as a CUP in an M-1 Zone when A-1 Towing has been reissued a CUP for George's Texaco.*

7. NOTE COUNCIL MINUTES:

- A. March 4, 2021
- B. March 18, 2021

*Some discussion on City Council minutes*

8. PLANNING COMMISSION INPUT

*Vanderbloomer asked about the crosswalk sign at North Highway Drive and Griggs Ave. He stated that the sign has been knocked over and there are is not an actual crosswalk at that location. Petracek said he would talk to public works to see if the sign is necessary or if cross walk stripes need to be repainted.*

9. ADJOURNMENT

*Bautch made a motion to adjourn at 8:32 p.m. Murphy seconded the motion. Motion carried 5-0.*



**MINUTES  
CITY OF LEXINGTON  
PUBLIC HEARING  
&  
REGULAR COUNCIL MEETING  
APRIL 1, 2021 – 7:00 P.M.  
9180 LEXINGTON AVENUE**

**PUBLIC HEARING**

- 1. CALL TO ORDER:** – Mayor Murphy
- A. Roll Call - Council Members: DeVries, Harris, Hughes and Winge

*Mayor Murphy called to order the Public Hearing April 1, 2021 at 7:01 p.m.  
Councilmember's present: Devries, Harris, Hughes, and Winge. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Steve Winter, City Engineer, Jack Borgen, Liquor Store Manager; Gary Grote, Fire Chief; Barb Mahr, Citizen.*

- 2. PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING:**

- A. **PUBLIC HEARING: THE CITY COUNCIL WILL TAKE COMMENTS ON THE 2021 OVERLAY IMPROVEMENTS, AN IMPROVEMENT ON WOODLAND ROAD BETWEEN LAKE DRIVE AND HAMLINE AVENUE AND RYAN PLACE FROM WOODLAND ROAD TO THE NORTH END BY PATCHING, EDGE MILLING AND BITUMINOUS OVERLAY**

*Steve Winter, City Engineer, provided a PowerPoint presentation giving a detailed overview of the proposed 2021 street improvements to Woodland Road and Ryan Place. Discussion ensued.*

*Barb Mahr  
9232 Ryan Place  
Lexington, MN.*

*Ms. Mahr asked if curb and gutter is being installed on Ryan Place. Winter explained that just a mill and overlay is only being recommended. Ms Mahr further asked if there would be any changes to the drainage issues. Winter explained there would not be any changes to the storm water drainage plan; he added that if there are problems, the storm drains need to be cleaned and public works would need to be notified. Discussion ensued.*

- 3. ADJOURN PUBLIC HEARING**

*Councilmember Hughes made motion to adjourn the public hearing at 7:17 p.m.  
Councilmember Devries seconded the motion. Motion carried 5-0.*

**MINUTES  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
APRIL 1, 2021 – 7:00 P.M.  
9180 LEXINGTON AVENUE**

- 1. 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 April 1, 2021 at 7:17 p.m. Councilmember's present: Devries, Harris, Hughes, and Winge. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Steve Winter, City Engineer, Jack Borgen, Liquor Store Manager; Gary Grote, Fire Chief; Barb Mahr, Resident.*

- 2. CITIZENS FORUM**

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

- 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 5-0.*

- 4. LEXINGTON FIRE DEPARTMENT – 2020 ANNUAL REPORT**

*Gary Grote, Fire Chief, provided an overview of the Lexington Fire Department 2020 Annual Report. Discussion ensued.*

- 5. INFORMATIONAL REPORTS:**

- A. Airport (Councilmember DeVries) – No report given.
- B. Cable Commission (Councilmember Winge) – No report given.
- C. City Administrator (Bill Petracek) – *Petracek mentioned that the citywide cleanup is April 17th at Together Place Church on Flowerfield Road. Petracek also stated City Hall would be closed in observance of Good Friday.*

*Petracek stated that the negotiations for the next AFSCME Union contract have begun. He added that the finance director and he had met with the union on Wednesday. Discussion ensued.*

*He also reminded the Council of the estimated \$300,000 of Cares Act Funds being provided to Lexington through the \$1.9 Trillion in federal stimulus funds. He stated that at this time is only an estimate and he and the finance director have been attending webinars to obtain information on funds and how the money can be spent. Discussion ensued.*

## 6. LETTERS AND COMMUNICATIONS:

- A. Notice – Public Hearing
- B. Council Workshop meeting minutes – March 18, 2021
- C. Centennial Lakes Police Department Media Reports 3-10 through 3-23, 2021

*No discussion on Letters and Communications*

## 7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:  
Council Meeting – March 18, 2021
- B. Recommendation to Approve Claims and Bills:  
Check #'s 47487 through 47529  
Check #'s 47167 reissue as 47486  
Check #'s 13719 through 13727  
Check #'s 13731 through 13738

***Councilmember Devries made a motion to approve the consent agenda items. Councilmember Winge seconded the motion. Motion carried 5-0.***

## 8. ACTION ITEMS:

- A. Recommendation to approve Resolution NO. 21-08 A Resolution Ordering Improvement and Preparation of Plans.

