**Minutes of the Regular Meeting-7:30 Tuesday March 13, 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 approve the agenda by Council Member Perron, Seconded by Council Member Rasmussen. Motion passed 5-0

5. Approval of February 13, 2018 City Council Meeting Minutes: Minutes to be approved by Council Member Golias, seconded by Council Member Perron. Number 6 with hold is one word, withhold. Last page under staff comments, says this home is not inhabitable, should say habitable. Joan Olin was the consultant for the property for Jim Toye. Also should be vacation might be coming back not vacate. Council member Golais The new people in Swenson’s house have triplets, two girls and a boy, not three girls. Motion passed 5-0

6. Treasurer’s Report: Motion to approve the payment of the bills, Lance’s bill was a little higher due to the fact that he cleaned out some of the culvers. Council member Perron, Seconded by Council Member Golias. Motion passed 5-0.

7. Building Official-Mike Andrejka. Had no activity in February.

8. Vacation of a portion of Windy Ridge. We have a resolution for the vacation of the alley on Windy Ridge between the homes of Jay Duckson and Mike and Beth Miller. This process is controlled by Minnesota Statue, we published the required public hearing. So we can hear from the applicant, or open a public hearing and then close it and meet with the applicate and then vote on the resolution. We started with hearing from the applicant. Mike DeCourcy, who is a lawyer and Beth Miller’s brother represented the vacation request. Mr. DeCourcy brought photos and maps to show the area in question and why it would make it more functional and make more sense to end the public road at the cul-da-sac and make this private property. There really is not a lot of room for cars to turn around and especially trucks that come down the road. The Millers are concerned about the safety of their children playing in the back yard and with cars that are not familiar with the area and coming down the road. There is a utility pole beyond the end of the street currently and they would provide any easement and access to the pole for the city and would have no problem with the snow plowing. If the petition is granted the snow plows could T down Windy Ridge and turn up and they push the snow currently onto the corner and there is a big tree on the corner on the right and they keep going up to the cul-de-sac to turn around and exit and now they cannot turn around so they back up. Then Mr. DeCourcy said he would answer any questions. The Mayor asked “If this was granted what would the un-knowing public do differently than that they don’t do right now. Would you be putting up signs that say private drive? What changes for the un-knowing public?” Beth Miller said that they would put up private drive signs and then park down in the driveway to let people know. The driveway is long and Beth Miller even has a hard time backing down it, so she turns around. Back in November Beth Miller put a sign up that she purchased from Amazon, but it was soon knocked down and a truck came down the driveway and the driveway was damaged from the truck. They would like to put up permanent signs down by the tree or even further down that would stop people from coming down the road. Half goes to Mr. Duckson and the other half goes to the Millers. What if there is a dispute between the two of you. It would be awkward and now you are sharing a road. The Miller’s and Mr. Duckson are contemplating a reciprocal license agreement for shared use of the driveway. So the Millers would be responsible for any repairs and then easement to the utilities on the driveway that belong to the city. It was stated that the snow plow would not have to plow the driveway then if it was not a public street anymore, but council member Perron stated that the snow plower cannot plow and push the snow over the bank, it needs a place to go. If the snow is pushed over the bank then Mr. Duckson would have a problem with that. The Millers are willing to give the snow plower access to put the snow in the same place so there is not a problem. Council member Golias commented about the sign and stated how he has a gate and a sign, yet people still come up his long driveway. The only way that you might be able to stop them is if you install a gate that would stop them from entering. He has almost been run over from people coming up his driveway when he has tried to stop them. He has the same concern, he has grandkids now that play up there and is worried about people driving up there. Also Council Member Golias cannot remember a time when the city has vacated a road with public utilities on it and there is more than just the telephone pole there with electrical, there is our sewage system and an interconnect for our water line. And if we go in there to hook up our water to interconnect with the rest of the system or to the sewer system, what kind of performance standards are there going to be and what kind of restrictions are there going to be for restoration of the private property now. Council Member Golias thinks that the city could grant you permission to put in a gate that the Millers and Jay Duckson would have access to, along with the snow plow vender to plow the snow. But he also stated that he has not talked to Mr. Lehman to see if it is even legal to do something like that. But then it would stop people from coming down the road, but the city would still have access to the cable, electricity, water connect and the sewer system. Mayor asked any questions, so then we opened up the public hearing. Council member Golias made a motion to open public comment at 7:49 pm Carl said that he does not see why we would close any streets down here in Mendota. We are a small community and there should be no reason to vacate anything. Then it will be up to the city to take care of anything when the street is dug up or anything. Ray Miller commented that he gets both sides that are