

CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

Minutes of the Regular Meeting
Held Tuesday, February 7, 2023

Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota Heights, Minnesota was held at 7:00 p.m. at City Hall, 1101 Victoria Curve, Mendota Heights, Minnesota.

CALL TO ORDER

Mayor Levine called the meeting to order at 7:00 p.m. Councilors Lorberbaum, Paper, Mazzitello, and Miller, were also present.

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 Mazzitello seconded the motion.

Ayes: 5

Nays: 0

CONSENT CALENDAR

Mayor Levine presented the consent calendar and explained the procedure for discussion and approval, pulling item J. Councilor Lorberbaum moved approval of the consent calendar as presented.

- a. Approval of January 17, 2023 City Council Minutes
- b. Approval of January 17, 2023 Council Work Session Minutes
- c. Acknowledge November 16, 2022 Airport Relations Commission Meeting Minutes
- d. Acknowledge October 25, 2022 Planning Commission Meeting Minutes
- e. Approval of Fourth of July Fireworks
- f. Resolution 2023-10 Approving the Application for Dakota County Community Development Block Grant Funding
- g. Approve Professional Services Change Order for the Ivy Falls East Street Improvement Project
- h. Authorize Hiring of Recreation Program Coordinator
- i. Authorize Hiring of a Temporary Recreation Program Coordinator
- ~~j. Approval of Recreation Internship Description and Authorize Internship Posting~~
- k. Acknowledgement of Fire Synopsis
- l. Approval of December 2022 Treasurer's Report
- m. Approval of Claims List

Councilor Mazzitello seconded the motion.

Ayes: 5

Nays: 0

PULLED CONSENT AGENDA ITEMS

J) APPROVAL OF RECREATION INTERNSHIP DESCRIPTION AND AUTHORIZE INTERNSHIP POSTING

Mayor Levine commented that this would be the first time the City is offering an internship in the area of recreation. She encouraged interested folks to apply.

Councilor Mazzitello moved to approve RECREATION INTERNSHIP DESCRIPTION AND AUTHORIZE INTERNSHIP POSTING.

Councilor Miller seconded the motion.

Ayes: 5

Nays: 0

PUBLIC COMMENTS

No one from the public wished to be heard.

PRESENTATIONS/RECOGNITION

A) MENDOTA HEIGHTS COMMUNITY FOUNDATION

Liz Petschel reviewed the current officers of the Mendota Heights Community Foundation as well as new board members to the foundation. She highlighted some activities of the past year including fundraising, noting that the work of the foundation is donation driven. She announced that the foundation is ready to award its first grant, which will be in the amount of \$3,000. She explained that the grant will be titled “the best idea” and noted that the idea would engage the community and build community pride. She reviewed the eligibility for the grant and noted that applications will be accepted beginning today and are available at the front desk in City Hall. The closing date for applications will be May 1 and the award will be announced June 1.

Councilor Miller asked if this grant would be awarded annually.

Ms. Petschel commented that they would love to make this an annual award but noted that it would be dependent upon receiving donations to support the grant. She commented that this is a cause she believes in and encouraged residents and businesses to continue to donate to the foundation.

Councilor Paper asked if two grants could be awarded if combined totaled the \$3,000.

Ms. Petschel confirmed that could be an option.

Councilor Mazzitello asked who would be eligible to apply.

Ms. Petschel stated that any resident or group of residents could apply. She stated that a business could also apply if they have an idea for something that would enhance and engage the community.

Mayor Levine stated that the foundation website mentions that the Foundation can be used as a conduit and asked for more details.

Ms. Petschel commented that the organization has 501-(c)(3) status and therefore can work with other groups that want to receive donations through a nonprofit organization.

Councilor Lorberbaum commented that it is exciting to see the first grant opportunity come forward from the organization.

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. This public hearing is a continuation from the January 17, 2023 meeting.

Larry Poppler, TKDA, provided a brief presentation on the proposed project details.

Councilor Lorberbaum noted the comment that Saint Paul Water is not going to replace the watermain at this time and asked if that is good or bad.

