

AMENDED
AGENDA
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
NOVEMBER 3, 2022 – 7:00 P.M.
9180 LEXINGTON AVENUE

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Murphy

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

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. INFORMATIONAL REPORTS:

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

6. LETTERS AND COMMUNICATIONS:

- A. Centennial lakes Police department Media Report 10-12 through 10-24, 2022 **pp. 1-6**
B. Council Workshop Synopsis – October 20, 2022 **pp. 7-8**
C. Tree Removal Report **pp. 9**

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.

7. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – October 20, 2022 **pp. 10-12**
B. Recommendation to Approve Claims and Bills: **pp. 13-20**

Check #'s 49548 through 49594

Check #'s 14501 through 14518

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.

8. ACTION ITEMS:

- A. Second Reading and Recommendation to Approve Ordinance NO. 22-04 – An Ordinance Regulating Cannabinoid Products **pp. 21-30**
- B. Recommendation to Approve Resolution NO. 22-30 – A Resolution Approving Summary Publication of Ordinance NO. 22-04 **pp. 31-32**
- C. Recommendation to Not Waive the Monetary Limits on Municipal Tort Liability Established by Minn. Stat. 466.04 **pp. 33-34**
- D. Recommendation to approve New Business License – Northway Tobacco – (New Ownership) pending successful background check **pp. 35**
- E. **Recommendation to approve Resolution NO. 22-25 A Resolution Submitting a List of Eligible Nominees to Anoka County for the Open Manager Position on Rice Creek Watershed District Board of Managers**

9. MAYOR AND COUNCIL INPUT

10. CLOSED SESSION

- This portion of the meeting is closed pursuant to Minnesota Statute Section 13D.05, subdivision 3(b), and is permitted by the attorney-client privilege to discuss the pending litigation versus the City of Blaine regarding the interconnected water and sewer systems.
- 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 the legal aspects surrounding personnel matters under investigation.

11. ADJOURNMENT



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
22228269	Oct 12 2022	21:08	ASSIST OTHER AGENCY		LINO LAKES
22227661	Oct 12 2022	03:26	DOMESTIC ASSAULT	38XX MINUTEMAN LN	LEXINGTON
Summary: POLICE RESPONDED TO THE 3800 BLOCK OF MINUTEMAN LN FOR A DOMESTIC ASSAULT. ONE PERSON TRANSPORTED TO JAIL.					
22229228	Oct 12 2022	08:54	ABANDON VEHICLE	XX WEST GOLDEN LAKE RD	CIRCLE PINES
Summary: ON OCTOBER 12TH WHILE ON ROUTINE PATROL CSO OFFICERS NOTICED WHAT APPEARED TO BE AN ABANDONED BOAT, MOTOR, AND TRAILER IN THE PARKING LOT OF GOLDEN LAKE BEACH. ON THE OFF CHANCE AN OWNER MAY RETURN TO PICK UP THE VEHICLE IT WAS LEFT AS IS UNTIL OCTOBER 14TH WHEN IT WAS TOWED AS IMPOUND.					
22228378	Oct 13 2022	00:48	TRAFFIC	LAKE DR / GRIGGS AVE	LEXINGTON
Summary: OFFICER OBSERVED A TRAFFIC VIOLATION NEAR THE INTERSECTION OF LAKE DR AND GRIGGS AVE. CITATION ISSUED.					
22228374	Oct 13 2022	00:38	MISC	XX WEST GOLDEN LAKE RD	CIRCLE PINES
Summary: OFFICER OBSERVED AN ABANDONED BOAT IN A PARK LOCATED IN THE 10 BLOCK OF WEST RD.					
22228559	Oct 13 2022	10:26	FRAUD	70XX 20TH AVE	CENTERVILLE
Summary: FRAUD REPORT. OFFICERS WERE DISPATCHED A PHONE CALL FRAUD REPORT FROM THE 7000 BLK OF 20TH AVE. NO SUSPECT INFO.					
22228905	Oct 13 2022	18:49	PARKING COMPLAINT	91XX JACKSON AVE	LEXINGTON
Summary: POLICE WERE FLAGGED DOWN REGARDING A PARKING COMPLAINT IN THE 9100 BLOCK OF JACKSON AVENUE. INFORMATION FORWARDED TO CSO'S.					
22228888	Oct 13 2022	18:21	MEDICAL	91XX JACKSON AVE	LEXINGTON
Summary: OFFICERS RESPONDED TO THE 9100 BLK OF JACKSON AVE REGARDING A MEDICAL. VICTIM WAS TRANSPORTED TO THE HOSPITAL. CLEAR.					
22229036	Oct 13 2022	23:31	INFORMATION	XX PINE DR	CIRCLE PINES
Summary: CALLER REPORTED A POSSIBLE INTOXICATED DRIVER UNABLE TO LOCATE VEHICLE INFORMATIONAL REPORT TAKEN BY OFFICER CLEAR					
22229053	Oct 14 2022	00:08	MEDICAL	2XX KEITH DR	CIRCLE PINES
Summary: OFFICER RESPONDED TO A MEDICAL ON 200 BLOCK OF KEITH DR ONE MALE INJURED FROM FALLING OFFICER CLEARED BY CFD					
22229519	Oct 14 2022	15:39	CHECK WELFARE	38XX LOVELL RD	LEXINGTON
Summary: POLICE DISPATCHED TO THE 3800 BLOCK OF LOVELL ROAD FOR A WELFARE CHECK. POLICE SPOKE WITH THE INDIVIDUAL AND HAD NO CONCERNS.					
22229110	Oct 14 2022	04:41	WARRANT ARREST	XX OAK LEAF LN	CIRCLE PINES
Summary: OFFICER CONDUCTED A WARRANT ATTEMPT IN THE 10 BLOCK OF OAK LEAF. AN ADULT MALE WAS TAKEN INTO CUSTODY. THE ADULT MALE WAS THEN RELEASED AND TRANSPORTED TO THE HOSPITAL.					



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
22229420	Oct 14 2022	13:53	NO INSURANCE	XX OAK LEAF LN	CIRCLE PINES
Summary: POLICE CONDUCTED A TRAFFIC STOP IN THE AREA OF PINE DRIVE AND SOUTH DRIVE. THE DRIVER WAS SUBSEQUENTLY ARRESTED FOR TRAFFIC RELATED OFFENSES.					
22230211	Oct 15 2022	14:47	ASSIST OTHER AGENCY		BLAINE
	Oct 15 2022	15:06	CRIMINAL SEXUAL CONDUCT		CIRCLE PINES
Summary: CRIMINAL SEXUAL CONDUCT					
OFFICERS WERE DISPATCHED TO CIRCLE PINES ON A POSSIBLE CRIMINAL SEXUAL ASSAULT REPORT. OFFICERS TOOK INFORMATION AND PROVIDED IT TO ANOKA COUNTY CID FOR FURTHER INVESTIGATION AND FOLLOW-UP.					
ACTIVE INVESTIGATION.					
22230332	Oct 15 2022	17:51	ALARM-BUSINESS	90XX GRIGGS AVE	LEXINGTON
Summary: AUDIBLE BURGLAR ALARM					
OFFICERS WERE DISPATCHED TO THE 9000 BLOCK OF GRIGGS ON AN ABA. OFFICERS SEARCHED THE PROPERTY AND DID NOT LOCATE ANYONE.					
CLEAR.					
22230416	Oct 15 2022	19:51	ASSIST OTHER AGENCY		COLUMBUS
22231108	Oct 16 2022	19:40	MEDICAL	88XX NAPLES ST	LEXINGTON
Summary: MEDICAL					
OFFICERS WERE DISPATCHED TO THE 8800 BLOCK OF NAPLES ON A MEDICAL. OFFICERS CONDUCTED A MEDICAL ASSESSMENT ON THE VICTIM. AMBULANCE TRANSPORTED FOR FURTHER EVALUATION AND TREATMENT.					
CLEAR.					
22230645	Oct 16 2022	01:41	SUSPICIOUS ACTIVITY	38XX PATRIOT LN	LEXINGTON
Summary: OFFICER DISPATCHED TO THE 3800 BLOCK OF PATRIOT LN FOR A SUSPICIOUS ACTIVITY REPORT.					
22230677	Oct 16 2022	03:00	DOMESTIC	8XX CIVIC HEIGHTS DR	CIRCLE PINES
Summary: OFFICER DISPATCHED TO 800 BLOCK OF CIVIC HEIGHTS DR FOR A DOMESTIC. PARTIES SEPARATED.					
22230651	Oct 16 2022	01:58	MEDICAL	XX OAK LEAF LN	CIRCLE PINES
Summary: POLICE RESPONDED TO THE 10 BLOCK OF OAK LEAF LN FOR A MEDICAL EMERGENCY.					
22230856	Oct 16 2022	12:35	INFORMATION	93XX RYAN PL	LEXINGTON
Summary: INFORMATION					
OFFICERS WERE DISPATCHED TO A PHONE CALL DOMESTIC REPORT IN THE 9300 BLOCK OF RYAN PL. OFFICERS MADE CONTACT WITH A FEMALE WHO WAS TRYING TO REPORT AN INCIDENT INVOLVING HER DAUGHTER WHICH OCCURRED IN ANOTHER JURISDICTION. SHE WAS ADVISED TO MAKE A REPORT WITH THAT AGENCY.					
CLEAR.					
22230728	Oct 16 2022	07:38	MEDICAL	73XX BRIAN DR	CENTERVILLE



