

AGENDA
REGULAR PLANNING COMMISSION MEETING
July 9, 2014 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER

Roll Call: Chairperson Olsson, Commissioners Bautch, Hoska, Johnson,
Vanderbloomer

2. PUBLIC HEARING CANCELLED – Proposed Ordinance Amendments

3. CITIZENS FORUM

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

5. LETTERS AND COMMUNICATION

A. Building Permits for June 2014

6. APPROVAL OF PLANNING COMMISSION MINUTES

B. June 11, 2014

7. DISCUSSION ITEM:


8. NOTE COUNCIL MINUTES:

A. June 5, 2014

B. June 19, 2014

9. PLANNING COMMISSION INPUT

10. ADJOURNMENT

To: Planning & Zoning Commission
From: Bill Petracek, City Administrator 
Date: July 3, 2014
Re: Cancellation of Public Hearing for proposed ordinances

Due to some miscommunications between the city attorney and me, we have to postpone the public hearing until August on the proposed ordinance amendments that were discussed at the June 11th P & Z meeting. The action that was taken by the Commission at the June meeting was to hold the public hearing on the ordinances at the July meeting.

Due to the notification requirements for the public hearing, we are unable to meet the necessary deadlines for the process. Because of the nature of the ordinance amendments, it is imperative that we follow the notification guidelines for changing the zoning code and districts to the letter.

The following ordinance amendments will be brought forward to a public hearing at the August Planning & Zoning meeting:

1. An ordinance combining the B-5 and B-4 zone into a B-4 zone at the corner of Lexington and Lake Dr.
2. An ordinance that would allow for beer and wine in a B-4 zone.
3. An ordinance that would amend the parking regulations with exceptions.

BUILDING PERMITS - JUNE 2014

TYPE	PERMIT #	DATE	OWNER/ADDRESS	DESCRIPTION/CONTRACTOR	VALUE	TTL PMT	PMT/FEE
Other	14-29	6/3/14	Paulette Rustad 9150 Jackson Ave	Sewer line repair Roto Rooter		100.00	100.00
Other	14-30	6/5/14	Felipe Aceitero 8802 Lexington Ave	Fence Midwest Fence		60.00	60.00
Mech	14-31	6/12/14	Rebecca Clark 3693 Restwood	Water softener/carbon filter Ben Franklin Plumbing		40.00	40.00
Other	14-32	6/12/14	Terry Larson 8700 Dunlap Ave.	porch Bear Roofing & Exteriors		145.00	145.00
Other	2014-00033	6/16/14	Mark Schwartz 9217 Griggs	Egress Windows Self		98.07	59.07
Other	2014-00034	6/16/14	Michael Rosenberg 9027 Jackson	Re-side/cedar shingle 1 side of house Self		145.00	145.00
Other	2014-00035	6/7/14	Jim Phillips 9127 Jackson Ave	Fence Self		60.00	60.00
Other	2014-00036	6/17/14	Mark Hagemann 3825 Woodland Rd.	Fence Self		60.00	60.00

**PLEASE NOTE - THE NEW NUMBERING SYSTEM (6/16 AND FORWARD) IS DUE TO THE NEW BUILDING INSPECTOR SERVICES.

The consensus was to develop an ordinance to combine the two zoning districts into a B-4 zone. No action taken

C. Discuss Proposed Amendment 14-01 - An Ordinance Amending B-2 and B-4.

Petracek began the discussion by explaining that Beer and Wine sales can be allowed as a permitted use without a liquor license in our zoning code. Attorney Glaser continued the discussion by providing an overview of the various levels of alcohol licensing that are governed by State Statute. He also stated that upon his review of the permitted uses in B-2 zone that Carbones liquor license was conforming use, and believed that it fell under the permitted use of a "bar" establishment. Discussion ensued about amending the B-2 and B-4 zone to allow liquor.

Glaser clarified with the Commission that they only wanted to allow beer and wine licenses in a B-4 zone. Discussion ensued.

Glaser recommended to the Commission to make a motion to notice the public hearing on the proposed ordinances.

A motion was made by Johnson to notice the public hearing on the proposed ordinances for the July meeting. The motion was seconded by Bautch. Motion carried 4-0.

7. NOTE COUNCIL MINUTES:

- A. May1, 2014
- B. May 15, 2014

The Commission discussed the May 1st and 15th City Council minutes. No action taken.

