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

**May 14, 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. Building official Mike Andrejka. Jay Duckson, Mary Reynolds, Mike (Beth’s father), Beth Miller, Chris, Lucas, Ray Miller.

4. Agenda: No changes to the agenda.

5. Approval of April 9, 2019 City Council Meeting Minutes: Two minor changes on the Minutes. Motioned by Council member Golias and seconded by Council member Perron to approve the minutes. Motion passed 5-0.

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

7. Building Official-Mike Andrejka: Issued two and did not close any in April. Mike suggested that he would talk about Windy Ridge during the R J Daughters section.

8. MS4 Permit: 7:31 pm open public hearing. Lucas spoke on the clean water act and this started in the 70’s. Our MS4 permit has not been updated since 2004. Closed public hearing 7:33 pm. Every five years updated. No comments were received.

9. Comp Plan 2040: Open public hearing at 7:35 pm Chris spoke on plan and you can check it out on the website. The majority of the chapters have not changed since 2030. The only major changes were the Mississippi critical area and the Minnesota Corridor plan. Also the housing section and met council has a bunch of tools that you need to use even if you use them or not. We need to submit it and then wait for comments to come back to the city. Closed public comment 7:42pm. Council member Donnelly commented that he skimmed through the comp plan and has a few comments. He stated that there is no information on the history in Mendota. Especially no Native American History. Chris will add the history to the comp plan. Council member Golias stated that in the downtown section that the comp plan is not clear on the future mixed use and not mixed use. Council member Golias stated that it was always mixed use. The Resolution has been tabled.

10. R J Daughters update: Mr Miller stated that a lot has been going on in the new development and that Lot number 2 has been sold. Lot number 3 belongs to the Ryan’s and Lot number 4 is asking for a CO. They are almost ready to move in. Mr. Miller was thinking of starting another unit this weekend coming up, but the weather might not cooperate. There are four different people interested in lot number 6. Lot number 1 is where we have the pond. An architect is working on the house for lot 1. Ray got an e mail an hour ago that this is number 2 CO and that the Fire Marshall knows that the hammerhead needs to be finished but they did sign off on the plan and that Mr. Miller knows the asphalt has to be done. Tree plan- the trees are at Bachman’s and waiting to be put in. Mr. Miller needs to get together with the community and property owners and discuss the tree plan. The letters should be sent registered mail by the end of the week, there should be a diagram of where you want to put the trees. Also about the class 5 in the ravine from last fall was discussed. Mr. Miller found someone who has a machine that is like a commercial vacuum and cleans ravines and it is pretty amazing. With the storm water plan Mr. Miller wants to make sure everything stays in place. Right now logs are placed in there that slows the water down and keeps the sediment in place so it does not run down with the storm water. Mr. Duckson commented that he has a video of the last rainfall and it shows where sediment is flowing into the ravine. Mr. Ducskson also stated that more trees were taken down than Mr. Miller spoke of. But Mayor Mielke informed him that those were trees less than 3 inches in diameter. Council member Donnelly made the comment about the fire chief being concerned about the turn around. Lucas and Council member Donnelly explained the solution that Council member Donnelly suggested about making the driveway have a smaller slope so that the fire trucks can drive up and back down. Lucas explained how this was not possible without ruining the storm water development around the site. They wish that we could just snap our fingers and change it. Mr. Miller explained that there is plenty of room for the hammerhead turn around and that each home has a three car garage which leaves plenty of parking for the homes. Lucas stated that he checked over the site and made sure that everything was being done and that seed has been planted, so green grass will be growing soon.

Mike talked about the CO and that the Fire Marshall was adamant about not issuing the CO. Mike talked to the State Fire Chief and he said that the Fire Chief and the Fire Marshall have the right to deny Mike to issue the CO. Mike is concerned because he has nothing in writing or any explanation why he cannot issue the CO. This has never happened before. He wants to issue the CO and put in the CO what the conditions are and needed to be satisfactory for CO to be complete. Mr. Loonan explained that the city has no jurisdiction to the Building inspector issuing a CO. But when it comes to the State Fire Marshall it changes. The issue is when we have a private development with a fire access road there are certain requirements that have to be met. However there are exceptions to those requirements being met, those requirements are not an absolute requirement until there are three occupied houses. That being said there is probably another section to the code. The city has no authority to do it, it is up to Mike to issue the CO. The city can give Mike their recommendation but that is all. Mr. Miller had a conversation with the Fire Chief in March and he said that everything was fine. Right now we cannot finish the asphalt because we are still developing the home. The Fire chief stated that the class 5 was okay until the home was finished. Mr. Miller said he would lay down asphalt if that’s all they need. Mr. Loonan suggested Mr. Miller talk to the Fire chief and find out if this is okay. More discussion was said about heights and setbacks for homes and other developments.