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
Summary: MEDICAL. OFFICERS WERE DISPATCHED TO THE 7300 BLK OF BRIAN DR FOR A MEDICAL INVOLVING AN ADULT FEMALE. FEMALE TRANSPORTED TO HOSPITAL. CLEAR.					
22231192	Oct 16 2022	21:53	TRAFFIC	PINE DR / LAKE DR	CIRCLE PINES
Summary: OFFICER OBSERVED A TRAFFIC VIOLATION NEAR THE INTERSECTION OF PINE DR AND LAKE DR. AN ADULT MALE WAS SUBSEQUENTLY ARRESTED FOR DWI.					
22232063	Oct 17 2022	23:04	MEDICAL	89XX SYNDICATE AVE	LEXINGTON
Summary: OFFICER DISPATCHED TO THE 8900 BLOCK OF SYNDICATE AVE FOR A MEDICAL.					
22231308	Oct 17 2022	01:13	TRAFFIC	LAKE DR / ALBERT AVE	LEXINGTON
Summary: OFFICER OBSERVED A TRAFFIC VIOLATION NEAR THE INTERSECTION OF LAKE DR AND ALBERT AVE. PROBABLE CAUSE SEARCH OF VEHICLE CONDUCTED. VERBAL WARNINGS ISSUED.					
22231496	Oct 17 2022	10:12	TRAFFIC	LAKE DR / NORTH RD	CIRCLE PINES
Summary: TRAFFIC STOP. AN OFFICER CONDUCTED A TRAFFIC STOP IN THE AREA OF LAKE DR/FIREBARN RD. DRIVER VERBALLY WARNED.					
22231637	Oct 17 2022	13:05	VEHICLE LOCKOUT		CIRCLE PINES
22231545	Oct 17 2022	11:06	HOUSE/PROPERTY CHECK		CIRCLE PINES
22231465	Oct 17 2022	09:35	HARASSMENT	XX RIDGE RD	CIRCLE PINES
Summary: HARASSMENT: RESPONDED TO PHONE CALL REPORT IN THE 0 BLOCK OF RIDGE RD IN CIRCLE PINES. CALLER ADVISED HE WAS BEING HARASSED BY UNKNOWN PARTY. DOCUMENTATION REQUESTED.					



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
22233457	Oct 19 2022	23:58	INFORMATION	89XX JACKSON AVE	LEXINGTON
Summary: POLICE RESPONDED TO THE 8900 BLOCK OF JACKSON AVE FOR A POSSIBLE DISORDERLY ISSUE.					
22233032	Oct 19 2022	12:37	MEDICAL	90XX GRIGGS AVE	LEXINGTON
Summary: A MEDICAL WAS REPORTED IN THE 9000 BLOCK OF GRIGGS AVE.					
22233310	Oct 19 2022	19:45	SUSPICIOUS ACTIVITY	2XX GALAXY DR	CIRCLE PINES
Summary: SUSPICIOUS ACTIVITY					
OFFICERS WERE DISPATCHED TO THE 200 BLOCK OF GALAXY DR ON SUSPICIOUS ACTIVITY. OFFICERS GATHERED INFORMATION FOR THIS REPORT.					
CLEAR.					
22233140	Oct 19 2022	15:28	PUBLIC ASSIST	70XX CENTERVILLE RD	CENTERVILLE
Summary: PUBLIC ASSIST					
OFFICERS WERE DISPATCHED TO THE 7000 BLOCK OF CENTERVILLE RD ON A PUBLIC ASSIST FOR A PERSON TRAPPED IN AN ELEVATOR. OFFICERS ASSISTED RESCUE IN GAINING ACCESS TO THE ELEVATOR AND FREEING THE PERSON.					
CLEAR.					
22233836	Oct 19 2022	14:18	TAMPER WITH MV	XX EDGE DR	CIRCLE PINES
Summary: OFFICERS RESPONDED TO BASE REGARDING A TAMPERING WITH MV REPORT.					
CLEAR.					
22233463	Oct 20 2022	00:34	DOMESTIC	19XX 72ND ST	CENTERVILLE
Summary: POLICE RESPONDED TO A POSSIBLE DOMESTIC/CIVIL ISSUE IN THE 1900 BLOCK OF 72ND ST.					
22233633	Oct 20 2022	10:00	THEFT	2XX GALAXY DR	CIRCLE PINES
Summary: A MOTORCYCLE WAS REPORTED STOLEN IN THE 200 BLOCK OF GALAXY DR.					
22233825	Oct 20 2022	14:08	DOMESTIC ESCORT	92XX SYNDICATE AVE	LEXINGTON
Summary: DOMESTIC ESCORT					
OFFICERS WERE DISPATCHED TO THE 9200 BLOCK OF SYNDICATE AVE ON A DOMESTIC ESCORT. OFFICERS STOOD BY WHILE BELONGINGS WERE COLLECTED.					
CLEAR.					
22233967	Oct 20 2022	16:33	CIVIL DISPUTE	19XX 72ND ST	CENTERVILLE
Summary: CIVIL DISPUTE					
OFFICERS WERE DISPATCHED TO THE 1900 BLOCK OF 72ND ON A CIVIL DISPUTE. OFFICERS ADVISED.					
CLEAR.					
22233938	Oct 20 2022	16:09	MEDICAL	2XX STARDUST BLVD	CIRCLE PINES
Summary: OFFICERS RESPONDED TO THE 200 BLK OF STARDUST BLVD REGARDING A MEDICAL. VICTIM WAS TRANSPORTED TO THE HOSPITAL.					
CLEAR.					



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
22234159	Oct 20 2022	19:34	CHECK WELFARE	GRIGGS AVE / LOVELL RD	LEXINGTON
Summary: CHECK WELFARE. OFFICERS WERE DISPATCHED TO CHECK THE WELFARE OF 3 YOUNG CHILDREN OUT ALONE IN THE AREA OF GRIGGS AND LOVELL RD. OFFICERS DID NOT LOCATE THE CHILDREN. CLEAR.					
22234115	Oct 20 2022	18:40	CHILD CUSTODY DISPUTE	41XX LOVELL RD	LEXINGTON
Summary: CHILD CUSTODY DISPUTE OFFICERS WERE DISPATCHED TO THE 4100 BLOCK OF LOVELL RD ON A CHILD CUSTODY DISPUTE. OFFICERS MEDIATED. CLEAR.					
22234267	Oct 20 2022	22:06	MEDICAL	XX VILLAGE PKWY	CIRCLE PINES
Summary: MEDICAL ON THE 30 BLOCK OF VILLAGE PARKWAY ONE ADULT FEMALE TRANSPORTED TO HOSPITAL CLEAR.					
22234451	Oct 21 2022	06:37	MEDICAL	89XX HAMLINE AVE	LEXINGTON
Summary: MEDICAL. OFFICERS DISPATCHED TO THE 8900 BLK OF HAMLINE AVE FOR AN ADULT FEMALE WITH A MEDICAL EMERGENCY. FEMALE TRANSPORTED TO HOSPITAL. EXCEPTIONAL CLEARANCE.					
22234658	Oct 21 2022	12:50	MEDICAL	91XX SOUTH HIGHWAY DR	LEXINGTON
Summary: A MEDICAL WAS REPORTED AT A BUSINESS IN LEXINGTON.					
22235081	Oct 21 2022	21:21	ASSIST OTHER AGENCY		LINO LAKES
22235114	Oct 21 2022	22:00	TRAFFIC	LAKE DR / ALBERT AVE	LEXINGTON
Summary: OFFICER OBSERVED A TRAFFIC VIOLATION NEAR THE INTERSECTION OF LAKE DR AND ALBERT AVE. CITATION ISSUED.					
22235152	Oct 21 2022	22:51	MEDICAL	MAIN ST / PROGRESS RD	CENTERVILLE
Summary: OFFICER NOTIFIED OF A MEDICAL. JUVENILE MALE WAS NEAR THE INTERSECTION OF MAIN ST AND PROGRESS RD. THE JUVENILE MALE WAS TRANSPORTED TO THE HOSPITAL.					
22235293	Oct 22 2022	04:14	MEDICAL	69XX BRIAN DR	CENTERVILLE
Summary: OFFICER DISPATCHED TO THE 6900 BLOCK OF BRIAN DR FOR A MEDICAL.					
22235490	Oct 22 2022	12:33	NARCOTICS INFORMATION	70XX CENTERVILLE RD	CENTERVILLE
Summary: NARCOTIC INFO. OFFICERS FLAGGED DOWN IN THE 1600 BLK OF SOREL ST FOR DRUG INFO. EXCEPTIONAL CLEARANCE.					
22235684	Oct 22 2022	17:15	FIRE	68XX BEAVER POND WAY	CENTERVILLE
Summary: A GRASS FIRE WAS REPORTED IN THE 6800 BLOCK OF BEAVER POND WAY.					
22235754	Oct 22 2022	18:43	INFORMATION	90XX GRIGGS AVE	LEXINGTON