8. PLANNING COMMISSION INPUT – Some discussion. No action taken.

9. ADJOURNMENT

A motion to adjourn was made by Bautch at 8:37 pm. The motion was seconded by Johnson. Motion carried 4-0

unapproved
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
JUNE 5, 2014 – 7:00 P.M.
9180 LEXINGTON AVENUE

1. CALL TO ORDER: – Mayor Pitchford

A. Roll Call - Council Members: Bailey, Hughes, Payment, Plasch
Mayor Pitchford called to order the Regular Council meeting of the City of Lexington of June 5, 2014 at 7:01 p.m... Councilmember's present: Hughes, Payment, Bailey, and Plasch. Also Present: City Administrator Bill Petracek, Accounting Coordinator Tina Northcutt, Administrative Coordinator Mary Vinzant; Chad Payment, former Building Official; Ron Wasmund, Inspectron Inc.; and Ruben Arellano; El Loro.

2. CITIZENS FORUM

No member of the public provided discussion.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Motion was made by Councilmember Bailey, seconded by Councilmember Payment to approve the agenda as presented. Passed unanimously. Motion carried 5-0.

4. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Plasch) **February 12, 2014 meeting minutes**
Councilmember Plasch provided an updated on Aviation Days.
- B. Cable Commission (Councilmember Payment) *Councilmember Payment provided an update on the merger between Comcast and Charter Cable.*
- C. City Administrator (Bill Petracek) *Petracek explained the evaluation process for the city administrator with Brimeyer Fuhrman and the conflict with dates for the review. Discussion ensued. Petracek stated he would work with Richard Fursman to develop dates for a special meeting to do the city administrator review.*

5. LETTERS AND COMMUNICATIONS:

- A. Park Board meeting minutes – May 5, 2014
- B. Council Workshop meeting minutes – May 15, 2014
- C. Metropolitan Council – 2013 Household & Population Estimates
- D. North Metro Cable TV – VHS to DVD offer and services

No discussion or action taken

Consent Agenda:

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – May 15, 2014
- B. Recommendation to Approve Claims and Bills:
Check #'s 13256 through 13261
Check #'s 38391 through 38451
Check #'s 9908 through 9934
VOID # 9866
- C. Recommendation to approve Resolution NO. 14-13 A Resolution
Accepting A Donation
- D. Recommendation to approve Business Licenses
- E. Recommendation to approve City Policies:
 - Balanced Budget Policy
 - Cash and Investment Policy
 - Credit Card PolicyDebt Management Policy

Motion was made by Councilmember Hughes, seconded by Councilmember Plasch to approve the consent agenda. Passed unanimously. Motion carried 5-0.

Action Items:

7. ACTION ITEMS:

- A. Recommendation to approve Building Inspection Services Contract

Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve the Building Inspection Services Contract with Inspectron Inc. Passed unanimously. Motion carried 5-0.

- B. Recommendation to approve City Hall Landscape Project

Motion was made by Councilmember Bailey, seconded by Councilmember Plasch to approve the bid from Colorscape Landscaping to do all four phases at a price of \$22,238 with the Public Works Department doing the patio area. Total project not to exceed \$26,000. Passed unanimously. Motion carried 5-0.

- C. Recommendation to approve Special Event Permit – July 12, 2014 Lexington
Fire Relief 5 K Flash and Dash (pending CLPD approval).

Motion was made by Councilmember Bailey, seconded by Mayor Pitchford to approve the special event permit for July 12, 2014 Lexington Fire Relief 5K Flash and Dash. Passed unanimously. Motion carried 5-0.

D. Recommendation to approve 2% Salary Increase Request – Liquor Store -

Motion was made by Councilmember Bailey, seconded by Councilmember Plasch to approve a 2% raise for Karen Larson, Andrew Lyons, Paul Madsen, Nick Palinkas, Raina Spack, and to approve a 2% raise for Jack Borgen following a review of the date when he received his last raise. Passed unanimously. Motion carried 5-0.

E. Recommendation to approve Resolution NO. 14-14 A Resolution Amending
Fee Schedule

Motion was made by Mayor Pitchford, seconded by Councilmember Bailey, to approve Resolution NO. 14-14 - A Resolution Amending Fee Schedule to include a \$200 fee for the Annual Entertainment License and a \$300 fee for the Single Use Special Event Permit. Passed unanimously. Motion carried 5-0.

F. Recommendation to approve Liquor License – El Loro of Lexington

Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve the liquor license for El Loro of Lexington. Passed unanimously. Motion carried 5-0.

G. Discuss offering a voluntary Deferred Compensation Plan and AFLAC
Insurance Plan

Motion was made by Councilmember Plasch, seconded by Councilmember Bailey to approve the voluntary Deferred Compensation Plan and AFLAC Insurance Plan. Passed unanimously. Motion carried 5-0.