asking and he does not know why it’s any less important than the vacations that have already happened. Mr. Ray Millers knows of two that have happened on his properties. Seems like a reasonable item for them and you’re worried about not having utilities or not being able to have access to the utilities, the development has to have access to the utilities and they are sitting right there in the middle of the development and there are utility grievances that are out there to make sure you have access and can do the work. Council member Perron stated that the other ones that we vacated were alleys and they weren’t even roads they were nice grass areas and people were not using them as roads. Carl asked when they were vacated and council member Perron stated that they were evacuated during Windy Ridge one. Mr. Miller sees a lot of cars go back there and turn around. Council member Perron and Golias both stated that they live on dead end streets too and they see it too. No matter what happens, making the road private will not stop people from coming down there. If it’s a private road, and if someone buys the property they might not want to allow the city to dig that up and the new owners might want the city to restore it to their specifications. Tom Lehman asked if we were done with the public hearing part, to answer Council member Golias question, it is not uncommon for municipalities to vacate right a ways, streets and to reserve an utility easements, this resolution would reserve this right and the home owners that live there now obviously would be aware that there was a utilities easement there and it would be recorded against the property. Then if anyone would purchase it in the future they would understand that the City of Mendota has an easement over the property for utility purposes. So our only responsibility would be too obviously notify the home owner that there has been an issue and get into our easement to do any utility work that we have to do. Our requirement would be to put the land in the position it was prior to us digging it up. Obviously what council member Golias raises in regard to landscaping and those kinds of things is a concern. I think what we would draft in the utilities easement would be pretty much the standards, that we would not want landscaping in the easement right away, we would not want concrete for that very purpose if we do have to get into that, it is easier with asphalt. The details would have to be in the drafting of it. There are a few concerns and they were addressed by Mr. DeCourcy, one we would have a survey that would lay out exactly where this fits on the Millers and Mr. Ducksons property. This really is a driveway for both of these two properties and we would want to make sure that there is an agreement in place that it will continue to be a driveway. It is not uncommon for people to have driveway agreements. We need to have this in case either party sells, someone is not happy with this that it will be a driveway. Tom would like to be sure that emergency vehicles, especially Fire are comfortable with us vacating the street. So that they have access to Mr. Ducksons and the Millers, and needs to be in the driveway agreement. All these can be worked out by granting the vacation and working these things out before it gets filed with the city. Tom wants to make sure everyone understands and this is taken from the league of Minnesota Cities handbook about granting vacations = Minnesota Statute establishes that a city council may vacate a street only upon a finding that the vacation is in the interest of the public this means that the public must benefit in some manner from the vacation the public includes persons other than those in the immediate vicinity of the vacation a private benefit derived from the vacation does not bar the vacation so long as the concurrent benefit to the public can be substantiated. The decision to grant or deny a vacation is a legislative in character as a result a review in court will only set aside a vacation if it appears that the evidence is practically conclusive against the city or the council preceded on an erroneous theory of law or that it acted arbitrary and capricious against the best interest of the public. That is your standard and if it was challenged in court if it was proper. Closed public hearing at 7:58PM Mayor Mielke read the resolution 2018-12 for the vacation of a portion of C Street and Windy Ridge Road. Motion to accept or deny the vacation is open. We would have to show proof of why it is denied. We have to have finding either way or the applicants might not be satisfied with what the city decides. The applicants then appeal the cities decision to the district court. Then the court looks at the cities report and the resolution that was prepared. Council member Golias is in favor of all vacation the city has had in the past but this is the first time we have had one with utilities on it. It has nothing to do with the applicants it is a concern about not having access to the utilities. Council member Golias would like to see something in writing. Tom would work with Mr. DeCourcy and put in writing on what the easement would be for. We have sixty days to act on this application and we would be bumping up to that sixty days if we wait until the next council meeting. If the council passes a resolution basically saying that we are aware of the sixty days requirement but we need more information and the applicant can say they will wait till the next council meeting for the city to make their choice then we could go another sixty days. The Millers are willing to wait till next council meeting to have the city decide on the resolution. The Millers will talk to Mr. Duckson and make sure he is okay with the decision. Tom will work with Mr. DeCourcy and get the resolution written out to get all the details. Need to make a motion to table this by Council Member Golias and Seconded by Council Member Rasmussen. Motion passed 5-0