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
Summary: ALARM ON THE 9000 BLOCK OF GRIGGS AVE OFFICERS SEARCHED BUILDING CLEAR					
22235991	Oct 22 2022	23:39	DWI-3RD DEGREE	MAIN ST / LAKELAND CIR	CENTERVILLE
Summary: OFFICER OBSERVED MULTIPLE TRAFFIC VIOLATIONS IN THE AREA OF MAIN ST AND LAKELAND CIR ADULT MALE WAS ARRESTED FOR DWI CLEAR					
22235895	Oct 22 2022	21:58	PUBLIC ASSIST	91XX SOUTH HIGHWAY DR	LEXINGTON
Summary: OFFICER DISPATCHED TO A PUBLIC ASSIST IN THE 9000 BLOCK OF SOUTH HIGHWAY.					
22236569	Oct 23 2022	19:45	ACCIDENT-MV PD	COUNTY RD J / INDIAN HILLS DR	CIRCLE PINES
Summary: OFFICERS RECIEVED A PHONE CALL REGARDING PD ACCIDENT THAT OCCURRED AT INDIAN HILLS DR AND COUNTY J. STATE ACCIDENT REPORT COMPLETED. CLEAR.					
22236068	Oct 23 2022	01:58	ASSIST OTHER AGENCY		LINO LAKES
22236676	Oct 23 2022	23:07	DWI-3RD DEGREE	JACKSON AVE / WOODLAND RD	LEXINGTON
Summary: MOTORCYCLE OBSERVED SWERVING AND DRIVING ERRATICALLY ON THE 9000 BLOCK OF JACKSON AVE THE MOTORCYCLE WAS STOPPED ADULT MALE ARRESTED FOR DWI CLEAR.					
22236669	Oct 23 2022	22:53	TRESPASSING	89XX JACKSON AVE	LEXINGTON
Summary: OFFICER RESPONDED TO 8900 BLOCK FOR A DOMESTIC REPORT CALLER REQUESTED NEIGHBOR BE TRESPASSED CLEAR					
22236458	Oct 23 2022	17:04	TRAFFIC	LAKE DR / GRIGGS AVE	LEXINGTON
Summary: VEHICLE STOPPED FOR EXPIRED REGISTRATION; DRIVER CITED FOR UNINSURED VEHICLE AND DRIVING WITHOUT A VALID LICENSE.					
22237403	Oct 24 2022	22:15	DOMESTIC	19XX CARDINAL DR	CENTERVILLE
Summary: OFFICERS DISPATCHED TO THE 1900 BLOCK OF CARDINAL DR FOR A DOMESTIC IN PROGRESS.					
22237072	Oct 24 2022	14:08	ORDINANCE VIOLATION	15XX PELTIER LAKE DR	CENTERVILLE
Summary: ORDINANCE VIOLATION: RESPONDED TO THE 1500 BLOCK OF PELTIER LAKE DRIVE IN CENTERVILLE ON A POSSIBLE DUMPING COMPLAINT. UPON ARRIVAL, OBSERVED LANDSCAPING COMPANY HAD DUMPED GRAVEL ON STREETS. CITATION WAS ISSUED TO FOREMAN.					
22236842	Oct 24 2022	08:57	MEDICAL	19XX 72ND ST	CENTERVILLE
Summary: POLICE RESPONDED TO A MEDICAL EMERGENCY.					

**CITY OF LEXINGTON
WORKSHOP SYNOPSIS
Thursday, October 20, 2022
Immediately following Council meeting
City Hall**

1. Call to Order: Mayor Murphy
2. Roll Call: DeVries – Harris – Winge – Benson

Mayor Murphy called to order the workshop for October 20, 2022 at 7:50 p.m. Councilmembers present: Devries, Harris, and Winge. Excused Absence: Benson. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Mary Vinzant, Deputy City Clerk

3. Discussion Items:

- A. Discuss
 - Business Regulation and Licensing

Petracek explained that staff is asking to incorporate tighter regulations in place for new businesses applying for a business license.

Mary Vinzant, Deputy City Clerk, provided an overview of the business license application and renewal process. She discussed Mary's Montessori's and Little Rabbit's Hole licensing process and the fact that there has not been a patron or any progress toward actually opening a daycare facility since the license was approved. She explained that it has been almost 3 years since both providers had licenses approved, and neither provider obtained their daycare license from the State. She is concerned about what both potential daycare providers are actually doing or what type of business they are conducting. At this point there has been no attempt to open a daycare facility in the building owned by Menlo Park. She stated that the leasing agent told her that Little Rabbit's Hole is paying rent on the building. Discussion ensued.

Vinzant suggested the following regulations in the ordinance:

1. *Once a business license has been approved by the City Council, if the business has not begun operation within 90 days, their license would be suspended.*
2. *Any business that needs State licensure would need that license obtained prior to the City approving and issuing the business license.*

The City Council discussed revoking Little Rabbit's Hole business license. Glaser stated that there is due process to revoking a license. He stated that a letter would need to be sent to the

business owner that there will be a hearing to revoke their business license on a certain date. The Council would hold the hearing at a City Council meeting and determine if the license should be revoked. Discussion ensued. Petrcek stated he would work with staff to get this revocation process started.

Attorney Glaser would prepare the discussed amendments to the business licensing ordinance for the first reading at the next City Council meeting.

4. Staff Input

No staff input

5. Council Input

No Council input.

6. Adjourn

Councilmember Harris made a motion to adjourn at 8:31 p.m. Councilmember Devries seconded the motion. Motion carried 4-0.

Date 1st Inspection	Address	Tree Location	Condition of Tree(s)	Date Letter Sent	Comment
6/17/2021	End of Centerwood Road at the Culdesac		Dead		Unsure of Address
6/17/2021	3661 Centerwood Rd	Backyard	Dead	10/4/2021	Insp. Did not verify yet owner was removing 10/11
6/17/2021	3761 Centerwood Rd	East Side Yard	Dead	10/4/2021	Tree Has Been Removed
6/17/2021	3720 Centerwood Rd		Possible Oak Wilt		Need Forester to Confirm
6/17/2021	4130 Edgewood Rd	Front Yard	Dead	10/4/2021	Tree Has Been Removed
6/17/2021	9234 Griggs Ave	Front Yard	Dead	10/4/2021	Metro Tree Will Be Removing
6/17/2021	8790 Arona Ave	Front/Side Yard	Dead	10/4/2021	Tree Has Been Removed
6/17/2021	8912 N Hwy Dr	Backyard	Dead	10/4/2021	Still working on removal / Filed Extension
6/17/2021	8927 Hamline Ave	Front Yard	Dead	9/24/2021	Tree Has Been Removed
8/3/2021	9170 Jackson Ave	Next to Garage	Dead Pine	10/4/2021	Tree Has Been Removed
8/3/2021	8740 Dunlap Ave	Next to Garage	Dead Pine	10/4/2021	Tree Has Been Removed
8/3/2021	8824 Dunlap Ave	Back Yard	Dead	10/4/2021	Tree Has Been Removed
8/3/2021	8884 Dunlap Ave	Back Yard	Dead	10/4/2021	Tree Has Been Removed
8/3/2021	3813 Restwood Rd	Front Yard	Dead	10/4/2021	Tree Has Been Removed
8/3/2021	8829 Albert Ave	Back Yard	Dead	10/4/2021	Tree Has Been Removed
9/21/2021	8940 N Hwy Dr	Front Yard	Dead	9/22/2021	Tree Has Been Removed
9/21/2021	8936 N Hwy Dr	Back Yard	Dead	9/22/2021	Tree Has Been Removed
9/21/2021	8804 Lexington Ave	Front & Back Yard	Dead	9/22/2021	Tree Has Been Removed
5/17/2022	8874 Arona Ave		Dead	5/17/2022	Tree Has Been Removed
6/21/2022	8804 Lexington Ave		Dead	6/21/2022	Owner is working on filed extension 7/2022
7/19/2022	4146 Edgewood Ave	Back Yard	Dead	7/19/2022	Tree Has Been Removed
7/19/2022	8893 Griggs Ave	Side Yard	Dead	7/19/2022	Tree Has Been Removed
7/27/2022	3936 Lovell Rd	Front Yard	Dead	7/27/2022	Metro Tree Will Be Removing
7/27/2022	9128 Lexington Ave	Back Yard	Dead	7/27/2022	Tree Has Been Removed
8/23/2022	8970 Pascal Ave	Front Yard	Dead	8/23/2022	Trees Have Been Removed
9/15/2022	4001 Woodland Ave	Back Yard	Dead 2 trees	No letter Sent	Owner is working on 1 is down
9/15/2022	3673 Restwood Rd	Front Yard	Dead 1 Tree	9/15/2022	Filed Extension until 11/28/22 60 days
9/15/2022	3800 Lovell Rd	Front Yard	Dead 1 Tree	9/15/2022	Tree Has Been Removed

