

CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

Minutes of the Regular Meeting
Held Tuesday, January 17, 2023

Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota Heights, Minnesota was held at 6:00 p.m. at City Hall, 1101 Victoria Curve, Mendota Heights, Minnesota.

CALL TO ORDER

Mayor Levine called the meeting to order at 6:00 p.m. Councilors Lorberbaum, Paper, and Miller, were also present. Councilor Mazzitello was absent.

PLEDGE OF ALLEGIANCE

Council, the audience, and staff recited the Pledge of Allegiance.

AGENDA ADOPTION

Mayor Levine presented the agenda for adoption. Councilor Lorberbaum moved adoption of the agenda. Councilor Miller seconded the motion.

Ayes: 4

Nays: 0

CONSENT CALENDAR

Mayor Levine presented the consent calendar and explained the procedure for discussion and approval. Councilor Paper moved approval of the consent calendar as presented with Councilor Lorberbaum pulling items G and H.

Councilor Lorberbaum noted her request to change the word abstain to recuse in Item A but stated that the minutes can remain on the consent calendar.

- a. Approval of January 3, 2023 City Council Minutes
- b. Approval of January 10, 2023 Council Work Session Minutes
- c. Acknowledge Parks and Recreation Commission December 13, 2022 Meeting Minutes
- d. Acknowledge Natural Resources Commission December 12, 2022 Work Session Minutes
- e. Acknowledge Natural Resources Commission December 14, 2022 Meeting Minutes
- f. Acknowledge the November 2022 Par 3 Financial Report
- g. Resolution 2023-07 Formally Accepting a Gift for a Park Bench Donation
- h. Approval of Revisions to the City's Picnic Shelter Rental Policy
- i. Resolution 2023-09 Calling for a Public Hearing on a Right-of-Way Vacation in the Furlong Addition
- j. Authorize Police Department Out of Metro Travel Request

- k. Authorize Police Department Out of State Travel Request
- l. Approval of a Joint Powers Agreement for the Pharmaceutical Drug Disposal Program
- m. Approval of December 2022 Building Activity Report
- n. Approval of Claims List

Councilor Miller seconded the motion.

Ayes: 4

Nays: 0

PULLED CONSENT AGENDA ITEMS

G) RESOLUTION 2023-07 FORMALLY ACCEPTING A GIFT FOR A PARK BENCH DONATION

Councilor Lorberbaum referenced the \$2,000 donation that will be used for the donation of two park benches. She asked the cost that the City would incur for the benches as well, as it mentions that the City will pay the remainder of the cost.

Parks and Public Works Director Ryan Ruzek noted that the cost would depend upon the location where the benches are installed. He stated that historically the cost is \$1,500 to \$2,000 per bench, therefore the cost for the City could be \$1,000 to \$2,000. He confirmed that there are funds available for this use.

Councilor Miller moved to approve RESOLUTION NO. 2023-07 FORMALLY ACCEPTING A GIFT FOR A PARK BENCH DONATION.

Councilor Lorberbaum seconded the motion.

Ayes: 4

Nays: 0

H) APPROVAL OF REVISIONS TO THE CITY'S PICNIC SHELTER RENTAL POLICY

Councilor Lorberbaum referenced language in the policy which states permits will be issued three times during the year and would like to see that language clarified.

Parks and Recreation Manager Meredith Lawrence stated that staff would be open to revisions but stated that there is additional language stating that after that time permits will be accepted based on a first come, first serve basis. She explained that the City does permit on the three seasons. She stated that the Park Commission did review the policy and has recommended the language as proposed.

Councilor Lorberbaum suggested using the language "three time periods".

Councilor Lorberbaum moved to approve AMENDMENT TO THE REVISIONS TO THE CITY'S PICNIC SHELTER RENTAL POLICY AS SUGGESTED BY COUNCILOR LORBERBAUM.

Councilor Miller seconded the motion.

Ayes: 4

Nays: 0

Councilor Lorberbaum moved to approve REVISIONS TO THE CITY'S PICNIC SHELTER RENTAL POLICY WITH THE AMENDED LANGUAGE.

Councilor Miller seconded the motion.
Ayes: 4
Nays: 0

PUBLIC COMMENTS

No one from the public wished to be heard.

PRESENTATIONS/RECOGNITIONS

A) FIRE CAPTAIN OATH OF OFFICE AND BADGE PINNING

Fire Chief Dave Dreelan explained that the Council was asked to conduct a ceremonial swearing in of Captain Hayley Heidelberg, the newest Fire Captain in the Mendota Heights Fire Department.