9. Mr Jenkins and Windy Ridge Development Official name is Windy Ridge Estates Second Addition. Mr. Jenkins sent paperwork to everyone in an e-mail, Tom forwarded it on to Mr. Ray Miller and Lukas Jones about the storm water management issues. Mr. Jenkins was here with the engineer, Jim Panko from Crane Engineering. The Mayor stated that Mr. Jenkins should just go through some of the highlights that they want to talk about. Mr. Duckson was not present cause of personal reasons. As you all know, over the past two months we have tried to illustrate to the city council Mr. Ducksons concerns with the plans or lack thereof in parts of Windy Ridge two. And some of the problems that we see as this process has unfolded to date. Tonight we want to hear what the city intends to do about all the issues we have raised. Before Mr. Jenkins gets to the specific questions we would like to have answered, we would like to update some of the things that have happened since we last met. As promised you have received a report from Mr. Duckson, Mr. Jenkins and Mr. Panko. Quick summary, the pipe that was placed on Mr. Ducksons property from the first development was entirely inappropriate and has been and continues to cause damage to Jay’s property. Now we find ourselves talking again about what he shows poor drainage on the second development. Mr. Panko describes the problems as a failed plan. Mr. Panko suggests that there are alternatives to the plan, we think that the developer should develop a plan that does not threaten Windy Ridge place of Mr. Ducksons property like the current one does. Mr. Panko says the plan that we have will require significant maintenance to keep it up over the number of years, and who is going to preform that maintenance? Are we going to impose that on the potential six home buyers that would purchase the homes up there? No home owners association is in place, so what happens? The home owners would not maintain the infiltration system designed for this development. This plan should not go through as it stands but if you let it go through it should not go through without an appropriate maintenance plan. That runs with the land and goes to all current and future property owners. We also observed some problems with the site and how it is maintained the agreement that the city entered into required that it is properly controls erosion and Mr. Panko described that is not being done. We also observed workers parking on Windy Ridge where they shouldn’t be. Mr. Panko described questions about tree replacement, the developer has yet to provide anyone with a tree plan. Looking at the drainage in the area where the new house is going up it’s inconceivable to Mr. Jenkins or Mr. Duckson how this developer can put another house between that house and the current road as well as an infiltration basin which he needs for drainage plan and replace all the trees that have been pulled in this area. And how these trees are going to survive. This brings us back to the process and we do not know who was in charge of this process, we think it is failing. The whole process screams to Mr. Jenkins, there needs to be a planning commission with expertise from people who have done this thing before. The city code speaks of using a planning commission, but one is not even being used. Just yesterday we discovered the latest problem and we talked about it tonight, alley vacation. Last summer the city apparently vacated the alley on the development where the new road has been cut which statue requires public notice be given to all effected property owners. That did not happen apparently. According to an e-mail from Mr. Lehman I received yesterday that was forwarded to me from one of my colleagues the only notice that was given on that alley vacation was to the public. No notice was given to any of the home owners on Windy Ridge and no notice was given to Mr. Duckson. Legally that renders that alley vacation improper. And we are considering bringing legal action to vacate that alley. So why is that public notice important, well it gives the residents a chance to say their peace? Due process requires that and the city should consider all view points before they do that? Like for some property owners, Mr. Duckson and some of the people here don’t want a new road cut into that development from the road from Windy Ridge place. We talked about increased traffic problems that go onto the Millers street and this new development will only increase that problem. There were no opportunities for viewpoints to be heard about other access points for this development. What about D Street and it is also Mr. Jenkins understanding, all be it third hand, that the City of Mendota Heights Fire Marshall has some concerns about the development from a safety perspective. Mr. Jenkins has not talked to him but he thinks the city from the lack of process so far has not been provided with his view point, which Mr. Jenkins thinks we should be, since the City of Mendota Heights Fire department supplies these services to the city of Mendota.

So we continue to believe there are problems with the way this process and this development have gone forward. But there is still time to fix this. The City can hit pause and can make sure that this is all done right. In the last two meetings Mr. Jenkins has stressed that the city needs to have some financial security from this development and the areas that are going to be publicly affected. Yesterday Mr. Jenkins provided the city with more reasons for that with a series of civil litigations records and judgements against Mr. Miller and his former companies. There is always financial risk with any development but far more risk with the history here. So that brings me to the questions, “What is the city going to do? “