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
OCTOBER 20, 2022– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Murphy

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

Mayor Murphy called to order the Regular City Council meeting for October 20, 2022 at 7:00 p.m. Councilmember's present: Devries, Harris, and Winge. Excused Absence: Benson. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Kurt Glaser, City Attorney; Mary Vinzant, Deputy City Clerk.

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 Winge seconded the motion. Motion carried 4-0.

5. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports – 10-1 through 10-11, 2022
- B. City Report – September 2022
- C. North Metro TV – September 2022 Update
- D. Planning & Zoning meeting minutes – October 6, 2022

No discussion on Letters and Communications.

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – October 6, 2022
- B. Recommendation to reduce Letter of Credit for Lexington Lofts from
\$406,411.25 to \$200,000.00
- C. Recommendation to Approve Claims and Bills:
Check #'s 49484 through 49547
Check #'s 14488 through 14498

D. Financial Reports

- Cash Balances
- Fund Summary – Budget to Actual

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

7. ACTION ITEMS:

- A. Recommendation to approve Ordinance NO. 22-03 An Interim Ordinance Establishing a Moratorium Temporarily Prohibiting the Establishment of New Medical Facilities or the Expansion of Existing Medical Facilities for the Period of One Year

Petracek explained that following the informal conversation with the City Council at the last meeting involving a potential drug rehabilitation clinic in Northway Mall, he and the city attorney determined that three of Lexington's business zones are vulnerable to allowing this type of business without restrictions. He explained that there needed to be a moratorium on medical facilities until the Planning Commission has an opportunity to review zoning ordinances for this type of business.

Attorney Glaser provided an example of regulating a medical business that may overuse your services – fire and police – due to how their business model is set-up. He added as an example a senior facility in Centerville deliberately understaffed their facility and utilized the fire department and police department for lift assists. He added that it was burdening police and fire department personnel as a result, which prompted tighter restrictions on medical facilities in Centerville.. Discussion ensued.

Mayor Murphy made a motion to prove Ordinance NO. 22-03 An Interim Ordinance Establishing a Moratorium Temporarily Prohibiting the Establishment of New Medical Facilities or the Expansion of Existing Medical Facilities for the Period of One Year. Councilmember Harris seconded the motion. Motion carried 4-0.

- B. 1st Reading of Ordinance NO. 22-04 An Ordinance Regulating Cannabinoid Products

Attorney Glaser provide a summary of Ordinance No.22-04. Councilmember Harris discussed the idea of limiting the amount cannabis licenses in Lexington. She's concerned that the ordinance doesn't address people running a business out of their home that may want to be licensed to sell cannabis. Councilmember Winge didn't feel that businesses other than liquor establishments and tobacco shops would even be interested in selling cannabis products. Discussion ensued.

Mayor Murphy suggested limiting people selling cannabis products to liquor and tobacco license holders only. Discussion ensued.

Councilmember Harris made a motion to limit the cannabis licenses to liquor and tobacco license holders. Councilmember Devries seconded the motion. Motion carried 3-1

8. MAYOR AND COUNCIL INPUT

No input from Mayor Murphy or city councilmembers

9. 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.

Attorney Glaser provided an explanation for the need to go into closed session.

Mayor Murphy made a motion to convene into closed session at 7:25 p.m. 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. Councilmember Winge seconded the motion. Motion carried 4-0.

Councilmember Devries made a motion to reconvene into open session at 7:49 p.m. Councilmember Harris seconded the motion. Motion carried 4-0.

10. ADMINISTRATOR INPUT

No administrator input.

11. ADJOURNMENT

Councilmember Harris made motion to adjourn the meeting at 7:50 p.m. Councilmember Winge seconded the motion. Motion carried 4-0.

CITY OF LEXINGTON

RECOMMEND FOR APPROVAL OF CLAIMS AND BILLS

**The following claims and bills have been presented to the Council for approval
at the Council Meeting of November 3, 2022.**

(1) Payroll

Vouchers	504956 through	504974		\$	21,607.75
Payroll Taxes					
	Federal Tax	\$2,825.93			
	Social Security	\$3,747.92			
	Medicare	\$876.56			
	State Tax	\$1,367.53	\$7,450.41		
	Total		\$1,367.53		
					\$8,817.94

(2) General and Liquor Payment Recommendations:

Checks	49548 through	49594		\$	197,936.28
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(3) ACH and Credit Card Payments for:

ACH Checks:	through		\$	-
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Total Payments and Withdrawals Approval		<u>\$228,361.97</u>
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Centennial Lakes Police Payment Recommendations:

Checks	14501 through	14518	\$	21,285.26
ACH	2022072 through	2022074	\$	15,964.00
Total Payments			<u>\$</u>	<u>37,249.26</u>

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November 2022

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 4M FUND					
49548	11/03/22	56 BREWING LLC			
E 609-00000-252		Beer Purchase	\$380.00	5620374	
		Total	\$380.00		
49549	11/03/22	ALLINA HEALTH SYSTEM			
E 101-42260-218		Medical/First Aid Supplies	\$500.00	CI00027118	EMS MED. DIRECTION AGREEMENT
		Total	\$500.00		
49550	11/03/22	AMAZON CAPITAL SERVICES			
E 609-00000-210		Operating Supplies	\$134.96	1WY9-X4C1-	REGISTER ROLLS - MLS
		Total	\$134.96		
49551	11/03/22	ANOKA COUNTY TREASURY			
E 101-41900-329		Cable/Internet	\$75.00	B221015W	NOV 2022 BROADBAND
E 101-42260-329		Cable/Internet	\$75.00	B221015W	NOV 2022 BROADBAND
E 101-43100-329		Cable/Internet	\$45.00	B221015W	NOV 2022 BROADBAND
E 101-45200-329		Cable/Internet	\$30.00	B221015W	NOV 2022 BROADBAND
		Total	\$225.00		
49552	11/03/22	ARTISAN BEER COMPANY			
E 609-00000-252		Beer Purchase	\$272.30	3566480	
		Total	\$272.30		
49553	11/03/22	BELLBOY CORPORATION			
E 609-00000-251		Liquor Purchase	\$2,528.05	0096976500	
		Total	\$2,528.05		
49554	11/03/22	BERNICKS TWIN CITIES			
E 609-00000-252		Beer Purchase	\$570.00	10004373	
E 609-00000-252		Beer Purchase	\$1,083.15	10006665	
		Total	\$1,653.15		
49555	11/03/22	BLACK STACK BREWING, INC.			
E 609-00000-252		Beer Purchase	\$379.00	19737	
		Total	\$379.00		
49556	11/03/22	BLUE CLOUD DISTRIBUTION, INC.			
E 609-00000-252		Beer Purchase	\$224.00	100940932	
		Total	\$224.00		
49557	11/03/22	BREAKTHRU BEVERAGE MN			
E 609-00000-251		Liquor Purchase	\$5,823.74	346153152	
E 609-00000-252		Beer Purchase	\$504.25	346158211	
E 609-00000-251		Liquor Purchase	(\$175.96)	410175051	
E 609-00000-251		Liquor Purchase	(\$338.13)	410240325	
		Total	\$5,813.90		
49558	11/03/22	BUSINESS ESSENTIALS			
E 101-41500-200		Office Supplies	\$74.63	WO-1210384	OFFICE SUPPLIES
		Total	\$74.63		
49559	11/03/22	CAPITOL BEVERAGE SALES			

