

**AGENDA
PUBLIC HEARING
&
REGULAR COUNCIL MEETING
FEBRUARY 16, 2023– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Grote

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

PUBLIC HEARING

PUBLIC HEARINGS:

All Public Hearings are held as a separate item of business on the agenda. Public Hearings are your opportunity to tell the Council how you think the Council should deal with an issue and why you feel that way. Occasionally, the process leading to the Public Hearing has included neighborhood meetings and review by one of the city's citizen's advisory committees. In these cases, it is the Council's intent that you have your questions answered in these neighborhood and advisory committee meetings and reserve the Public Hearing for statements rather than questions. If new information emerges at the Public Hearings, questions about this information will be allowed. Persons wishing to speak during hearings must complete a sign-up sheet and give it to a staff person prior to the start of the meeting.

PUBLIC HEARING:

PUBLIC HEARING: THE CITY COUNCIL WILL TAKE COMMENTS ON THE 2023 STREET IMPROVEMENTS, THE PROPOSED IMPROVEMENT OF THE FOLLOWING STREETS: DUNLAP AVENUE BETWEEN RESTWOOD ROAD AND FLOWERFIELD ROAD

1. ADJOURN PUBLIC HEARING

**CITY OF LEXINGTON
REGULAR COUNCIL MEETING
FEBRUARY 16, 2023– 7:00 P.M.
9180 LEXINGTON AVENUE**

2. 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

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

4. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports – 1-25 through 2-7-2023 **pp. 1-5**
- B. City Report – January 2023 **pp. 6-10**
- C. North Metro TV – January 2023 Update **pp. 11-16**
- D. Public Notice **pp. 17**
- E. Minnesota Pollution Control Agency – Administrative Penalty Order **pp. 18-38**

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.

2. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – February 2, 2023 **pp. 39-40**
- B. Recommendation to Approve Claims and Bills: **pp. 41-53**
 - Check #'s 49925 through 49977
 - Check #'s 14628 through 14634
 - Check #'s 14635 through 14640
 - Check #'s 14644 through 14654
- C. Financial Reports **pp. 54**
 - Cash Balances **pp. 55-56**
 - Fund Summary – Budget to Actual

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.

3. ACTION ITEMS:

- A. Recommendation to approve Resolution NO. 23-07 A Resolution Ordering Improvement and Preparation of Plans **pp. 57**
- B. Second Reading and Recommendation to approve Ordinance NO. 23-02 An Ordinance Regarding Native Landscape **pp. 58-62**

4. MAYOR AND COUNCIL INPUT

5. 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 the legal aspects surrounding personnel matters under investigation.
- 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.

6. ADMINISTRATOR INPUT

7. ADJOURNMENT

/mv



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
23019455	Jan 25 2023	13:12	ANIMAL COMPLAINT	1XX SOUTH DR	CIRCLE PINES
Summary: OFFICER WAS DISPATCHED TO THE 100 BLOCK OF SOUTH DR IN REGARDS TO AN ANIMAL REPORT.					
23019179	Jan 25 2023	01:42	TRAFFIC	2000-BLK MAIN ST	CENTERVILLE
Summary: OFFICER OBSERVED A TRAFFIC VIOLATION IN THE 2000 BLOCK OF MAIN ST. AN ADULT FEMALE WAS SUBSEQUENTLY ARRESTED FOR DWI.					
23019353	Jan 25 2023	10:43	CIVIL DISPUTE	18XX MAIN ST	CENTERVILLE
Summary: CIVIL DISPUTE: RESPONDED TO THE 1800 BLOCK OF MAIN STREET IN CENTERVILLE ON A POSSIBLE THEFT REPORT. UPON ARRIVAL, AFTER INTERVIEWING INVOLVED PARTIES IT WAS DETERMINED TO BE A CIVIL DISPUTE AND BOTH PARTIES ADVISED OF RECOURSES.					
23020258	Jan 26 2023	15:41	EXTRA PATROL	70XX CENTERVILLE RD	CENTERVILLE
Summary: POLICE FIELDLED AN EXTRA PATROL REQUEST.					
23021205	Jan 27 2023	19:24	MEDICAL	38XX MINUTEMAN LN	LEXINGTON
Summary: OFFICERS RESPONDED TO A WELFARE CHECK ON THE 3800 BLOCK OF MINUTEMAN LANE ONE MALE TRANSPORTED BY ALLINA CLEAR.					
23022041	Jan 28 2023	23:27	TRAFFIC	NAPLES ST / FLOWERFIELD RD	LEXINGTON
Summary: OFFICER OBSERVED A TRAFFIC VIOLATION NEAR THE INTERSECTION OF NAPLES ST AND FLOWERFIELD RD. AN ADULT MALE WAS SUBSEQUENTLY ARRESTED FOR DWI.					
23021736	Jan 28 2023	15:38	BARKING DOG - DISTURBING	37XX CENTERWOOD RD	LEXINGTON
Summary: POLICE RESPONDED TO THE 3700 BLOCK OF CENTERWOOD ROAD ON A REPORT OF A BARKING DOG.					
23022065	Jan 29 2023	00:06	MEDICAL	20XX MAIN ST	CENTERVILLE
Summary: OFFICER DISPATCHED TO A MEDICAL ON THE 2000 BLOCK OF MAIN ST ONE JUVENILE TREATED ON SCENE AND PICKED UP BY PARENT CLEAR.					
23022564	Jan 29 2023	19:40	ASSIST OTHER AGENCY		LINO LAKES
23022551	Jan 29 2023	19:19	ASSIST OTHER AGENCY		LINO LAKES
23022120	Jan 29 2023	02:15	DRUGS	LAKE DR / ALBERT AVE	LEXINGTON
Summary: OFFICER OBSERVED TRAFFIC VIOLATIONS ON LAKE DR VEHICLE STOPPED AND ULTIMATELY SEARCHED WARNING ISSUED CLEAR.					
	Jan 29 2023	09:20	CRIMINAL SEXUAL CONDUCT		CIRCLE PINES
Summary: OFFICERS DISPATCHED TO CIRCLE PINES FOR A CSC/DOMESTIC REPORT. CASE REFERRED TO CID					
23022095	Jan 29 2023	01:18	TRAFFIC	CENTERVILLE RD / CENTER ST	CENTERVILLE



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
Summary: OFFICER OBSERVED TRAFFIC VIOLATIONS IN THE AREA OF CENTERVILLE RD AND CENTER ST TRAFFIC STOP WAS INITIATED AND FOUR ADULTS ULTIMATELY TRANSPORTED HOME. CLEAR.					
23022349	Jan 29 2023	13:18	VEHICLE-STOLEN	1XX SOUTH DR	CIRCLE PINES
Summary: OFFICERS RESPONDED TO 100 BLK OF SOUTH DR FOR A STOLEN VEHICLE REPORT. INACTIVE					
23022131	Jan 29 2023	02:42	TRAFFIC	CIVIC HEIGHTS CIR / LAKE DR	CIRCLE PINES
Summary: OFFICER OBSERVED A TRAFFIC VIOLATION NEAR THE INTERSECTION OF CIVIC HEIGHTS CIR AND LAKE DR. VERBAL WARNINGS WERE ISSUED.					
23022290	Jan 29 2023	11:42	DOMESTIC ESCORT	2XX TWILITE TER	CIRCLE PINES
Summary: OFFICERS RESPONDED TO THE 200 BLK OF TWILIGHT TER FOR A DOMESTIC ESCORT. EXCEPTIONAL CLEARANCE					
23022687	Jan 29 2023	23:59	TRAFFIC	PATRIOT LN / NORTH HIGHWAY DR	LEXINGTON
Summary: OFFICER OBSERVED A TRAFFIC VIOLATION NEAR THE INTERSECTION OF PATRIOT LN AND NORTH HIGHWAY DR. VEHICLE TOWED FOR SAFE KEEPING AND BEING UNREGISTERED.					
23022874	Jan 30 2023	08:01	HOUSE/PROPERTY CHECK		CENTERVILLE
23023359	Jan 30 2023	22:29	DOMESTIC	69XX CENTERVILLE RD	CENTERVILLE
Summary: OFFICERS RESPONDED TO 6900 BLOCK OF CENTERVILLE ROAD FOR A DOMESTIC MALE AND FEMALE INVOLVED PARTIES SEPERATED CLEAR.					
23023045	Jan 30 2023	14:51	DWI-3RD DEGREE	NORTH RD / PINE DR	CIRCLE PINES
Summary: OFFICERS RESPONDED TO NORTH RD AND PINE DR FOR A PD ACCIDENT. DRIVER ARRESTED FOR DWI. CLEAR.					



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
23024393	Feb 1 2023	10:33	INFORMATION	XX CIRCLE DR	CIRCLE PINES
Summary: OFFICERS RESPONDED TO A PHONE CALL REQUEST AT 0 BLK OF CIRCLE DR FOR DOMESTIC QUESTIONS. EXCEPTIONAL CLEARANCE.					
23024367	Feb 1 2023	10:04	SUSPICIOUS ACTIVITY	18XX REVOIR ST	CENTERVILLE
Summary: OFFICERS RESPONDED TO 1800 BLK OF REVOIR ST FOR A SUSPICIOUS PERSON REPORT. EXCEPTIONAL CLEARANCE.					
23024386	Feb 1 2023	10:25	MOTORIST ASSIST	3XX CIVIC HEIGHTS DR	CIRCLE PINES
Summary: OFFICER WAS DISPATCHED TO THE 300 BLOCK OF CIVIC HEIGHTS DRIVE FOR A STALLED VEHICLE.					
23024687	Feb 1 2023	16:41	ACCIDENT-MV PD	LAKE DR / LEXINGTON AVE NE	CIRCLE PINES
Summary: PROPERTY DAMAGE ACCIDENT OFFICERS WERE DISPATCHED TO THE AREA OF LAKE DR AND LEXINGTON AVE ON A PROPERTY DAMAGE ACCIDENT. OFFICERS ASSISTED IN CLEARING THE ROAD AND TOOK INFORMATION FOR A REPORT. CLEAR.					
23024689	Feb 1 2023	16:46	PROPERTY DAMAGE	XX W GOLDEN LAKE RD	CIRCLE PINES
Summary: POLICE RESPONDED TO THE 50 BLOCK OF WEST GOLDEN LAKE RD FOR A PROPERTY DAMAGE ACCIDENT REPORT.					
23024380	Feb 1 2023	10:20	ASSIST OTHER AGENCY		LINO LAKES
23024603	Feb 1 2023	17:14	ASSIST OTHER AGENCY		BLAINE
23024539	Feb 1 2023	13:52	ACCIDENT-MV HR PD	91XX S HWY DR	LEXINGTON
Summary: H/R PD ACCIDENT: RESPONDED TO A PHONE CALL DELAYED HIT AND RUN PD ACCIDENT IN THE 9100 BLOCK OF SOUTH HIGHWAY DRIVE IN LEXINGTON. CALLER REPORTED THE DAMAGE WAS VERY MINOR AND A SUSPECT LICENSE PLATE WAS GIVEN. INVESTIGATION CONTINUES.					
23025153	Feb 2 2023	09:32	MEDICAL	94XX LEXINGTON AVE	LEXINGTON
Summary: OFFICERS RESPONDED TO 9400 BLK OF LEXINGTON AVE FOR A MEDICAL. EXCEPTIONAL CLEARANCE.					
23025095	Feb 2 2023	07:47	THEFT-NO PAY	20XX MAIN ST	CENTERVILLE
Summary: OFFICERS RESPONDED TO 2000 BLK OF MAIN ST FOR A GAS DRIVE OFF REPORT. EXCEPTIONAL CLEARANCE.					
23025200	Feb 2 2023	10:35	BURGLARY-RESIDENTIAL	94XX LEXINGTON AVE	LEXINGTON
Summary: OFFICERS RESPONDED TO 9000 BLK OF LEXINGTON AVE FOR A DELAYED BURGLARY REPORT. CASE IS STILL ACTIVE.					
23025457	Feb 2 2023	16:26	ACCIDENT-MV PI	FIREBARN RD / LAKE DR	CIRCLE PINES



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
Summary: PERSONAL INJURY ACCIDENT. OFFICERS WERE DISPATCHED TO THE INTERSECTION OF LAKE DR AND FIREBARD RD ON A PERSONAL INJURY ACCIDENT. OFFICERS ASSISTED THE INJURED PARTY AND TOOK INFORMATION FOR A REPORT. CLEAR.					
23026383	Feb 3 2023	20:41	MEDICAL	20XX MICHAUD WAY	CENTERVILLE
Summary: MEDICAL OFFICERS WERE DISPATCHED TO THE 2000 BLOCK OF MICHAUD WAY ON A MEDICAL. OFFICERS BEGAN A MEDICAL ASSESSMENT. AMBULANCE TRANSPORTED FOR FURTHER EVALUATION AND TREATMENT. CLEAR.					
23025910	Feb 3 2023	09:05	INFORMATION	20XX WILLOW CIR	CENTERVILLE
Summary: INFORMATION OFFICERS TOOK A PHONE CALL INFORMATION REPORT IN THE 2000 BLOCK OF WILLOW CIR CLEAR					
23026025	Feb 3 2023	12:30	INFORMATION	2XX TWILITE TER	CIRCLE PINES
Summary: THEFT REPORT OFFICERS TOOK A PHONE CALL THEFT REPORT IN THE 260 BLOCK OF TWILITE TER. CLEAR.					
23026679	Feb 4 2023	10:05	DOG AT LARGE	37XX CENTERWOOD RD	LEXINGTON
Summary: OFFICER WAS DISPATCHED TO THE 3700 BLOCK OF CENTERWOOD RD IN REGARDS TO DOGS BARKING AND RUNNING AT LARGE.					
23026829	Feb 4 2023	13:43	LIFT ASSIST	2XX NORTH STAR LN	CIRCLE PINES
Summary: LIFT ASSIST. OFFICERS WERE DISPATCHED TO THE 200 BLOCK OF NORTH STAR LN ON A LIFT ASSIST. OFFICERS AND FIRE RESCUE ASSISTED THE PERSON OFF THE GROUND AND INTO A VEHICLE. CLEAR.					
23026868	Feb 4 2023	14:44	CIVIL DISPUTE	XX VILLAGE PKWY	CIRCLE PINES
Summary: CIVIL DISPUTE. OFFICERS RECEIVED A PHONE CALL FROM THE 30 BLOCK OF VILLAGE PKWY FOR THE REPORT OF A CIVIL DISPUTE. EXCEPTIONAL CLEARANCE.					
23026995	Feb 4 2023	17:46	911 OPEN LINE	70XX 20TH AVE	CENTERVILLE
Summary: 911 OPEN LINE OFFICERS WERE DISPATCHED TO THE 7000 BLOCK OF 20TH AVE ON A 911 OPEN LINE. OFFICERS DETERMINED THERE WERE NO PROBLEMS. CLEAR.					
23027111	Feb 4 2023	20:34	MISCELLANEOUS OFFICER	2XX TWILITE TER	CIRCLE PINES
Summary: MISCELLANIOUS OFFICER. OFFICERS WERE DISPATCHED TO THE 200 BLOCK OF TWILITE TER ON A POSSIBLE BREAK IN BEING OBSERVED ON SECURITY CAMERAS. OFFICERS DETERMINED THERE WAS NO ONE BREAKING INTO THE HOME. CLEAR.					
23027193	Feb 4 2023	22:16	MEDICAL	94XX LEXINGTON AVE	LEXINGTON