Mayor Levine conducted the ceremonial swearing in of Fire Captain Hayley Heidelberg. She also expressed thanks to all members of the department that serve the community.

PUBLIC HEARING

A) RESOLUTION 2023-08 ORDERING VICTORIA CURVE STREET IMPROVEMENTS

Public Works Director Ryan Ruzek explained that the Council was being asked to preside over a public hearing for the Victoria Curve Street Improvement project. He noted that an incorrect date was provided in the public notice and therefore the Council will still be asked to preside over a public hearing tonight and then continue the item.

Larry Poppler, TKDA, stated that the Council approved the feasibility report in December and provided an overview the project details. He noted that a neighborhood meeting was held the previous week which had good participation. He provided an overview of the public input received. He also provided details on the estimated project cost, proposed assessment, and other forms of funding. He reviewed the proposed project schedule.

Councilor Lorberbaum asked if the public would be noticed again for the February 7 date.

Public Works Director Ryan Ruzek replied that notices and ads have already been submitted.

Councilor Paper asked how this project compares to other projects in terms of the amount the City will be paying.

Public Works Director Ryan Ruzek replied that the assessments are paying a lower portion of the project cost because of the limited number of parcels to assess. He noted that assessment will cover at least 20 percent of the project cost. He noted that a large amount of MSA funding would be used for the project.

Mayor Levine referenced the proposed assessment rate and asked how that compares with previous assessments.

Public Works Director Ryan Ruzek commented that this proposed assessment is a bit higher than typical. He stated that they did estimate conservatively and based on bids could be lowered.

Councilor Lorberbaum moved to open the public hearing.

Councilor Miller seconded the motion.

Ayes: 4

Nays: 0

Greg Bolin, 1215 Victoria Curve, referenced an exhibit from the TKDA report included in the December Council packet which provided cross sections of Victoria Curve, with and without parking. He stated that it is his understanding that the section without parking would be in front of residences between Hunter and Glenhill.

Mayor Levine confirmed that to be true.

Mr. Bolin referenced the watermain replacement, which may impact trees. He provided a photograph of the mature pine trees that he would like to ensure are preserved if possible and asked the position of the City.

Vinh Truong, 1217 Victoria Curve, asked if anyone has taken the time to observe the number of pedestrians walking down Victoria Curve. He commented that during the summer there are three or four people at most and therefore was unsure that would justify the need for a trail. He stated that he supports the road project but not the trail.

Larry Alexander, 1203 Victoria Curve, stated that he is concerned with potential impacts to mature trees near the perceived property line as he has mature apple trees in that area. He stated that it was his understanding that there was supposed to be a give back of the land that is proposed to be used. He asked for details on the 40 feet that he believed would be given back to the property owners. He asked if there would be ideas on berming or other screening between the private properties and proposed trail.

Lynn Burow, 1219 Victoria Curve, asked if the trail is necessary as it would lead to nowhere and there is not much pedestrian activity on Victoria Curve. She believed that would be unwarranted. She stated that she has concern with traffic on 62 and conflicts with pedestrians in that location. She stated that perhaps a guardrail would be more appropriate in that location than a walking path. She reiterated that a walkway is unnecessary.

City Attorney Elliot Knetsch noted that this public hearing will be kept open and continued at the next meeting in February.

Public Works Director Ryan Ruzek provided details on the existing pedestrian trail that dead ends at Hunter. He noted that the section of Victoria Curve from Hunter to the highway is wide with shoulders and therefore staff considered reviewing the width of the roadway with a shared use trail. He stated that the location of the back edge of the trail would match the existing curb line and therefore there would not be additional impacts into resident yards. He stated that this trail segment would fill the gap where people are currently walking on the roadway. He did not anticipate that this trail would become a regional attraction. He stated that Saint Paul Water has identified a needed watermain replacement,

which may impact vegetation. He stated that trenchless technology is proposed, with excavations on each end. He noted that each home would then need to be connected to the new water line. He stated that he does not have enough information to know if the trees mentioned would be impacted.

Councilor Miller noted that this would be done through boring and therefore a trench is not going to be dug the entire section of road.

Public Works Director Ryan Ruzek confirmed that but noted that the water service for the mentioned home is near the pine trees. He stated that they will use trench boxes in attempt to minimize impacts to the extent possible. He referenced the property with the apple trees that was also mentioned and identified the right-of-way as it exists. He stated that if the residents desired, they could request vacation of the right-of-way, but easement would still be necessary for the utilities that exist.

