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

**May 14, 2024**

**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 Mielke. Council Members Golias, Perron, Rasmussen and Donnelly. Attorney Christina Benson, Engineer Lucas Jones, City Planner Jennifer Haskamp, Captain Wegener and City Clerk Kathy Krotter.

4. Agenda: Agenda accepted as presented, no changes.

5. Approval of April 9, 2024, City Council Meeting Minutes: Motion to approve last month’s minutes as is, by Mayor Mielke and seconded by Council Member Golias. Approved 5-0.

6. Treasurer’s Report: Motion to pay the bills by Council Member Golias and seconded by Council Member Perron. Approved 5-0.

7. Public Hearing for Benson Metals Property: Mayor stated how the public hearing would proceed. Jennifer Haskamp from Swanson and Haskamp will present the applicants four applications, then Judd Fenlon will introduce himself. The council would like everyone to hold their questions and comments until we open up the public hearing. If there are questions for Jennifer or Judd the council will write those questions down, until we close public comment and then the city will address those questions. Jennifer Haskamp explained that before the council are four applications. The first application request is a site plan approval for a 51-unit senior apartment building with two variances, one for impervious surface coverage maximum, the other for the maximum height within the zoning district and the MRCCA permit (Mississippi River Corridor Critical Area). Jennifer walked through all four applications. The application is from Judd Fenlon and the property is located at 1300 Sibley Memorial Hwy.

Lucas Jones, City engineer, talked about utilities, with the planning commission being concerned about the sewer and water capacities. The city has 8-inch sewer pipes in town. The sewer capacity is about 700,000 gallons per day, with our peek flow for the past five years being about 40,000 gallons per day, per Met Council. So, the city is not even at 10 percent capacity. The water pipes are also 8 inches and right now the city does not have that many connections. Lucas did not do a review for the water flow as he would rely on St Paul Regional Water, since they have a water model created. Storm water based on existing conditions, and Judd is reducing the impervious surface on the site, would not trigger water treatment. As far as fire systems and fire hydrants are concerned, the units would have internal sprinklers in the project. MN Dot will also have to approve the storm water input to their system.

Judd Fenlon stated that he has been working on this project for about a year and a half now. That he started his company about 13 years ago. He built the Linden on Hwy 62 and Dodd Road, where The Copperfield restaurant resides with the building being 55 plus.

Mayor opened public hearing at 8:20 pm. Asked residents to state their name and address if they want. Several residents were in attendance, many spoke, raised their concerns and asked questions. Public hearing closed at 8:45 p.m. The council answered questions from the residents and directed them to Jennifer, Judd and Lucas. After the questions were answered the council discussed the project. After much discussion, the council took a vote. The project was denied 5-0.

Council took a brief recess from 9:40 pm to 9:50 pm.

The lawyer guided the council through the next steps. The denial would have to present practical difficulties. The way the statue needs to be worded must be exact. All three circumstances must be written. Council discussed the next step for the resolution for denial. The comp plan, zoning ordinance is at a maximum of 35 feet, higher than that would alter the essential character of the city.

8. Fete 2024 celebration/Sibley House: Lawyer Benson read the resolution for the event for the street closing. Mayor made the motion to accept Resolution 2024-12 as is, seconded by Council Member Golias. Approved 5-0.

9. Water Improvements Project – 2020 Bonding Funds: Lucas stated that we need to get an extension for our 2020 bonding bill funds or move forward in an effort to utilize our funds before they expire by the end of the year. Lucas came with a contract to move forward with one of the phases that we discussed at the last meeting. The council should pick which phase we should move forward with. The total for his work which includes the easements would be around $81,500 and would be reimbursable by the bonding bill funds. The city would need to get the bid done sometime in October so the paperwork can be processed during the holiday season. The four projects were, the red loop, which would be about $733,000, the yellow loop for $600,000, the blue loop would be $630,000 and the green loop would be $783,000. Council asked questions and discussed the projects before them. The council voted for the red loop which would offer another water source to come into the city and add some much-needed fire hydrants. Lucas stated that the mayor and city clerk would need to sign the contract for him to start. Motioned to have Lucas move forward on the mini loop from Windy Ridge to Highway 13 via Second Street (the red loop) by Council Member Golias and seconded by Council Member Donnelly.