Public Works Director Ryan Ruzek replied that in this case there have been minimal breaks and the replacement would be to provide more durable pipe material. He stated that the City is comfortable as there have been minimal breaks.

Councilor Paper stated that at the last meeting there was a question about the pedway. He asked if enough value is gained to justify putting the pedway in this location.

Public Works Director Ryan Ruzek replied that after discussion with residents, TKDA will draw plans with and without the trail. He noted that with road size shrinking and minimum buffers, even with the trail added, the overall size of the roadway elements could come in two feet smaller in width than it is today. He stated that they will present the drawings to the residents to obtain input and the Council would make the final decision.

Mayor Levine confirmed that there would be two options, with and without the pedway, moving forward for consideration. She also asked and received confirmation that the trail option would not allow on-street parking.

Councilor Miller moved to open the public hearing.

Councilor Paper seconded the motion.

Ayes: 5

Nays: 0

Luann Tacke, 1854 Orchard Hill, asked if the decision on the trail has been made already.

Public Works Director Ryan Ruzek replied that a trail along Victoria Curve has been identified in the bike ped plan. He noted that they are reviewing options for an off-street trail or a safer on-street trail with striping for pedestrians.

Ms. Tacke mentioned the retaining wall and asked for details on location, purpose, and cost estimate. And inquired if the wall was to block off the area on Glenhill by the Culligan property.

Public Works Director Ryan Ruzek identified the location for the retaining wall and explained the purpose.

Mr. Poppler noted the estimated cost of \$113,000 for the retaining wall.

Ms. Tacke commented that she lives about six to eight blocks away and was unsure why they were suddenly grouped in with the Victoria Curve project.

Public Works Director Ryan Ruzek replied that the City received a number of complaints from residents on Orchard Hill. He stated that they have done what they can to extend the life of the pavement but have done all they could do, therefore the Orchard Hills project was added to this project in order to receive some cost savings for bundling the smaller project with the larger project.

Ms. Tacke recalled a previous discussion of the Council where it was stated that the assessment amount would be capped at \$5,000 but that has now been raised to \$7,600. She asked if that cost would continue to increase and wondered about all the expense.

Public Works Director Ryan Ruzek replied that the costs from the separate projects have not been separated, but we could look at two separate assessment rolls. He stated that MSA funds are being contributed to Victoria Curve, but the assessments could be separated.

Ms. Tacke did not believe that new pavement is needed on Orchard Hill at this time. She believed that cracksealing occurred last spring.

Public Works Director Ryan Ruzek replied that Public Works did some patching on the road last year but that is short-term work that will most likely be undone by the winter conditions. He did not recall discussion of an assessment of \$5,000. He stated that an assessment for the project last year was \$6,482. He noted that the year before the Marie project was capped at \$5,000 or \$5,500 because it was partnered with another project.

Councilor Mazzitello commented that perhaps that was mentioned in the feasibility study presentation.

Public Works Director Ryan Ruzek replied that the feasibility study would have identified \$7,600.

Mayor Levine commented that perhaps there was discussion of capping the assessment, but that decision was not made. She noted that they could review the meeting notes from the December meeting for more information.

Brian Tacke, 1854 Orchard Hill, referenced the scale of both projects, noting that Orchard Hill will only receive roadbed replacement of about 600 feet whereas the Victoria Curve project is much longer with many more improvements occurring. He did not believe the residents should be equally assessed. He noted that the projects could be bid together but assessed differently. He felt that the Orchard Hill residents were being asked to help support the larger project.

Michelle Culligan commented that she would love to have more detailed information on the retaining wall.

Public Works Director Ryan Ruzek replied that the retaining wall would be on the opposite side of the road than the Culligan property. He noted that all work for the project would occur within the road right-of-way, whether or not the trail is included.

Ms. Culligan noted that her property is proposed to be assessed for three residential units even though it has legally been determined that the property is not suited for multiple residential units.

Public Works Director Ryan Ruzek provided more details on the City assessment policy and process for determining assessment. He stated that the Culligans could provide more information stating that they do not have buildable lots.