Councilor Miller asked the depth of the watermain line.

Public Works Director Ryan Ruzek replied that depth is eight feet. He clarified where the on-street parking would be available as proposed.

Mayor Levine noted that if the road width is shrunk, that would eliminate the on-street parking ability.

Public Works Director Ryan Ruzek replied that in order to use MSA funds, the City needs to meet the MSA requirements for design. He stated that they would not be able to rebuild the road as it exists today, and if that were done, both sides would need to be signed as no parking. He stated that if the trail were not constructed, they could shift the alignment of the road to provide parking on one side without impacting residential properties. He again noted that the City would not proactively vacate right-of-way as there are utilities in that area. He stated that the residents could petition for such action, but easement would still be needed for those utilities. He noted that because they do not anticipate this trail to be a regional draw, they would not pursue a berm or additional screening along the trail. He noted that the mature existing vegetation would act as a screen for those properties.

Mayor Levine noted that the public hearing will be continued at the February 7, 2023 Council meeting.

NEW AND UNFINISHED BUSINESS

A) RESOLUTION 2023-01 ESTABLISHING CITY DEPOSITORIES OF FUNDS

Councilor Lorberbaum recused herself.

City Administrator Cheryl Jacobson explained that the Council was being asked to adopt the resolution approving the 2023 City depositories.

Councilor Paper moved to approve RESOLUTION NO. 2023-01 ESTABLISHING 2023 CITY DEPOSITORIES OF FUNDS.

Councilor Miller seconded the motion.

Ayes: 3

Nays: 0

Councilor Lorberbaum rejoined the Council.

B) RESOLUTION 2023-06 APPOINTING CITY ADVISORY COMMISSION MEMBERS

City Administrator Cheryl Jacobson provided a brief background on this item. The Council appoints members to the advisory commissions including the Planning Commission, Parks and Recreation Commission, Airport Relations Commission, and the Natural Resources Commission.

Councilor Lorberbaum asked when the appointments would take effect.

City Administrator Cheryl Jacobson replied that would depend upon when the seat opened. She stated that because there were two midterm vacancies for the Planning Commission, the candidates could begin immediately whereas the Airport Relations Commission candidate would begin in February.

Councilor Miller moved to adopt RESOLUTION NO. 2023-06 APPOINTING CITY ADVISORY COMMISSION MEMBERS.

Councilor Lorberbaum seconded the motion.

Further discussion: Mayor Levine thanked the community noting that there were 16 incredible applicants. She continued to be impressed by the number of talented residents that apply to volunteer in these positions. She recognized that several members were being reappointed and thanked those individuals for their continued service.

Ayes: 4

Nays: 0

COMMUNITY ANNOUNCEMENTS

City Administrator Cheryl Jacobson announced upcoming events and activities.

COUNCIL COMMENTS

Councilor Miller commended public works for continuing to put their best foot forward with snow removal. He also expressed thanks to residents that have been clearing snow around hydrants noting the time saving measure that provides in an emergency situation.

Councilor Lorberbaum stated that she was unable to attend the Coffee with the Council event due to potential exposure to COVID and thanked Mayor Levine and Councilor Mazzitello for attending. She stated that she will attend an upcoming session of the event. She recognized and acknowledged the legacy of Dr. Martin Luther King Jr. She congratulated the newly appointed commission members and thanked all that applied. She encouraged those not appointed to reapply in the future. She also thanked the retired commission members as well as those continuing to serve. She stated that the Council meeting time will be changed beginning in February, with work sessions beginning at 5 p.m. and regular meetings beginning at 7 p.m.

Councilor Paper congratulated the new Fire Captain and thanked the outgoing members of the different commissions.

Mayor Levine congratulated the new Fire Captain. She reminded residents of the tri-district community education catalog which was recently mailed and noted that it provides great opportunities for residents.

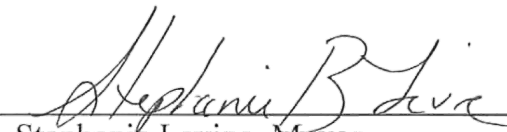
ADJOURN

Councilor Paper moved to adjourn.
Councilor Lorberbaum seconded the motion.

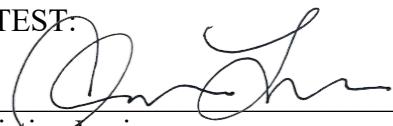
Ayes: 4

Nays: 0

Mayor Levine adjourned the meeting at 7:16 p.m.


Stephanie Levine, Mayor

ATTEST:


Christine Lusian
City Clerk