Centennial Lakes Police Department

Media Report



Case Number	Incident Date	Time	Description	Location	City
Summary: OFFICER DISPATCHED TO A MEDICAL ON THE 9400 BLOCK OF LEXINGTON AVE ONE FEMALE HAVING DIFFICULTY BREATHING TRANSPORTED BY ALLINA CLEAR.					
23027214	Feb 4 2023	22:49	MEDICAL	41XX LOVELL RD	LEXINGTON
Summary: POLICE RESPONDED TO THE 4100 BLOCK OF LOVELL RD FOR A MEDICAL EMERGENCY					
23027302	Feb 5 2023	01:17	TRAFFIC-DAS/DAR/DAC	20TH AVE / MAIN ST	CENTERVILLE
Summary: OFFICER OBSERVED SUSPICIOUS ACTIVITY ON THE 7000 BLOCK OF 20TH AVE TRAFFIC STOP WAS CONDUCTED AND ULTIMATELY ONE MALE WAS ARRESTED CLEAR.					
23027493	Feb 5 2023	10:57	SUSPICIOUS ACTIVITY	17XX CENTER ST	CENTERVILLE
Summary: SUSP ACTIVITY: RESPONDED TO A PHONE CALL REPORT OF SUSPICIOUS ACTIVITY IN THE 1700 BLOCK OF CENTER STREET IN CENTERVILLE. CALLER ADVISED OF A SUSPCIOUS ACTIVITY IN CENTERVILLE. INFORMATION.					
23027772	Feb 5 2023	17:53	DOMESTIC-VERBAL	19XX 72ND ST	CENTERVILLE
Summary: VERBAL DOMESTIC. OFFICERS WERE DISPATCHED TO THE AREA OF UNITY AND 72ND ST FOR A DOMESTIC. OFFICERS LOCATED THE DOMESTIC AND DETERMINED NO CRIME HAD OCCURRED. OFFICERS MEDIATED AND ONE PARTY LEFT THE RESIDENCE. CLEAR.					
23028094	Feb 6 2023	04:32	MEDICAL	XX PLEASANT VIEW LN	CIRCLE PINES
Summary: POLICE RESPONDED TO THE 1 BLOCK OF PLEASANT VIEW LN FOR A MEDICAL EMERGENCY					
23028179	Feb 6 2023	08:25	MEDICAL	38XX LOVELL RD	LEXINGTON
Summary: MEDICAL OFFICERS WERE DISPATCHED TO A MEDICAL EMERGENCY IN THE 3800 BLOCK OF LOVELL RD. CLEAR					
23028048	Feb 6 2023	01:53	TRAFFIC	LAKE DR / WOODLAND RD	LEXINGTON
Summary: OFFICER OBSERVED TRAFFIC VIOLATIONS AT LAKE DR AND WOODLAND RD VEHICLE WAS STOPPED AND ULTIMATELY SEARCHED PARAPHERNALIA WAS FOUND AND DESTROYED CLEAR.					
23028346	Feb 6 2023	12:13	COUNTERFEIT	XX PINE DR S	CIRCLE PINES
Summary: POLICE RECEIVED A COUNTERFEIT BILL.					
22276370	Feb 7 2023	14:22	INFORMATION	19XX EAGLE TRL	CENTERVILLE
Summary: INFORMATION. OFFICERS RECEIVED A PHONE CALL FROM ANOTHER AGENCY REGARDING RECOVERED STOLEN PROPERTY.					

CITY REPORT

January 2023

blaine centerville circle pines ham lake lexington lino lakes spring lake park

Video Production



Municipal Producer, Trevor Scholl, completed five productions in January. Programs include two episodes of Mayor's Minutes, two episodes of the public safety employee profiles and another edition of CenterStage Centerville. Programs were also produced by T.J. Tronson for the city channels. Trevor reaches out to city officials and department contacts, every month, regarding potential programming for the channels. City staff and elected officials are encouraged to contact Trevor with any ideas or requests for programming.

▪ January Completed Videos/Playing on City Cable Channels & Streaming

Title	Producer	Runtime
Centerstage: Atlas Villas	Trevor Scholl	00:01:30
Mayor's Minutes: Centerville Winter 2023	Trevor Scholl	00:04:34
Public Safety Profiles: Kelsey Smith, SLP PD	Trevor Scholl	00:04:28
Mayor's Minutes: Lexington Winter 2023	Trevor Scholl	00:04:17
Public Safety Profiles: CLPD Officer Tyler Schroeder	Trevor Scholl	00:05:22
Anoka County Board Organizational and Regular Meeting (1/3/23)	T.J. Tronson	01:14:17
Anoka County Board Meeting (1/24/23)	T.J. Tronson	02:00:25

Some projects that Trevor is working on or is scheduled to produce include:

- Winter Mayor's Minutes
- Public safety employee profiles
- NMTV services marketing video
- Rookery show
- Blaine Facebook live town halls

Equipment Consulting/Technical Support



Blaine

- 1.3.23: Crestron system not working. Control room switch was dead. Ordered overnight replacement.

- 1.4.23: Overnight replacement part delayed due to storm. Drove to microcenter. Found a 24 port switch with POE+. Bought it and drove to Blaine city hall. Replaced malfunctioning switch. Tested mics, recorder, and LCS. All working. Will replace temporary switch with the 48 port version when it is delivered.

Centerville

- No assistance required.

Circle Pines

- No assistance required.

Ham Lake

- 1.12.23: Operated system for meeting recording. Tested all equipment to verify function. System good.
- 1.24.23: Audio issues for meeting. Reviewed system with staff.

Lexington

- No assistance required.

Lino Lakes

- No assistance required.

Spring Lake Park

- 1.9.23: Broadcast pix rep called to see how the system is holding up.

Channel Management



Programming Coordinator, Michele Silvester, along with help from Eric Houston, and Trevor Scholl, is responsible for processing and scheduling the programming on the City channels. There are three categories of programs that are scheduled on the City channels; live and replayed meetings, NMTV staff created video content, and informational graphics pages. All categories of programming must be encoded, scheduled, and entered into the Tightrope playback system or entered into the Carousel video files. As each live meeting is being recorded at City Hall, it is routed to the North Metro TV head-end and then sent out over the cable system live. At the same time it is also encoded on a server for future playbacks. The following meetings were processed in January:

Title	Producer	Runtime
Blaine City Council Meeting (1/4/23)	T.J. Tronson	02:00:05
Blaine Planning Commission Meeting (1/10/23)	T.J. Tronson	00:17:42
Blaine City Council Meeting (1/18/23)	Trevor Scholl	01:59:08
Blaine Park Board Meeting (1/24/23)	Trevor Scholl/Eric Nelson	00:43:50
Centerville City Council Meeting (1/11/23)	Teresa Bender	00:44:40
Centerville Planning & Zoning Meeting (1/17/23)	Teresa Bender	01:48:37
Centerville EDA Meeting (1/18/23)	John Murphy	01:35:32
Centerville City Council Meeting (1/25/23)	Trevor Scholl	01:59:41
Circle Pines City Council Meeting (1/10/23)	Danika Peterson/Ray Flint	01:01:57
Circle Pines Utility Commission Meeting (1/18/23)	Danika Peterson/Ray Flint	00:41:41

Circle Pines City Council Meeting (1/24/23)	Ray Flint	00:40:36
Ham Lake City Council Meeting (1/3/23)	Trevor Scholl	00:20:18
Ham Lake Planning Commission Meeting (1/9/23)	Trevor Scholl/Eric Nelson	00:44:55
Ham Lake City Council Meeting (1/17/23)	Matt Waldron	00:28:36
Lexington City Council Meeting (1/5/23)	Lexington Staff	00:24:53
Lexington City Council Meeting (1/19/23)	Lexington Staff	00:12:45
Lino Lakes City Council Meeting (1/9/23)	Anne Serwe	00:12:23
Lino Lakes Planning & Zoning Meeting (1/11/23)	Anne Serwe	00:25:10
Lino Lakes City Council Meeting (1/23/23)	Anne Serwe	00:06:19
Lino Lakes Environmental Board Meeting (1/25/23)	Anne Serwe	01:44:16
Spring Lake Park City Council Meeting (1/3/23)	Ray Flint	00:48:51
Spring Lake Park City Council Meeting (1/17/23)	Ray Flint	00:39:14
Centennial Fire District Steering Committee Meeting (1/19/23)	Ray Flint	01:27:36
23 New Programs		21:26:47 New Hours

Meetings are scheduled for replay based on schedules requested by each City. Additional longer-length video programming, produced by NMTV staff, is also scheduled on the channels. With the arrival of the Carousel units, shorter-length videos and promos are loaded onto those devices, rather than being scheduled as separate playbacks. The short videos cycle through, with graphics pages, and play on the channels whenever a scheduled program is not playing. Depending on whether a City selected the split screen or full screen Carousel option, the shorter videos are cycling 24 hours a day. The table below outlines how many times a longer-length video program was entered into the Tighrope system, and played back on each City channel.

City	Number of Times Programs Played	Hours Programmed on Channel
Blaine	176	239:29:11
Centerville	59	88:20:19
Circle Pines	143	134:00:11
Ham Lake	57	33:53:27
Lexington	95	31:16:57
Lino Lakes	70	37:06:28
Spring Lake Park	88	68:12:48
Totals:	688 Program Playbacks	632:19:21 Hours of Video Programming on Channels

The last category of programming on City channels consists of bulletin board, or graphics pages, that display information about the City or about events and issues of interest to

citizens. With the installation of the Carousel units, Eric Houston has assumed responsibility for updating the information on all seven channels. He works closely with each City's representative to ensure that all requested data slides are created and posted to the satisfaction of the City. Even though Eric is doing the work of creating the data pages, the Cities maintain editorial control. In addition to the graphics pages, the Carousel units play video. Trevor Scholl is responsible for encoding any short videos that are displayed. The following work was done for City Carousel units in January:

Blaine

- Transcoded and uploaded 0 videos to Carousel.

Centerville

- Transcoded and uploaded 2 videos to Carousel.
- Created 1 new Carousel slide.

Circle Pines

- Transcoded and uploaded 0 videos to Carousel.

Ham Lake

- Transcoded and uploaded 0 videos to Carousel.

Lexington

- Transcoded and uploaded 1 video to Carousel.

Lino Lakes

- Transcoded and uploaded 0 videos to Carousel.

Spring Lake Park

- Transcoded and uploaded 1 video to Carousel.
- Created 3 new Carousel slides.

Meetings on Demand



NMTV has created a video on demand service, with line-item bookmarking, for our Cities' meetings. In order to accomplish this, each encoded meeting has to undergo several steps. The meeting must first be transferred and transcoded from the playback server to the video on demand server. Once that is done, a staff member must go through the meeting entering a bookmark at the start of each meeting line-item, and enter the corresponding line-item information. Next, the meeting is linked to the NMTV website's city meeting page for video on demand. The following number of meetings were bookmarked and/or placed on VOD for the Cities in January:

Blaine

- 4 meetings bookmarked and placed on VOD.

Centerville

- 4 meetings bookmarked and placed on VOD.

Circle Pines

- 3 meetings bookmarked and placed on VOD.

Ham Lake

- 3 meetings bookmarked and placed on VOD.

Lexington

- 2 meeting placed on VOD.

Lino Lakes

- 4 meetings bookmarked and placed on VOD.

Spring Lake Park

- 2 meetings bookmarked and placed on VOD

Administrative



Issues dealt with in January include implementing the Strategic Plan, analyzing and processing Comcast's 4th quarter franchise and PEG fee reports, and providing information to members of the 2023 Cable Commission.

Q4 Franchise and PEG Fee Reports

- Received 4th quarter franchise and PEG fee reports and payments from Comcast.
- Entered data into spread sheets for PEG fees received, franchise fees received, and gross revenues.
- Comcast franchise fees were up \$15,513 over the previous quarter. PEG fees were down \$2,966 over the previous quarter.
- 2022 gross revenue and franchise fees were not significantly lower than 2021 gross revenue and franchise fees.
- Subscriber numbers continue to decline.
- Income predictions continue to meet expectations.

Pay Study

- Answered Dan Teshch's questions regarding whether the 4% COLA had been approved and implemented.

Strategic Plan

- Established the marketing committee and met weekly
 - Established rates
 - Finalized billing procedure
 - Started on marketing materials
 - Discussed issues with closed captioning service and possible solutions
- Researched accounting services.
- Began reviewing ED tasks and responsibilities with staff.
- Continued to transfer Rose's office responsibilities to other staff.

Miscellaneous

- Researched names and contact information for new Commission members.
- Calculated 2023 votes per city based on subscriber numbers
- Created 2023 Commission contact sheet.
- Sent On-Boarding materials to all Commission members.
- Contacted Commission members to gauge interest in Executive Committee.
- Updated NMTC History document to include 2022 events. Posted on website.
- Provided requested documents for 2022 audit of Commission finances.
- Attended eNATO webinar: Cable Franchising Today & the Future of ROW Franchising.
- Facilitated slight audio edit on meeting for SLP.
- Provided reminder that Commission alternates have to be elected officials.
- Facilitated meeting dropbox solution for Lino Lakes minutes.
- Did preliminary calculations regarding fees returned to Cities.
- Facilitated article regarding closed captioning for Centerville newsletter.
- Received and documented monthly Comcast subscriber reports.
- Read January Legal Report.
- Read industry articles.

North Metro TV

January 2023 Update

Program Production

In January, a total of **72 new programs** were produced utilizing the North Metro facilities, funds, and services. This constitutes **62:45:00 hours of new programming**.

- 25 programs were produced by the public
- 43 programs were produced by NMTV staff
- 4 programs were produced by City staff

Van Shoots

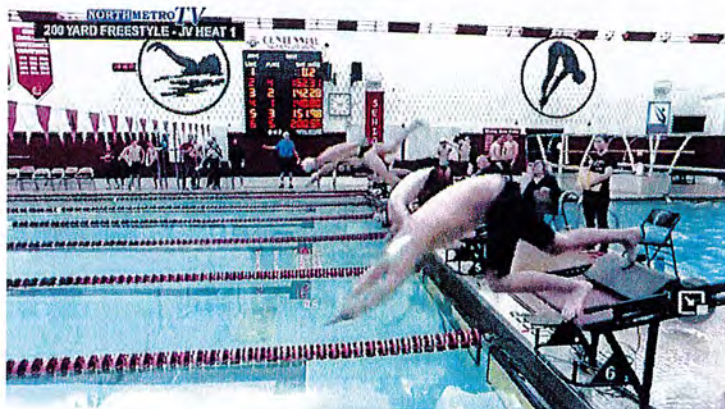
The HD production truck was utilized for 36:00:00 hours of production in January. The following events were produced live and/or recorded for additional playback:

- Boys Swim & Dive: Maple Grove vs. Centennial
- Boys Swim & Dive: Spring Lake Park vs. Blaine
- Girls Hockey: Blaine vs. Centennial/Spring Lake Park
- Girls Basketball: Armstrong vs. Spring Lake Park
- Boys Basketball: Centennial vs. Blaine
- Boys Hockey: Centennial vs. Spring Lake Park

vMix Live Streaming Shoots

The vMix single camera production system was utilized to record/stream 5 events. The vMix system requires significantly fewer staff members than the production truck. vMix crews are spread out over multiple locations and connected via the internet.