Ms. Culligan commented that if the property does not include multiple buildable lots, it should not be assessed as such.

Public Works Director Ryan Ruzek noted that the final assessment details will come forward in the final design. He noted that the trail work is not included in the amount to be assessed and would be completely funded by the City.

Ms. Culligan commented that she would like to see a fair assessment for the Culligan property.

There being no one further coming forward to speak, Councilor Paper moved to close the public hearing. Councilor Mazzitello seconded the motion.

Ayes: 5

Nays: 0

Councilor Mazzitello moved to adopt RESOLUTION NO. 2023-08 ORDERING OF IMPROVEMENT PROJECT AND PREPARATION OF PLANS AND SPECIFICATIONS FOR THE VICTORIA CURVE STREET IMPROVEMENTS.

Councilor Paper seconded the motion.

Further discussion: Councilor Miller commented that the point of Ms. Culligan is valid and should be discussed. He stated that the City determined that lot is not buildable and therefore should not be assessed for lots that cannot be built.

Mayor Levine commented that she believed that the assessment was based on frontage and not buildable lots, using the example of a baseball field and the synagogue which are assessed for multiple lots but are not actually multiple lots.

Public Works Director Ryan Ruzek replied that the standard City lot requires 100 feet of frontage in the R-1 district. He stated that the synagogue has 300 feet and therefore is proposed for three lots. He noted other frontage that has been assigned to the City. He stated that for the Culligan property, it is the opinion of staff that one other property could be built, and therefore if the Council desires to reduce the assessment staff would still want to see two lots for assessment.

Councilor Mazzitello commented that he does not know that what took place two years ago declared the land unbuildable, clarifying that the action deemed the proposed project to be unacceptable.

City Attorney Elliott Knetsch agreed with Councilor Mazzitello. He stated that the action taken by the City was related to a specific proposed plat and associated improvements. He stated that the City denied the plat but that does not preclude a future application that may be considered acceptable to the City.

Councilor Mazzitello commented that being said, he does not have issue reviewing the proposed assessment for the Culligan property but wanted to clarify that the City did not declare the property unbuildable. He believed that it would be a worthy exercise to break out the costs for the two projects and divide the assessments. He commented that the amounts may not change much but believed the information would still be helpful.

Councilor Lorberbaum agreed that information would be helpful. She noted that the action before the Council is to provide authorization to proceed. She recognized that this would still come back for public engagement and Council authorization.

Public Works Director Ryan Ruzek replied that this action would approve the project and that would show as a pending assessment on these properties. He confirmed that the pending assessment could change from the preliminary assessment.

Councilor Mazzitello asked if unit assessments need to be resolved tonight.

Public Works Director Ryan Ruzek replied that decision would not need to be made tonight.

Ayes: 5

Nays: 0

NEW AND UNFINISHED BUSINESS

A) RESOLUTION 2023-11 LOT LINE ADJUSTMENT AT 1170 DODD ROAD, PLANNING CASE 2023-01

Planning Consultant Jennifer Haskamp explained that the Council was being asked to consider adoption of a resolution of approval for a lot line adjustment at 1170 Dodd Road as requested by the applicant, Henry (Vic) Holec.

Councilor Paper asked how the new lot line was determined and the purpose of the location.

Planning Consultant Jennifer Haskamp replied that the property owner presented the lot lines as proposed. She noted that it does align with an adjacent lot line.

Councilor Mazzitello referenced condition two in the proposed resolution and asked who would be responsible to record with the County.

Planning Consultant Jennifer Haskamp replied that the applicant would be responsible to record that information and confirmed that the language could be clarified.

Councilor Paper asked if this is a lot split, noting that the term split is used in one of the conditions.

Mayor Levine noted that is a general statement.

Councilor Lorberbaum stated that she likes clean lines and noted that if the new parcel B were extended a little to the south it would not create a jarring corner to the left. She asked how the alignment was determined.

Mary Holec, applicant, stated that they continued the lot line, noting that without the jog the line would continue straight to Dodd Road.

Councilor Lorberbaum asked if the applicant would object to moving the line a bit south.

