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

**September 10, 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.

4. Agenda: Needed to add tax levy to agenda, so that will be number 8 and then move everything down one number. Motion to approve agenda by Council Member Golias and seconded by Council member Perron. Motion passed 5-0

5. Approval of August 13, 2019 City Council Meeting Minutes: On number 8 change the last part of the sentence to a question mark not a period. Motion to approve minutes by Council Member Donnelly and seconded by Council Member Rasmussen. 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: Mike issued 1 permit and closed 3. Mike did the R J Daughters CO on 1369 Middle house.

8. R J Daughters update: Lucas spoke to Ray Miller on the 26th and he also spoke to Ray’s guys. They clarified one thing for Lucas, so Lucas crossed that off the list. Lucas found some more issues on the development but decided not to follow up with them at this time. They were going to work on the erosion issues that Lucas wrote about back in May. The next day they took care of the problems and Lucas went back out on the 29th. Lucas stated that Ray has sent in a certificate of survey for Lot 1. That is the lot next to the pond. Lucas sent initial comments back for the CO. There are some questions that need to be answered before it is approved. Most of the questions are in reference to the storm water that Ray is potentially changing. Right now they have an open basin that infiltrates the water, but he is wanting to have a more underground system. Lucas asked for an updated storm water report calculations and questions because there are a lot of setbacks with this pond and elevations. The appearance would be better but with the pond you can scrape the stuff off the top when it gets dirty, but when you can’t see it underground, it is hard to tell where the water is plugged. Mayor Mielke stated we have a developer’s agreement that outlines the plan with Ray and now he wants to change the plan, significantly. What can we do? Mr. Loonan stated it is the discretion of the council. Ray has an improved plan and he is asking for approval of the new plan. The council has to agree if they should do an amendment. Perhaps that comes with additional terms like in the past, and maybe we ask for another deposit for escrow. It is not uncommon for a development to have changes. Mr. Loonan stated also that we do have the planning commission now and they could look over Rays new plans and see if it is something the Council should approve. Mayor Mielke stated that Mr. Miller is moving fast and pretty soon the rest of the homes will be done. Council member Donnelly stated that since this effects the water and this has been a problem in the past, we really need to make sure that this new plan will work. The Council does not have to do anything yet because there is no formal request. Council is going to wait for a formal plan from Mr. Miller before they decide and Lucas does not have to advocate on behalf of Ray. Lucas knows how the council stands on it. Lucas also sent an updated report to the MS4 people, since there were problems last year. He wants to keep them informed. Mayor Mielke brought up the tree plan and thought that Mr. Miller sent out certified mail letters to the people of Windy Ridge. The letters were sent August 30th and received September 1st but there is no time or date of a meeting, or when they should have their ideas in by. Mayor Mielke received two e-mails with residents’ concerns. One was a detailed message and the other was short and sweet about how they did not like the plan. The concerns are the location of where the trees are to go, will the trees be able to grow where the water stands on the side of the road, will the trees be able to withstand the stress of the construction of house number one, will additional trees be removed from Windy Ridge, if the developer takes down more trees will he replace them with the 2 to 1 ratio, but this ratio is not in the agreement. Is there an exception for the weeds that are going on in the development right now? What are the expectations? If the grass is over 8 inches it needs to be cut. Mayor Mielke asked if there was going to be another driveway off Windy Ridge. Lucas stated that there would be.

9. Tax Levy: Preliminary Tax Levy. Council went over the tax levy and amounts before everyone got there. Went over all amounts during the meeting and added up the totals. The amount for the Tax Levy will be $150,200.00. Motion to approve preliminary levy by Council Member Golias and seconded by Council Member Donnelly. Motion passed 5-0

10. Mendota Point vacation of Street: Mr. Loonan stated that this is only to approve the vacation of the street. The council has had the public hearing and now we just need to have the vote. Vacation is for G Street and First Street. Mayor Mielke asked what they were planning on building on this site, because it is kind of hard to vote, not knowing what the property will be used for. Mr. Michael Margulies from Mendota Point stated it would be some kind of residential living. Formal Resolution 19-11 for the vacation of G Street and First Street. Resolved by Council Member Golias and Seconded by Council Member Donnelly. Passed 4-1.

11: Public Comments: 8:39 pm. Carl suggested that we put steps back in the park from E Street and maybe something more permanent. Also there is a huge Cotton wood tree that needs to be cut down. It is dead and we would hate for it to come down. Also Carl thought it would be a good gesture to show Gunnar that we appreciate him for the mowing around the shed and planting all the hostas around the pound and park. Tracy spoke about his property up on 1264 Sibley Memorial Hwy. Tracy asked for a variance of ten feet for the garage that is over the property line. It was not surveyed at the time that Tracy bought it in 1987. The property was appraised at $70,000.00. Tracy thought that the garage was on the street and asked to have it vacated. But the garage is actually on City property and you cannot vacate a lot. Council Member Donnelly suggested that we have the lot surveyed and see where the lines actually are. Bob Hop is also interested in the city’s property that Tracy has his garage on. So if Bob is still interested then we would have to get bids from Tracy and Bob for the property. Tom Loonan gave Tracy his card to see what the next steps should be. Mr. Reynolds stated that he would have the slide in by the time of the picnic. Public comment closed at 8:57 pm.

12. Council Comments 8:57 pm Council Member Rasmussen Nothing. Council Member Golias Nothing. Council Member Perron, talked about the slide and the tree that has come down in her yard, please let Willard know when the tree company is coming. Council Member Donnelly also stated that there is a dead tree on the corner of 3rd and G Street. Council Member Donnelly’s wife and kids went on a boat ride to learn about all the pollution in the Minnesota Rivers and that was very informative. Mayor Mielke stated that he had some mail and attended the Beyond the Yellow Ribbon program and they are in the final stages of that happening. There will be chances for people to volunteer and we will post something on the board in the post office. Council comment closed at 8:59 pm

13. Staff Comments: 8:59 pm Captain Wegener stated that they hired a new officer. Alex Randel ?. and he comes from Dakota County Park Rangers and is in his first phase of FTO. Mr. Loonan said that Lucas, Kathy and he were all contacted about some historical records about a couple buildings on Sibley Memorial Hwy. If anyone from the council knows where any of these records would be that would be great. Also Mr. Loonan has reached out to Judge Lehmann to see if he knows. Council Member Rasmussen stated that her mother took a bunch of historical records to the Historical Society in Hastings back in the early 70’s. The gentleman is specifically talking about 1345 Sibley Memorial Hwy which is Landmark Fence. He is looking for any building permits, any inspections or any correspondence for the property. Mr. Loonan had a phone call from the woman at 1218 Sibley Memorial Hwy. The 6 homes up there on Sibley Memorial Hwy. She has a hard time coming into her driveway and going down. She wants it to be one big driveway with the rest of the homes up there. Mr. Loonan said she would probably need a variance. She was asked to come to the meeting with some plans. Mr. Loonan also stated that he is working on a mediation date for Ray Miller and his attorney and Council Member Golias and Mayor Mielke. They have a tentative date, but no one has gotten back to him as of today. City Clerk: Mendota Picnic is Saturday. Need help setting up. Everyday Living got the jumpy house. Council Member Rasmussen’s nephew got the meat and buns again for us this year. So with the money for that we are having an ice cream truck again this year. We have kid prizes, adult prizes and trophies with horse shoes on them instead of stars this year. Staff comment closed at 9:09 pm

14. Adjourn: 9:10 pm Motion to adjourn the meeting by Council Member Donnelly.