- Girls Basketball: Blaine vs. Centennial
- Girls Hockey: Osseo/Park Center vs. Centennial
- Boys Hockey: Centennial vs. Blaine
- Girls Hockey: Fargo North/South vs. Blaine
- Boys Hockey: Spring Lake Park vs. Blaine



Most Viewed YouTube School Event

Boys Swim & Dive: Maple Grove vs. Centennial
484 Views

Live Workshops

Workshop	Instructor	Organization	Students
Studio	Eric Houston	Blaine High School Business Professionals of America	3
1 Workshop			3 Students

VOD Workshop Views

Workshop	Type	# of Views	Hours Viewed
Batman's Greatest Villains	Mini	116	10.25 hrs
Columbo: One More Thing	Mini	3201	400 hrs
King of the Cowboys 4 – John Wayne	Mini	50	3 hrs
King of the Cowboys 3 – Randolph Scott	Mini	182	11.25 hrs
King of the Cowboys 2 – Autry/Rogers	Mini	131	8.25 hrs
King of the Cowboys 1 – Strong and Silent	Mini	54	4.75 hrs
Great British Game Shows	Mini	53	1.75 hrs
We Love Lucy: The Lucille Ball Story	Full	77	9.25 hrs
The Immortal Ingrid Pitt	Mini	652	27 hrs
The Oscars: 90 Years of the Academy Awards	Full	50	7.25 hrs
Tim Curry Horror Picture Show	Mini	20	.25 hrs
Back to the Eighties: The Decade's Biggest...	Full	11	1.25 hrs
James Bond: 50 Years of 007	Full	12	1 hrs
Eurovision: A Celebration	Mini	5	.25 hrs
Yabba-Dabba-Do! The Fantastic World of Hanna...	Full	558	65 hrs
Superman: The Man of Steel on the Silver Screen	Full	NA	NA
The Fantastic Four on the Silver Screen	Mini	NA	NA
Christmas in Hollywood	Full	NA	NA
TV's Greatest Christmas Specials	Full	7	1.75 hrs
Chicago Christmas Classics	Mini	453	20.75 hrs
Let's Go Ghostbusters: Filmmation's Haunted Heroes	Mini	NA	NA
Monster Movies of the 40s and 50s	Full	272	17 hrs
Monster Movies of the 20s and 30s	Full	11	.25 hrs
The Presidency on Film JQA to JFK	Full	NA	NA
Monstervision: The Legend of Joe Bob Briggs	Mini	6	.5 hrs
The Cult of Caroline Munro	Mini	2566	85.5 hrs
The Marilyn Monroe Story	Full	NA	NA
Nick at Nite: A TV Viewer's Dream	Mini	47	2 hrs
The Birth of Animation: Mickey, Bugs, and Betty...	Full	23	4 hrs
Hollywood Goes to War: World War II	Full	73	6 hrs
Come on Down: Game Shows of the 70s and 80s	Full	87	21.75 hrs
The Quiz Show Scandals and Other Game Shows...	Full	224	97 hrs
The Three Stooges: Comedy's Heavy Hitters	Full	8	1 hr
The Marx Brothers: Groucho, Harpo, Chico...	Full	63	4.75 hrs
Mary Pickford: The World's First Movie Star	Full	NA	NA
Hollywood Goes to the Dogs: Lassie, Benji...	Full	NA	NA
36 VOD Workshops		9,012 Total Views	812.75 Hours Viewed



Most Viewed YouTube Workshop

Columbo: One More Thing
3,201 Views

YouTube Stats

Month	Viewers	Videos Viewed	Hours Watched	New Subscribers	Total Impressions
January	26,847	33,656	2,176.25	64	375,076
TOTAL:	26,847	33,656	2,176.25	64	375,076

NMTV Website Stats

Month	Number of Users	Number of Views	Live Stream Views
January	5,568	10,793	1,625
TOTAL:	5,568	10,793	1,625

Home Movie Transfers

Home movie transfers have become one of our most popular services. Residents can transfer their family videos themselves for free, or pay NMTV to do it. NMTV can also transfer film, slides, and photos for a fee.

Month	Hours Transferred	Tapes	Film Reels	DVDs	Photos/Slides	Fees Paid
January	225	51	59	0	0	\$764.92
TOTAL:	225	51	59	0	0	\$764.92

Production Highlights

NMTV News Highlights

Each week Danika Peterson and Eric Nelson create a news program that highlights events, people, issues, and information important to citizens of our Member Cities. Some January highlights include:

- It's Time for Christmas Tree Recycling
- Wargo Nature Center is a Winter Wonderland
- Beware of Food Fads



- Anoka-Hennepin Educational Foundation Looks to Fund Innovative Teacher Grants
- Blaine Dance Team Performs in Florida Bowl Game
- Snow Time: Centerville Keeping Streets Plowed Despite Recent Storms
- Jolly Green Creature: Anoka resident creates Snowasaurus

In addition to daily playbacks of North Metro TV News on the cable systems, there are **1,176 local stories** archived for viewers on the **NMTV YouTube channel**. The channel can be accessed through the northmetrotv.com website.



Most Viewed YouTube News Story

Blaine Dance Team Performs in Florida Bowl Game
540 Views

Popular Public Safety Videos

Municipal Producer, Trevor Scholl, has been working on a new series of videos intended to highlight our local public safety employees. So far, he has produced three episodes. While the first episodes have highlighted police employees, he is working to get some fire employee interviews as well. The police officer videos have received almost 900 views on the NMTV YouTube page.



Marketing Team

Various members of the NMTV staff have organized a marketing team to find ways to publicize the many commercial services that we offer. The team formed and started meeting weekly, in January, and has accomplished quite a bit. So far, new rates for services have been determined, a uniform billing system established, a marketing video for the website is being created, and new print and electronic promotional materials are being developed.

Mayor's Minutes

Trevor Scholl has also been contacting Member City Mayors to schedule recordings of winter Mayor's Minutes. So far he has been able to coordinate Centerville's and Lexington's episodes. The show serves as a forum for Mayors to highlight issues and events in their Cities that they would like the residents to know about. He is working to schedule additional interviews.



Guns N Hoses Update

Special Projects Coordinator, T.J. Tronson, continues to work with Wes Pederson to produce the February 24th Guns N Hoses event. The match will be recorded and live streamed to both the cable channel and YouTube.

BHS Business Professionals of America

Students from the Blaine High School Business Professionals of America have been working with Studio Manager, Eric Houston, to create a presentation video. Editing was completed in January and the video was submitted to the competition. The video got them through regionals and into the state competition, so they will be back in February to do some additional work.



City Productions

In January, Municipal Producer, Trevor Scholl, completed five productions. They included two episodes of Mayor's Minutes and two episodes of his public safety employee profiles. Completed programs include:

- Mayor's Minutes: Centerville Winter 2023
- Mayor's Minutes: Lexington Winter 2023
- Public Safety Profile: Kelsey Smith, SLP PD
- Public Safety Profile: CLPD Officer Tyler Schroeder
- CenterStage: Atlas Villas



New and ongoing projects include:

- Winter Mayor's Minutes
- Public safety employee profiles
- NMTV services marketing video
- Rookery show
- Blaine Facebook live town halls

Trevor touches base with contacts on a regular basis and also encourages Cities to contact him with ideas for new videos.

Public Access Programs

Title	Producer	Runtime
MN Heals	Lorrie Henderson	00:20:46
Bad Movie Bros	Eric Houston	00:38:38
Rice Creek Watershed District Meeting (2 episodes)	Theresa Stasica	02:44:43
Christ Lutheran Church Worship (4 episodes)	Chance Amundson	03:51:03
Christ Lutheran Church Worship Message (4 episodes)	Chance Amundson	01:33:34
Lovepower (4 episodes)	Rick Larson	04:00:00
The Power of Love (4 episodes)	Rick Larson	02:00:00
Oak Park Community Church (5 episodes)	David Turnidge	03:31:58
25 New Programs		18:40:423 New Hours

NMTV Staff Programs

Title	Producer	Runtime
Anoka County Board Organizational and Regular Meeting (1/3/23)	T.J. Tronson	01:14:17
Anoka County Board Meeting (1/24/23)	T.J. Tronson	02:00:25
NMTV News (2 episodes)	Danika Peterson/Eric Nelson	00:49:38
Centerstage: Atlas Villas	Trevor Scholl	00:01:30
Mayor's Minutes: Centerville Winter 2023	Trevor Scholl	00:04:34
Public Safety Profiles: Kelsey Smith, SLP PD	Trevor Scholl	00:04:28
Mayor's Minutes: Lexington Winter 2023	Trevor Scholl	00:04:17
Public Safety Profiles: CLPD Officer Tyler Schroeder	Trevor Scholl	00:05:22
Boys Swim & Dive: Maple Grove/Centennial	Kenton Kipp/Ted Leroux	02:10:22
Boys Swim & Dive: Spring Lake	Kenton Kipp/Ted Leroux	01:53:17

Park/Blaine		
Girls Hockey: Blaine/Centennial-Spring Lake Park	Kenton Kipp/Ted Leroux	01:22:48
Girls Basketball: Armstrong/Spring Lake Park	Kenton Kipp/Ted Leroux	01:24:45
Boys Basketball: Centennial/Blaine	Kenton Kipp/Ted Leroux	01:18:29
Boys Hockey: Centennial/Spring Lake Park	Kenton Kipp/Ted Leroux	01:26:30
Girls Basketball: Blaine/Centennial	Kenton Kipp/Ted Leroux	01:26:46
Girls Hockey: Osseo-Park Center/Centennial	Kenton Kipp/Ted Leroux	01:31:17
Boys Hockey: Centennial/Blaine	Kenton Kipp/Ted Leroux	01:26:52
Girls Hockey: Fargo North-South/Blaine	Kenton Kipp/Ted Leroux	01:20:03
Boys Hockey: Spring Lake Park/Blaine	Kenton Kipp/Ted Leroux	01:36:01
Sports Den (4 episodes)	Kenton Kipp/Ted Leroux	01:25:59
24 New Programs		22:46:40 New Hours

City Meetings

Title	Producer	Runtime
Blaine City Council Meeting (1/4/23)	T.J. Tronson	02:00:05
Blaine Planning Commission Meeting (1/10/23)	T.J. Tronson	00:17:42
Blaine City Council Meeting (1/18/23)	Trevor Scholl	01:59:08
Blaine Park Board Meeting (1/24/23)	Trevor Scholl/Eric Nelson	00:43:50
Centerville City Council Meeting (1/11/23)	Teresa Bender	00:44:40
Centerville Planning & Zoning Meeting (1/17/23)	Teresa Bender	01:48:37
Centerville EDA Meeting (1/18/23)	John Murphy	01:35:32
Centerville City Council Meeting (1/25/23)	Trevor Scholl	01:59:41
Circle Pines City Council Meeting (1/10/23)	Danika Peterson/Ray Flint	01:01:57
Circle Pines Utility Commission Meeting (1/18/23)	Danika Peterson/Ray Flint	00:41:41
Circle Pines City Council Meeting (1/24/23)	Ray Flint	00:40:36
Ham Lake City Council Meeting (1/3/23)	Trevor Scholl	00:20:18
Ham Lake Planning Commission Meeting (1/9/23)	Trevor Scholl/Eric Nelson	00:44:55
Ham Lake City Council Meeting (1/17/23)	Matt Waldron	00:28:36
Lexington City Council Meeting (1/5/23)	Lexington Staff	00:24:53
Lexington City Council Meeting (1/19/23)	Lexington Staff	00:12:45
Lino Lakes City Council Meeting (1/9/23)	Anne Serwe	00:12:23
Lino Lakes Planning & Zoning Meeting (1/11/23)	Anne Serwe	00:25:10
Lino Lakes City Council Meeting (1/23/23)	Anne Serwe	00:06:19
Lino Lakes Environmental Board Meeting (1/25/23)	Anne Serwe	01:44:16
Spring Lake Park City Council Meeting (1/3/23)	Ray Flint	00:48:51
Spring Lake Park City Council Meeting (1/17/23)	Ray Flint	00:39:14
Centennial Fire District Steering Committee Meeting (1/19/23)	Ray Flint	01:27:36
23 New Programs		21:26:47 New Hours

If you have any questions or comments regarding this monthly report please contact Heidi Arnson at 763.231.2801 or harnson@northmetrotv.com.

PUBLIC NOTICE
CITY OF LEXINGTON
COUNTY OF ANOKA
STATE OF MINNESOTA

TO WHOM IT MAY CONCERN:

Notice is hereby given; Lexington City Mayor and Councilmember's, will be in attendance at the Elected Officials Conference which will be held on February 24 & 25, 2023. This may constitute a quorum of Council. This will be a training and educational setting and no city business will be conducted during this time.

Mary Vinzant
Deputy City Clerk

POSTED: February 14, 2023



520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer

January 18, 2023

CERTIFIED MAIL NO. 7018 1830 0000 5715 5119
RETURN RECEIPT REQUESTED

The Honorable Mike Murphy, Mayor
City of Lexington
Lexington City Hall
9180 Lexington Avenue
Lexington, MN 55014-3625

RE: Administrative Penalty Order - \$2,790.00
City of Lexington, Anoka County

Dear Mayor Mike Murphy:

The Minnesota Pollution Control Agency (MPCA) is issuing the enclosed Administrative Penalty Order (APO) to the city of Lexington for violations of Minnesota's environmental requirements. Please read the APO carefully. You must take action within 30 days after you receive this letter.

You must:

- Pay the enclosed invoice: \$2,790.00

During the investigation of the violations, you submitted information to the MPCA. The MPCA considered all the information you provided. However, we did not make changes to the violations listed in the Alleged Violation Letter.

You have a right to formally dispute this action within 30 days after receiving the APO. Instructions are in the RIGHT TO REVIEW section of the APO.

The MPCA is committed to being open and transparent about compliance and enforcement matters that have been concluded. Generally, the contents of executed, negotiated enforcement actions and closed, administrative enforcement actions are public information. Twice a year, the MPCA issues an enforcement report that is posted on the Agency's website. In addition, all public enforcement actions with assessed penalties of \$10,000 or more, are individually released to the media and the public.

Mike Murphy
Page 1
January 18, 2023

If you have questions or need assistance, contact me at 218-302-6670 or nicholas.nistler@state.mn.us.

Sincerely,

Nick Nistler

This document has been electronically signed.

Nick Nistler
Environmental Specialist
Municipal Division

NN:rc

Enclosure

cc: Bill Petracek, City of Lexington (w/enclosure)
Michelle Janson, Attorney, MPCA (w/enclosure)
Deborah Klooz, MPCA (w/enclosure)
Duane Duncanson, MPCA (w/enclosure)
Brian Green, MPCA (w/enclosure)
Stephen Mikkelsen, MPCA (w/enclosure)
Activity ID PEN20220001 @ 93003

**STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY
ADMINISTRATIVE PENALTY ORDER**

**City of Lexington
9180 Lexington Avenue
Lexington, Minnesota 55014**

**April 12, 2022, Routine Inspection
City of Lexington, Anoka County**

This Administrative Penalty Order (APO) is issued by the Minnesota Pollution Control Agency (MPCA) Commissioner pursuant to Minn. Stat. § 116.072 for the violations listed below. This APO requires the city of Lexington (Regulated Party) to take action to correct the violations.

* * * * *

VIOLATIONS

1. MS4 Permit (MNR040000).PART III.D.4.d. (2013)

The program shall include written procedures for conducting site inspections, to determine compliance with the permittee's Regulatory Mechanism(s). The written procedures shall:

- (1) Include procedures for identifying priority sites for inspection. Prioritization can be based on such parameters as topography, soil characteristics, type of receiving water(s), stage of construction, compliance history, weather conditions, or other local characteristics and issues.
- (2) Identify frequency at which site inspections will be conducted
- (3) Identify name(s) of individual(s) or position titles responsible for conducting site inspections
- (4) Include a checklist or other written means to document site inspections when determining compliance.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop written procedures for conducting site inspections, to determine compliance with the Regulated Party's regulatory mechanism(s).

2. MS4 Permit (MNR040000).16.4 (2020)

At least once each calendar year, the permittee must distribute educational materials or equivalent outreach focused on illicit discharge recognition and reporting illicit discharges to the permittee.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to distribute educational materials to the public on illicit discharge recognition and reporting illicit discharges.