***Councilmember Hughes made a motion to approve Resolution NO. 21-08 A Resolution Ordering Improvement and Preparation of Plans. Councilmember Harris seconded the motion. Motion carried 5-0.***

- B. Recommendation to approve Resolution NO. 21-09 A Resolution Approving Plans and Specifications and Ordering Advertisement for Bid

***Councilmember Hughes made a motion to approve Resolution NO. 21-09 A Resolution Approving Plans and Specifications and Ordering Advertisement for Bid. Councilmember Harris seconded the motion. Motion carried 5-0.***

- C. Recommendation to approve color scheme and rendering for the Salt Shed

***Councilmember Harris made a motion to approve color scheme and rendering for the Salt Shed. Councilmember Winge seconded the motion. Motion carried 5-0.***

- D. Recommendation to approve a quote for a Point-of-Sale Software System Replacement from Total Register Systems Software not to exceed \$19,714.04

***Jack Borgen, Liquor Store Manager, explained the problems with the current point-of-sale system and the decision to change the current software. Borgen stated they tested three different point-of-sale software versions and felt TRS was the best system and the cheapest. Discussion ensued.***

***Councilmember Devries made a motion to approve a quote for a Point-of-Sale Software System Replacement from Total Register Systems Software not to exceed \$19,714.04. Councilmember Harris seconded the motion. Motion carried 5-0.***

- E. Recommendation to approve Job Description for Lexington Fire Department  
– Fire Marshal

*Fire Chief Gary Grote explained the assistant fire chief is currently the fire marshal, but there is no job description for the position. He added that the job description ensures that the position is also separate from the fire chief's duties. Discussion ensued.*

*Councilmember Harris made motion to approve a Job Description for Lexington Fire Department – Fire Marshal. Councilmember Hughes seconded the motion. Motion carried 5-0.*

- F. Recommendation to approve revised Special Event Permit

*Councilmember Harris made a motion to approve the revised Special Event Permit. Councilmember Devries seconded the motion. Motion carried 5-0.*

## 9. MAYOR AND COUNCIL INPUT

*Councilmember Devries asked when public works would start filling potholes. Petracek stated when asphalt begins production. He added that Griggs Ave. needs some work. Petracek said he would mention it to public works.*

*Devries also asked about the porta potties in the new park. Petracek said Norhart is planning on installing them, but he is unsure when.*

*Councilmember Hughes asked if the graffiti has been removed from the park equipment in the new park. Petracek said that it has been removed. Discussion ensued.*

## 10. ADJOURNMENT

*Councilmember Hughes made motion to adjourn the meeting at 7:54 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.*

*I hereby certify that the April 1, 2021 Regular City Council Minutes as presented, were approved by the Lexington City Council on April 15, 2021.*

*Bill Petracek  
City Administrator*

/mv

**MINUTES  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
APRIL 15, 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 April 15, 2021 at 7:00 p.m. Councilmember's present: Devries, Harris, Hughes, and Winge. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director.*

**3. CITIZENS FORUM**

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

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

*Councilmember Harris made a motion to approve the agenda as typewritten. Councilmember Winge seconded the motion. Motion carried 5-0.*

**5. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Reports – 3-24 through 3-29, 2021

*No discussion on Letters and Communications.*

**6. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – April 1, 2021
- B. Recommendation to Approve Claims and Bills:  
Check #'s 47487 through 47529  
Check # 47167 re-issue as 47486  
Check #'s 13719 through 13727  
Check #'s 13731 through 13738

*Councilmember Devries made a motion to approve the consent agenda items. Councilmember Winge seconded the motion. Motion carried 5-0.*

## 7. ACTION ITEMS:

### A. Recommendation to approve Business Licenses

*The Council discussed issuing a business license to Curbside Waste. Councilmember Devries feels that issuing a business license keeps the price of service down. Councilmember Winge agreed with Devries and stated that he feels competition among waste haulers is good for keeping prices down. Councilmember Harris questioned the business license issuance to Curbside Waste due to the amount of current haulers licensed in the City and the complaints she gets from having too many trucks on our streets. Discussion ensued.*

*Councilmember Devries made a motion to approve business licenses for Circle Pines/Lexington Lion's - Farmer's Market and Curbside Waste. Councilmember Harris seconded the motion. Motion carried 5-0.*

## 8. MAYOR AND COUNCIL INPUT

*Councilmember Devries discussed with the Council the conversations he is having with residents about our gross alpha issues in our water. Discussion ensued.*

*Councilmember Devries asked to have the garbage found in the trees around Lexington Lofts to be removed by the owner. Petracek said he would let Norhart know.*

*Mayor Murphy mentioned that currently the City is pumping treated water from the City of Blaine and citizens do not have to worry about Gross Alpha from our water. Discussion ensued.*

## 9. ADMINISTRATOR INPUT

*No input from the city administrator.*

## 10. ADJOURNMENT

*Councilmember Hughes made motion to adjourn the meeting at 7:10 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.*

*I hereby certify that the April 15, 2021 Regular City Council Minutes as presented, were approved by the Lexington City Council on May 6, 2021.*

*Bill Petracek  
City Administrator*

/mv