H. Solid Waste Committee findings and recommendations

Motion was made by Councilmember Hughes, seconded by Councilmember Bailey to uphold the recommendation of the Solid Waste Committee to not move forward with the organized solid waste collection process. Passed unanimously. Motion carried 5-0.

I. Discuss Ordinance NO. 14-XX Revising City Code Chapter 5

Motion was made by Councilmember Bailey, seconded by Mayor Pitchford to not approve Ordinance NO. 14—XX Revising City Code Chapter 5. Passed unanimously. Motion carried 5-0.

8. MAYOR AND COUNCIL INPUT

Discussion and no action taken.

9. ADJOURNMENT

Motion made by Councilmember Bailey, and seconded by Councilmember Hughes to adjourn the Regular Council meeting of June 5, 2014 @ 8:52 pm. Passed unanimously. Motion carried 5-0.

/mv

unapproved
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
JUNE 19, 2014 – 7:00 P.M.
9180 LEXINGTON AVENUE

1. CALL TO ORDER: – Mayor Pitchford

A. Roll Call - Council Members: Bailey, Hughes, Payment, Plasch

Mayor Pitchford called to order the Regular Council meeting of the City of Lexington of June 19, 2014. Councilmember's present: Bailey, Hughes, Payment and Plasch. Also Present: Bill Petracek, City Administrator; Tina Northcutt, Accounting Coordinator; Kurt Glaser, City Attorney; Mary Vinzant, Administrative Coordinator; Paul Floyd, Employment Attorney; Steve Winter, City Engineer; and Jim Fischer, Lead Public Works.

2. CITIZENS FORUM

No citizens were present for discussion.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Motion was made by Councilmember Payment, seconded by Councilmember Bailey to approve the agenda without changes or corrections. Passed unanimously. Motion carried 5-0.

4. LETTERS AND COMMUNICATIONS:

- A. CLPD – May 29, 2014 Vehicle Saturation (Truck check) results
- B. 2014 Anoka County Road Construction and Rehabilitation Program
- C. Public Notice – Lexington Park Board summer maintenance schedule
- D. Follow up of June 5, 2014 Council meeting Action Item D
 - D. Heifort approved raise 5-6-13 effective retroactive to 1-1-13
 - J. Borgen approved raise 6-1-13
- E. State Primary Election Ballot Proof

There was some discussion on letters and communications. No action taken.

Consent Agenda:

5. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – June 5, 2014

- B. Recommendation to Approve Claims and Bills:
Check #'s
- C. Financial Reports
- Cash Balances – April 2014
 - Fund Summary – Budget to Actual
 - Cash Balances – May 2014
 - Fund Summary – Budget to Actual
- D. Business License Renewal
- E. Recommendation to approve Centennial Lakes Little League Request to reserve ball fields 1 -5, Monday through Friday from 4:00 PM till 10:00 PM at Lexington Memorial Park – April 1 through August 1, 2014 and allow use of concession stand.

A motion was made by Councilmember Bailey, seconded by Councilmember Plasch to approve the consent agenda. Passed unanimously. Motion carried 5-0.

Action Items:

6. ACTION ITEMS:

- A. Abdo, Eick & Meyers – 3 year Audit Services Contract Request

Administrator Petracek provided an insight to the two separate proposals from Abdo, Eick, & Meyers for the 3-year contract for auditing services. He explained that the amount for services has gone up 6% overall, but is also recommending the proposal to have AE & M prepare and submit a Comprehensive Annual Report (CAFR). Accounting Coordinator Northcutt provided an explanation of what a CAFR is. Discussion ensued.

Motion was made by Councilmember Bailey, seconded by Councilmember Hughes to approve the 3-year Audit Services Contract with Abdo, Eick, & Meyers to include the preparation of the Comprehensive Annual Report (CAFR). Passed unanimously. Motion carried 5-0.

- B. Liquor License Renewals

- Bamboo Betty's
- Carbones
- Cowboys

Motion was made by Councilmember Payment, seconded by Councilmember Bailey to approve the liquor license renewals for Bamboo Betty's, Carbones and Cowboys pending the approval of the police department's background investigation. Passed unanimously. Motion carried 5-0.

C. Harold's Barber Shop Business License.

Attorney Glaser explained his memo that was drafted with the assistance of Police Chief Jim Coan and Captain Ron Nelson of the Centennial Lakes Police Department recommending the denial of the business license renewal for Harold's Barber Shop and outlined the extensive problems they have had with Chris Schroeder, owner of Harold's Barber Shop, over the past year. Glaser added that the issues have escalated over the past 3 months or so. Police Chief Jim Coan agreed with Glaser's concerns regarding Chris Schroeder, and explained the difficulties they have had with him in regards to his neighbor's – Blue Collar BBQ. Discussion ensued.