3. MS4 Permit (MNR040000).16.7 (2020)

The permittee must develop and implement an education and outreach plan that consists of the following:

- a. target audience(s) (e.g., residents, businesses, commercial facilities, institutions, and local organizations; consideration should be given to low-income residents, people of color, and non-native English speaking residents. A resource to help identify these areas is available on the Agency's environmental justice website);
- b. name or position title of responsible person(s) for overall plan implementation;
- c. specific activities and schedules to reach each target audience; and
- d. a description of any coordination with and/or use of stormwater education and outreach programs implemented by other entities, if applicable.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop and implement an education and outreach plan that consisted of target audience(s); name or position title of responsible person(s) for overall plan implementation; specific activities and schedules to reach each target audience; and if applicable, a description of any coordination with and/or use of stormwater education and outreach programs implemented by other entities.

4. MS4 Permit (MNR040000).16.8 (2020)

The permittee must document the following information:

- a. a description of all specific stormwater-related issues identified by the permittee in item 16.3;
- b. all information required under the permittee's education and outreach plan in item 16.7;
- c. activities held, including dates, to reach each target audience;
- d. quantities and descriptions of educational materials distributed, including dates distributed; and
- e. estimated audience (e.g., number of participants, viewers, readers, listeners, etc.) for each completed education and outreach activity.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to document the following information: a description of all specific stormwater-related issues identified by the Regulated Party in item 16.3; and all information required under the Regulated Party's education and outreach plan in item 16.7.

5. MS4 Permit (MNR040000).16.9 (2020)

The permittee must conduct an annual assessment of the public education program to evaluate program compliance, the status of achieving the measurable requirements in Section 16, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the minimum control measure (MCM) (e.g., education and outreach efforts, implementation of written plans, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to conduct an annual assessment of the public education program to evaluate program compliance, the status of achieving the measurable requirements in Section 16 and determine how the program might be improved.

6. MS4 Permit (MNR040000).17.8 (2020)

The permittee must conduct an annual assessment of the Public Participation/Involvement program to evaluate program compliance, the status of achieving the measurable requirements in Section 17, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., public input and involvement opportunities, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to conduct an annual assessment of the Public Participation/Involvement program to evaluate program compliance, the status of achieving the measurable requirements in Section 17 and determine how the program might be improved.

7. MS4 Permit (MNR040000).18.8 (2020)

At least once each calendar year, the permittee must train all field staff in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. Field staff includes, but is not limited to, police, fire department, public works, and parks staff. Training for this specific requirement may include, but is not limited to, videos, in-person presentations, webinars, training documents, and/or emails.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to train all field staff in illicit discharge recognition and reporting. The Regulated Party failed to train police, fire department, public works, and parks staff.

8. MS4 Permit (MNR040000).18.9 (2020)

The permittee must ensure that individuals receive training commensurate with their responsibilities as they relate to the permittee's IDDE program. Individuals includes, but is not limited to, individuals responsible for investigating, locating, eliminating illicit discharges, and/or enforcement. The permittee must ensure that previously trained individuals attend a refresher-training every three (3) calendar years following the initial training.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to ensure that individuals receive training commensurate with their responsibilities as they relate to the Regulated Party's IDDE program. The Regulated Party failed to train individuals responsible for conducting enforcement.

9. MS4 Permit (MNR040000).18.13 (2020)

The permittee must implement written procedures for responding to spills, including emergency response procedures to prevent spills from entering the MS4. The written procedures must also include the immediate notification of the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (Metro area), if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. 115.061.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop written procedures for responding to spills, including emergency response procedures to prevent spills from entering the MS4.

10. MS4 Permit (MNR040000).18.14 (2020)

The permittee must maintain written enforcement response procedures (ERPs) to compel compliance with the permittee's regulatory mechanism(s) in Section 18.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop written ERPs to compel compliance with the Regulated Party's regulatory mechanism(s).

11. MS4 Permit (MNR040000).18.16 (2020)

For each training in item 18.8 and 18.9, the permittee must document:

- a. general subject matter covered;
- b. names and departments of individuals in attendance; and
- c. date of each event.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to document for each training in item 18.8 and 18.9, the general subject matter covered; names of individuals in attendance; and date of each event.

12. MS4 Permit (MNR040000).18.18 (2020)

The permittee must conduct an annual assessment of the IDDE program to evaluate program compliance, the status of achieving the measurable requirements in Section 18, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., trainings, inventory, inspections, enforcement, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to conduct an annual assessment of the IDDE program to evaluate program compliance, the status of achieving the measurable requirements in Section 18 and determine how the program might be improved.

13. MS4 Permit (MNR040000).19.3 (2020)

To the extent allowable under state or local law, the permittee must develop, implement, and enforce a regulatory mechanism(s) that establishes requirements for erosion, sediment, and waste controls that is at least as stringent as the Agency's most current Construction Stormwater General Permit (MNR100001), herein referred to as the CSW Permit. A regulatory mechanism(s) for the purposes of the General Permit may consist of contract language, an ordinance, permits, standards, written policies, operational plans, legal agreements, or any other mechanism, that will be enforced by the permittee.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop a regulatory mechanism(s) that establishes requirements for erosion, sediment, and waste controls that is at least as stringent as the MPCA's most current Construction Stormwater General Permit (CSW Permit).

14. MS4 Permit (MNR040000).19.5 (2020)

The permittee's regulatory mechanism(s) must require that owners and operators of construction activity develop site plans that must be submitted to the permittee for review and confirmation that regulatory mechanism(s) requirements have been met, prior to the start of construction activity. The regulatory mechanism(s) must require the owners and operators of construction activity to keep site plans up-to-date with regard to stormwater runoff controls. The regulatory mechanism(s) must require that site plans incorporate the following erosion, sediment, and waste controls that are at least as stringent as described in the CSW Permit:

- a. erosion prevention practices;
- b. sediment control practices;
- c. dewatering and basin draining;
- d. inspection and maintenance;
- e. pollution prevention management measures;
- f. temporary sediment basins; and
- g. termination conditions.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop a regulatory mechanism(s) that required owners and operators of construction activity to develop site plans that incorporate the following erosion, sediment, and waste controls that are at least as stringent as described in the CSW Permit: erosion prevention practices; sediment control practices; dewatering and basin draining; inspection and maintenance; pollution prevention management measures; temporary sediment basins; and termination conditions.

15. MS4 Permit (MNR040000).19.6 (2020)

The permittee must implement written procedures for site plan reviews conducted by the permittee prior to the start of all construction activity, to ensure compliance with requirements of the regulatory mechanism(s). At a minimum, the procedures must include:

- a. Written notification to owners and operators proposing construction activity, including projects less than one acre that are part of a larger common plan of development or sale, of the need to apply for and obtain coverage under the CSW Permit; and
- b. use of a written checklist, consistent with the requirements of the regulatory mechanism(s), to document the adequacy of each site plan required in item 19.5.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop and implement written procedures for site plan reviews conducted by the Regulated Party prior to the start of all construction activity, to ensure compliance with requirements of the regulatory mechanism(s).

16. MS4 Permit (MNR040000).19.7 (2020)

The permittee must implement an inspection program that includes written procedures for conducting site inspections, to determine compliance with the permittee's regulatory mechanism(s).

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to implement an inspection program that includes written procedures for conducting site inspections, to determine compliance with the Regulated Party's regulatory mechanism(s).

17. MS4 Permit (MNR040000).19.9 (2020)

The permittee must implement a written checklist to document each site inspection when determining compliance with the permittee's regulatory mechanism(s).

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to implement an inspection checklist or other written means to document site inspections when determining compliance with the regulatory mechanism.

18. MS4 Permit (MNR040000).19.10 (2020)

The permittee must implement written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop and implement written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public.

19. MS4 Permit (MNR040000).19.11 (2020)

The permittee must ensure that individuals receive training commensurate with their responsibilities as they relate to the permittee's Construction Site Stormwater Runoff Control program. Individuals includes, but is not limited to, individuals responsible for conducting site plan reviews, site inspections, and/or enforcement. The permittee must ensure that previously trained individuals attend a refresher-training every three (3) calendar years following the initial training.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to ensure that individuals receive training commensurate with their responsibilities as they relate to the Regulated Party's Construction Site Stormwater Runoff Control program. The Regulated Party failed to train individuals responsible for conducting enforcement.

20. MS4 Permit (MNR040000).19.12 (2020)

The permittee must maintain written enforcement response procedures (ERPs) to compel compliance with the permittee's regulatory mechanism(s) in item 19.3.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop written ERPs to compel compliance with the Regulated Party's regulatory mechanism(s).

21. MS4 Permit (MNR040000).19.13 (2020)

For each site plan review conducted by the permittee, the permittee must document the following:

- a. project name;
- b. location;
- c. total acreage to be disturbed;
- d. owner and operator of the proposed construction activity;
- e. proof of notification to obtain coverage under the CSW Permit, as required in item 19.6, or proof of coverage under the CSW Permit; and
- f. any stormwater related comments and supporting completed checklist, as required in item 19.6, used by the permittee to determine project approval or denial.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to document the following related to site plan reviews: location and total acreage to be disturbed.

22. MS4 Permit (MNR040000).19.14 (2020)

For each training in item 19.11, the permittee must document:

- a. general subject matter covered;
- b. names and departments of individuals in attendance; and
- c. date of each event.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to document the following for each training in item 19.11: the general subject matter covered; names of individuals in attendance; and date of each event.

23. MS4 Permit (MNR040000).19.15 (2020)

The permittee must document any enforcement conducted pursuant to the ERPs in item 19.12, including verbal warnings. At a minimum, the permittee must document the following:

- a. name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s);
- b. date(s) and location(s) of the observed violation(s);
- c. description of the violation(s);
- d. corrective action(s) (including completion schedule) issued by the permittee;
- e. referrals to other regulatory organizations (if any); and
- f. date(s) violation(s) resolved.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to document the following related to enforcement, including verbal warnings: corrective action(s), completion schedule issued by the Regulated Party, and date(s) violation(s) resolved.

24. MS4 Permit (MNR040000).19.16 (2020)

The permittee must conduct an annual assessment of the Construction Site Stormwater Runoff Control program to evaluate program compliance, the status of achieving the measurable requirements in Section 19, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., inventory, trainings, site plan reviews, inspections, enforcement, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to conduct an annual assessment of the Construction Site Stormwater Runoff Control program to evaluate program compliance, the status of achieving the measurable requirements in Section 19 and determine how the program might be improved.

25. MS4 Permit (MNR040000).20.15 (2020)

The permittee's regulatory mechanism(s) must include the establishment of legal mechanism(s) between the permittee and owners of structural stormwater best management practices (BMPs) not owned or operated by the permittee, that have been constructed to meet the requirements in Section 20. The legal mechanism(s) must include provisions that, at a minimum:

- a. allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines the owner of that structural stormwater BMP has not ensured proper function;
- b. are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party; and
- c. are designed to protect/preserve structural stormwater BMPs. If structural stormwater BMPs change, causing decreased effectiveness, new, repaired, or improved structural stormwater BMPs must be implemented to provide equivalent treatment to the original BMP.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to incorporate into their regulatory mechanism(s) the establishment of legal mechanism(s) between the Regulated Party and owners of structural stormwater BMPs not owned or operated by the Regulated Party, to ensure that they have been constructed to meet post construction stormwater management requirements.

26. MS4 Permit (MNR040000).20.17 (2020)

The permittee must implement written procedures for site plan reviews conducted by the permittee prior to the start of construction activity, to ensure compliance with requirements of the permittee's regulatory mechanism(s).

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop written procedures for site plan reviews conducted by the Regulated Party prior to the start of construction activity, to ensure compliance with requirements of the Regulated Party's regulatory mechanism(s).

27. MS4 Permit (MNR040000).20.18 (2020)

The permittee must ensure that individuals receive training commensurate with their responsibilities as they relate to the permittee's Post-Construction Stormwater Management program. Individuals includes, but is not limited to, individuals responsible for conducting site plan reviews and/or enforcement. The permittee must ensure that previously trained individuals attend a refresher-training every three (3) calendar years following the initial training.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to ensure that individuals receive training commensurate with their responsibilities as they relate to the Regulated Party's Post-Construction Stormwater Management program. The Regulated Party failed to train individuals responsible for conducting enforcement.

28. MS4 Permit (MNR040000).20.19 (2020)

The permittee must maintain written enforcement response procedures (ERPs) to compel compliance with the permittee's regulatory mechanism(s) required in Section 20.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop written ERPs to compel compliance with the Regulated Party's regulatory mechanism(s).

29. MS4 Permit (MNR040000).20.21 (2020)

For each training in item 20.18, the permittee must document:

- a. general subject matter covered;
- b. names and departments of individuals in attendance; and
- c. date of each event.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to document the following for each training in item 20.18: the general subject matter covered; names of individuals in attendance; and date of each event.

30. MS4 Permit (MNR040000).20.23 (2020)

The permittee must conduct an annual assessment of the Post-Construction Stormwater Management program to evaluate program compliance, the status of achieving the measurable requirements in Section 20, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., inventory, trainings, site plan reviews, inspections, enforcement, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to conduct an annual assessment of the Post-Construction Stormwater Management program to evaluate program compliance, the status of achieving the measurable requirements in Section 20 and determine how the program might be improved.

31. MS4 Permit (MNR040000).21.8 (2020)

The permittee must maintain written procedures for the purpose of determining the total suspended solids and total phosphorus (TSS and TP) treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to develop and maintain written procedures for the purpose of determining TSS and TP treatment effectiveness of all MS4 owned/operated ponds constructed and used for the collection and treatment of stormwater.

32. MS4 Permit (MNR040000).21.13 (2020)

The permittee must document the following information associated with the operations and maintenance program:

- a. date(s) and description of findings, including whether or not an illicit discharge is detected, for all inspections conducted in accordance with items 21.9 and 21.10;
- b. any adjustments to inspection frequency as authorized in item 21.9;
- c. date(s) and a description of maintenance conducted as a result of inspection findings, including whether or not an illicit discharge is detected;
- d. schedule(s) for maintenance of structural stormwater BMPs and outfalls as required in item 21.11; and
- e. stormwater management training events, including general subject matter covered, names and departments of individuals in attendance, and date of each event.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to document stormwater management training events, including general subject matter covered, names of individuals in attendance, and date of each event.

33. MS4 Permit (MNR040000).21.15 (2020)

The permittee must conduct an annual assessment of the operations and maintenance program to evaluate program compliance, the status of achieving the measurable requirements in Section 21, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., inventory, trainings, inspections, maintenance activities, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment.

Based on information provided by the Regulated Party prior to, during, and after the April 12, 2022, audit, the MPCA documented that the Regulated Party failed to conduct an annual assessment of the operations and maintenance program to evaluate program compliance, the status of achieving the measurable requirements in Section 21 and determine how the program might be improved.

CORRECTIVE ACTIONS REQUIRED

Pursuant to Minn. Stat. § 116.072, subd. 4, the Regulated Party is required to correct all the violations listed in this APO. The Regulated Party must document to the Commissioner, within 30 days after receipt of this APO and in writing, that the Regulated Party has taken the corrective actions listed below, unless the Regulated Party seeks review of this APO as described below (Right to Review).

Within 30 days after receipt of this APO, submit documentation of the completion of the corrective actions to Nick Nistler at nicholas.nistler@state.mn.us.

1. Develop, implement, and enforce a regulatory mechanism(s) that establishes requirements for erosion, sediment, and waste controls that is at least as stringent as the MPCA's most current Construction Stormwater General Permit (CSW Permit).