We would like to know, the public would like to know, I think it is the City Councils duty to address these things. We would like the city to tell us tonight what it is going to do. How is the city going to confirm, for example that licensed contractors are doing the work on this project. When is the city going to require a tree plan for this development? What’s the city going to do about the inadequate drainage problem? Are we going to make the developer do something that doesn’t negatively affect the Windy Ridge place or other properties like Mr. Duckson? Mr. Jenkins made comments about water pooling on the street on Windy Ridge Drive and it was due to the way that the development has been maintained right now. Then Council Member Krotter commented, there is water on my street too. Council member Golias said also every street that you drive on in the twin cities has water. Mr. Jenkins says he understands and it is because of the way the property has been maintained. Council member Perron said NO, the snow is melting. Is the city going to require a maintenance plan for ultimate drainage and is it going to be used. Is the city going to require some financial security for the publically effected areas? Is the city going to make the developer do this construction the right way? We would like to hear some answers. Mr. Duckson would like to hear some answers. We would like this process to move forward more quickly. Then Mr. Jenkins passed it over to Mr. Panko. Mayor Mielke asked Mr. Panko if this was a specialty of Mr. Panko’s engineering and this type of work or is it more structural. Mr. Panko says he does both and he spent the first ten years of his career as an architect for a small construction firm in Minnesota. Designed sites for churches, school and hospitals. Mayor Mielke asked, do you offer any solutions or are you pointing out our perceived flaws in the current approved plan. Mr. Panko said no to pointing out the flaws but from an alternative drainage standpoint there is some other options to consider that would be more appropriate for the lay of the land. Prior to the new development the drainage for the site had three different drainage points, one going back to D Street, one south and east of Hwy 110 and one that went west of Hwy 110 as well. So those were the three main drainage areas for the existing sites. The new development seems to take all of it and move it towards the west. There is an alternative plan to have the infiltration basin located in the southeast of the property and another one to the south of the property but leave the existing filtration where it is. Mayor Mielke asked Lucas if he had a chance to review Mr. Pankos comments and do you have any thoughts. Lucas stated that he had a day to look at it and the bulk of the drainage does currently go to the west and collects it to the south and west of the driveway that wraps around the property. There are two ditches and both are in MN dot’s right away but MN dot specifically put one in there to keep other flow from happening. So even if a structure was put in there, they would have to fill in that ditch and then bypass which is not unfeasible but certainly have to deal with MN dot to get that approved. MN dot does not want to add any extra flow. Mayor Mielke asked what kind of maintenance if required on these kind of basins, is it something that has to be done every x amount of years. Lucas stated that they do a good job of outlining that and keeping the sediment from entering in. Keep the grass growing around the area so it doesn’t wash out? They should be inspected at least once a year. Every few year’s full blown maintenance, should be done. Mayor Mielke asked if Lucas and his company do that. They do inspections but not maintenance, but there are companies out there to do that. Lucas said that the plan meets requirements and complies. Does not mean that the plan could not be improved. The pipe that is there from the first edition, if it was plugged would eventually cause problems it would help Mr. Ducksons property initially but would disrupt the current flow. The road will be in danger and water would go over the road. Mayor Mielke commented that right now the culvert drains into a specific spot that’s got rip raft or armor that you call a natural ravine that has been there for hundreds of years, that has been deemed an acceptable drain but if we close that the water would race over the road and would wash out the road. Then it would cause problems on Ducksons property and with other trees because the water is not directed to a concentrated armor area. Does Mr. Panko think that plugging the pipe would be okay? Mr. Panko said there could be some storm water management done for better drainage, but just plugging the pipe would cause problems on Mr. Ducksons property. Mr. Panko suggested a new drainage management plan on the existing site to manage the water properly. Mr. Jenkins commented that yes the pipe is a problem but the pipe is also indicative of poor planning from the first phase and our concern is poor planning on the second phase. You guys can roll your eyes at that, but it is true. Mr. Panko believes and can speak for himself but he also agrees that this was poor planning. Mayor Mielke commented that at the time that was the professional advice we were given. Lucas stated that the plats were platted in 1965 and built with one variance for setbacks so they were built for what was available and there was only one house at that time. Since the first development which was already approved at that time with no storm water management requirements at that time I don’t think it applied when they were starting to build in 2001.