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 609-00000-252		Beer Purchase	(\$60.00)	18270142	
E 609-00000-252		Beer Purchase	\$428.40	18270145	
E 609-00000-252		Beer Purchase	\$325.20	18270146	
E 609-00000-252		Beer Purchase	(\$78.40)	2753261	
E 609-00000-252		Beer Purchase	\$4,533.40	2753262	
		Total	\$5,148.60		
49560	11/03/22	CENTENNIAL LAKES PD			
E 101-42110-230		Contracted Services	\$68,449.17		NOV 2022 MONTHLY POLICE SERVICES
		Total	\$68,449.17		
49561	11/03/22	CLEAR RIVER BEVERAGE COMPANY			
E 609-00000-252		Beer Purchase	\$338.60	656973	
		Total	\$338.60		
49562	11/03/22	DAHLHEIMER BEVERAGE LLC			
E 609-00000-252		Beer Purchase	\$5,002.90	1757332	
E 609-00000-252		Beer Purchase	\$905.40	1759443	
E 609-00000-252		Beer Purchase	(\$54.00)	1762089	
E 609-00000-252		Beer Purchase	\$11,680.55	1762189	
E 609-00000-252		Beer Purchase	\$1,974.39	1764040	
		Total	\$19,509.24		
49563	11/03/22	DAVE PERKINS CONTRACTING, INC.			
E 229-49295-495		CARES Expenses	\$11,512.53	28310	HYDRENAT INSTALLATION
E 101-45200-400		General Maintenance	\$2,713.47	28321	IRRIGATION - MEMORIAL PARK
		Total	\$14,226.00		
49564	11/03/22	HOHENSTEINS INC			
E 609-00000-252		Beer Purchase	\$1,013.00	551284	
		Total	\$1,013.00		
49565	11/03/22	IMAGE PRINTING & GRAPHICS			
E 101-43100-210		Operating Supplies	\$20.70	162744	HYDRANT LOCATION MAPS - PW
E 101-42260-210		Operating Supplies	\$20.70	162744	HYDRANT LOCATION MAPS - FD
		Total	\$41.40		
49566	11/03/22	INVICTUS BREWING CO.			
E 609-00000-252		Beer Purchase	\$641.00	6114	
		Total	\$641.00		
49567	11/03/22	JOHNSON BROTHERS LIQUOR			
E 609-00000-254		Miscellaneous Purchase	\$17.55	2120828	
E 609-00000-251		Liquor Purchase	\$898.50	2154280	
E 609-00000-253		Wine Purchase	\$2,226.18	2154281	
E 609-00000-251		Liquor Purchase	\$1,209.03	2158610	
E 609-00000-253		Wine Purchase	\$1,332.45	2158611	
E 609-00000-253		Wine Purchase	\$367.29	2159075	
E 609-00000-251		Liquor Purchase	\$2,911.90	2159947	
E 609-00000-253		Wine Purchase	\$3,754.49	2159948	
E 609-00000-254		Miscellaneous Purchase	\$82.70	2159949	
E 609-00000-251		Liquor Purchase	\$822.09	2159950	

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 609-00000-251		Liquor Purchase	\$1,495.85	2163399	
E 609-00000-253		Wine Purchase	\$218.01	2163400	
E 609-00000-251		Liquor Purchase	\$3,125.16	2164611	
E 609-00000-251		Liquor Purchase	\$634.75	2164612	
E 609-00000-253		Wine Purchase	\$872.42	2164613	
E 609-00000-254		Miscellaneous Purchase	\$84.15	2164614	
E 609-00000-253		Wine Purchase	(\$27.83)	223418	
E 609-00000-253		Wine Purchase	(\$26.66)	223419	
E 609-00000-253		Wine Purchase	(\$5.36)	223420	
E 609-00000-251		Liquor Purchase	(\$6.67)	223422	
E 609-00000-251		Liquor Purchase	(\$168.50)	223423	
		Total	\$19,817.50		
49568	11/03/22	M. AMUNDSON LLP			
E 609-00000-256		Tobacco Products For Re	\$2,616.42	350672	
E 609-00000-256		Tobacco Products For Re	\$3,419.66	351059	
		Total	\$6,036.08		
49569	11/03/22	MACQUEEN EMERGENCY			
E 310-42260-500		Capital Expenditures	\$22,714.58	P03121	TURNOUT GEAR
E 101-42260-404		Repair Machinery/Equipm	\$65.34	P03196	EQUIPMENT REPAIR PARTS
E 101-42260-229		Turn Out Gear	\$529.60	P03237	TURNOUT GEAR
		Total	\$23,309.52		
49570	11/03/22	MEGA BEER			
E 609-00000-252		Beer Purchase	\$354.00	17982	
		Total	\$354.00		
49571	11/03/22	METROPOLITAN LIFE INS CO			
E 101-41500-160		Health/Dental Insurance	\$170.85		NOV 2022 PREMIUM
E 101-43100-160		Health/Dental Insurance	\$62.02		NOV 2022 PREMIUM
E 101-45200-160		Health/Dental Insurance	\$41.35		NOV 2022 PREMIUM
E 609-00000-160		Health/Dental Insurance	\$139.26		NOV 2022 PREMIUM
		Total	\$413.48		
49572	11/03/22	MINNESOTA EQUIPMENT			
E 101-45200-221		Equipment Parts	\$71.75	P39021	MOWER PARTS
E 101-45200-221		Equipment Parts	\$4.62	P39022	MOWER PARTS
E 101-45200-221		Equipment Parts	\$8.61	P39186	MOWER PARTS
		Total	\$84.98		
49573	11/03/22	MKL, LLC			
E 101-41500-400		General Maintenance	\$100.00	11032022	WEEK ENDING 10/22/2022
E 101-41500-400		General Maintenance	\$100.00	11032022	WEEK ENDING 10/29/2022
		Total	\$200.00		
49574	11/03/22	MODIST BREWING COMPANY			
E 609-00000-252		Beer Purchase	\$440.00	E-35494	
		Total	\$440.00		
49575	11/03/22	MOOSE LAKE BREWING CO. LLC			
E 609-00000-252		Beer Purchase	\$144.00	31-010	

