**Minutes of the Regular Meeting-7:30pm Tuesday**

**March 12, 2019**

**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 Joan Perron, Steve Golias, Melody Rasmussen, Clark Donnelly. City Attorney, Tom Loonan, City Clerk Kathy Krotter. Engineer Lucas Jones. Captain Wegener. Absent Building official Mike Andrejka.

4. Agenda: No changes to the agenda, except Mike was absent, on vacation.

5. Approval of February 12, 2019 City Council Meeting Minutes: Motioned by Council member Rasmussen and seconded by Council member Perron to approve the minutes. Motion passed 5-0. Council Member Golias had one correction, page 2 bottom of page, driveway is for two center homes. Mayor Mielke top of 2nd page, Brian not Brain. Passed 5-0

6. Treasurer’s Report: Motion to pay the bills. So moved by Council Member Perron, Seconded by Council Member Donnelly. Motion passed 5-0.

7. Building Official-Mike Andrejka: Mike was on vacation, no report.

8. R J Daughters update: Mr. Loonan had nothing official to report and mentioned that we would talk more in closed session. He did mention that he said there were concerns about pooling of water on the street. Lucas stated that he did take a look at Windy Ridge and there was substantial pooling of water at the end of the Miller’s driveway. Lucas said with all the rain fall and the snow, this contributed to everything backing up. As of Monday though Lucas stated that the water had subsided and that this seems to be a troublesome spot as he had seen from photos from 2007 and last year. It does not seem to be from the new driveway but from Windy Ridges first edition. It seems to be a maintenance item and people should report the water build up to the city. Since the city does not have a maintenance crew the city could keep up with it with the help of residents. Mr. Loonan added something about the last meeting and the CO for one of the homes and the long discussion with the Fire Chief. Mr. Loonan stated that he talked to the Deputy Fire Marshall and the CO can be issued on the second home but no CO’s can be added after that until the road situation is taken care of and the fire trucks would be able to turn around. Mr. Loonan spoke to Mr. Miller’s attorney and told him that no more CO’s would be issued unless the compliance with the State Fire Marshall is done. Council Member Donnelly mentioned that maybe the developer could change the slope of the driveway for the fire trucks. Lucas stated that it is not necessarily the actual slope of the driveway, it’s the change of slope between the driveway and the road. It would probably cost Mr. Miller more money to do that, but it is an option rather than a turn around. Mr. Loonan did look into parking situations of other cities to see what Mendota could do regarding fire lanes. Mendota could have a city ordinance to regulate fire lanes. So then police could issue tickets if people are parked in those lanes and a fine up to $300.00. Lucas also stated that he had a chance to talk to Mr. Miller, Monday, when he was out there and that Mr. Miller had gotten ahold of the MPCA and was trying to set up a meeting for them to come out to the site and make sure he was in compliance. Mike and Beth Miller inquired if number 4 was ready to start building, but the city did not have any confirmation that it was going to start soon. There will not be any more CO’s issued until Mr. Miller is in compliance with the Fire Chief and the maintenance agreement. Mr. Loonan has seen the final home owner’s agreement and Mr. Millers lawyer filed with the county. Beth Miller asked about who would be responsible for the water on the road. Mr. Loonan stated it is not the homeowners association responsibility, it would be the responsibility of the city, since the road is city property.

9. Public Comments: 8:00 pm Carl had nothing. No one else had anything else to say. Close public comment closed at 8:01 pm.

10. Council comments 8:01 PM Council member Rasmussen had nothing. Council member Golias talked about cars parking on the street and there was one parked on E Street that was causing difficulties for snow plowing. Lance called the police but there was a problem with State Statue and our ordinances. We have one ordinance for parking, which is ordinance 409.04 which states: Any police officer may remove a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal or street improvements or maintenance operations. Such vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this ordinance. The Captain commented that their police department policy is in reference to State Statue and allows for towing per statue 168B.035. This references snow emergencies. So we would need a snow emergency declared with some determined amount of snow. For example 2 or more inches. Council member Golias also found ordinance 805.0254 which states: - Except when otherwise posted, marked, or metered, no vehicle shall be parked on the street or alleys in such a manner as to obstruct or interfere with the snow plowing or snow removal. Mr. Loonan stated that the city should really clean these up and have State statues listed. Captain stated that State Statues stand up more in court than city ordinances.

Mayor Mielke stated that he had the mail on the table. Council member Donnelly had nothing. Council Member Perron had nothing.

 Closed Council comments 8:08 pm

 11. Staff Comments: 8:08 pm. Lucas stated that the only additional thing he had was the issue with the backed up water. If the Culvert under the road was plugged the water would not have any place to go. The water would just flow over the road. Mayor Mielke asked about the comp plan and that we have filed an extension and where we are. Lucas said we have not heard from other counties and that is what we are waiting for. We have until the end of May for the comp plan. The Captain stated that they have officially launched their body cams. Body Cameras have their own statutes and they are heavily regulated and are only for private data instead of public data. Monday the police department hired a new community service officer. Cameras are activated by a case number and when the squad lights go on. Mayor Mielke stated that a lot of cars are sitting at the end of D Street and Victoria Curve. The Captain said he could ask them to move. They shouldn’t park on city streets there are plenty of parking spots at the church. Lucas stated that MN Dot will be working on Highways around us for the next 5 years. Mr. Loonan stated that he had talked to Dan and he is still interested in purchasing Tracy’s property. City Clerk Krotter asked about front doors, and if there was an ordinance for what kind of front door you had to have. Mendota Heights is having a shred event April 20th and she wants Mendota to have one at the end of summer. Staff comment closed at 8:31 pm

12. Closed meeting 8:37pm 13.D05 subdivision 3B to discuss threat litigation for R J Daughters. Done 9:10 pm.

13. Adjourn: 9:11 pm Motion to adjourn the meeting by Council Member Donnelly, seconded by Council Member Golias. Motioned passed 5-0