Someone asked about what about all the trees that were ripped out of there, when the trees will be replaced. Mayor Mielke asked what trees he was talking about, if it is the trees between the road and the development, most of the trees were tagged to be taken down anyway they were boxelder trees, immature trees and some were dying. If you’re talking about the ones that were of size there were nine of them, and they will be replaced and here is a rough sketch of tree replacement plan up here. Mr. Jenkins stated that development agreement requires that the tree replacement coordinated with the other owners of the Windy Ridge properties. And this has not been done. Mayor Mielke stated it is still winter. Council member Perron stated that Windy Ridge residents had come to the city to have the trees removed last summer. The ones that are still there are Ash and they are still dying now. Mr. Jenkins stated with all due respect ma’am the city entered into a development agreement that required the developer to coordinate a meeting with the property owners and it has not occurred. Mr. Jenkins feels that none of the problems have been resolved with the new development since the beginning. Mayor Mielke asked what obligation the city has to do. Tom said that obviously this seems to be where people have a difference of opinion, if you’re an expert engineer and Tom is not. Tom knows that we had asked for their plan, so that we could coordinate, we got it yesterday and Lucas took time to look at it and the city of Mendota is not his biggest client. I do not see us not trying to coordinate with Mr. Panko, Lucas and Mr. Ray Millers Engineer, now that we have the three reports to try to see if there is some way to resolve this issue. It’s a matter of timing we asked for their report, we got their report yesterday, so we haven’t been delaying this knowing that we were going to get to this point, we got it now we can direct Lucas to work and see if there is a compromise. Tom does not disagree with a maintenance plan for that storm water basin. The basin isn’t appropriate and that was going to be part of the ongoing discussion once the basin was implicated. It is not uncommon to have management plans to maintain it. It is going to have sediment and it is going to have to be maintained. So we have not talked about that. Everyone has the opinion that we are going to have a meeting when it gets to the point when trees are available to get planted, Ray Miller signed an agreement that it is going to work with the residents, and it is winter. Ray understands that he will not get certificates of occupancy for the properties until all this is done. Ray hears the urgency on behalf of the residents and the city for the tree plan that accommodates the proposal that the development agreement says. With the regards to the process, this is the first that Tom has heard of that, I think that Mr. Duckson and his attorney need to hear is that I mailed that notice to Mr. Miller because that is the address Tom had. The city clerk walked around to the residents up on Windy Ridge to give them notice of the public hearing so everyone got notice. (Actually mailed) Whether they decided to show up or not. Everyone got notice as required by the Statue. As for the fire marshal Tom spoke to him today the 13th of March and he is working with Mr. Miller and it not only the fire marshal Jim Lee it is the fire chief Dave Dreland, they all met and are working out something to make sure fire protection can get onto the property. Tom did not get any sense from the fire marshal or Mr. Dreland that they could not come up with some kind of solution. It is an issue that we have to address and Mr. Miller is aware of it so that discussion is ongoing. Lucas do you see a benefit with working with Mr. Panko and to see if we can approve what you already have. We just have to have the best plan. Does it meet the requirements that we as a city need to look at to do what is in the best interest of public for storm water management? Lucas stated as it pertains to this development, yes it appears to meet all the requirements. Does not mean that it is the best plan so there we might be a reason to investigate that further. But in my opinion if it meets everything now it would be up to the developer to change it. And that is why it is important that the developers engineer get involved with the discussion with the other engineers. Lucas stated that our point is to review, not to tell them how to do it. Tom stated that Lucas understands the concerns of the city and can advise the city of what to do. Lucas said as it pertains to erosion control they are permitted through MPCA so it first falls onto the contractor or owner whoever is doing the work and then the city and community is obliged if nothing gets done. Mr. Jenkins brought up the alley vacation again and the e mail stated from Mr. Lehman that only Mr. Miller got a notice. Mr. Lehman stated that is the only one he did. The story keeps changing and that is the problem with the whole process. Mr. Miller spoke, the whole process with developments that Ray has done in his lifetime, sometimes things work out okay sometimes it does not like with Windy Ridge was one of those developments. Ray stated he is not an expert either, I hire people who are experts to be able to do what should be done. It is Rays opinion directly related to the storm water that we went through a process to find out, the engineer I hired, put together a plan that he thought was going to work, it was presented to the cities engineer to see if that was going to work, then it was brought before the council and the council voted on it and approved it. With all that being said, if there is a better plan, I would love to look at it. If there is something that works out better for Mr. Duckson and everyone else around let’s look at it. If there is a way to do that I do not have a problem with that. Ray does not want to see these issues continuing. Certainly Ray has issues to bear himself not intentional but I would like to see this happen and for people to be happy with what is happening here. To the extent it is extremely more money, we will have to talk about that, but right now let’s take a look at your plan and see what we can do, Ray is more than happy to do that, cause he thinks storm water is a big concern. As it relates to the trees, we have not really put together a tree plan we have the concept of it but in Rays opinion we are not ready to do that yet, we don’t have a storm water plan and all of that could change based on what the storm water plan will be. You have Rays word that we are going to meet together and are going to talk about the trees and where you would like to have them and what kind. We know it might be difficult to plant those trees so we need to hire an expert to tell us that whatever we plant is going to be there forever and try to get something that will not get a disease and all those kinds of things. This is in my back yard too and I care about it. And as it relates to financial issues that Ray has had in the past, I cannot do anything except tell you that I wish it never happened. But it did and it was a pretty bad time, 2008 was a rough time and Ray has to live with it right now. Ray says I don’t think that I am a bad guy I feel like I try to do and make good decisions and try to do the best that I can. During that time I got hit pretty badly along with almost every other contractors out there at that time. I don’t think that is indicative of who I am or what’s important to me, I have an investor that has put together the money for this development, it is not my money I borrowed it from a private investor, most of that money has already been spent, but it is all set aside and we can show you that the funds are there. Then the city knows that they are not at risk. We can do this. The fire marshal is on Ray and he just found out about this last week, has talked to his engineer, and he did something that he did not follow up on and this was a mistake. The fire marshal is a state issue not a city issue or county issue. We have to follow up with the state guide lines and we did not do that. So right now I am going back there and try to figure out what we are going to do to comply with those regulations. The other issue was the access. The engineers submitted a plan and the city approved it, and going backward would be unfair to Ray.