Mayor Levine commented that she believes the intent is to have a continuous line to Dodd Road, with the exception of the jog.

Planning Consultant Jennifer Haskamp stated that she was contacted by the adjacent property owner on this matter. She stated that the new line would be a continuation of the lot line and would run with the shared driveway easement that provides access to the adjacent property. She noted that the jog is part of what is needed to provide that access and therefore the new lot line does align with the easement.

Councilor Lorberbaum commented that it appears the edge of parcel A does not align with the parcel to the east or south.

Planning Consultant Jennifer Haskamp replied that the proposed lot line does align with that property line as well.

Councilor Miller moved to adopt RESOLUTION NO. 2023-11 APPROVING A LOT LINE ADJUSTMENT AT 1170 DODD ROAD.

Councilor Mazzitello seconded the motion.

Further discussion: Councilor Mazzitello requested to add the language “by the applicant” to the end of condition two.

Councilor Miller agreed.

Ayes: 5
Nays: 0

B) RESOLUTION 2023-12 LOT LINE ADJUSTMENT AT 1941 GLENHILL ROAD, PLANNING
CASE 2023-02

Planning Consultant Jennifer Haskamp provided a brief background on this item. The Council was being asked to consider adopting a resolution of approval for a lot line adjustment at 1941 Glenhill Road as proposed by the applicant, Michelle Culligan, on behalf of Lawrence and Mary Culligan.

Councilor Mazzitello commented that there appears to be an accessory structure south of the newly proposed property line, labeled as garage. He stated that there is a rule that does not allow an accessory structure without a primary structure.

Planning Consultant Jennifer Haskamp commented that it would be dependent upon how the Council rules on such. She noted that if an accessory structure is not functioning, some cities allow the structure to remain while others require the structure to be removed. She noted that in this case the structure already exists on a vacant parcel, and this would be a continuation of the existing nonconforming use.

Councilor Mazzitello moved to adopt RESOLUTION NO. 2023-12 APPROVING A LOT LINE ADJUSTMENT AT 1941 GLENHILL ROAD.

Councilor Paper seconded the motion.

Ayes: 5
Nays: 0

C) PROPOSED PAR 3 BOND PAYMENT ACKNOWLEDGEMENT EVENT

City Administrator Cheryl Jacobson noted the comment that was previously made by the Council to recognize the bond payment for the Par 3 and stated that staff is asking for guidance on that event.

Parks and Recreation Manager Meredith Lawrence provided background information on the item noting that the Council is asked to provide staff with direction on the requested Par 3 bond payment acknowledgement event.

Councilor Lorberbaum commented that the City has been paying on the loan for some time and it should be acknowledged that is paid off and the investment that has been made in the Par 3. She stated that she would like to include as many residents as possible and would like there to be food served.

Mayor Levine stated that the City holds the trick or tee event at the Par 3, which has been well attended. She commented that is an amazing event at the course and stated that perhaps that could be a combined event.

Councilor Lorberbaum stated that she would like to see separate recognition and not wait another six months. She stated that staff has been creative in bringing forward ideas and hoped that could happen to create an event that would celebrate this success.

City Administrator Cheryl Jacobson asked if that would be something along the lines of a free round of golf for those that attend on a certain date. She also asked for more information on the type of food that council would like to provide or see at the event.

Councilor Lorberbaum stated that cake or cookies would be suitable. She envisioned a gathering in the clubhouse. She stated that she would be concerned with capacity for free rounds of golf.

Parks and Recreation Manager Meredith Lawrence commented that the course opening is weather dependent and therefore unknown at this time. She noted that there is an event scheduled for Saturday, April 15 which is the Junior Golf Tournament. She stated that staff was looking for direction on budget and scope.

Councilor Lorberbaum asked a reasonable amount to spend on this type of event.

City Administrator Cheryl Jacobson stated that it would be difficult to predict that without knowing the scope. She stated that if the budget is known, staff could plan to that amount.

Councilor Mazzitello stated that perhaps a spring date is chosen when the course would most likely be open, such as the weekend before Memorial Day, and hold a waffle bar from 9 a.m. to noon, inviting the entire community.