...This corrective action has been completed.

2. Develop, implement, and enforce a regulatory mechanism(s) that requires owners and operators of construction activity to develop site plans that incorporate the following erosion, sediment, and waste controls that are at least as stringent as described in the CSW Permit: erosion prevention practices; sediment control practices; dewatering and basin draining; inspection and maintenance; pollution prevention management measures; temporary sediment basins; and termination conditions.

...This corrective action has been completed.

3. Develop, implement, and enforce a regulatory mechanism(s) that incorporates the establishment of a legal mechanism(s) between the Regulated Party and owners of structural stormwater BMPs not owned or operated by the Regulated Party, that have been constructed to meet the requirements in Section 20 of the MS4 permit. The legal mechanism(s) must include provisions that, at a minimum: allow the Regulated Party to conduct inspections of structural stormwater BMPs not owned or operated by the Regulated Party, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the Regulated Party determines the owner of that structural stormwater BMP has not ensured proper function; are designed to preserve the Regulated Party's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the Regulated Party, when those responsibilities are legally transferred to another party; and are designed to protect/preserve structural stormwater BMPs. If structural stormwater BMPs change, causing decreased effectiveness, new, repaired, or improved structural stormwater BMPs must be implemented to provide equivalent treatment to the original BMP.

...This corrective action has been completed.

4. Develop written procedures for identifying high and low-priority sites for construction site inspections. The written procedures must include at a minimum: a detailed explanation describing how sites will be categorized as either high-priority or low-priority; a frequency at which the Regulated Party will conduct inspections for high and low priority sites; and the name(s) of individual(s) or position title(s) responsible for conducting site inspections.

...This corrective action has been completed.

5. Develop and implement an inspection program that includes written procedures for conducting site inspections, to determine compliance with the Regulated Party's regulatory mechanism(s).

...This corrective action has been completed.

6. Train all field staff in illicit discharge recognition and reporting. Field staff includes, but is not limited to, police, fire department, public works, and parks staff.

...This corrective action has been completed.

7. Ensure that individuals receive training commensurate with their responsibilities as they relate to the Regulated Party's IDDE program. Train individuals responsible for conducting enforcement.

...This corrective action has been completed.

8. Develop and implement written procedures for responding to spills, including emergency response procedures to prevent spills from entering the MS4.

...This corrective action has been completed.

9. Document for each training in item 18.8 and 18.9 of the MS4 permit, the general subject matter covered; names and departments of individuals in attendance; and date of each event.

...This corrective action has been completed.

10. Develop and implement written procedures for site plan reviews conducted by the Regulated Party prior to the start of all construction activity, to ensure compliance with requirements of the regulatory mechanism(s). At a minimum, the written procedures must include written notification to owners and operators proposing construction activity, including projects less than one acre that are part of a larger common plan of development or sale, of the need to apply for and obtain coverage under the CSW Permit; and use of a written checklist, consistent with the requirements of the regulatory mechanism(s), to document the adequacy of each site plan as required in item 19.5 of the MS4 permit.

...This corrective action has been completed.

11. Develop and implement written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public.

...This corrective action has been completed.

12. Ensure that individuals receive training commensurate with their responsibilities as they relate to the Regulated Party's Construction Site Stormwater Runoff Control program. Train individuals responsible for conducting enforcement.

...This corrective action has been completed.

13. Document for each training in item 19.11 of the MS4 permit, the general subject matter covered; names and departments of individuals in attendance; and date of each event.

...This corrective action has been completed.

14. Ensure that individuals receive training commensurate with their responsibilities as they relate to the Regulated Party's Post-Construction Stormwater Management program. Train individuals responsible for conducting enforcement.

...This corrective action has been completed.

15. Document for each training in item 20.18 of the MS4 permit, the general subject matter covered; names and departments of individuals in attendance; and date of each event.

...This corrective action has been completed.

16. Develop and begin implementing an education and outreach plan that consists of target audience(s); name or position title of responsible person(s) for overall plan implementation; specific activities and schedules to reach each target audience; and if applicable, a description of any coordination with and/or use of stormwater education and outreach programs implemented by other entities.

...This corrective action has been completed.

17. Develop and implement written ERPs to compel compliance with the Regulated Party's regulatory mechanism(s) in Section 18 of the MS4 permit. The written ERPs must include the following: a description of enforcement tools available to the Regulated Party and guidelines for the use of each tool; timeframes to complete corrective actions; and name or position title of responsible person(s) for conducting enforcement.

...This corrective action has been completed.

18. Develop and implement a written checklist to document each site inspection when determining compliance with the Regulated Party's regulatory mechanism(s). At a minimum, the checklist must include the Regulated Party's inspection findings on the following areas, as applicable to each site: stabilization of exposed soils (including stockpiles); stabilization of ditch and swale bottoms; sediment control BMPs on all downgradient perimeters of the project and upgradient of buffer zones; storm drain inlet protection; energy dissipation at pipe outlets; vehicle tracking BMPs; preservation of a 50 foot natural buffer or redundant sediment controls where stormwater flows to a surface water within 50 feet of disturbed soils; owner/operator of construction activity self-inspection records; containment for all liquid and solid wastes generated by washout operations (e.g., concrete, stucco, paint, form release oils, curing compounds, and other construction materials); and BMPs maintained and functional.

...This corrective action has been completed.

19. Develop and implement written ERPs to compel compliance with the Regulated Party's regulatory mechanism(s) in item 19.3 of the MS4 permit. At a minimum, the written ERPs must include: a description of enforcement tools available to the Regulated Party and guidelines for the use of each tool; and name or position title of responsible person(s) for conducting enforcement.

...This corrective action has been completed.

20. Develop and implement written procedures for site plan reviews conducted by the Regulated Party prior to the start of construction activity, to ensure compliance with requirements of the Regulated Party's regulatory mechanism(s).

...This corrective action has been completed.

21. Develop and implement written ERPs to compel compliance with the Regulated Party's regulatory mechanism(s) required in Section 20 of the MS4 permit. At a minimum, the written ERPs must include: a description of enforcement tools available to the Regulated Party and guidelines for the use of each tool; and name or position title of responsible person(s) for conducting enforcement

...This corrective action has been completed.

22. Develop and maintain written procedures for the purpose of determining TSS and TP treatment effectiveness of all MS4 owned/operated ponds constructed and used for the collection and treatment of stormwater.

...This corrective action has been completed.

23. Begin distributing educational materials to the public on illicit discharge recognition and reporting illicit discharges.

...This corrective action has been completed.

24. Begin documenting a description of all specific stormwater-related issues identified by the Regulated Party in item 16.3; and all information required under the Regulated Party's education and outreach plan in item 16.7.

...This corrective action has been completed.

25. Begin conducting an annual assessment of the public education program to evaluate program compliance, the status of achieving the measurable requirements in Section 16 and determine how the program might be improved.

...This corrective action has been completed.

26. Begin conducting an annual assessment of the public participation/involvement program to evaluate program compliance, the status of achieving the measurable requirements in Section 17 and determine how the program might be improved.

...This corrective action has been completed.

27. Begin conducting an annual assessment of the IDDE program to evaluate program compliance, the status of achieving the measurable requirements in Section 18 and determine how the program might be improved.

...This corrective action has been completed.

28. Begin documenting the following related to site plan reviews: location; total acreage to be disturbed; proof of notification to obtain coverage under the CSW Permit, as required in item 19.6, or proof of coverage under the CSW Permit; and supporting completed checklist, as required in item 19.6, used by the Regulated Party to determine project approval or denial.

...This corrective action has been completed.

29. Begin documenting the following related to enforcement, including verbal warnings: corrective action(s) completion schedule issued by the Regulated Party and date(s) violation(s) resolved.

...This corrective action has been completed.

30. Begin conducting an annual assessment of the Construction Site Stormwater Runoff Control program to evaluate program compliance, the status of achieving the measurable requirements in Section 19 and determine how the program might be improved.

...This corrective action has been completed.

31. Begin conducting an annual assessment of the Post-Construction Stormwater Management program to evaluate program compliance, the status of achieving the measurable requirements in Section 20 of the MS4 permit and determine how the program might be improved.

...This corrective action has been completed.

32. Begin documenting the following information associated with the operations and maintenance program: stormwater management training events, including general subject matter covered, names and departments of individuals in attendance, and date of each event.

...This corrective action has been completed.

33. Begin conducting an annual assessment of the operations and maintenance program to evaluate program compliance, the status of achieving the measurable requirements in Section 21 of the MS4 permit and determine how the program might be improved.

...This corrective action has been completed.

If the Regulated Party has any questions about the corrective actions required, please contact the MPCA staff person identified below for assistance.

PENALTY: \$2,790.00

The Regulated Party is hereby assessed a penalty of \$2,790.00 for the violations cited above. In determining the amount of the penalty, the Commissioner considered whether the violations were willful, whether the Regulated Party gained economic benefit, whether there is a history of past violations, the number of violations, and the gravity of the violations, including the potential for damage to humans, animals, air, water, land, or other natural resources of the state.

Based on the serious nature of the violations, the Commissioner has determined that the penalty is:

NONFORGIVABLE

Payment of the Nonforgivable penalty amount of \$2,790.00 is to be by check payable to the Minnesota Pollution Control Agency within 30 days after receipt of this APO, unless the Regulated Party seeks review of this APO. The check should reference "City of Lexington" in the memo line and be mailed to the Minnesota Pollution Control Agency, P.O. Box 64893, St. Paul, Minnesota, 55164-0893. To pay with Visa, MasterCard, American Express, or electronic check, visit <https://www.pca.state.mn.us/data/e-services>. To make an ACH or wire transfer payment, contact MPCA Fiscal Services at 651-757-2182.

RIGHT TO REVIEW

Pursuant to Minn. Stat. § 116.072, subds. 6 and 7, the Regulated Party has a right to seek review of this APO. The following description is intended only to aid the Regulated Party's understanding of the review process. The Commissioner strongly advises the Regulated Party to review the law itself carefully before proceeding.

The Regulated Party has a right to have an expedited hearing before an administrative law judge or to have a district court judge review this APO or the Commissioner's determination that the Regulated Party's corrective action was unsatisfactory.

EXPEDITED HEARING (Administrative Law Judge Hearing) - To obtain an expedited hearing, the following steps must be taken in a timely manner:

- the Regulated Party must request review within 30 days after receipt of this APO or within 20 days after receipt of the Commissioner's determination that the Regulated Party's corrective action is unsatisfactory. The Regulated Party must ensure that any review request is received by the MPCA before 4:30 p.m. on the last day of the 30-day period. The 30-day period begins the first calendar day after the Regulated Party receives the APO or corrective action determination. If the 30-day period ends on a weekend or holiday, the 30-day period is extended to 4:30 p.m. on the next day the MPCA is open for business;
- the request must be in writing (email is acceptable);
- the request may be sent by email, U.S. mail or it may be delivered in person;
- the request must identify the APO or the corrective action determination that the Regulated Party wants to have reviewed and must specifically state the reasons why the Regulated Party wants the APO to be reviewed, including any facts upon which the Regulated Party relies;
- if sent by email, the Regulated Party must send the email to appealrequest.MPCA@state.mn.us;

- if sent by mail or delivered in person, the Regulated Party must send or deliver the request to the MPCA at the following address: General Counsel, Legal Services Unit, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194; and
- to ensure expeditious processing of the request, please send or deliver copies of the request to: Nick Nistler, Minnesota Pollution Control Agency, at nicholas.nistler@state.mn.us or 525 Lake Avenue South Suite 400, Duluth, Minnesota 55802 and to Manager, Natural Resources Division, Attorney General's Office, Bremer Tower, 445 Minnesota Street, Suite 900, St. Paul, Minnesota 55101-2127.

The MPCA will schedule an expedited hearing at the Office of Administrative Hearings if the above steps have been completed in the time frames indicated.

OR

COURT REVIEW (District Court Hearing) - As an alternative to the expedited hearing procedure described above, the Regulated Party may file a petition in district court. In this case, the following steps must be taken:

- the Regulated Party must file a petition in district court within 30 days after receipt of this APO or within 20 days after receipt of the Commissioner's determination that the Regulated Party's corrective action is unsatisfactory;
- the Regulated Party must also serve a copy of the petition on the MPCA at the following address: General Counsel, Legal Services Unit, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194;
- the Regulated Party must also serve a copy of the petition on the Minnesota Attorney General at the following address: Manager, Natural Resources Division, Attorney General's Office, Bremer Tower, 445 Minnesota Street, Suite 900, St. Paul, Minnesota 55101-2127;
- the petition must identify the APO or corrective action determination that is the subject of the Petition and state the specific grounds upon which the Regulated Party challenges this APO or determination, including the facts upon which the Regulated Party bases each claim that the Regulated Party makes; and
- the Regulated Party must file a proof of timely service on the MPCA and the Attorney General with the clerk of the district court.

In the case of either an expedited hearing or a district court review, if the Regulated Party's request is found to be frivolous, the Regulated Party may be required to pay the costs that the MPCA incurs in responding to the request for review.

This APO becomes a final order after 30 days unless the Regulated Party requests a hearing as provided above. If the Regulated Party fails to comply with the APO when it is a final order, the MPCA may file the APO in district court where it will become a final judgment against the Regulated Party without further notice or additional proceedings. The MPCA may enforce and collect the judgment or a district court order against the Regulated Party and require payment of unpaid penalties, monetary damages, attorney fees, costs, and interest. The Attorney General may petition the district court for entry of the final order as an order of the district court that may be enforced against the Regulated Party in the same manner as a judgment of the district court.

**STATE OF MINNESOTA
POLLUTION CONTROL AGENCY**

January 18, 2023

Date signed

Ryan Anderson

This document has been electronically signed.

Ryan Anderson

Manager

Stormwater Section

Municipal Division

**CERTIFIED MAIL NO. 7018 1830 0000 5715 5119.
RETURN RECEIPT REQUESTED**

Address questions and submittals requested above to:

Nick Nistler
Minnesota Pollution Control Agency
525 Lake Avenue South Suite 400
Duluth, Minnesota 55802
218-302-6670
nicholas.nistler@state.mn.us

**MINUTES
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
FEBRUARY 2, 2023– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER: – Mayor Grote

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

Mayor Grote called to order the Regular City Council meeting for February 2, 2023 at 7:00 p.m. Councilmember's present: Harris, Devries, and Winge. Excused Absence: Councilmember Benson. Also Present: Chris Galiov, Finance Director; Kurt Glaser, City Attorney.

3. CITIZENS FORUM

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

4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Councilmember Devries made a motion to approve the agenda with the removal of both closed sessions. Councilmember Devries also suggested tabling the discussion on item 6 B from Letters and Communications in order to get more information at the next meeting. Councilmember Harris seconded the motion. Motion carried 4-0.

5. INFORMATIONAL REPORTS:

- A. Airport (Councilmember Devries) – *No meeting held*
B. Cable Commission (Councilmember Winge) *Quarterly meetings – No meeting held.*
C. City Administrator (Bill Petracek) *Not present.*

6. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Reports 1-11 through 1-24, 2023
B. Minnesota Pollution Control Agency –Administrative Penalty Order
C. Council Workshop meeting minutes – January 19, 2023

No discussion on Letters and Communications

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – January 19, 2023
B. Recommendation to Approve Claims and Bills:
Check #'s 49866 through 49924

Check #'s 14608 through 14613

Check #'s 14614 through 14625

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

7. ACTION ITEMS:

- A. 1st Reading of Proposed Ordinance NO. 23-02 An Ordinance Regarding Native Landscape

Attorney Glaser presented a summary of the ordinance. He explaining that the new ordinance would help find a good balance between the desire of residents to grow native grass on their properties and the ability of the City to control property maintenance. Discussion ensued. Attorney Glaser answered Council questions regarding the permitting and inspecting, as well as the wording of the proposed Ordinance. Attorney Glaser advised that this is only a first reading of the ordinance and there is no need to take a motion.

