Minutes for Regular City Council Meeting held on May 8, 2012

Present: Mayor: Brian Mielke

Council Members: Josh Lee, Alan Ralston, Joan Perron

Absent: Council Member Adam Strain

Also Present: Police Chief Mike Aschenbrenner, Building Official David Neameyer, City Attorney Tom Lehmann, City Clerk Jennifer Bruestle

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

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

Agenda: The agenda was approved as presented.

Treasurer’s Report: Motioned by Lee, seconded by Perron to accept the treasurer’s report with the addition of a disbursement of $540.00 to Ess Brothers for the purchase of 4 manhole covers, the conditional approval of approximately $360.00 for the Xcel Energy bill, as well as payment of $750.00 to David Olin Mowing for the month of May. Clerk Bruestle will contact Mr. Olin to determine the prorated April payment. Passed 4-0.

**General Fund:**

Met Council—monthly wastewater charge for May $ 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 $ 10.19

Xcel Energy—street lights $ 350.15

Crosstown Sweeping—sweep streets 4/18/2012 $ 1,150.00

League of MN Cities—Worker’s Comp $ 128.00

PERA for April $ 135.00

Jennifer Bruestle—copies, phone service $ 55.29

Jennifer Bruestle—clerk salary for April $ 1,000.00

**Enterprise Fund:**

Xcel Energy—park lights $ 10.27

David Olin Mowing $ 750.00

It was moved (Ralston/Perron) to approve the transfer of $1,189.41 from the Sewer Fund to the General Fun for the monthly wastewater charge, as well as the transfer of $15,000 from the Money Market Fund to the General Fund to maintain the General Fund balance. Passed 4-0.

Public Hearing on the adequacy and effectiveness of the Storm Water Pollution Prevention Program (SWPPP):

Public Hearing opened at 7:33 p.m.

City Clerk Jennifer Bruestle provided Mendota residents with information regarding the Best Management Practices (BMPs) the City of Mendota is required to perform and document through the Minnesota Pollution Control Agency’s (MPCA) MS4 Permit. Clerk Bruestle stated the MPCA has three standards within the BMPs the city has to follow, which include:

1. Education program—The City of Mendota must educate the public regarding storm water management practices through educational material provided with sewer billing statements.
2. Plan review—the City of Mendota must scrutinize construction plans to make sure no source of pollution is infiltrating the storm water system.
3. Documentation—the City of Mendota must ensure the BMPs are implemented through the documentation of erosion/sediment control, as well as measures the City takes to address the needs and/or changes within the storm water management program.

There were no comments/questions from the public or council.

Public Hearing closed at 7:35 p.m.

Planning commission to review the garage site plan for Bob Hop, located at 1280 Second St.: Mr. Hop presented Council with a site plan for the garage to be constructed on his adjoining lot, located at 1280 Second St. This site plan illustrates a 28’ X 48’ garage, which is slightly smaller than the original design that was submitted to council. Mr. Hop informed Council, once the new garage is complete, the previous garage will be demolished as well as the concrete slab. Council unanimously approved Mr. Hop’s garage site plan. Mr. Hop will then submit the garage plans, which require a certified engineer’s stamp, to Building Official David Neameyer to receive his building permit.

Approval of Liability Coverage Waiver form from League of MN Cities Insurance Trust: Motioned by Ralston, seconded by Perron to not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04. Passed 4-0.

Public Comment: Public comment opened at 7:50 p.m.

Carl Robinette requested the potholes within Mendota be repaired. Also, Mr. Robinette requested Clerk Bruestle contact Xcel Energy regarding the electrical poles across from 1348 Lower D Street, which are leaning significantly. Mr. Robinette also requested Clerk Bruestle inform MN/Dot the curb and sidewalk along Highway 13 adjoining the Lucky’s 13 parking lot, which is currently being updated with ADA ramps, should be moved over approximately 8 feet to reflect the actual property line. Mr. Robinette informed Council the VFW motorcycle rally originally scheduled for June 9, 2012 will be cancelled due to liability issues.

