**Minutes of the Regular Meeting-7:30 Tuesday January 9, 2018**

**Mendota VFW 1323 Sibley Memorial Hwy, Mendota Minnesota**

1. Call to order: Mayor Mielke called the meeting to order at 7:30 p.m.

2. Pledge of Allegiance

3. Present: Mayor, Brian Mielke, Council members Steve Golias, Melody Rasmussen, Joan Perron and Kathy Krotter. City Attorney, Tom Lehman, Building Official, Mike Andrejka, City Clerk Kathy Krotter and Police Chief Kelly McCarthy.

4. Agenda: Motion to add Lucas Jones as 5B and Dan Burns and Jeff Olson as 6B. Approve the agenda by Council Member Golias, Seconded by Council Member Perron. Motion passed 5-0

5. Approval of December 12, 2017 City Council Meeting Minutes: #4 change to Senator Matt Klein and Representative Rick Hansen. #7 line 4 Jay has a problem with Ray and the storm pipe. Don’t use first names. Typo business’s page 4. Right of way. (ROW), page 4. Minutes to be approved Council Member Golias, seconded by Council Member Rasmussen. Motion passed 5-0.

6. Treasurer’s Report: Motion to approve the payment of the bills. Motion to pay the bills by Council Member Golias, Seconded by Council Member Krotter. Motion passed 5-0.

7. Lucas Jones from MSA: Tom Lehmann stated that Lucas from MSA would update everyone on the Miller development. (Engineering update) Lucas stated that they have been reviewing the stormwater management plan from the developer and the requirements that need to be met. They have met the requirements at this time and presented a model and plans that were looked over and approved. So now they are waiting for the final plans. Tom explained that RJ Daughters has been asked to sign a development agreement about the stormwater management and asked Lucas if he thought they have met all the requirements. The three things the city was concerned about was the stormwater management, tree plan and the integrity of Windy Ridge as a result of the initial hook up to water and sewer that ran down the middle of Windy Ridge. The requirement was that if we had a stormwater management plan that addressed the concerns that we all had relative to the conversations with the neighbors and our engineer we could authorize Mike to issue building permit for construction on lot two. After receiving the verbal and information from our engineers we have approved the building permit for the foundation and that was done on Saturday and Sunday. (January 6 and 7th) Just so the developer knows, we have a noise ordinance. From Tom and Lucas we are on track to continue and then to meet with the neighbors and the city for the tree plan to be implemented in the spring or over the construction. In the spring, Tom will make sure the construction of the stormwater management plan, is in place and monitor the road to see how that holds up. We will not issue certificates of occupancy for the homes until the storm water management and tree plan is done. Mike has talked to Lucas about having him review the survey and Lucas has said that it has been done and will share it with Mike. Mike wanted to know who would be in charge of the inspections and who would make sure that the development agreement has been fulfilled. Tom Lehmann said that himself and Lucas will monitor it along with the neighbors and the council. If Lucas gives Mike the okay on the surveys, Mike can issues the permits. Tom is more than happy to make it his responsibility to make sure things go smoothly. Mike will have a checklist for each home to make sure that everything gets done. There is too much information for everyone to remember so the list will help everyone. Tom asked if anyone else had anything and Mr. Justin Jenkins from Winthrop and Weinstine, was present and had a few things to say. Mr. Jenkins said that he is representing Jay Duckson. There are three points from Mr. Duckson that he would like to express. First, Mr. Duckson does not oppose the development of this area, he wants to ensure that the best interest of the city, the property owners and the developer are looked after appropriately in the process of this development. There is some history here so that is why there are some concerns. Our goal is to ensure that the three things that you were talking about are handled and to ensure that there is a plan in place. That there is a process that is defined so that the city and engineer are adhered to the plan. Plans need to be in place before the project goes forward. The best interests of the city and property owners need to know that these are in place. Our firm has seen where the development has had financial problems and in this case how is this city going to pay for the rest of this development. We think that the developer needs to have the responsibility for this and that means the developer puts up a letter of credit and it can be phased, as it is developed parts of it can go away or have an escrow fund to protect the city and the property owners here. We want to make sure there is transparency in the process. Especially for the property owners around the area. Mr. Jenkins states that they could have their own engineer, that my client is willing to pay for, review and comment on the developers plans. To make sure that these concerns that we have are met. So that the best interests of the city and homeowners are taken care of. We do not want to get in the way of the developer. Mr. Duckson has photographs for the council to see on what is going on now and that if it keeps going on can become more expensive for the developer. There are wires across Mr. Duckson’s property, the road and in the trees. There is debris on the property and it is still there. Photos were given to the council and kept. Jason Nickelson, asked if Lucas was hired by the city or Mr. Miller, It is the city. Then he made comments about the patch on the road. It cannot be permanent. As a company that makes asphalt, it cannot be permanent. Mr. Nickelson stated that he has recordings of the first meeting with Mr. Miller and the council stated that would not be a permanent patch. The council assured Mr. Nickelson that if anything fails, Mr. Miller will be responsible for the patch.