- B. Recommendation to approve Minnesota State High School League request to use Memorial Park ball fields for Section 4AAA Softball Tournament

- May 24
- May 25 (May 26 rain back up date)
- May 30
- June 1 (June 2 rain back up date).

Councilmember Devries noted that this is an annual event that is beneficial to the City, and the League is very responsible when using the fields.

Councilmember Devries made a motion to approve the use of the ball fields. Councilmember Harris seconded the motion. Motion carried 4-0.

8. MAYOR AND COUNCIL INPUT

Council did not have any input.

9. ADMINISTRATOR INPUT

Finance Director Galiov informed the Council that a Sales Tax Audit of the City's liquor store has successfully concluded. He gave a brief description of the findings, noting only a couple of minor corrections after review of three years' worth of records.

10. ADJOURNMENT

Councilmember Devries made motion to adjourn the meeting at 7:12 p.m. Councilmember Winge seconded the motion. Motion carried 4-0.

CITY OF LEXINGTON

RECOMMEND FOR APPROVAL OF CLAIMS AND BILLS

<p align="center">The following claims and bills have been presented to the Council for approval at the Council Meeting of February 16, 2023.</p>
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(1) Payroll

Vouchers	505186 through	505204	\$	21,437.47
Payroll Taxes				
	Federal Tax	\$2,785.38		
	Social Security	\$3,714.60		
	Medicare	\$868.76		
				\$7,368.74
	State Tax	\$1,370.64		\$1,370.64
	Total			\$8,739.38

(2) General and Liquor Payment Recommendations:

Checks	49925 through	49977	\$	149,266.36
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(3) ACH and Credit Card Payments for: JANUARY 2023

ACH Payments:	3230E through	3250E	\$	32,336.01
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Total Payments and Withdrawals Approval	\$	<u>211,779.22</u>
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Centennial Lakes Police Payment Recommendations:

Checks	14628 through	14634	\$	2,751.84
	14635 through	14640	\$	2,788.02
	14644 through	14654	\$	11,936.78
ACH	2023009 through	2023010	\$	3,678.88
Total Payments			\$	<u>21,155.52</u>

CITY OF LEXINGTON

02/09/23 1:42 PM

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***Check Detail Register©**

Batch: 02162023 PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 4M FUND					
49925	02/16/23	56 BREWING LLC			
E 609-00000-252		Beer Purchase	\$288.00	5621586	
		Total	\$288.00		
49926	02/16/23	AMAZON CAPITAL SERVICES			
E 101-41500-401		Repair Buildings	\$57.88	17F7-9CKF-P FURNACE FILTERS - CITY HALL	
		Total	\$57.88		
49927	02/16/23	ARTISAN BEER COMPANY			
E 609-00000-252		Beer Purchase	\$922.30	3584518	
		Total	\$922.30		
49928	02/16/23	ASPEN MILLS			
E 101-42260-214		Fire Uniforms	\$759.55	308265	UNIFORMS - NEW HIRES
		Total	\$759.55		
49929	02/16/23	AWARDS BY HAMMOND, INC			
E 101-42260-430		Miscellaneous	\$17.00	10719	NAME SIGN
		Total	\$17.00		
49930	02/16/23	BADGER METER INC			
E 730-00000-309		EDP, Software and Desig	\$128.80	80117450	JAN 2023 SERVICE
		Total	\$128.80		
49931	02/16/23	BELLBOY CORPORATION			
E 609-00000-251		Liquor Purchase	\$451.04	0098180400	
E 609-00000-254		Miscellaneous Purchase	\$485.02	0106337100	
		Total	\$936.06		
49932	02/16/23	BERNICK'S			
E 609-00000-252		Beer Purchase	\$1,745.70	10039500	
E 609-00000-252		Beer Purchase	(\$9.24)	10039501	
E 609-00000-252		Beer Purchase	\$952.70	10042253	
		Total	\$2,689.16		
49933	02/16/23	BLACK STACK BREWING, INC.			
E 609-00000-252		Beer Purchase	\$357.00	21152	
		Total	\$357.00		
49934	02/16/23	BREAKTHRU BEVERAGE MN			
G 609-20202		Accounts Payable - Resal	(\$17.30)	1600001666	
E 609-00000-251		Liquor Purchase	\$5,467.55	347532330	
E 609-00000-253		Wine Purchase	\$1,065.69	347532330	
E 609-00000-252		Beer Purchase	\$633.05	347538612	
E 609-00000-251		Liquor Purchase	\$1,724.78	347636293	
G 609-20202		Accounts Payable - Resal	(\$21.51)	409392554	
G 609-20202		Accounts Payable - Resal	(\$243.32)	409406373	
G 609-20202		Accounts Payable - Resal	(\$233.70)	409444744	
G 609-20202		Accounts Payable - Resal	(\$27.54)	409457719	
G 609-20202		Accounts Payable - Resal	(\$93.70)	409506066	
G 609-20202		Accounts Payable - Resal	(\$221.94)	409708357	

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
G 609-20202		Accounts Payable - Resal	(\$24.18)	410056743	
		Total	\$8,007.88		
49935	02/16/23	BUSINESS ESSENTIALS			
E 609-00000-200		Office Supplies	\$97.21	OE-614201-1	OFFICE SUPPLIES
E 101-41500-200		Office Supplies	\$351.11	WO-1227248	OFFICE SUPPLIES
		Total	\$448.32		
49936	02/16/23	CAPITOL BEVERAGE SALES			
E 609-00000-252		Beer Purchase	(\$10.45)	2790386	
E 609-00000-252		Beer Purchase	\$9,933.64	2790387	
E 609-00000-252		Beer Purchase	(\$167.40)	2793107	
E 609-00000-252		Beer Purchase	\$4,494.40	2793108	
		Total	\$14,250.19		
49937	02/16/23	CENTRAL LOCK & SAFE CO. INC.			
G 609-20200		Accounts Payable	\$150.00	222478	REPAIRS - MLS
		Total	\$150.00		
49938	02/16/23	CINTAS			
E 609-00000-255		Linen	\$61.60	4145556249	MAT SERVICE
		Total	\$61.60		
49939	02/16/23	CLEAR RIVER BEVERAGE COMPANY			
E 609-00000-252		Beer Purchase	\$357.75	671842	
		Total	\$357.75		
49940	02/16/23	GREAT LAKES COCA-COLA			
E 609-00000-254		Miscellaneous Purchase	\$1,029.00	3642220227	
		Total	\$1,029.00		
49941	02/16/23	DAHLHEIMER BEVERAGE LLC			
E 609-00000-252		Beer Purchase	\$9,606.35	1827920	
E 609-00000-252		Beer Purchase	\$6,970.23	1833059	
E 609-00000-252		Beer Purchase	\$786.20	1834906	
		Total	\$17,362.78		
49942	02/16/23	GALLS, LLC			
E 101-42260-214		Fire Uniforms	\$41.53	023276042	UNIFORMS - FIRE DEPT
		Total	\$41.53		
49943	02/16/23	GOPHER STATE ONE-CALL INC			
E 730-00000-228		Gopher State One Call	\$7.42	3010541	JAN 2023 LOCATES
E 770-00000-228		Gopher State One Call	\$7.43	3010541	JAN 2023 LOCATES
		Total	\$14.85		
49944	02/16/23	HOHENSTEINS INC			
E 609-00000-252		Beer Purchase	\$156.75	579335	
E 609-00000-252		Beer Purchase	\$888.75	579398	
E 609-00000-252		Beer Purchase	\$300.00	579425	
		Total	\$1,345.50		
49945	02/16/23	IMAGE PRINTING & GRAPHICS			

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 609-00000-340		Advertising	\$2.40	163232.	SALES TAX DUE
E 609-00000-213		Uniforms	\$28.26	163240	NAME TAGS - MLS
E 609-00000-340		Advertising	\$37.40	163379	SALES PRINTS - MLS
		Total	\$68.06		
49946	02/16/23	INBOUND BREWCO			
E 609-00000-252		Beer Purchase	\$173.00	15395	
		Total	\$173.00		
49947	02/16/23	JACK PINE BREWERY			
E 609-00000-252		Beer Purchase	\$201.00	4618	
		Total	\$201.00		
49948	02/16/23	JOHNSON BROTHERS LIQUOR			
E 609-00000-251		Liquor Purchase	\$385.75	2229684	
E 609-00000-253		Wine Purchase	\$4,227.00	2229685	
E 609-00000-251		Liquor Purchase	\$339.93	2229686	
		Total	\$4,952.68		
49949	02/16/23	KIRVIDA FIRE			
E 101-42260-404		Repair Machinery/Equipm	\$428.62	11154	REPAIRS - 2016 FORD RESCUE 1
E 101-42260-404		Repair Machinery/Equipm	\$117.06	11164	REPAIRS - 2001 KENWORTH
		Total	\$545.68		
49950	02/16/23	LEAGUE OF MN CITIES INS. TRUST			
E 101-41500-150		Worker s Comp	\$2,865.52	WC 1000964- 2023 WORKERS' COMP PREMIUM	
E 101-42260-150		Worker s Comp	\$6,549.76	WC 1000964- 2023 WORKERS' COMP PREMIUM	
E 101-43100-150		Worker s Comp	\$9,824.64	WC 1000964- 2023 WORKERS' COMP PREMIUM	
E 101-45200-150		Worker s Comp	\$5,731.04	WC 1000964- 2023 WORKERS' COMP PREMIUM	
E 609-00000-150		Worker s Comp	\$14,327.60	WC 1000964- 2023 WORKERS' COMP PREMIUM	
E 730-00000-150		Worker s Comp	\$818.72	WC 1000964- 2023 WORKERS' COMP PREMIUM	
E 770-00000-150		Worker s Comp	\$818.72	WC 1000964- 2023 WORKERS' COMP PREMIUM	
		Total	\$40,936.00		
49951	02/16/23	M. AMUNDSON LLP			
E 609-00000-256		Tobacco Products For Re	\$2,437.58	356211	
		Total	\$2,437.58		
49952	02/16/23	MARTIN-MCALLISTER			
E 101-42260-208		Training and Instruction	\$1,250.00	15124	PUBLIC SAFETY ASSESSMENTS - FIRE DEPT
		Total	\$1,250.00		
49953	02/16/23	METROPOLITAN COUNCIL			
E 770-00000-389		MWCC Charges	\$12,142.13	00011581471	MARCH 2023 SEWER CHARGES
		Total	\$12,142.13		
49954	02/16/23	METERING & TECH. SOLUTIONS			
E 730-00000-404		Repair Machinery/Equipm	\$2,693.91	INV1493	WATER METER - LOFTS III
		Total	\$2,693.91		
49955	02/16/23	METRO-INET			
E 101-41900-230		Contracted Services	\$1,018.15	1075	FEB 2023 IT SERVICES
E 101-42260-230		Contracted Services	\$290.90	1075	FEB 2023 IT SERVICES

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Batch: 02162023 PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-43100-230		Contracted Services	\$290.90	1075	FEB 2023 IT SERVICES
E 101-45200-230		Contracted Services	\$290.90	1075	FEB 2023 IT SERVICES
E 609-41900-230		Contracted Services	\$290.90	1075	FEB 2023 IT SERVICES
E 651-41900-230		Contracted Services	\$145.45	1075	FEB 2023 IT SERVICES
E 730-41900-230		Contracted Services	\$290.90	1075	FEB 2023 IT SERVICES
E 770-41900-230		Contracted Services	\$290.90	1075	FEB 2023 IT SERVICES
Total			\$2,909.00		
49956	02/16/23	AUL SPECIAL PAY TRUST			
G 101-21716		Other Retirement	\$50.00		JAN 2023 EMPLOYEE CONTRIBUTIONS
G 101-21716		Other Retirement	\$50.00		FEB 2023 EMPLOYEE CONTRIBUTIONS
Total			\$100.00		
49957	02/16/23	MILK AND HONEY, LLC			
E 609-00000-254		Miscellaneous Purchase	\$266.67	11506	
Total			\$266.67		
49958	02/16/23	MKL, LLC			
E 101-41500-400		General Maintenance	\$100.00	02162023	WEEK ENDING 02/04/2023
E 101-41500-400		General Maintenance	\$100.00	02162023	WEEK ENDING 02/11/2023
Total			\$200.00		
49959	02/16/23	MSA PROFESSIONAL SERVICES INC			
E 101-41500-303		Engineering Fees	\$1,750.00	R10481000.0	GENERAL SERVICES
G 101-22047		Norhart Development	\$760.00	R10481036.0	NORHART DEVELOPMENT
G 101-22050		Ephesians II	\$67.50	R10481042.0	THE EPHESIANS II PROJECT
E 651-00000-303		Engineering Fees	\$745.00	R10481044.0	NPDES PHASE II MS4
E 730-00000-303		Engineering Fees	\$5,765.00	R10481046.0	WATER SYSTEM FEASIBILITY STUDY
E 423-00000-303		Engineering Fees	\$6,835.45	R10481052.0	2023 STREET IMPROVEMENTS
E 101-43100-303		Engineering Fees	\$192.50	R10481053.0	LEXINGTON GIS 2023
Total			\$16,115.45		
49960	02/16/23	O'REILLY AUTOMOTIVE STORES			
E 101-42260-404		Repair Machinery/Equipm	\$10.94	3472-245443	PARTS - FIRE DEPT
Total			\$10.94		
49961	02/16/23	OXYGEN SERVICE COMPANY			
E 101-42260-210		Operating Supplies	\$173.17	0003544842	JAN 2023 SERVICE
Total			\$173.17		
49962	02/16/23	PACE ANALYTICAL SERVICES, INC.			
E 730-00000-306		Water Testing	\$100.00	23100403393	WATER TEST FEE
Total			\$100.00		
49963	02/16/23	PAUSTIS & SONS			
E 609-00000-253		Wine Purchase	\$824.50	191611	
E 609-00000-253		Wine Purchase	\$460.00	192264	
Total			\$1,284.50		
49964	02/16/23	PHILLIPS WINE AND SPIRITS INC			
E 609-00000-251		Liquor Purchase	\$623.99	6537289	
E 609-00000-253		Wine Purchase	\$362.80	6537290	