10: Bond Document St Paul Academy: We did a conduit bond, for St Paul Academy and we receive a fee for doing this. Claudia Casey from Briggs and Morgan sent bond documents for us to sign. We did it some time ago, but due to a tax law change we have some addition bond documents to sign. It does not change anything, they just have to be signed. Mayor and clerk can sign. Council member Golias made a motion, seconded by Council Member Perron.

11. Public comments: 8:55 pm. Carl stated he had nothing since he opened his mouth too much already during the meeting. Closed public comment at 8:56 pm.

12. Council Comments 8:56 pm Council Member Rasmussen mentioned the e-mail from Ms. Pat Jung. There is another junk car (van white) sitting in the Everyday Living parking lot. It is has garbage behind it and stuff on top of it. Also Ms. Jung’s fence is covered in snow. Mayor Mielke will send an e mail to Carol Watson of Everyday Living and give her 30 days to remove the van. And if not removed we can send a letter to the chief and it will be tagged. Council Member Golias, nothing. Mayor Mielke had mail for review and then mentioned that he would like to have the meeting next month changed to Monday April 9th.

Council agreed and meeting will be changed. Council Member Perron, Nothing. Council Member Krotter, nothing. Council comments closed at 8:59 pm

13. Staff Comments 8:59 pm. Lucas stated that the 2040 Comp Plan is due at the end of the year. His company MSA is willing to do the project for 16 to 22 thousand. Mayor Mielke said that we should go ahead and have MSA due it. Everyone agreed. We need to focus on downtown, since there is so much activity going on. Tom said we could look to the Senator and Representative for extra money to have this done. In July or August we need to publish a public meeting for the MS4 permit and storm water questions. The questionnaire for MS4 will be coming out and either Brian Miller or Lucas Jones will fill it out for us.

Chief stated that there is a reward for the break-ins that have been accruing at Luckys. There have been two instances, three in February and then four more break-ins recently. The thieves are breaking the windows during happy hour which is daylight hours and taking valuables. And increased patrol in the area to try and stop the problem. So any help would be greatly appreciated. Also we have filled the captain’s vacancy and they have new employees.

Tom stated that the cities of Lilydale, Mendota Heights, Sunfish Lake and Mendota are having a clean-up day on May 5th. The city is going to have reduced prices and a list of items will be available that they will take. Highland Sanitation will be in charge of the clean-up day. The Department of Revenue has contacted Tom on the 3% and 10% collected from the gambling facilities. The 3% is for expenses which we do not have anymore, so that will have to be returned to the gambling facility. The 10% can be used for events like the Mendota Picnic.

Kathy had nothing. Mayor Mielke had a letter he forgo to read to everyone. The kids of Mendota have asked for a trampoline in the park. According to the kids the park is boring. We would have to check with our insurance company and the liability. Staff comments closed at 9:16 pm

14. Adjourn: 9:17pm Motion to adjourn the meeting by Council Member Golias, seconded by Council Member Perron. Motioned passed 5-0.