11. Yellow Ribbon program: Ed Iago from West St Paul explained the Yellow Ribbon program and how it effects veterans and families. The cities are interested in putting together a coalition for verterans and their families with West St Paul, Mendota Heights and Lilydale. South St Paul has their own yellow ribbon program. They have assisted veterans with gas cards, groceries, lawn care, carpentry, standard repairs, snow removal, automobile repairs, appliances and code enforcement letters. He would like to invite the City of Mendota into this coalition which requires documentations and paperwork to sign. We have representatives from the State of Minnesota that can assist with the paperwork. They operate strictly on a donation basis. Council member Donnelly asked what percentage goes back to the veterans, answer 100%. Mayor Mielke spoke and asked what the next step would be, Ed said that the city needed to adopt a resolution. And then the state gets their paperwork ready and someone comes out and explains everything to us. The Council picks one person to represent this program. There will be a list of services and people available for help. Like if someone needed a new furnace, the list includes people who can fix the furnace. They come out give the people an estimate then we get in touch with the state and they give the people the money to get the new furnace. Tom Loonan will get the resolution done for the council to sign.

12: CDA Grant. This will be discussed at the next meeting. City clerk Kathy did not have the forms to fill out yet. Mayor Mielke said it would be nice for everyone to discuss and have everyone fill it out.

13. Public Comments: 8:46 pm, Mr. Duckson is absolutely dumbfounded by the band aid approach that the developer has taken on Windy Ridge. There is not an occasion that he has listened to that wishful thinking hoping that obstacles magically disappear. The fire Marshall issue that has been well known for months continues. The buildings are now different from the original format that was discussed with the neighbors and the city. Things continue to change. There doesn’t seem to be any sense of collaboration and specific management oversite beyond the fact that they want to sell these units to whomever and make money and then leave. And the real concern is when he leaves the residents of Mendota and the people of windy ridge are the ones that are going to get left holding the bag. Now we have tried to make these points clear and we are in receipt of these documents that Mr. Duckson’s lawyer has prepared. Mr. Duckson feels that it is his duty as a citizen of Mendota to stand up to developers that are not adding value to all residents but just to their own pocket books. And hopefully there are a lot of lessons to be learned and we are all new at this and new at developers coming in and changing the way we are used to. Change is good, we are in a world of change, but is has to be something that does not diminish what we have. Mike wanted to know if he could issue a new permit for Mr. Miller. Mr. Loonan suggested that Mike talk to the Fire Marshall and make sure it is okay. And that Mr. Miller talk to Mike also. Closed public comment at 8:55 pm.

14. Council comments 8:55 PM Council member Rasmussen had nothing. Council member Golias had nothing Mayor Mielke stated that he had the mail on the table and that the city is restarting the planning commission. Three members and 1 council member. We have Mary, Beth, Clark’s wife and Mike to join our planning commission. Council member Donnelly asked about the cones down by his home. City clerk said that there was damage to the man hole and that Mr. Bebel was going to take care of it, along with the other pot holes in the neighborhood. Council Member Perron talked about the slide. Closed Council comments 8:58 pm

 15. Staff Comments: 8:58 pm. Captain Wegener had nothing, except the water has started to recede. Council Member Donnelly asked about speeding again by his home and asked Lucas about changing the fire access in the new development. Lucas stated there is no simple snap your finger solution. Lucas will touch basis with Mendota Heights and contact the MN watershed and see what their standards are. We need to update the MN watershed in our comp plan. City Clerk stated that Sentence to serve will be coming out May 25th to clean the park. All she needed was to supply bags. Wanted any suggestions for what people expected to be cleaned or cleared. The Auditors are done with the financial reports and that they will be working with the City Clerk on a new system to reconcile the bank statements. They were very nice and easy to work with and Mr. Babcock has finally retired. Staff Comments closed at 9:08 pm

16. Closed meeting 9:10 pm Minn Stat 13.D05 subdivision 3B to discuss threat litigation for R J Daughters. Done 9:16 pm.

17. Adjourn: 9:16 pm Motion to adjourn the meeting by Council Member Golias, seconded by Council Member Donnelly. Motioned passed 5-0