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 609-00000-254		Miscellaneous Purchase	\$34.35	6537291	
		Total	\$1,021.14		
49965	02/16/23	POPP COMMUNICATIONS			
E 101-43100-321		Telephone	\$8.07	992770697	FEB 2023 ANALOG LINES
E 101-45200-321		Telephone	\$8.07	992770697	FEB 2023 ANALOG LINES
E 651-00000-321		Telephone	\$1.53	992770697	FEB 2023 ANALOG LINES
E 730-00000-321		Telephone	\$10.38	992770697	FEB 2023 ANALOG LINES
E 770-00000-321		Telephone	\$10.38	992770697	FEB 2023 ANALOG LINES
E 101-41500-321		Telephone	\$79.47	992770697	FEB 2023 ANALOG LINES
E 609-00000-321		Telephone	\$41.02	992770697	FEB 2023 ANALOG LINES
		Total	\$158.92		
49966	02/16/23	PREMIUM WATERS, INC.			
E 609-00000-411		Culligan	\$4.29	319244457	FEB 2023 SERVICE
E 101-41500-411		Culligan	\$4.00	319244508	FEB 2023 SERVICE
E 101-42260-411		Culligan	\$4.00	319244508	FEB 2023 SERVICE
		Total	\$12.29		
49967	02/16/23	PRESS PUBLICATIONS			
E 609-00000-340		Advertising	\$279.00	761655	JAN 2023 ADVERTISING
		Total	\$279.00		
49968	02/16/23	PRYES BREWING COMPANY, LLC			
E 609-00000-252		Beer Purchase	\$769.51	W-49939	
		Total	\$769.51		
49969	02/16/23	SHAMROCK GROUP, INC.			
E 609-00000-257		Ice For Resale	\$51.00	2856814	
		Total	\$51.00		
49970	02/16/23	SILENT KNIGHT SECURITY SYSTEMS			
E 101-41500-385		Building Security	\$160.00	140453	PREVENTIVE MAINTENANCE
		Total	\$160.00		
49971	02/16/23	BBKG, L.L.C.			
G 101-20200		Accounts Payable	\$2,170.50	201885	JUNE-JULY 2022 CIVIL SERVICES
G 101-22050		Ephesians II	\$120.00	201885	JUNE-JULY 2022 CIVIL SERVICES
G 101-22046		O'Reilly Escrow	\$60.00	201885	JUNE-JULY 2022 CIVIL SERVICES
G 220-22040		Dominium Escrow - Lovell	\$150.00	201885	JUNE-JULY 2022 CIVIL SERVICES
		Total	\$2,500.50		
49972	02/16/23	SOUTHERN GLAZER'S OF MN			
E 609-00000-251		Liquor Purchase	(\$90.95)	0083619	
E 609-00000-251		Liquor Purchase	(\$263.46)	0083620	
E 609-00000-253		Wine Purchase	\$0.32	2307642	
E 609-00000-251		Liquor Purchase	\$3,186.71	2307643	
E 609-00000-254		Miscellaneous Purchase	\$54.56	2307644	
E 609-00000-253		Wine Purchase	\$256.12	2307645	
E 609-00000-251		Liquor Purchase	\$1,139.72	2309880	
E 609-00000-253		Wine Purchase	\$996.08	2309881	
		Total	\$5,279.10		

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
49973	02/16/23	ST PAUL STAMP WORKS, INC.			
E 101-41500-430		Miscellaneous	\$120.50	IV00539847	PLAQUE - MAYOR MURPHY
		Total	\$120.50		
49974	02/16/23	VINOCOPIA			
E 609-00000-253		Wine Purchase	\$321.67	0322733-IN	
		Total	\$321.67		
49975	02/16/23	VOLUNTEER FIREFIGHTERS			
E 101-42260-165		Life Insurance	\$28.00		PREMIUM - NEW EMPLOYEES
		Total	\$28.00		
49976	02/16/23	WINE COMPANY			
E 609-00000-253		Wine Purchase	\$634.00	226346	
		Total	\$634.00		
49977	02/16/23	WINE MERCHANTS			
E 609-00000-253		Wine Purchase	\$2,145.81	7413150	
		Total	\$2,145.81		
		10100 4M FUND	\$149,266.36		

Fund Summary

10100 4M FUND	
101 GENERAL FUND	\$35,901.28
220 LOVELL BUILDING	\$150.00
423 2023 STREET IMPROVEMENTS	\$6,835.45
609 MUNICIPAL LIQUOR FUND	\$82,402.96
651 STORM WATER FUND	\$891.98
730 WATER FUND	\$9,815.13
770 SEWER FUND	\$13,269.56
	\$149,266.36

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Batch: JAN 2023 AUTO,JAN2023 CCPMT

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 4M FUND					
3230 e	01/17/23	A-1 VACUUM CLEANER CO			
G 609-20200		Accounts Payable	\$696.86	10542738	VACUUM - MLS
		Total	\$696.86		
3231 e	01/17/23	AFLAC			
G 101-20200		Accounts Payable	\$208.74	126955	DEC 2022 PREMIUM
G 101-21725		Supplemental Insurance	\$208.74	521742	JAN 2023 PREMIUM
		Total	\$417.48		
3232 e	01/17/23	FIDELITY SECURITY LIFE			
E 101-41500-160		Health/Dental Insurance	\$30.06	2939738	JAN 2023 PREMIUM
E 101-43100-160		Health/Dental Insurance	\$11.60	2939738	JAN 2023 PREMIUM
E 101-45200-160		Health/Dental Insurance	\$7.74	2939738	JAN 2023 PREMIUM
E 609-00000-160		Health/Dental Insurance	\$26.70	2939738	JAN 2023 PREMIUM
		Total	\$76.10		
3233 e	01/17/23	CENTER POINT ENERGY			
G 101-20200		Accounts Payable	\$1,381.41		DEC 2022 UTILITIES
G 651-20200		Accounts Payable	\$39.78		DEC 2022 UTILITIES
G 730-20200		Accounts Payable	\$268.51		DEC 2022 UTILITIES
G 770-20200		Accounts Payable	\$354.43		DEC 2022 UTILITIES
G 609-20200		Accounts Payable	\$743.11		DEC 2022 UTILITIES
		Total	\$2,787.24		
3234 e	01/17/23	CONNEXUS ENERGY			
G 101-20200		Accounts Payable	\$338.04		NOV 2022 UTILITIES
G 770-20200		Accounts Payable	\$84.65		NOV 2022 UTILITIES
		Total	\$422.69		
3235 e	01/17/23	DOLLAR TREE			
G 609-20200		Accounts Payable	\$2.68		CLEANING SUPPLIES
		Total	\$2.68		
3236 e	01/17/23	FLEET FARM			
G 101-20200		Accounts Payable	\$19.59	6315	OPERATING SUPPLIES - PW
		Total	\$19.59		
3237 e	01/17/23	CAPITAL ONE TRADE CREDIT			
G 609-20200		Accounts Payable	\$7.49	G83933/G	OPERATING SUPPLIES - MLS
G 609-20200		Accounts Payable	\$5.35	G86271/G	OPERATING SUPPLIES - MLS
		Total	\$12.84		
3238 e	01/17/23	HEALTHPARTNERS			
E 609-00000-160		Health/Dental Insurance	\$1,209.42	41396421714	JAN 2023 PREMIUM
E 101-43100-160		Health/Dental Insurance	\$679.69	41396421714	JAN 2023 PREMIUM
E 101-45200-160		Health/Dental Insurance	\$453.13	41396421714	JAN 2023 PREMIUM
E 101-41500-160		Health/Dental Insurance	\$1,469.44	41396421714	JAN 2023 PREMIUM
E 609-00000-160		Health/Dental Insurance	\$2,157.59	41396421714	JAN 2023 PREMIUM
E 101-41500-160		Health/Dental Insurance	\$860.70	41396421714	JAN 2023 PREMIUM
E 101-43100-160		Health/Dental Insurance	\$947.20	41396421714	JAN 2023 PREMIUM
E 101-45200-160		Health/Dental Insurance	\$631.48	41396421714	JAN 2023 PREMIUM

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Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-41500-160		Health/Dental Insurance	\$1,158.22	41396421714	JAN 2023 PREMIUM
E 609-00000-160		Health/Dental Insurance	\$1,209.42	41396421714	JAN 2023 PREMIUM
E 101-41500-160		Health/Dental Insurance	\$899.00	41396421714	JAN 2023 PREMIUM
		Total	\$11,675.29		
3239 e	01/17/23	HSA BANK			
G 101-21726		HSA Additional Withholdin	\$298.30		EMPLOYEE CONTRIBUTIONS
E 101-41500-160		Health/Dental Insurance	\$6.75		HSA SERVICE FEE
		Total	\$305.05		
3240 e	01/17/23	KWIK TRIP			
G 101-20200		Accounts Payable	\$874.66		DEC 2022 FUEL
G 651-20200		Accounts Payable	\$43.09		DEC 2022 FUEL
G 730-20200		Accounts Payable	\$86.17		DEC 2022 FUEL
G 770-20200		Accounts Payable	\$86.17		DEC 2022 FUEL
		Total	\$1,090.09		
3241 e	01/17/23	LINCOLN NATIONAL LIFE			
E 101-41500-134		ST/LT Disability Insurance	\$380.68	4491406621	JAN 2023 PREMIUM
E 101-43100-134		ST/LT Disability Insurance	\$113.24	4491406621	JAN 2023 PREMIUM
E 101-45200-134		ST/LT Disability Insurance	\$75.48	4491406621	JAN 2023 PREMIUM
E 609-00000-134		ST/LT Disability Insurance	\$238.15	4491406621	JAN 2023 PREMIUM
		Total	\$807.55		
3242 e	01/17/23	MN DNR ECO-WATERS			
G 730-21000		Due to Other Govts	\$566.28		2022 WATER PERMIT
		Total	\$566.28		
3243 e	01/17/23	MN SECRETARY OF STATE			
G 101-20200		Accounts Payable	\$120.00		NOTARY RENEWAL
		Total	\$120.00		
3244 e	01/17/23	PUBLIC EMPLOYEES RETIREMENT			
G 101-21704		PERA	\$2,093.31		01/04/2023 PAYROLL
G 101-21717		PERA	\$2,415.35		01/04/2023 PAYROLL
G 101-21704		PERA	\$2,023.05		01/18/2023 PAYROLL
G 101-21717		PERA	\$2,334.28		01/18/2023 PAYROLL
		Total	\$8,865.99		
3245 e	01/17/23	PITNEY BOWES GLOBAL FINANCIAL			
E 101-43500-322		Postage	\$125.00		REPLENISH POSTAGE
E 101-41500-322		Postage	\$70.00		REPLENISH POSTAGE
E 101-42260-322		Postage	\$15.00		REPLENISH POSTAGE
E 609-00000-322		Postage	\$75.00		REPLENISH POSTAGE
E 651-00000-322		Postage	\$15.00		REPLENISH POSTAGE
E 730-00000-322		Postage	\$100.00		REPLENISH POSTAGE
E 770-00000-322		Postage	\$100.00		REPLENISH POSTAGE
E 101-43500-322		Postage	\$125.00		REPLENISH POSTAGE
E 101-41500-322		Postage	\$70.00		REPLENISH POSTAGE
E 101-42260-322		Postage	\$15.00		REPLENISH POSTAGE
E 609-00000-322		Postage	\$75.00		REPLENISH POSTAGE
E 651-00000-322		Postage	\$15.00		REPLENISH POSTAGE

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Batch: JAN 2023 AUTO,JAN2023 CCPMT

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 730-00000-322		Postage	\$100.00		REPLENISH POSTAGE
E 770-00000-322		Postage	\$100.00		REPLENISH POSTAGE
		Total	\$1,000.00		
3246 e	01/17/23	TASC			
E 101-41500-430		Miscellaneous	\$173.88	IN2649361	2023 ADMIN FEE
		Total	\$173.88		
3247 e	01/17/23	US BANK - VISA			
E 101-41500-440		Bank Charges	\$55.00		ANNUAL FEE
		Total	\$55.00		
3248 e	01/17/23	US POSTAL SERVICE			
G 101-20200		Accounts Payable	\$15.70		BAD CHECK NOTICES
		Total	\$15.70		
3249 e	01/17/23	XCEL ENERGY			
G 101-20200		Accounts Payable	\$1,607.13	808593099	NOV 2022 UTILITIES
G 609-20200		Accounts Payable	\$1,483.65	808593099	NOV 2022 UTILITIES
G 651-20200		Accounts Payable	\$25.49	808593099	NOV 2022 UTILITIES
G 730-20200		Accounts Payable	\$430.06	808593099	NOV 2022 UTILITIES
G 770-20200		Accounts Payable	\$409.67	808593099	NOV 2022 UTILITIES
G 770-20200		Accounts Payable	\$192.37	810929167	DEC 2022 UTILITIES
		Total	\$4,148.37		
3250 e	01/17/23	ZOOM VIDEO COMMUNICATIONS			
G 101-20200		Accounts Payable	\$29.98	INV17694355	DEC 2022 SERVICES
		Total	\$29.98		
		10100 4M FUND	\$33,288.66		

Fund Summary

10100 4M FUND

101 GENERAL FUND	\$22,341.57
609 MUNICIPAL LIQUOR FUND	\$7,930.42
651 STORM WATER FUND	\$138.36
730 WATER FUND	\$1,551.02
770 SEWER FUND	\$1,327.29
	\$33,288.66

Report Criteria:

Report type: Summary

Check Number	Check Issue Date	Payee	Amount
14628	01/26/2023	ANOKA CO CHIEFS OF POLICE ASSN	362.00
14629	01/26/2023	ANOKA CO TREASURY OFFICE	6.18
14630	01/26/2023	Anthony Tonda	104.01
14631	01/26/2023	ASPEN MILLS, INC	1,171.65
14632	01/26/2023	GEORGE'S INC	257.00
14633	01/26/2023	MN CHIEFS OF POLICE ASSOC	434.00
14634	01/26/2023	OCCUPATIONAL HEALTH CENTERS	417.00
Grand Totals:			2,751.84

Report Criteria:

Report type: Summary

Check Number	Check Issue Date	Payee	Amount
14635	02/02/2023	E C S I, LLC	360.00
14636	02/02/2023	Marie Ridgeway LICSW, LLC	600.00
14637	02/02/2023	OTTER LAKE ANIMAL CARE	145.00
14638	02/02/2023	SHRED-N-GO, INC	79.08
14639	02/02/2023	Sirchie Acquisition Company LLC	504.84
14640	02/02/2023	VERIZON WIRELESS	1,099.10
2023009	02/02/2023	U S BANK	438.18
Grand Totals:			3,226.20

Report Criteria:

Report type: Summary

Check Number	Check Issue Date	Payee	Amount
14644	02/09/2023	ASPEN MILLS, INC	657.16
14645	02/09/2023	CENTENNIAL UTILITIES	1,705.53
14646	02/09/2023	CENTURY LINK	124.26
14647	02/09/2023	COVERALL NORTH AMERICA, INC	820.00
14648	02/09/2023	Faul Psychological PLLC	650.00
14649	02/09/2023	GEORGE'S INC	405.00
14650	02/09/2023	Language Line Services	5.15
14651	02/09/2023	Metro-INET	7,157.00
14652	02/09/2023	QUILL LLC	244.60
14653	02/09/2023	Sirchie Acquisition Company LLC	93.08
14654	02/09/2023	TRANSUNION RISK & ALTERNATIVE	75.00
2023010	02/09/2023	WEX BANK	3,240.70
Grand Totals:			15,177.48