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$144.00		
49576	11/03/22	MSA PROFESSIONAL SERVICES INC			
E 101-41500-303		Engineering Fees	\$2,210.00	R10481000.0	GENERAL SERVICES
G 101-22046		O'Reilly Escrow	\$162.50	R10481027.0	O'REILLY AUTO PARTS
G 220-22040		Dominium Escrow - Lovell	\$950.00	R10481030.0	LANDINGS OF LEXINGTON
G 101-22047		Norhart Development	\$3,901.60	R10481036.0	NORHART DEVELOPMENT
G 101-22050		Ephesians II	\$225.00	R10481042.0	THE EPHESIANS II PROJECT
G 101-22050		Ephesians II	\$75.00	R10481042.0	THE EPHESIANS II PROJECT
E 651-00000-303		Engineering Fees	\$3,135.00	R10481044.0	NPDES PHASE II MS4
E 730-00000-303		Engineering Fees	\$877.50	R10481046.0	WATER SYSTEM FEASIBILITY STUDY
E 422-00000-303		Engineering Fees	\$1,332.50	R10481048.0	2022 STREET IMPROVEMENTS
E 101-43100-303		Engineering Fees	\$455.00	R10481049.0	GIS SERVICES
E 422-00000-303		Engineering Fees	\$617.50	R10481051.0	2022 STREET IMPROVEMENTS - HAMLINE
Total			\$13,941.60		
49577	11/03/22	NCPERS GROUP LIFE INS.			
G 101-21724		Life Insurance	\$80.00	58680011202	NOV 2022 PREMIUM
Total			\$80.00		
49578	11/03/22	O'REILLY AUTOMOTIVE STORES			
E 101-43100-221		Equipment Parts	\$87.10	3472-226334	REPAIR PARTS - STREETS
E 101-43100-221		Equipment Parts	\$85.57	3472-226336	REPAIR PARTS - STREETS
Total			\$172.67		
49579	11/03/22	ORIGIN WINE & SPIRITS			
E 609-00000-251		Liquor Purchase	\$181.35	0018943	
E 609-00000-251		Liquor Purchase	\$105.35	0018944	
Total			\$286.70		
49580	11/03/22	PAUSTIS & SONS			
E 609-00000-253		Wine Purchase	\$347.25	180671	
E 609-00000-253		Wine Purchase	\$912.00	181381	
Total			\$1,259.25		
49581	11/03/22	BILL PETRACEK			
E 101-41500-205		Mileage Reimbursement	\$200.00		DEC 2022
E 101-41500-321		Telephone	\$100.00		DEC 2022
Total			\$300.00		
49582	11/03/22	PHILLIPS WINE AND SPIRITS INC			
E 609-00000-251		Liquor Purchase	\$499.20	6480265	
E 609-00000-253		Wine Purchase	\$779.30	6480266	
E 609-00000-254		Miscellaneous Purchase	\$193.36	6480267	
E 609-00000-251		Liquor Purchase	\$342.01	6483994	
E 609-00000-253		Wine Purchase	\$939.49	6483995	
E 609-00000-254		Miscellaneous Purchase	(\$8.00)	680345	
E 609-00000-251		Liquor Purchase	(\$12.72)	680346	
E 609-00000-254		Miscellaneous Purchase	(\$12.99)	680347	
E 609-00000-253		Wine Purchase	(\$15.50)	680348	
Total			\$2,704.15		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
49583	11/03/22	POPP COMMUNICATIONS			
E 101-43100-321		Telephone	\$8.03	992753225	OCT 2022 ANALOG LINES
E 101-45200-321		Telephone	\$8.03	992753225	OCT 2022 ANALOG LINES
E 651-00000-321		Telephone	\$1.52	992753225	OCT 2022 ANALOG LINES
E 730-00000-321		Telephone	\$10.32	992753225	OCT 2022 ANALOG LINES
E 770-00000-321		Telephone	\$10.32	992753225	OCT 2022 ANALOG LINES
E 101-41500-321		Telephone	\$78.98	992753225	OCT 2022 ANALOG LINES
E 609-00000-321		Telephone	\$40.80	992753225	OCT 2022 ANALOG LINES
		Total	\$158.00		
49584	11/03/22	PRESS PUBLICATIONS			
E 101-41410-351		Legal Notices Publishing	\$26.88	755307	PUBLIC ACCURACY TEST PUBL.
		Total	\$26.88		
49585	11/03/22	SHAMROCK GROUP, INC.			
E 609-00000-257		Ice For Resale	\$436.05	2824280	
		Total	\$436.05		
49586	11/03/22	BBKG, L.L.C.			
E 101-41500-304		Legal Fees	\$1,428.50	201874	APRIL 2022 CIVIL SERVICES
G 101-22046		O'Reilly Escrow	\$90.00	201874	APRIL 2022 CIVIL SERVICES
G 101-22050		Ephesians II	\$60.00	201874	APRIL 2022 CIVIL SERVICES
G 220-22040		Dominium Escrow - Lovell	\$150.00	201874	APRIL 2022 CIVIL SERVICES
		Total	\$1,728.50		
49587	11/03/22	SOUTHERN GLAZER'S OF MN			
E 609-00000-251		Liquor Purchase	\$1,914.70	2272276	
E 609-00000-254		Miscellaneous Purchase	\$54.56	2272277	
E 609-00000-253		Wine Purchase	\$680.56	2272278	
		Total	\$2,649.82		
49588	11/03/22	SPRINT			
E 101-43100-321		Telephone	\$25.68	495076029-2	SEP-OCT 2022 CELL SERVICE
E 101-45200-321		Telephone	\$25.68	495076029-2	SEP-OCT 2022 CELL SERVICE
E 651-00000-321		Telephone	\$4.89	495076029-2	SEP-OCT 2022 CELL SERVICE
E 730-00000-321		Telephone	\$33.01	495076029-2	SEP-OCT 2022 CELL SERVICE
E 770-00000-321		Telephone	\$33.01	495076029-2	SEP-OCT 2022 CELL SERVICE
		Total	\$122.27		
49589	11/03/22	TOTAL COMPLIANCE SOLUTIONS			
E 101-42260-430		Miscellaneous	\$49.00	71071	PRE-EMP. SCREENING
		Total	\$49.00		
49590	11/03/22	URBAN GROWLER BREWING CO.			
E 609-00000-252		Beer Purchase	\$320.50	E-31476	
		Total	\$320.50		
49591	11/03/22	VINOCOPIA			
E 609-00000-253		Wine Purchase	\$645.50	0315527-IN	
		Total	\$645.50		
49592	11/03/22	VOLUNTEER FIREFIGHTERS			

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
G 101-15500		Prepaid Items	\$140.00		2023 PREMIUM
G 101-15500		Prepaid Items	\$28.00		NEW ENROLLMENT
Total			\$168.00		
49593	11/03/22	WALTERS RECYCLING & REFUSE			
E 101-41500-384		Refuse/Garbage Disposal	\$77.17	6469368	OCT 2022 SERVICES
E 101-43100-384		Refuse/Garbage Disposal	\$49.91	6469368	OCT 2022 SERVICES
E 101-45200-384		Refuse/Garbage Disposal	\$49.91	6469368	OCT 2022 SERVICES
E 651-00000-384		Refuse/Garbage Disposal	\$9.50	6469368	OCT 2022 SERVICES
E 730-00000-384		Refuse/Garbage Disposal	\$64.17	6469368	OCT 2022 SERVICES
E 770-00000-384		Refuse/Garbage Disposal	\$64.17	6469368	OCT 2022 SERVICES
E 609-00000-384		Refuse/Garbage Disposal	\$123.65	6469368	OCT 2022 SERVICES
Total			\$438.48		
49594	11/03/22	WINE MERCHANTS			
E 609-00000-253		Wine Purchase	\$97.35	7399814	
Total			\$97.35		
10100 4M FUND			\$197,936.28		

Fund Summary

10100 4M FUND	
101 GENERAL FUND	\$82,885.35
220 LOVELL BUILDING	\$1,100.00
229 ARPA FUND	\$11,512.53
310 CAPITAL PROJECTS	\$22,714.58
422 2022 STREET IMPROVEMENTS	\$1,950.00
609 MUNICIPAL LIQUOR FUND	\$73,530.41
651 STORM WATER FUND	\$3,150.91
730 WATER FUND	\$985.00
770 SEWER FUND	\$107.50
	\$197,936.28

Report Criteria:

Report type: Summary

Check Number	Check Issue Date	Payee	Amount
14501	10/20/2022	AMAZON	134.98
14502	10/20/2022	ASPEN MILLS, INC	185.00
14503	10/20/2022	CENTENNIAL UTILITIES	526.96
14504	10/20/2022	CITY OF ROSEVILLE	5,828.93
14505	10/20/2022	CONNEXUS ENERGY	1,510.70
14506	10/20/2022	COVERALL NORTH AMERICA, INC	820.00
14507	10/20/2022	DAKOTA CO FINANCIAL SERVICES	726.00
14508	10/20/2022	DVS RENEWAL	14.25
14509	10/20/2022	GEORGE'S INC	80.00
14510	10/20/2022	KNOWLAN'S SUPER MARKETS	6.98
14511	10/20/2022	LEXIPOL LLC	8,819.18
14512	10/20/2022	METRO SALES, INC	104.18
14513	10/20/2022	OCCUPATIONAL HEALTH CENTERS	61.00
14514	10/20/2022	OFFICE OF MN IT SERVICES	44.60
14515	10/20/2022	TRUAX PATIENT SERVICES	142.50
14516	10/20/2022	Barna, Guzy & Steffen Ltd.	1,880.00
14517	10/20/2022	Done Right Auto Detail	150.00
14518	10/20/2022	Eckberg Lammers, P.C.	250.00
2022075	10/20/2022	CENTURY LINK	124.48
2022076	10/20/2022	DEARBORN NATIONAL	1,412.63
2022077	10/20/2022	DELTA DENTAL	1,010.92
2022078	10/20/2022	HEALTH PARTNERS	9,961.79
2022079	10/20/2022	PURCHASE POWER INC	108.99
2022080	10/20/2022	WEX BANK	3,345.19
Grand Totals:			37,249.26

**THE CITY OF LEXINGTON
ANOKA COUNTY, MINNESOTA**

ORDINANCE NO. 22-04

AN ORDINANCE REGULATING CANNABINOID PRODUCTS

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LEXINGTON, MINNESOTA, HEREBY ORDAINS AS FOLLOWS:

SECTION 1: CHAPTER 6 SHALL BE AMENDED AS FOLLOWS:

SECTION 6.43. – CANNABINOID PRODUCTS

Subd. 1. - Purpose.

The purpose of this ordinance is to establish licensing, sale and possession regulations for the sale and possession of cannabinoid products derived from hemp as provided in Minn. Stat. § 151.72.

Subd. 2. - Findings of City Council.

The City Council makes the following findings regarding the need to regulate, license, and inspect establishments that sell certain cannabinoid products and regulate possession of cannabinoid products by minors:

- (1) By enacting 2022 Session Law Chapter 98, Article 13, the Minnesota Legislature amended Minn. Stat. § 151.72 to allow for the sale of certain cannabinoid products.
- (2) This new law does not prohibit municipalities from licensing the sale of cannabinoid products derived from hemp locally.
- (3) The Minnesota Legislature recognized the danger of cannabis use among youth by prohibiting the sale of any product containing cannabinoid or tetrahydrocannabinol (THC) extracted or otherwise derived from hemp to those under the age of 21 and requiring that edible cannabinoid products be packaged without appeal to children and in child-resistant packaging or containers.
- (4) Due to the passage of this new law by the Minnesota Legislature, the City Council believes the following rules, regulations, and standards for licensing the sale of cannabinoid products, and possession of cannabinoid products by minors, are necessary to promote and protect the public health, safety, and general welfare of the residents of Lexington.

