Minutes for Regular City Council Meeting held on August 14, 2012

Present: Mayor: Brian Mielke

Council Members: Josh Lee, Adam Strain, Joan Perron, Alan Ralston

Also Present: Building Official David Neameyer, City Attorney Tom Lehmann, City Clerk Jennifer Bruestle

Mayor Brian Mielke opened the City Council Meeting at 8:00 p.m. with the Pledge of Allegiance.

Minutes: It was moved (Lee/Ralston) to approve the July 10, 2012 Regular Council Minutes as presented. Passed 4-0.

Agenda: The agenda was approved as presented, with the placement of Review of 2013 Budget moved from #3 to #5b.

Treasurer’s Report: Motioned by Ralston, seconded by Lee to accept the Treasurer’s Report as presented. Passed 4-0.

**General Fund Disbursements:**

Met Council—monthly wastewater charge for August $ 1,189.41

Lehmann & Lutter—Attorney fees $ 2,000.00

Kim Perron—Snow Removal $ 832.50

City of Mendota Heights—Police & Fire $ 8,776.11

State of MN—Rent for Benson Metals $ 140.00

Xcel Energy—jail lights $ 13.51

Xcel Energy—Street Lights $ 349.29

Dakota County—special assessment fee $ 18.75

PERA for July $ 135.00

Jennifer Bruestle—phone service, copies $ 57.19

Jennifer Bruestle—clerk salary $ 1,000.00

**Enterprise Fund Disbursements:**

Xcel Energy—park lights $ 9.89

Biffs for July $ 71.29

Nitti Sanitation for August $ 49.76

David Olin for July $ 750.00

It was moved (Strain/Ralston) to approve the transfer of $60,000 from the General Fund to the Money Market Fund, as well as $1,189.41 from the Sewer Fund to the General Fund for the monthly wastewater charge. Passed 4-0.

Public Comment: Public comment opened at 8:16 p.m.

Carl Robinette discussed his concerns regarding storm water runoff along Highway 13 due to the Highway 13 resurfacing project.

Public comment closed at 8:28 p.m.

Council Comment:

**Council Member Josh Lee:** Council Member Lee discussed road concerns and the painting of the streets following the MN/Dot project.

**Council Member Adam Strain:** Council Member Strain stated the Park Clean Up Event held on August 11, 2012 was a huge success. Council Members and city residents helped remove vines, weeds and dead branches around the perimeter of the park. Once these weeds were removed, steps leading to the pond were discovered. Council Member Strain stated the steps are in such disrepair they should be removed. Council Member Strain stated another park clean up day will be needed to clean up the area behind the playground equipment, as well as low hanging branches over the playground equipment; however, the poison oak will need to be addressed before the weeds and branches are removed. Council Member Strain also requested assistance with the Mendota Picnic if any residents are interested. Carl Robinette stated the low hanging branches over the park equipment will be removed on Friday, August 17, 2012. Also, Mr. Robinette informed Council he is aware of a Mendota resident who shreds tires for use as mulch in playgrounds.

**Council Member Alan Ralston:** Council Member Ralston stated he would like to thank MN/Dot for the reinstallation of the crosswalks after Highway 13 was resurfaced. However, Council Member Ralston stated the curbs were so badly broken, when Highway 13 was resurfaced instead of repairing the curbs the asphalt was spread up to the curb. By doing so, there is no gutter for the water to flow into, so Mendota is encountering the same “pooling” problem as in the past. During the park clean up event on August 11, 2012, Council Member Ralston noticed a large amount of dog droppings in the park. Council Member Ralston would like the park to be better monitored to view the dog and owner that is responsible for leaving the dog droppings in the park, as well as impose fines for not cleaning up after their pet. City Attorney Tom Lehmann will draft a letter for disbursement to Mendota residents outlining the fines to be imposed for failure to clean up after pets within city property.

**Mayor Brian Mielke:** Mayor Brian Mielke stated the city mail is available for review.

**Council Member Joan Perron:** Council Member Perron stated she will review the Mendota picnic details with Council Member Strain. Also, Council Member Perron stated Willard Perron will trim the trees and offer his bobcat for the removal of the steps within Veteran’s Park.

Review the 2013 Budget, and provide comments and/or corrections:

Council was in agreement with the2013 Preliminary Budget, with one correction. Council was in agreement to only anticipate receiving $13,000 for Local Government Aid (LGA), as the city has received in the past, instead of $25,000 the State of Minnesota is projecting to grant to Mendota. In past years, the State of Minnesota has stated in writing the City of Mendota would receive the full $25,000 in LGA, but has reducing the amount halfway through the budget year; therefore, the City of Mendota will not include the full about of LGA within the budget. The Council will continue to review the 2013 Preliminary Budget and provide an approved budget during the September 11, 2012 Council Meeting.

Staff Comment:

**Building Official David Neameyer:** Building Official Neameyer stated he received one permit for the installation of a gas line for Bob Hop’s garage. Also, David Neameyer stated he inspected the gazebo after the benches were removed. The benches were serving as a lateral brace; therefore, Building Official Neameyer required the installation of T-Straps as well as corner supports within the Gazebo to prevent a “catastrophic event.”

**City Attorney Tom Lehmann:** City Attorney Lehmann stated he provided a response to the letter received by Ms. Joy’s Attorney, Mr. Skolnick. City Attorney Lehmann asked the Council for direction regarding the possible litigation between the City of Mendota and Ms. Joy. The Council stated if the only two choices are either dropping the litigation and not recognizing the events leading up to the litigation, or following through with the summons, the Council agreed to follow through with the summons. City Attorney Lehmann will then follow through with the litigation procedures.

**City Clerk Jennifer Bruestle:** Clerk Bruestle stated she sent a letter to Tim Perron regarding the height of the vegetation on his property, as well as discussed the matter directly with him. Mr. Perron stated both he and his wife are growing a native landscape within their property, and only mowing the sections that aren’t devoted to a native landscape. Council requested Clerk Bruestle contact Mr. and Mrs. Perron and invite them to the September 11, 2012 Council Meeting to discuss their landscape as well as City Ordinances relating to landscaping.

There being no further business, it was moved (Strain, Lee) to adjourn the meeting at 9:31 p.m. Passed 5-0.