8. Building Official-Mike Andrejka. Nothing

9. Mr. Jeff Olson and Mr. Dan Burns. Mr. Olson represents a developer that wants to develop downtown here in Mendota. Tom has met with him and his design people. Tom introduced Mr. Olson to Charlie and Linda since they are major property owners in Mendota. The biggest concern that we have right now is parking. Mr. Olson reached out to Mr. Lehmann and asked what funds are available for parking or if any TIF money was available. (TIF stands for Tax Implement Financing) We do not have any money for parking but Tom has a person in his office Mr. Dan Burns who will explain to us about TIF. Mr. Olson started by thanking everyone for having him at the meeting. Mr. Olson suggested building a parking ramp. The parking ramp would take 4-5 property parcels, be multi-level, and support 275 parking spots. RTH consulting is the name of the developer Mr. Olson represents and he was asked to explore this idea. Mr. Olson then turned it over to Mr. Burns who continued to tell us about TIF 101. He explained how the procedure works and the TIF project that is being proposed. Everyone received a powerpoint print out to read and follow along with Mr. Burns. Mr. Burns explained the whole process and the council asked questions about the procedure. No decision was made at this time, but we will hear more at a later date.

10. Jon Solberg, MN Dot. Mr. Solberg brought along the crew, Brenda, Corey and Sharan. First talked about the guard rail. MNdot is going to replace the guardrail now. Back when it was hit, MNdot was going to replace it and when MNdot removed the trees, it went back to the design crew and it did not meet the standards or the criteria to have it put back in. But after a closer look the guard rail will be replaced. The property owner’s shed is on MNdot’s property and he will be advised that he needs to remove his shed from the property that is phase one. Or another idea would be, that MNdot would sell the property to him at market value. Part of the sale will depend on if MNdot wants to grade the slope. They need to figure out to see if they should sell the property and that depends on ownership. If MNdot owns the fee or the easement. That complicates things. If it’s an easement we need to find the original owner. Ownership goes back to Henry Sibley so finding the original owner could be a problem.