Subd. 3. - Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cannabinoid product means any product containing nonintoxicating cannabinoids extracted from hemp, including an edible cannabinoid product, that is sold for human or animal consumption.

Certified hemp means the definition for the same provided in Minn. Stat. § 151.72, Subd. 1(b), as may be amended.

Compliance checks means the system the city uses to investigate and ensure that those authorized to sell cannabinoid products are following and complying with the requirements of this ordinance and state laws. Compliance checks involve the use of compliance check minors, as authorized by this section, who purchase or attempt to purchase cannabinoid products. Compliance checks may also be conducted by the City or other units of government for educational, research, and training purposes or for investigating or enforcing federal, state, or local laws and regulations relating to cannabinoid products.

Compliance check minors means any person at least 17 years of age, but under the age of 21 years.

Delivery sale means the sale of any cannabinoid products to any person for personal consumption and not for resale when the sale is conducted by any means other than an in-person, over-the-counter sales transaction in a licensed retail establishment. Delivery sale includes, but is not limited to, the sale of any cannabinoid products when the sale is conducted by telephone, other voice transmission, mail, the internet, or app-based service. Delivery sale includes delivery by licensees or third parties by any means, including curbside pick-up.

Edible cannabinoid product means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in connection with food ingredients, and is not a drug.

Hemp or Industrial Hemp means the definition for the same provided in Minn. Stat. § 18K.02, Subd. 3, as may be amended.

Label means the definition for the same provided in Minn. Stat. § 151.01, Subd. 18, as may be amended.

Labeling means the definition for the same provided in Minn. Stat. § 151.72, Subd. 1(f), as may be amended.

Matrix barcode means the definition for the same provided in Minn. Stat. § 151.72, Subd. 1(g), as may be amended.

Minor means any person under the age of 21 years.

Moveable place of business means any form of business that is operated out of a kiosk, truck, van, automobile or other type of vehicle or transportable shelter and that is not a fixed address or other permanent type of structure licensed for over-the-counter sales transactions.

Nonintoxicating cannabinoid means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by any route of administration.

Operator means the person in legal possession and control of a location by reason of ownership, lease, contract or agreement, for the sale of cannabinoid products at retail.

Retail establishment means any fixed place of business where cannabinoid products are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, convenience stores, and restaurants. Retail establishment for purposes of this ordinance does not include residences or residential zoning districts.

Sale means any transfer of goods for money, trade, barter or other consideration.

Self-service merchandising means open displays of cannabinoid products in any manner where any person shall have access to the cannabinoid products without the assistance or intervention of the licensee or the licensee's employee.

Vending machine means any mechanical, electrical or electronic or other type of device which dispenses cannabinoid products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase cannabinoid products.

Subd. 4. - Retail license.

- (a) No person shall directly or indirectly keep for retail sale or sell at retail any cannabinoid product in the city unless a license therefore shall first have been obtained specifically for this purpose, and then only after obtaining an annual license for intoxicating beverages under Code Section 5.212 or a license for the sale of tobacco under Code Section 6.33 ~~business license as required by this chapter~~.
- (b) An application for a license to sell cannabinoid products shall be made on a form provided by the city. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, the location of the building and the part intended to be used by the applicant under such license, the kind or nature of business, and any additional information the city deems necessary. Upon the filing of such application with the city clerk, it shall be presented to the city council for consideration, and if granted by the city council, a license shall be issued by the city clerk upon payment of the required fee.
- (c) The fees for licenses under this section shall be determined by the city council. Each such license shall expire on December 31 next after its issuance. Licenses shall not be transferable from one person or entity to another, nor shall they be transferable from one premises to another premises.

- (d) Every license issued under this section shall be kept conspicuously posted about the place for which the license is issued and shall be exhibited to any person upon request.
- (e) The renewal of a license issued under this section shall be made in the same manner as the original application. The request for a renewal shall be made at least 30 days but no more than 60 days before the expiration of the current license.
- (f) No license will be approved unless the premises proposed to be licensed complies with all applicable zoning requirements.
- (g) If a license is mistakenly issued or renewed to a person, the City will revoke the license upon the discovery that the person was ineligible for the license under this ordinance. The City will provide the license holder with notice of the revocation, along with information on the right to appeal.
- (h) The following shall be grounds for denying the issuance or renewal of a license under this section:
 - (1) The applicant is under the age of 21 years;
 - (2) The applicant has been convicted within the past five years of any violation of a federal, state, or local law, ordinance provision, or other regulation relating to cannabinoid products;
 - (3) The applicant has had a license to sell cannabinoid products suspended or revoked within the preceding 24 months of the date of application;
 - (4) The applicant fails to provide any information required on the application, or provides false or misleading information;
 - (5) The applicant is prohibited by federal, state, or other local law, ordinance, or regulation from holding such a license;
 - (6) The business for which the license is requested is a moveable place of business. Only fixed-location retail establishments that are not excluded under the definition for retail establishments in this ordinance are eligible to be licensed.
 - (7) The applicant has failed to pay any required application or licensing fees to the city.

Subd. 5. - Responsibility of licensee.

All licensees under this section shall be responsible for the actions of their employees in regard to the sale of cannabinoid products on the licensed premises, and the sale of such item by an

employee shall be considered a sale by the license holder. All licensees shall comply with the provisions of this section and all state and federal laws and regulations.

Subd. 6. - Sales of Cannabinoids Derived from Hemp.

In accordance with Minn. Stat. § 151.72, Subd.3, as may be amended:

- (a) A product containing nonintoxicating cannabinoids, including an edible cannabinoid product, may be sold for human or animal consumption only if all of the requirements of this section are met, provided that a product sold for human or animal consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an edible cannabinoid product does not contain more than five milligrams of any tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any tetrahydrocannabinol per package.
- (b) No other substance extracted or otherwise derived from hemp may be sold for human consumption if the substance is intended:
 - (1) For external or internal use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals; or
 - (2) To affect the structure or any function of the bodies of humans or other animals.
- (c) No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwise derived from hemp may be sold to any individual who is under the age of 21.
- (d) Products that meet the requirements of this section are not controlled substances under Minn. Stat. § 152.02.

Subd. 7. - Testing Requirements.

All testing must comply with the requirements set forth in Minn. Stat. § 151.72, Subd. 4, as may be amended.

Subd. 8. - Labeling Requirements.

All labeling must comply with the requirements set forth in Minn. Stat. § 151.72, Subd. 5, as may be amended.

Subd. 9. - Additional Requirements for Edible Cannabinoid Products.

In accordance with Minn. Stat. § 151.72, Subd. 5a, as may be amended:

- (a) An edible cannabinoid product must not:

- (1) Bear the likeness or contain cartoon-like characteristics of a real or fictional person, animal, or fruit that appeals to children;
 - (2) Be modeled after a brand of products primarily consumed by or marketed to children;
 - (3) Be made by applying an extracted or concentrated hemp-derived cannabinoid to a commercially available candy or snack food item;
 - (4) Contain an ingredient, other than a hemp-derived cannabinoid, that is not approved by the United States Food and Drug Administration for use in food;
 - (5) Be packaged in a way that resembles the trademarked, characteristic, or product-specialized packaging of any commercially available food product; or
 - (6) Be packaged in a container that includes a statement, artwork, or design that could reasonably mislead any person to believe that the package contains anything other than an edible cannabinoid product.
- (b) An edible cannabinoid product must be prepackaged in packaging or a container that is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The requirement that packaging be child-resistant does not apply to an edible cannabinoid product that is intended to be consumed as a beverage and which contains no more than a trace amount of any tetrahydrocannabinol.
- (c) If an edible cannabinoid product is intended for more than a single use or contains multiple servings, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size.
- (d) A label containing at least the following information must be affixed to the packaging or container of all edible cannabinoid products sold to consumers:
- (1) The serving size;
 - (2) The cannabinoid profile per serving and in total;
 - (3) A list of ingredients, including identification of any major food allergens declared by name; and
 - (4) The following statement: “Keep this product out of reach of children.”
- (e) An edible cannabinoid product must not contain more than five milligrams of any tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any tetrahydrocannabinol per package.

Subd. 10. - Prohibited Sales.

- (a) *Samples Prohibited.* Sampling of cannabinoid products within any retail establishment licensed under this ordinance is prohibited. No person shall distribute

samples of any cannabinoid products free of charge or at a nominal cost. The distribution of cannabinoid products as a free donation is prohibited.

