

**MAHTOMEDI CITY COUNCIL  
MINUTES  
FEBRUARY 5, 2018**

Mayor Jud Marshall convened the regular City Council meeting at 7:00 p.m. with Council members Jeff Ledermann, Richard Brainerd and Steve Wolgamot in attendance. Tim Deans was absent. City Administrator Scott Neilson, City Attorney Jay Karlovich, City Engineer John Sachi, Public Works Director Bob Goebel, Fire Chief Terry Fischer and City Clerk Mary Solie were also in attendance.

**CONSIDER APPROVAL OF AGENDA**

Item 6i. Resolution Terminating the November 1, 2016 Lease for Duplex located at 196 Hallam and Authorizing a New Lease was added to the Consent Agenda. Council member Wolgamot moved and Council member Brainerd seconded the motion to approve the agenda as amended. The motion was unanimously approved.

**CONSIDER APPROVAL OF CITY COUNCIL MEETING MINUTES**

Council member Ledermann moved and Council member Wolgamot seconded the motion to approve the minutes as presented. The motion was unanimously approved.

**4. PRESENTATIONS**

**1.) Tom Weidner, City Prosecutor**

Tom Weidner, Mahtomedi's City Prosecutor, was present to provide a brief update on activities and to thank the City of Mahtomedi for continuing to have their firm as one of their contracted attorneys.

**2.) Tim Finnerty, Ramsey/Washington Cable Commission**

Mr. Finnerty was present to provide a brief update on the Comcast Agreement and other Cable Commission activities.

**5. DISCUSSION FROM THE AUDIENCE**

There was no discussion from the audience.

**6. CONSENT AGENDA**

Council member Wolgamot moved and Council member Ledermann seconded the motion to approve the Consent Agenda as amended. The motion was unanimously approved.

**6. CONSENT AGENDA-Continued.**

**a. APPROVAL-LMCIT Liability Coverage-Option Not to Waive Statutory Tort Liability Limits.**

The City's insurance agent, Bearence Management Group requested and received approval from the City Council to approve the League of Minnesota Cities Insurance Trust (LMCIT) liability coverage waiver form. Staff recommended that the City Council not waive the monetary limits as established by Minnesota Statutes 466.04.

**b. APPROVAL-Schedule Joint City Council and Park Commission Work Session on Monday, February 26, 2018 at 5:30 p.m.**

A Joint City Council and Park Commission Work Session was scheduled for Monday, February 26, 2018 at 5:30 p.m. to discuss the proposed Park and Trail System Plan.

**c. APPROVAL-Comcast Cable Franchise Extension Agreement.**

An extension agreement of the cable franchise with Comcast as recommended by the Cable Commission was approved. The agreement will extend the expiration date of the current franchise from July 1, 2018 to November 1, 2018.

**d. APPROVAL-Resolution Approving State of Minnesota Joint Powers Agreements and Court Data Services Subscriber Amendment with the City of Mahtomedi on behalf of its Prosecuting Attorney.**

A Joint Powers Agreement with the State of Minnesota Department of Public Safety, and the Bureau of Criminal Apprehension and a Court Data Services Subscriber Amendment was approved. The approval of these documents will allow Eckberg Lammers, City Prosecutor, to use systems and tools available over the State's criminal justice data network. In addition, it will also allow prosecutors to access court records to assist in the efficient performance of its duties.

**e. APPROVAL-Construction Pay Voucher No. 2 and Final in the amount of \$2,531.25 for New Look Contracting, Inc. for Phase 1 White Bear Lake Outlet Improvements.**

Construction Pay Voucher No. 2 and Final in the amount of 2,531.25 for New Look Contracting, Inc. for Phase 1 White Bear Lake Outlet Improvements was approved.

**6. CONSENT AGENDA-Continued.**

**f. APPROVAL-Joint Powers Agreement Between the City of Mahtomedi and City of Dellwood Relating to Quail Street from Dwinell Avenue to Laurel Road.**

A Joint Powers Agreement with the City of Dellwood for cost sharing related to the improvements on Quail Street from Laurel Road to Dwinell Avenue was approved. The Joint Powers Agreement provides that the City of Dellwood will pay a maximum of \$32,400 for these improvements.