Bob Hop informed Council of the potentially dangerous situation involving cars parking along 1280 Second Street near the entrance to Mendota. Mr. Hop stated the cars are parking in the narrowest portion of Second Street. If a sign was placed in the narrow section of Second Street, causing cars to park further down Second Street as the road widens, this may correct the situation.

Public Comment closed at 7:57 p.m.

Council Comment:

**Council Member Josh Lee:** No Comment

**Council Member Alan Ralston:** Council Member Ralston stated he will purchase four manhole covers through Ess Brothers, which will be installed during the park clean up day. Council Member Ralston will then scrap the three broken manhole covers and place the fourth oversized 26” manhole cover on either craigslist or the League of MN Cities website for sale for the amount of $20.00, which is the cost Council unanimously agreed upon. Council Member Ralston requested Clerk Bruestle place the email link for Mendota residents and businesses to access updates regarding the Highway 13 resurfacing project.

**Mayor Brian Mielke:** Mayor Mielke stated the City mail is available for review. Mayor Mielke requested Clerk Bruestle contact both Danny Dahlberg and Alan Bebel of PAC to begin repair of potholes. Mayor Mielke stated he received a resident complaint regarding the lack of a silt fence at 5 Windy Ridge, which is causing the dirt on the property to wash into the street as well as the storm water system during the recent heavy rains. The property owner of 5 Windy Ridge, Ray Miller, stated he began landscaping the property and removed the silt fence and has seven days to reinstall the silt fence according to State Statute. City Attorney Tom Lehmann stated the City is responsible for developing and enforcing erosion control measures within the City. Therefore, Council agreed Clerk Bruestle will inform Mr. Miller via mail that the silt fence must be replaced by Sunday, May 13, 2012 or the landscaping project must be complete with sod at this time. If the placement of a silt fence or sod is not completed by Sunday, May 13, 2012, then the City will send a formal letter on Monday, May 14, 2012 giving Mr. Miller 48 hours to correct the erosion control issues or the City will contract the work out, requiring Mr. Miller to pay for these costs. Council was also in agreement Mr. Miller will have to restore the roadway to the original condition, which was recently swept on April 18, 2012. Mayor Mielke also requested Clerk Bruestle contact the League of MN Cities to determine the fee involved with screening movies in public parks. Mayor Mielke also requested Clerk Bruestle determine which movies are able to be viewed in public parks, while upholding the copyright laws.

**Council Member Perron:** Council Member Perron stated Willard Perron smoothed out the sand that was disposed of in Veteran’s Park after the street sweeping, as well as cleaned out the storm sewer culverts.

Staff Comment:

**Building Official David Neameyer:** Building Official David Neameyer stated there was no permit activity for April, 2012. Building Official Neameyer requested a copy of the Mendota City Code, so if a resident or business owner is in violation of a City Ordinance, he can then issue a warning with the proper ordinance cited. Building Official Neameyer informed council he issued a temporary certificate of occupancy to Ray Miller of 5 Windy Ridge.

**Police Chief Mike Aschenbrenner:** Chief Aschenbrenner reminded Council of the Emergency Management Training to take place on Monday, May 14, 2012 at 2:00 p.m. at Lilydale City Hall. Chief Aschenbrenner also stated he discussed the potential liability issues with the VFW regarding the motorcycle rally that was scheduled for June9, 2012. Chief Aschenbrenner stated he is available to the City if they ever have concerns regarding liability issues within the City.

**City Attorney Tom Lehmann:** No comment

**City Clerk Jennifer Bruestle:** Clerk Bruestle informed Sheila Kauppi of MN/Dot of the potholes within the trailhead parking lot located next to the Sibley House. Mrs. Kauppi stated she would try to have the potholes repaired during the Highway 13 resurfacing project if it falls within the scope of work to be completed.

There being no further business, it was moved (Lee/Ralston) to adjourn the meeting at 8:27 p.m. Passed 4-0.

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jennifer Bruestle, City Clerk