A resident suggested ice cream cones.

Mayor Levine stated that another option would be to utilize a food truck.

City Administrator Cheryl Jacobson stated that staff wanted to ensure support for an expenditure of this nature.

Parks and Recreation Manager Meredith Lawrence asked if the funds would be intended to come from the Par 3 fund.

Councilor Mazzitello asked if staff could provide a few proposals with estimated costs in order to further guide this.

Parks and Recreation Manager Meredith Lawrence confirmed that she could do that but noted that the event schedule is filling up for April and May. She asked for a ballpark amount of money the Council would like to spend, noting there is a big difference between \$500 and \$5,000.

Councilor Lorberbaum stated that she would need guidance as she has nothing to compare it to.

Mayor Levine commented that perhaps there are funds within the recreation budget, as this could be considered a community celebration or public event. She stated that perhaps three different scales are provided in example, low/medium/high. She noted that perhaps the Parks and Recreation Commission is involved in creating the event.

Councilor Mazzitello suggested a budget range of \$1,000 to \$3,000.

Councilor Lorberbaum asked the typical cost for the Halloween event.

Parks and Recreation Manager Meredith Lawrence noted that is a low-cost event as it is mostly candy and staff time, estimating about \$1,000 for that event.

Councilor Lorberbaum noted that the food could be coffee, cookies, and candy. She agreed with the range of \$1,000 to \$3,000.

Mayor Levine received consensus from the Council to allow the Parks and Recreation Commission make the recommendation on the event to the Council given the range of \$1,000 to \$3,000 for the budget.

City Administrator Cheryl Jacobson commented that with the limited time available, involving the Commission may push the event out of the desired window.

Parks and Recreation Manager Meredith Lawrence agreed that there is an issue with timing. She noted that she can bring it forward to the Commission at its meeting next week for input and then bring it back to the Council. She noted that they have not held this type of event in the past and therefore staff wanted input from the Council to ensure that the event meets the desired expectation.

Mayor Levine commented that if the timing does not work with the capacity of staff, she would not want to push it forward for the sake of pushing it through and would be fine with a delay.

COMMUNITY ANNOUNCEMENTS

City Administrator Cheryl Jacobson announced the events that will be included in this weekend's Frozen Fun Fest. She also highlighted other upcoming events and activities.

COUNCIL COMMENTS

Councilor Paper thanked Ms. Petschel for her presentation on the foundation and noted that he is excited about the best idea campaign. He reminded residents that Mendota Heights is a Beyond the Yellow Ribbon community and encouraged veterans and their families in need to reach out.

Councilor Lorberbaum thanked Ms. Petschel and the Board of the foundation for their vision and hopes for what they can do for the community. She welcomed the new Recreation Programming Coordinator and Temporary Recreation Coordinator.

Councilor Miller echoed the thanks to the Community Foundation, noting that it is exciting that the group is up and running with members that have served the community at the helm. He looked forward to seeing how they can help the community.

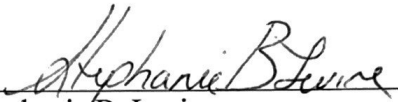
Councilor Mazzitello noted Coffee with the Council this Saturday that he and Councilor Lorberbaum will be hosting. He stated that prior to this meeting, he attended a meeting for Ramsey County and noted that the topics centered around natural resources and plantings. He recognized how far Mendota Heights has come in the last few years related to natural resources and also recognized there is still work to be done.

Mayor Levine stated that she is excited about this weekend's Frozen Fun Fest and hoped to see many residents at the different events. She was also excited about the upcoming community events and programming. She encouraged residents with ideas to submit them for the Community Foundation grant.

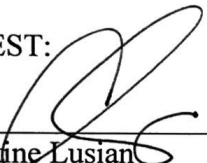
ADJOURN

Councilor Paper moved to adjourn.
Councilor Mazzitello seconded the motion.
Ayes: 5
Nays: 0

Mayor Levine adjourned the meeting at 8:53 p.m.



Stephanie B. Levine
Mayor

ATTEST:


Christine Lusian
City Clerk