**g. APPROVAL-Firefighter Deans Leave of Absence.**

Firefighter Tim Deans requested and received approval for a 90 day leave of absence from the Fire Department effective January 27, 2018.

**h. APPROVAL-Schedule Council Work Session for February 20, 2018 at 5:30 p.m. to discuss County Road 12/Stillwater Road Project.**

A Council Work Session was scheduled for February 20, 2018 with Washington County to update the Council on the County Road 12/Stillwater Road Project.

**i. APPROVAL-Resolution Terminating the November 1, 2016 Lease for the Duplex Located at 196 Hallam Avenue and Authorizing a New Lease Between The City and Jamie DeBilzan.-added**

A Resolution terminating the lease agreement for the duplex at 196 Hallam Avenue and authorizing a new lease between the City and Jamie DeBilzan was approved.

**7. PUBLIC HEARINGS-None**

**8. STAFF REPORTS**

**8a. CONSIDER APPROVAL-Resolution Approving a Preliminary Layout and Requesting Appropriation of Funds to Complete Final Design and Construction for the Lake Links Trail Near and Adjacent to TH 244 in the City of Mahtomedi.**

Jason Amberg of WSB and Associates presented the preliminary layout, recommendations and costs to construct improvements for the Lake Links Trail through the City of Mahtomedi.

**8a. Continued.**

He said the main intent of this study is to recommend a consistent, safe, and constructible multi-use trail alignment for the general public to use now and for generations in the future. The 2.55 +/- miles of this trail route will provide key connections to the greater network of regional trails in the area. The majority of the alignment is within or adjacent to the Hwy 244 ROW, however, some areas required exploration of alignments within local street corridors for a more feasible solution.

The provided plan comprehensively includes trail segments in both Mahtomedi and Dellwood, but the summaries below pertain solely to the main segments of trail within the City of Mahtomedi as studied through this project.

**Birchwood Road Segment:**

Recommendation: narrow street lanes from 12' wide to 11' wide and add curb and gutter to the trail side. Add trail to the north side of the roadway. This will require wetland / floodplain mitigation and retaining walls, but will provide a consistent trail experience with the least amount of maintenance.

**Potential Alternate Route Options:**

Boardwalks: This would greatly reduce the wetland / floodplain mitigation for trails within low areas. Note that long-term maintenance costs could increase.

'Share the Road': This approach is not encouraged for this segment due to traffic volumes during various parts of the day. Note that this approach detracts from trail consistency.

**Wildwood Beach Road Segment (frontage road paralleling Hwy 244):**

Recommendation: construct trail along the east side of the frontage road once Wildwood Beach Road is reconstructed. This will require retaining walls in areas of steep slopes, which are most pronounced in the northern half of this segment.

**Potential Option:**

Reduce street to 'one way' between Doover Lane and Ash Street. Use the space from the eliminated lane to construct the trail.

**Ash Street to Fir Street Segment:**

Recommendation: Narrow Hwy 244 lanes to 11' wide with 2' shoulders. Construct trail with curb & gutter along the west side of Hwy 244.

**8a. Continued.**

Fir Street to Iris Street Segment:

Recommendation: Narrow Hwy 244 lanes to 11' wide with 2' shoulders. Construct trail with curb & gutter along the west side of Hwy 244. There is one area of Hwy 244 between Elm Street and Grove Street that will likely require realignment to allow trail construction with minimal impacts to adjacent properties.

Potential Alternate Route Option:

Install pedestrian crossing at Fir Street. Narrow Hwy 244 lanes to 11' wide with 2' shoulders. Construct trail with curb & gutter along the east side of Hwy 244. This option will require relocation of utilities, including power lines.

Iris Street to Neptune Segment:

Recommendation: Narrow Hwy 244 lanes to 11' wide with 2' shoulders. Construct trail with curb & gutter along the west side of Hwy 244. Some areas will require retaining walls with fencing to avoid excessive property acquisition in areas of steep slopes. There is an area of Hwy 244 near Juniper Street that will likely require realignment to allow trail construction with minimal impacts to adjacent properties.