CITY OF LEXINGTON

*Cash Balances

Current Period January 2023

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Fund	2023 Begin Balance	Receipts	Disbursements	Rec/Disb	Transfers		JE Payroll	Balance
					Journal Entries			
10100 4M FUND								
101 GENERAL FUND	\$1,411,520.49	\$24,038.57	\$207,904.34	\$0.00	\$196,651.32		(\$11,919.77)	\$1,412,386.27 In Bal
220 LOVELL BUILDING	\$580,868.86	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$580,868.86 In Bal
229 ARPA FUND	\$82,077.02	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$82,077.02 In Bal
310 CAPITAL PROJEC	\$599,865.73	\$45,772.50	\$0.00	\$0.00	(\$104,000.00)		\$0.00	\$541,638.23 In Bal
320 TIF #3	\$149,599.22	\$0.00	\$126,088.95	\$0.00	\$0.00		\$0.00	\$23,510.27 In Bal
330 WATER CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
360 05 STREET-EDGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
370 SEWER CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
405 PARK DEDICATIO	\$79,134.45	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$79,134.45 In Bal
417 17 STREET IMPRO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
418 LAKE DRIVE PROJ	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
419 19 JACKSON AVE	\$10,155.40	\$65.67	\$0.00	\$0.00	\$0.00		\$0.00	\$10,221.07 In Bal
421 2021 STREET IMP	\$38,977.85	\$1,484.64	\$0.00	\$0.00	\$0.00		\$0.00	\$40,462.49 In Bal
422 2022 STREET IMP	\$109,636.31	\$2,178.50	\$0.00	\$0.00	\$0.00		\$0.00	\$111,814.81 In Bal
423 2023 STREET IMP	(\$3,025.00)	\$0.00	\$0.00	\$0.00	\$104,000.00		\$0.00	\$100,975.00 In Bal
430 12 HAMLINE AVE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
435 13 STREET IMPRO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
440 15 STREET IMPRO	\$16,500.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$16,500.00 In Bal
445 16 STREET IMPRO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
551 16 NORTH METRO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
585 04 STREET-OAK L	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
591 14 STREET-VARIO	\$148,570.13	\$1,341.45	\$55,824.30	\$0.00	\$0.00		\$0.00	\$94,087.28 In Bal
592 15 STREET-VARIO	\$291,985.55	\$4,191.78	\$94,700.00	\$0.00	\$0.00		\$0.00	\$201,477.33 In Bal
599 POLICE BUILDING	\$25,777.38	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$25,777.38 In Bal
609 MUNICIPAL LIQUO	\$573,389.29	\$385.80	\$109,485.05	\$0.00	\$62,984.35		(\$33,095.66)	\$494,178.73 In Bal
625 FARMERS MARKE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
650 PROPERTY MAINT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00 In Bal
651 STORM WATER F	(\$156,540.24)	\$5,042.53	\$12,777.74	\$0.00	\$0.00		(\$1,641.02)	(\$165,916.47) In Bal
730 WATER FUND	\$351,462.03	\$23,232.80	\$36,200.00	\$0.00	(\$689.00)		(\$7,205.43)	\$330,600.40 In Bal
770 SEWER FUND	\$1,171,050.53	\$32,021.38	\$150,988.52	\$0.00	\$0.00		(\$6,531.71)	\$1,045,551.68 In Bal
	\$5,481,005.00	\$139,755.62	\$793,968.90	\$0.00	\$258,946.67		(\$60,393.59)	\$5,025,344.80

CITY OF LEXINGTON

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*Fund Summary - Budget to Actual©

January 2023

	2023 YTD Budget	January MTD Amount	2023 YTD Amount	2023 YTD Balance	2023 % YTD Budget
FUND 101 GENERAL FUND					
Revenue	\$2,309,980.21	\$226,668.63	\$226,668.63	\$2,083,311.58	9.81%
Expenditure	\$2,309,980.20	\$179,305.00	\$179,305.00	\$2,130,675.20	7.76%
		\$47,363.63	\$47,363.63		
FUND 220 LOVELL BUILDING					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
FUND 229 ARPA FUND					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Expenditure	\$149,503.49	\$67,423.47	\$67,423.47	\$82,080.02	45.10%
		-\$67,423.47	-\$67,423.47		
FUND 310 CAPITAL PROJECTS					
Revenue	\$337,000.00	\$0.00	\$0.00	\$337,000.00	0.00%
Expenditure	\$318,000.00	\$104,000.00	\$104,000.00	\$214,000.00	32.70%
		-\$104,000.00	-\$104,000.00		
FUND 320 TIF #3					
Revenue	\$176,381.00	\$0.00	\$0.00	\$176,381.00	0.00%
Expenditure	\$255,535.64	\$125,763.95	\$125,763.95	\$129,771.69	49.22%
		-\$125,763.95	-\$125,763.95		
FUND 405 PARK DEDICATION FEE FUND					
Revenue	\$27,000.00	\$0.00	\$0.00	\$27,000.00	0.00%
Expenditure	\$27,000.00	\$0.00	\$0.00	\$27,000.00	0.00%
		\$0.00	\$0.00		
FUND 419 19 JACKSON AVE					
Revenue	\$2,056.14	\$0.00	\$0.00	\$2,056.14	0.00%
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
FUND 421 2021 STREET IMPROVEMENTS					
Revenue	\$6,915.15	\$1,318.30	\$1,318.30	\$5,596.85	19.06%
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$1,318.30	\$1,318.30		
FUND 422 2022 STREET IMPROVEMENTS					
Revenue	\$5,100.00	\$2,178.50	\$2,178.50	\$2,921.50	42.72%
Expenditure	\$5,000.00	\$0.00	\$0.00	\$5,000.00	0.00%
		\$2,178.50	\$2,178.50		
FUND 423 2023 STREET IMPROVEMENTS					
Revenue	\$104,000.00	\$104,000.00	\$104,000.00	\$0.00	100.00%
Expenditure	\$104,000.00	\$0.00	\$0.00	\$104,000.00	0.00%
		\$104,000.00	\$104,000.00		

CITY OF LEXINGTON

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***Fund Summary -
Budget to Actual©**

January 2023

	2023 YTD Budget	January MTD Amount	2023 YTD Amount	2023 YTD Balance	2023 % YTD Budget
FUND 551 16 NORTH METRO GO					
Revenue	\$4,106.72	\$0.00	\$0.00	\$4,106.72	0.00%
Expenditure	\$4,106.72	\$0.00	\$0.00	\$4,106.72	0.00%
		\$0.00	\$0.00		
FUND 591 14 STREET-VARIOUS					
Revenue	\$73,820.74	\$0.00	\$0.00	\$73,820.74	0.00%
Expenditure	\$61,514.95	\$55,824.30	\$55,824.30	\$5,690.65	90.75%
		-\$55,824.30	-\$55,824.30		
FUND 592 15 STREET-VARIOUS					
Revenue	\$104,377.34	\$2,792.25	\$2,792.25	\$101,585.09	2.68%
Expenditure	\$108,675.00	\$94,700.00	\$94,700.00	\$13,975.00	87.14%
		-\$91,907.75	-\$91,907.75		
FUND 609 MUNICIPAL LIQUOR FUND					
Revenue	\$3,898,900.00	\$241,686.35	\$241,686.35	\$3,657,213.65	6.20%
Expenditure	\$3,829,794.24	\$301,671.80	\$301,671.80	\$3,528,122.44	7.88%
		-\$59,985.45	-\$59,985.45		
FUND 651 STORM WATER FUND					
Revenue	\$74,207.56	\$0.00	\$0.00	\$74,207.56	0.00%
Expenditure	\$96,348.13	\$13,973.95	\$13,973.95	\$82,374.18	14.50%
		-\$13,973.95	-\$13,973.95		
FUND 730 WATER FUND					
Revenue	\$245,025.00	\$0.00	\$0.00	\$245,025.00	0.00%
Expenditure	\$271,721.60	\$40,687.38	\$40,687.38	\$231,034.22	14.97%
		-\$40,687.38	-\$40,687.38		
FUND 770 SEWER FUND					
Revenue	\$291,000.00	\$2,916.94	\$2,916.94	\$288,083.06	1.00%
Expenditure	\$504,093.47	\$155,025.92	\$155,025.92	\$349,067.55	30.75%
		-\$152,108.98	-\$152,108.98		
Report Total		-\$556,814.80	-\$556,814.80		

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

RESOLUTION NO. 23-07

Resolution Ordering Improvement and Preparation of Plans

WHEREAS, a resolution of the city council adopted the 19th day of January, 2023, fixed a date for a council hearing on Improvement called 2023 Street Improvements, the proposed improvement of the following streets:

Dunlap Avenue between Restwood Road and Flowerfield Road;

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the 16th day of February 2023, at which all persons desiring to be heard were given an opportunity to be heard thereon,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEXINGTON, MINNESOTA:

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted 16th day of February 2023
3. MSA Professional Services, Inc. is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
4. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax-exempt bonds.

Adopted by the council this 16th day of February 2023.

Gary Grote, Mayor

Bill Petracek, City Administrator

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

ORDINANCE NO. 23-02

AN ORDINANCE REGARDING NATIVE LANDSCAPE

WHEREAS, the first reading of this Ordinance occurred on February 2, 2023.

WHEREAS, the second reading of this Ordinance occurred on February 16, 2023.

THE CITY COUNCIL OF LEXINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Subdivision 1. Chapter 7 of the Lexington Code of Ordinances shall reflect the following changes.

Section 7.01 Definitions

MEADOW VEGETATION: Grasses and flowering broadleaf plants that are native to, or adapted to, the state of Minnesota, and that are commonly found in meadow and prairie plant communities, except weeds.

NOXIOUS WEEDS: Those plants so categorized by the state of Minnesota under Minnesota statutes 18.75 - 18.91 and listed on the "noxious weeds list" published by the Minnesota department of agriculture.

REGULARLY CUT: Mowing or otherwise cutting weeds or grass so that it does not exceed six inches (6") in length.

TURF GRASSES: Grasses commonly used in regularly cut lawn areas, such as bluegrass, fescue and rye grass blends, and nonwoody vegetation interspersed with them.

WEEDS: Shall be construed to mean and include all noxious weeds as defined by the statutes of the state of Minnesota to include, but not be limited to: buffalo bur, burdock, common cocklebur, crabgrass, dandelions, jimsonweed, quack grass, common and giant ragweed, field sandbur, velvetleaf, and wild sunflower, and all such useless and troublesome plants as are commonly known as weeds to the general public. Weeds also include anything that is horticulturally out of place. For example, a tree seedling is a weed in a vegetable garden.

SECTION 7.10. REGULATION OF GRASS, WEEDS, AND TREES.

Subdivision 3. Duty of Property Owners to Cut Grass and Weeds and Maintain Trees and Shrubs. Every owner of property abutting on any street shall cause the grass and weeds to be cut from the line of such property nearest to such street to the center of such street. If the grass or weeds in such a place attain a height in excess of six inches it shall be prima facie evidence of a failure to comply with this Section. Every owner of property abutting on any street shall, subject to the provision herein requiring a permit therefore, trim, cut and otherwise maintain all trees and shrubs from the line of such property nearest to such street to the center of such street.

Subdivision 4. Weeds and grass. (A) All weeds or growing grass upon any lot, parcel of land, or adjacent right-of-way area in the city to a height greater than six inches, or which have gone or are about to go to seed, are hereby declared to be a nuisance and a detriment to the good order of the city with the following exceptions:

1. Meadow vegetation shown on an approved landscape plan as defined herein;
2. Natural wooded areas;
3. Wetlands, ponds or rain gardens; and
4. Areas where mowing is prohibited by easement or law.

(B) Landscape Plan: A property owner may establish that a plant or plants are not horticulturally out of place by providing a written landscape plan for the area in question, complete with a listing and locations of plant species. The plants specifically defined as noxious weeds may not be included within the landscape plan. Vegetation that does not comply with this plan are weeds.

An area may be established pursuant to a landscape plan if:

1. The prior vegetation is eliminated and the meadow vegetation is planted through transplanting or seed by human or mechanical means;
2. The area is cut at least once per year to a length of no more than six inches (6"), if weeds cover more than twenty five percent (25%) of the area;
3. The area is clearly defined by edging, fence, or similar material;
4. The area is set back not less than twenty feet from the front lot line. For the purposes of this ordinance, corner lots shall be deemed to have two front yards;

5. The area is set back not less than five feet from the side and/or rear lot lines to provide a transition zone. No set back is required on the side or rear lot lines if:
 - a. there is a fully opaque fence at least five feet in height installed between the native plants and the side or rear lot lines; or
 - b. the native plants abut a neighboring Native Plant Landscape Area.
6. A sign is posted on the property in a location likely to be seen by the public, advising that a meadow or prairie is being established. This sign is required only if the meadow vegetation is in an area likely to be seen by the public. This sign must be in addition to any sign permitted by the Sign Ordinance but must be no smaller than ten inches (10") square, no larger than one square foot, and no higher than three feet (3') tall.

Subdivision 5. Zoning Permit: An approved landscape plan shall be incorporated into an biannual zoning permit. The City Administrator or his designee shall examine proposed landscape plans and issue a zoning permit when the elements of a plan meet the criteria set forth in this section. The zoning permit shall be subject to suspension or revocation if any vegetation grown on the lot, parcel of land, or adjacent right-of-way area does not conform to the approved landscape plan or otherwise violates law or regulation.

Subdivision 6. City May Order Work Done. The City may, in cases of failure to comply with this Section, perform such work with employees of the City, keeping an accurate account of the cost thereof for each lot, piece or parcel of land abutting upon such street.

Subdivision 7. Assessment. If such maintenance work is performed by the City as set forth in the foregoing Subdivision, the Clerk shall forthwith upon completion thereof ascertain the cost attributable to each lot, piece or parcel of abutting land. The Clerk shall, at the next regular meeting thereof, present such certificate to the Council and obtain its approval thereof. When such certificate has been approved it shall be extended as to the cost therein stated as a special assessment against such abutting land and such special assessment shall, at the time of certifying taxes to the County Auditor, be certified for collection as other special assessments are certified and collected.

Subdivision 2. Chapter 10 of the Lexington Code of Ordinances shall reflect the following changes.

SECTION 10.33. MAINTENANCE OF PRIVATE PROPERTY.

Subd. 1. Owner Responsibilities. It is the primary responsibility of any owner or occupant of any lot or parcel of land to maintain any weeds or grass

growing thereon at a height of not more than six (6) inches; to remove all public health or safety hazards there from; to install or repair water service lines thereon; and to treat or remove insect-infested or diseased trees thereon. *The maintenance requirements of this paragraph shall be consistent with the requirements contained in Section 7.10 of this Code of Ordinances.*

Subdivision 3. Chapter 15 of the Lexington Code of Ordinances shall reflect the following changes.

SECTION 15.103. GENERAL REQUIREMENTS.

Subd. 1. General Requirements. No person shall occupy as owner, occupant or let another for occupancy any dwelling or rooming unit for the purpose of living therein which does not comply with the following requirements.

N. Maintenance of Grass, Weeds, Trees and Shrubs. Every owner of property abutting on any street shall cause the grass and weeds to be cut from the line of such property nearest to such street to the center of such street. If the grass or weeds in such a place attain a height in excess of six-inches it shall be prima facie evidence of a failure to comply with this Subdivision. Every owner of property abutting on any street shall, subject to the provision herein requiring a permit therefore, trim, cut and otherwise maintain all trees and shrubs from the line of such property nearest to such street to the center of such street. The maintenance requirements of this paragraph shall be consistent with the requirements contained in Section 7.10 of this Code of Ordinances.

Subd. 6. Conditions of Components or Systems of Existing Residential Structures.

O. Yard Cover. Exposed areas surrounding (or within) a principal or accessory structure, including street boulevards which are not devoted to parking, drives, sidewalks, patios or other such uses, must be landscaped with grass, shrubs, trees, or other ornamented landscape material. Such landscaping shall be maintained in good condition and free of noxious weeds. Weeds, including tall grass, may not exceed six inches in height. The maintenance requirements of this paragraph shall be consistent with the requirements contained in Section 7.10 of this Code of Ordinances.

Subdivision 4. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Subdivision 5. Summary Publication.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lexington, due to the lengthy nature of this Ordinance does direct 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 23-02, and hereby approves the following summary text for publication:

“SUMMARY PUBLICATION OF ORDINANCE 23-02.

AN ORDINANCE REGARDING NATIVE LANDSCAPE, was approved by the Lexington City Council on February 16, 2023. This Ordinance revised property management requirements allowing for native vegetation.

NOTICE: the full text of Ordinance 23-02 and its attachments are available for public inspection at Lexington City Hall located at 9180 Lexington Avenue, Lexington, MN 55014, during regular office hours.”

PASSED by the City Council of the City of Lexington this 16th day of February, 2023.

Gary Grote, Mayor

ATTEST:

Bill Petracek, City Administrator

Published in the Quad Press on _____ ##, 2023