 10: MN Dot Lease 19003 for Benson Property: City Clerk stated that MN Dot is looking to renew the lease for the Benson Property. The city has the option to renew the lease for one year of five years. Motion to continue the lease by Council Member Golias and Seconded by Mayor Mielke. Approved 5-0

11. Xcel Energy Contract: The city’s 20-year franchise with Xcel Energy is about to expire and Lawyer Benson is working with them to update the franchise agreement. The lawyer will present the agreement at the June Council meeting for approval.

12. Public comments: Mayor opened public comments at 10:26p.m. Bob Hop spoke. Talked about water hydrants. Marie was glad so many people showed up today. Marie stated, “Change is inevitable in this city, but we do have to be mindful of what kind of changes we want.” Closed public comment at 10:31 p.m.

13. Council Comments: Opened at 10:31 p.m.

Council Member Golias: Steve was very discouraged to see everybody leave after the public hearing and they complained about what happens during the meetings, yet nobody stayed for the rest of the meeting.

Mayor Mielke: Mayor attended the Beyond the Yellow Ribbon meeting today, at Lilydale City Hall. Discussed potholes on 4th Street, D and Second Street. Second Street off Highway 13. Mayor received a letter from the VFW (Don). The VFW is updating the security lighting in the parking lot. They have a new LED light on the light pole in the parking lot and want to add a pole or put a light onto the jailhouse. Don also wanted to know if the jail is on the national historical register. Council member Rasmussen stated that she has tried to get the jail on the National Historical Register, but it has been repaired too many times and has not been done correctly. VFW would pay for the power. Lawyer Benson stated that we could have an encroachment, like a license to be on our property. Mendota days is on for July 12 and 13th. Car show, Elvis, and it will feel and look a lot like last year. Mail if anyone would like to review it.

Council Member Donnelly: Stated that when you think of small-town values you think of politeness. Not being disrespectful to people, and we all saw a lot of that tonight. It was very disappointing as well.

Council Member Perron: Stated that after the July 9th meeting, she will be retiring.

Council Member Rasmussen: Nothing

Closed council comments at 10:42 pm.

 14. Staff Comments: Open Staff Comments at 10:42pm.

Captain Wegener: First quarter of 2024, the police responded to 42 calls and opened 9 cases. He did not have a comparison to 2023. Asked for any questions.

Lucas Jones: Fielded some calls on the Schumacher place, regarding utilities. As they look to tear down and rebuild. Tracy’s property as noted, he met the potential buyer up there and answered most of his questions. The buyer was going to reach out to the city clerk for some of the previous proposals, which the last applicant had worked on. While Lucas was there a gentleman appeared from the garage. Mayor has spoken Tracy about the man there. Lucas did take a look at the Mendota Bend property. Worked on the 2020 water project system, for the bond. MS4, we have a salt storage issue. MPCA received a complaint on the salt storage and where it is kept. It is at the park, but it needs to be on a hard surface so that it cannot wash off and it is to be covered. (Which it usually is). We will have to address this before next season and look for a spot for the salt and sand. Any questions.

Jennifer Haskamp: Has been working on the Mendota Bend project. We had our planning commission meeting. Jennifer had a couple of inquiries that she had spoken to Lucas about. One being a project for the fence at 265 E Street. They are arguing about the fence portion in the front of the home. They want to do a shadow box style fence and Jennifer tried to explain to them that it wouldn’t work with our standards of having more than 75% open. There was quite a bit of arguing with the applicate with him showing fences from Iowa and Jennifer having to explain to him what the city wants.

 Lawyer Christina Benson: Session ends May 20th so she will have lots of legislative updates. With several items for the city to address. Working on the city’s franchise agreements.

City Clerk: Stated that she had already received emails thanking the council for their decision tonight. And sorry that things got out of hand.

The gentleman that called from the MPCA was Scott Fox and the city has met all the qualifications except the surface that the salt and sand sit on. There also was not any salt or sand left at the end of the season, which was a good thing.

Talked about removing posts that are on the bulletin board at the post office.

Lawyer suggested no longer operate the bulletin board. Clark suggested a locking cabinet.

Mayor, stated he attended the state of the city meeting at Mendota Heights with Mayor Stephanie Levine. The mayor talked to Ryan at the city works department at Mendota Heights to see if they would like to plow our streets. They are going to ponder that. The city clerk said she did receive a call from a gentleman interested in the job also. Company called TJW. Mayor also asked Ryan about filling potholes.

Closed staff comment at 10:55 pm.

 15. Adjourn: 10:56 p.m. Motion to adjourn by Council Member Donnelly and seconded by Mayor Mielke. Approved 5-0.