- (b) *Coupon and Price Promotion.* No person shall accept or redeem any coupon, price promotion, or other instrument or mechanism, whether in paper, digital, electronic, mobile, or any other form, that provides any cannabinoid products to a consumer at no cost or at a price that is less than the non-discounted, standard price listed by a retailer on the item or on any related shelving, posting, advertising, or display at the location where the item is sold or offered for sale, including all applicable taxes.
- (c) *Self-service Displays.* All cannabinoid products must be stored behind the sales counter, in a locked case, in a storage unit, or in another area not freely accessible to the general public. No person shall allow the sale of cannabinoid products in open displays that are accessible to the public without the intervention of a store employee. This section does not apply to a retail establishment, as defined in this ordinance, that is continuously staffed by an employee from which persons under 21 years of age are prohibited from entering the store.
- (d) *Prohibition Against Retail Sales of Cannabinoid Products by Vending Machines.* No person will sell or dispense cannabinoid products through use of a vending machine.
- (e) *Delivery Sales.* All sales of cannabinoid products must be conducted in person, in a licensed retail establishment under this ordinance, in over-the-counter sales transactions.

Subd. 11. - Adulterated or Misbranded Products.

A cannabinoid product shall be considered adulterated or misbranded under the provisions set forth in Minn. Stat. §151.72, Subd. 6, as may be amended.

Subd. 12. - Signage.

At each location where cannabinoid products are sold, the licensee shall display a sign in plain view to provide public notice that selling any of these products to any person under the age of 21 is illegal and subject to penalties. The notice shall be placed in a conspicuous location in the licensed establishment and shall be readily visible to any person who is purchasing or attempting to purchase these products. The sign shall provide notice that all persons responsible for selling these products must verify, by means of photographic identification containing the bearer's date of birth, the age of any person under 30 years of age.

Subd. 13. - Age Verification.

At each location where edible cannabinoid products are sold, the licensee shall verify, by means of government-issued photographic identification containing the bearer's date of birth, that the purchaser or person attempting to make the purchase is at least 21 years of age. Verification is not required if the purchaser or person attempting to make the purchase is 30

years of age or older. It shall not constitute a defense to a violation of this Section that the person appeared to be 30 years of age or older.

Subd. 14. - Hours of Sales.

No sales of cannabinoid products will be allowed at the licensed premises after 10:00 p.m. and before 8:00 a.m. daily.

Subd. 15. - Compliance checks and inspections.

All licensed premises shall be open to inspection by the city police or other authorized city official during regular business hours. From time to time, but at least once per year, the city shall conduct compliance checks by engaging, with the written consent of their parents or guardians, compliance check minors to enter the licensed premise to attempt to purchase cannabinoid products. Compliance check minors used for the purpose of compliance checks shall be supervised by city law enforcement officers. Compliance check minors used for compliance checks shall not be guilty of unlawful possession of cannabinoid products when such items are obtained as a part of the compliance check. No compliance check minor used in compliance checks shall attempt to use a false identification misrepresenting the minor's age, and all compliance check minors lawfully engaged in a compliance check shall answer all questions about the minor's age asked by the licensee or his/her employee and shall produce any identification, if any exists, for which he/she is asked. Nothing in this section shall prohibit compliance checks authorized by state or federal laws for educational, research, or training purposes, or required for the enforcement of a particular state or federal law or regulation.

Subd. 16. - Penalties; revocation or suspension of license.

A violation of any provision of this section shall constitute a misdemeanor, unless otherwise specified by other federal or state laws or regulations. Violation of any provision of this section shall also be cause for consideration of immediate revocation or suspension of the license by the city council. Any fee paid to the city for a license shall be forfeited upon revocation or suspension of the license. Other administrative fees may be charged for violations of this section.

Subd. 17. - Administrative penalties.

- (a) *Notice.* Upon discovery of a suspected violation of any of the provisions of the section, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of his/her right to be heard on the charges.
- (b) *Hearings.* If a person accused of violating this section so requests, a hearing shall be scheduled, the time and place of which shall be provided to the accused violator.
- (c) *Hearing officer.* The city administrator or his designee shall serve as the hearing officer.

- (d) *Decision.* If the hearing officer determines that a violation of this section has occurred, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.
- (e) *Appeals.* Appeals of any decision made by the hearing officer shall be filed with the clerk of the county district court.
- (f) *Misdemeanor prosecution.* Nothing in this section prohibits the city from seeking criminal prosecution for any alleged violation of this section.
- (g) *Continuing violations.* Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.
- (h) *Penalties.* Any licensee found to have violated this section, or whose employee shall have violated this section, may be charged an administrative fee of \$75.00 for a first violation of this ordinance; \$200.00 for a second offense at the same licensed premises within a 24-month period; and \$250.00 for a third or subsequent offense at the same location within a 24-month period. In addition, after the third offense, the license shall be suspended for not less than seven days.
- (i) *Other individuals.* Other individuals may be charged an administrative fee of \$50.00.

Subd. 18. - Underage persons.

- (a) *Illegal sales.* It shall be a violation of this section for any person to sell or otherwise provide any cannabinoid products to any minor.
- (b) *Illegal possession.* It shall be a violation of this section for any minor to have in his/her possession any cannabinoid product. This subdivision shall not apply to compliance check minors lawfully involved in a compliance check.
- (c) *Illegal procurement.* It shall be a violation of this section for any minor to purchase or attempt to purchase or otherwise obtain any cannabinoid product, and it shall be a violation of this ordinance for any person to purchase or otherwise obtain such items on behalf of a minor. It shall further be a violation for any person to coerce or attempt to coerce a minor to illegally purchase or otherwise obtain or use any cannabinoid product. This subdivision shall not apply to compliance check minors lawfully involved in a compliance check.
- (e) *Use of false identification.* It shall be a violation of this section for any minor to attempt to disguise his/her true age by the use of a false form of identification, whether

the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

SECTION 2: INITIAL FEES. Upon effect of this Ordinance, permit fees shall cost \$100, annually, and background fees and other costs are set forth elsewhere in this chapter.

SECTION 3: SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

“The City will be undergoing a study regarding medical facilities, clinics, and other businesses which provide medical treatments or counseling, including dispensing pharmaceutical drugs to determine if regulations surrounding zoning and licensing are appropriate. No new use may be established, and no existing use may be expanded until the City adopts regulations regarding these uses, or determines no regulations are necessary and rescinds the interim ordinance or for a period of one year, whichever occurs first.”

SECTION 4: EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage and publication.

ADOPTED by the City Council of the City of Lexington this _____ day of _____, 2022.

First Reading _____, 2022

Second Reading _____, 2022

Michael Murphy, Mayor

ATTEST:

Bill Petracek, City Administrator

Published in the Quad Press on _____ ##, 2022

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

RESOLUTION 22-30

**A RESOLUTION OF THE CITY COUNCIL OF LEXINGTON, MINNESOTA,
APPROVING SUMMARY PUBLICATION OF ORDINANCE**

WHEREAS, On November 3, 2022, the City Council adopted an Ordinance – 22-24: An Ordinance Regulating Cannabinoid Products.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lexington, due to the lengthy nature of this Ordinance, has directed that this title and summary be prepared for publication pursuant to Minn. Stat. 412.191, Subd. 4

The Council finds that the following text clearly informs the public of the intent and effect of Ordinance 22-24 and hereby approves the following summary text for publication:

“SUMMARY PUBLICATION OF ORDINANCE 22-24.

The purpose of this ordinance is to establish licensing, sale and possession regulations for the sale and possession of cannabinoid products derived from hemp as provided in Minn. Stat. § 151.72.

The City Council makes the following findings regarding the need to regulate, license, and inspect establishments that sell certain cannabinoid products and regulate possession of cannabinoid products by minors:

- (1) By enacting 2022 Session Law Chapter 98, Article 13, the Minnesota Legislature amended Minn. Stat. § 151.72 to allow for the sale of certain cannabinoid products.
- (2) This new law does not prohibit municipalities from licensing the sale of cannabinoid products derived from hemp locally.
- (3) The Minnesota Legislature recognized the danger of cannabis use among youth by prohibiting the sale of any product containing cannabinoid or tetrahydrocannabinol (THC) extracted or otherwise derived from hemp to those under the age of 21 and requiring that edible cannabinoid products be packaged without appeal to children and in child-resistant packaging or containers.
- (4) Due to the passage of this new law by the Minnesota Legislature, the City Council believes the following rules, regulations, and standards for licensing the sale of cannabinoid products, and possession of cannabinoid products by minors, are necessary to promote and protect the public health, safety, and general welfare of the residents of Lexington.

NOTICE: the full text of this Ordinance is available for public inspection at Lexington City Hall located at 9180 Lexington Avenue, Lexington, MN 55014, during regular office hours.”

WHEREAS, the Council has by at least 4/5 vote approved this public notice on the 3rd day of November, 2022.

Mike Murphy, Mayor

Attest:

Bill Petracek, City Administrator

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: _____

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: 11/03/2022

Signature: _____ Position: City Administrator