Motion was made by Councilmember Bailey, seconded by Mayor Pitchford to deny the business license renewal for Harold's Barber Shop. Passed unanimously. Motion carried 5-0

7. MAYOR AND COUNCIL INPUT -*Some discussion. No action taken.*

8. ADMINISTRATOR INPUT – *Administrator Petracek explained that the new building inspector has started and will have office hours on Tuesday and Thursday afternoon. He also explained to the Council that Parkview Coop (Paul Revere Manufactured Home Community) has been taken over by National Loan and Acquisition Company and a representative has been working with himself and the building inspector, as they want to make some improvements to the park to help it be more marketable to a buyer. Discussion ensued.*

9. ADJOURNMENT

Motion was made by Councilmember Bailey, seconded by Hughes to adjourn the Regular Council meeting of June 19, 2014 @ 7:42 pm. Passed unanimously. Motion carried 5-0.

CITY OF LEXINGTON
REGULAR PLANNING COMMISSION MEETING MINUTES
June 11, 2014 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER

A. Roll Call

Vice chairperson Hoska called to order the Regular Planning Commission meeting of the City of Lexington on May 14, 2014 at 7:00 p.m.. Commissioners Present: John Bautch, Caleb Johnson, and Mark Vanderbloomer. Excused absence: Chairperson Chris Olsson. Also Present: John Hughes, Councilmember; Bill Petracek, City Administrator; Dawn Grote, Administrative Coordinator; Kurt Glaser, City Attorney.

2. PUBLIC HEARING CANCELLED - Conditional Use Permit Rescinded for Blue Collar BBQ, 4115 Woodland Road

No discussion

3. CITIZENS FORUM

No one was present to address the Planning Commission

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Johnson made a motion to approve the agenda as type written. Motion seconded by Bautch. Motion carried 4-0

4. LETTERS AND COMMUNICATION

A. Building Permits for May 2014

No discussion

5. APPROVAL OF PLANNING COMMISSION MINUTES

A. May 14, 2014

Hoska made a motion to approve the May 14, 2014 minutes with correction to Olsson being an excused absence. The motion was seconded Johnson. Motion carried 4-0.

5. DISCUSSION ITEM:

A. Letter from Tom Kranz rescinding Conditional Use Permit for Blue Collar BBQ, 4115 Woodland Road.

Attorney Glaser approached Planning Commission and provided an explanation to Tom Kranz rescinding the Conditional Use Permit application, and the May 23, 2014 memo addressed to the Commission. Glaser focused on the summary of the memo in regard to the Tom Kranz property, and the options that he has to allow a viable business to operate in the building. Discussion ensued.

Glaser asked the Commission to consider changing the ordinance to allow for exceptions for parking so business owner's wouldn't need to obtain a variance for relief from the ordinance. He explained that the Minnesota State Supreme Court has made it very difficult for Minnesota cities to grant variances. Councilperson Hughes asked how the Commission would grant 'exceptions' and not variances. Glaser explained what an 'exception' to the ordinance would require. Discussion ensued.

Bautch asked how many business's in Lexington would benefit if 'exceptions' were granted in the City of Lexington. Discussion ensued. Hughes asked Glaser how an 'exception' is different than a 'variance.' Glaser stated that an 'exception' would be part of the City's standards. Discussion ensued.

Glaser handed out a memo with the proposed language that would be incorporated into the parking ordinance that provides exceptions to the parking requirements. Johnson stated that he was more comfortable with addressing the size of the dining area and modifying the ordinance for that purpose. Discussion ensued.

The consensus of the Commission was to place an item on the next P & Z meeting agenda that would address the June 4, 2014 memo from Attorney Glaser to the Commission. No action was taken.

B. Discuss B-5 Zoning Regulations

Petracek explained that city hall staff and the city attorney have researched whether the B-5 and B-4 zone at the corner of Lexington Ave. and Lake Dr. have been combined into one zone at some point over the past years. He added that they have had no luck in finding this amendment to the zoning districts. Attorney Glaser stated that he has in his notes that he had recommended amending those zoning districts, but no action was taken. Petracek added that currently the businesses in the B-5 zone are non-conforming uses, and that an amendment should be made to that portion of the community to be a B-4 zone, which would make the businesses in that section conforming.

Johnson felt there needed to be a review of the entire zoning regulations. Vanderbloomer replied by saying that the Commission should just combine the B-5 and B-4 zone into a B-4 zone and go through the process to amend the districts. Discussion ensued.