**City Of Mendota**

**Dakota County Minutes of the Regular Meeting**

**Held Tuesday March 11, 2014**

**Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota, Minnesota**

**held at 7:30 pm at the Mendota VFW 1323 Sibley Memorial Hwy Mendota, Minnesota**

**Present:** Mayor; Brian Mielke, Council Members; Joan Perron, Alan Ralston, Erick Lehet and Melody Rasmussen, Chief of Police; Mike Aschenbrener, City Attorney; Tom Lehmann and City Clerk; KimberLee West.

**Absent:** Building Official; David Neameyer.

**1. Mayor Brian Mielke opened the City Council Meeting at 7:30 p.m. with the Pledge of Allegiance.**

**Minutes:** **Moved by Councilmember Lehet, seconded by Councilmember Ralston to approve the February 11, 2014 City Council minutes as presented. Passed 5-0.**

**Agenda:** The agenda was approved with the following amendment of moving item 6 to item 4 and item 4 to item 6 to allow for a phone conference with Bond Attorney Andy Pratt from Eckberg and Lammers. **Motion by Councilmember Perron, seconded by Councilmember Lehet to approve the agenda with the above amendment. Passed 5-0.**

**2. Treasurer’s Report:** **Motion** **by Councilmember Perron, seconded by Councilmember Ralston to pay the February disbursements. Passed 5-0.**

**3. Disbursements:**



Transfer from Sewer Fund $1,374.16 to General Fund for wastewater charge. Transfer from Money Market Fund $10,000.00 General Fund to maintain the General Fund balance. **Motion by Councilmember Ralston, seconded by Councilmember Lehet to approve the above transfers. Passed 5-0.**

**4. Limiting the City to one Trash Hauler:** City Attorney Lehmann said he did some research and found that there is a State Statue 115A.94 that cities must follow. Attorney Lehmann read the statue and said before implementing any means of organized collection, a city must establish a committee to identify, examine, and evaluate various methods of organized collection. The governing body shall appoint voluntary committee members. Some of the committees duties will include researching the costs to residential subscribers, determining the miles driven by collection vehicles on city streets, initial and any operating costs to the city of implementing the organized collection system, providing incentives for waste reduction, impacts on solid waste collectors, and other physical, economic, fiscal, social, environmental, and aesthetic impacts. A city may organize collection, after public notification and hearing.

Attorney Lehmann added that he worked with the City of Bayport who made the switch to one trash hauler. He said Bayport is about the same size as the City of Mendota. Bayport’s residents had no issues with the change said Lehmann.

Attorney Lehmann said that limiting the city to one hauler will save wear and tear on the roads. He also said the city has three options here.

(1) To do nothing.

(2) Go to a single trash hauler.

(3) To hire two haulers and then residents still have a choice.

Mayor Mielke read some feedback from a recent survey given to the residents.

(1) Not opposed.

(2) I think it is a great idea. My main concern is the number of trucks and the safety for children.

(3) Keep price reasonable.

(4) The cost will go up.

(5) This is a good idea.

Mayor Mielke said the city would go with the lowest price and sign a three year contract. Mayor Mielke added that he had spoken with some residents. Those he talked with were in favor of looking into changing to one hauler. Councilmember Perron said those she spoke with were neutral.

Councilmember Ralston said that looking at question number six on the survey. When asked how satisfied are you with your hauler? Ten out of thirteen were very satisfied. Councilmember Ralston said if their service is changed will they still be very satisfied? Councilmember Ralston added those businesses and residents on Highway 13, what are the current trash haulers to do when it’s not worth their time to come for just a few customers?

Councilmember Lehet said he did speak with a few residents who said their concern was safety within the city.

Councilmember Rasmussen had no dialog with residents.

Residents at the meeting voiced their concerns about changing to one hauler. One resident stated he is a Veteran and he fought for freedom. He said he shouldn’t be told what to do. He added the roads have been there for 30 years and have only needed patching, they are in good shape. And he said he is satisfied with the trash service he has. Other citizen’s present had recently moved to the City of Mendota. They voiced their support for one trash hauler. The new residents did ask whether or not there would be assessments. Mayor Mielke assured the residents that there would be no assessments, the city is considering a bond to pay for the road overlay.

Attorney Lehmann told the council of the impact on the City of Maplewood going to one trash hauler.

(1) Keep economic cost down.

(2) To reduce road traffic.