Speed study: Corey and Sharan will talk about the process of the reason for the speed limit change in Mendota through town. The notification process started with an email back in 2015. The Mendota Heights police chief, city clerk and Lucas were notified that there was going to be a process to start with the speed study. We received a notification that the speed limit was going to change and the next week they changed the signs. Corey and Sharan will explain the process and it will be very rare that it will go back to what the speed was. Every state uses the same process and they showed an example of what they did in Hastings, MN. The 85 percentile speed drive at what the road feels like. The only way it changes is if there are more crashes or other incidents that would change that speed. In 2011 the original speed study was done. The 85 percentile speed was at 38 miles per hour. Then last week Sharan did it again and it was the same. The council explained that the windy hill is dangerous. Right now there are springs coming up and there is ice across the road and that makes it dangerous. There is a bike path at the bottom of the hill and people drive so fast that when they get to the bottom it is too late for someone to stop when there is a bike or a person walking. The town is only two blocks long and we have only four street lights so when someone is leaving Lucky’s or Axel’s no one can see the people walking across the street. Chief suggested that even if we took the speed limit signs down people would still drive how they feel. Chief said that we could write a lot of tickets to people to make people slow down. But that ends up spending more time and more money. Tom made the comment that we do not own the street so we don’t have any ability to control what happens to the street. We do not have an unlimited budget since we are a small town. We are just worried that a pedestrian will get hit. The city was wondering if MNdot have a light plan, so we could make it brighter through town. Corey suggested that there is a wide variety of engineering solutions. We could move Second Street where the guard rail is going to be replaced and move the road further towards town and closer to the trail crossing. This would make the trail and street have more lighting so people could see the trail and the street. There is no median, we could add a median and that would slow people down. Marked crosswalks could be put in but we could not just put paint down on the road, that does not make a crosswalk or make people slow down. Since the city does not qualify for any grants, cause we do not fall into any of the categories needed to get a grant. We as a city are wondering, what can MNdot do to help us. We could work through this with MNdot and come up with a plan to help Mendota out. Visual cues help with slowing down people and parking along Highway 13. We can get knock down signs for $400 a piece and with this the city would need a permit to install. They have to be taken down in the fall for snow plowing and put back up in the spring. Our road is very wide, that causes problems too. We need to sit down and think about what the city wants and what are some ideas that we can do, and this could take 6 to 7 months. We will determine short, medium and long term goals. The police chief could enforce the intersection where people park. But that could end up having the city receiving more calls for the ticketing and maybe even the business’s. Safety is our main concern. We do not want anyone getting killed. Speed causes a lot of emotions and concerns, but we as a city can work this out. Last but not least the Mayor asked about a flashing yellow for the turn lane to go left into Mendota. Back when the road was changed we were promised every convenience that we could have what we wanted to keep businesses in Mendota. Right now sometimes you sit through two rounds of lights changing just to turn left. MNdot will see what they can do. Thanks. Finally, when the road is changed from Hwy 110 to Hwy 62 for one year the signs will say old Hwy 110 /Hwy 62. Transportation issues can be e-mailed to Brian Mielke and the city clerk.

11. K J Starr K J Starr has left but stated to Tom that she has a purchase agreement with Boldwingers that live above the bluff, but in order to purchase the property they will need to get a PID for a platted lot and Tom feels this will not be a problem and this will solve a lot of problems that the city has had with this property in the past. Make a motion to approve this resolution, motioned by council member Krotter and seconded by Council member Rasmussen. Passed by 3 abstained by 2. Motion passed.

12. Public comments: 9:42 pm. Carl made a comment that his house is a mess from the storm water, more than it has ever been. Sixty years he has lived in his house and it has never been this bad. There is water in the basement, the walls are cracked and now there is ice. He has no water now and is hooked up to his neighbors water. Lucas made a comment that there is drain tile in there and he says that there should not be this problem. Also commented on the parking ramp and that there is stuff buried there, especially the barrels from 3M. It needs to be cleaned out. Dan Dahlberg, nothing. Closed public comment 9:47.

13. Council Comments 9:47 pm Council Member Rasmussen, just a bit of trivia Mendota and Dakota County was mentioned on the X-Files on September 27, 2017. Council Member Golias nothing. Mayor Mielke mentioned that we should give strong consideration to starting our planning commission back up again. With two new developments, one active and one proposed. Get some local experts from the community that would want to be involved in that. They are extremely valuable and that would be very helpful. There should be one Council member and a certain number of residents. And then that person would update the council. Also exciting mail, if anyone would like to read it. Council Member Perron, there has been no shoveling done in front of Landmark fence or right next door to the VFW by Fun Jumps. Axels by the driveway to Tom and Nancy’s house has not been shoveled or in front of the Post Office. Council Member Krotter, nothing. Council comments closed at 9:52 pm

14. Staff Comments 9:52 pm. Chief had nothing. Tom has an update and drafted an ordinance regarding sexual offenders and sexual predators. Tom said everyone should take a look at it and we can take it up next month. City Clerk Krotter has a Resolution for Comcast. Comcast has a franchise agreement with NDC4 and their franchise has not been finalized with NDC 4. This needs to be done on an annual basis, so we need to grant an extension. Every city that Tom works with has signed the extension. Motion to pass by Council Member Rasmussen seconded by Council member Krotter. Staff comments closed at 9:57 pm.

14. Adjourn: 9:57pm Motion to adjourn the meeting by Council Member Golias, seconded by Council Member Rasmussen. Motioned passed 5-0.