(3) Environmental reduction of greenhouse gases.

(4) Safety

(5) Esthetics

The impact to haulers said Lehmann was displacement of haulers.

Councilmember Ralston asked if a city can tell business what haulers to use. Attorney Lehmann said yes, it’s a different process, but they can be included in the change to one hauler or be omitted. Mayor Mielke said he believes there is enough momentum to form a committee. Mayor Mielke asked the council who was in favor of forming a trash fact finding special committee.

Mayor Mielke-Yes

Councilmember Ralston-No

Councilmember Perron-Yes

Councilmember Lehet-Yes

Rasmussen-Yes.

Councilmember Lehet will head the special committee made up of volunteer Mendota residents.

**5. Funding for a Road Overlay Project -** Mendota City Council and Attorney Lehmann held a phone conference with bond Attorney Andy Pratt of Eckberg and Lammers. Attorney Lehmann told Attorney Pratt that the City of Mendota has a bid of $134,608.00 from a road contractor. The city would like to borrow half of the funds. Attorney Pratt said the city can do a street reconstruction bond and pay the bond from city funds. Attorney Lehmann will meet with Home Federal Bank and pledge the city’s full faith to pay back the loan.

**6. 2014 Road Overlay Project -** Councilmember Ralston said doing all the roads in one year will not leave many funds in reserve. Councilmember Ralston suggests doing the roads in two separate years. Mayor Mielke said he’d like to see all the roads done at once. A public hearing will be held in April, then the council will vote.

**7. Public Comment** **–** Opened at 8:12 p.m.

Mayor Mielke welcomed the new residents to the City of Mendota. The new residents said they are so pleased to be living in Mendota. Adding this is a great community.

Another resident ask the council what the rule was for getting city water. Mayor Mielke said it’s at the residents own cost. Attorney Lehmann gave the resident information for contacting Saint Paul Regional Water.

Public comment closed at 8:19 p.m.

**8. Council Comment -** Opened at 8:19 p.m.

Councilmember Rasmussen volunteered her husband James Rasmussen to represent the city on NDC4 committee.

Councilmember Lehet said he found two grants that would fund a public garden in Veterans Park. Councilmember Lehet added he found a grant from Dakota County to have brownfields assessed. Councilmember Lehet informed the council that Hailey would help with Mendota Day.

Councilmember Ralston said MnDOT was on Highway 13 moving snow. When talking with the MnDot driver

Councilmember Ralston learned that someone had complained that a sidewalk was impassable because of flooding.

MnDOT cleared a storm drain blocked with snow and ice. The storm sewer is working now. Councilmember Ralston asked if Clerk West would write a thank you note to MnDOT for clearing the snow. Councilmember Ralston reported that a woman slipped and fell on D Street and Hwy 13. Probably breaking her wrist. Attorney Lehmann said the statue is 6 years for anyone to come back and sue the city for an injury.

Mayor Mielke has city mail for review. Mayor Mielke suggested the city create a time capsule like one he saw at a Dakota County building. He said the capsule was in concrete with a steel plate that had the date when the items were placed in the capsule and a date of when the capsule could be opened. Councilmember Rasmussen recommended doing it in conjunction with Mendota Day.

Councilmember Perron said Lance Perron removed snow off of lower D Street. It was an hour and a half of work and the city should receive a bill. Councilmember Perron asked Clerk West if she had talked with Jennifer about how the snow has been cleared from Hwy 13 in past years. Clerk West said she had not but will take care of snow removal tomorrow.

Council comment closed at 8:35 p.m.

**9. Staff Comment –** Opened at 8:35 p.m.

Police Chief Aschenbrener – No report.

Attorney Lehmann said the City of Mendota is ahead of the game when it comes to regulating e-cigarettes. The State Legislature is currently looking at a statue to regulate the sale of e-cigarettes which the City of Mendota has already done said Attorney Lehmann. Lehmann also said a new law on synthetic drugs and medical marijuana is being considered by the State of Minnesota.

Clerk West said that the Minnesota State Legislature has a surplus of tax revenue and is considering increase LGA in 2015. Mayor Mielke added this would be a good time to contact our Congressman.

Staff comment was closed at 8:42 p.m.

**There being no further business, it was motioned by Councilmember Rasmussen, seconded by Councilmember Lehet to adjourn the City Council Meeting at 8:42 p.m.**

Respectfully submitted:

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KimberLee West, City Clerk