Potential Alternate Route Option:

Follow sidewalk on Iris Street to Warner Avenue. Then north to Juniper Street and connect to Streetcar Trail. Sidewalk connections are less appealing due to inconsistent trail width for multi-use trails.

Install pedestrian crossing at Juniper Street. Construct trail along Juniper to Streetcar Trail. Boulevard space along Juniper may not allow for 8' or 10' wide trail. This option is less appealing because the trail route would not be consistent.

Existing Streetcar Segment - Neptune Street to Briarwood Avenue at Quail Street:

Recommendation: connect to mid-block crossing north of Neptune and connect to existing Streetcar Trail. This trail provides a nice user experience to Briarwood Avenue. Briarwood Avenue Segment, from Quail Street to northwest approximately 2,750' 'Share the Road'. The City Engineer has evaluated traffic volumes of this street, which are very low (less than 100 ADT). The city plans to reconstruct the street with 'share the road' signage. While this approach does not provide uniform trail consistency, there are no other feasible options. The low traffic volume helps to make this the most appealing option.

**8a. Continued.**

- The existing ROW in this area is not sufficient to widen the street and include a trail.
- The stretch of Hwy 244 between Neptune Street and Dellwood is not recommended for the multi-use trail. The level of traffic, poor sightlines, and limited ROW will not allow for a successful route in this specific area.

Briarwood Avenue Segment, from Dellwood city limits to approximately 1,000' southeast:

Recommendation: construct trail in the city owned property between Hwy 244 and Briarwood Avenue. There is plenty of space within rolling natural terrain that will allow users a pleasant trail experience.

It is our understanding that MnDOT plans to resurface Hwy 244 and that narrowing of lanes and widening shoulders has been considered as part of the resurfacing. The cost projections for the trail project include costs for areas of roadway segments suggested to be realigned but do not include costs associated with narrowing lanes, resurfacing road, or widening shoulders throughout the highway corridor. The coordination of the trail project and any highway improvement projects, regardless of whether they are combined as a single project, will be critical to the overall success of future projects.

Stormwater management is required to accommodate the increased impervious surfaces associated with trail development. While there may be some compensation gained in reducing lane widths and shoulders of highway, we estimate the need for 0.20 acre/feet of new storage. Our plans highlight potential areas to consider for storm water management and locations where there may be potential to work with private property owners. It is our opinion that treating the storm water management above ground will be most efficient, however, if this is not fully attainable, the following alternate solutions may be considered.

Alternate methods to reduce the need for surface storage volume include:

Incorporate infrastructure for underground storage chambers. This could be constructed beneath pavement or open areas to increase storage capacity. Depending on extent of this solution, the costs could vary drastically.

Incorporate 'pervious pavement' for the proposed trails. Note that this pavement type is becoming more frequent, however, the cost to construct are considerably higher than traditional trail construction methods. While there are some examples of this in regional systems, the long-term maintenance requirements and associated costs for pervious trails

**8a. Continued.**

in this climate are not fully known at this time. We recommend considering this as a last resort option at this time.

Approximately 75 to 100 people attended the public open house meeting held on January 10, 2018. The community feedback was supportive of the trail connection with a focus on safety and separation of the road where possible to allow an improved trail experience. Some attendees filled out comment cards in addition to the verbal conversations held at the meeting. Generally, the feedback received conveyed subtle preferences for, and against, some of the options available. Keep in mind that the alternates defined on the plan will provide some flexibility during final design.

Estimated costs have been factored into the following section using average property values along the corridor.

The estimated probable cost to construct this project is \$4,113,465 as summarized in the table below. The estimated costs are based on 2018 values for the recommended alignment which is 'schematic' in level of design. A 20% contingency is recommended at this early stage of the design process. More detailed engineering and coordination will be required to complete final design and establish refined estimated costs.

Construction	\$2,115,323
R/W & Esmt Cost	\$38,921
Wetland Mitigation	\$31,000
Storm Sewer & Bmps	\$426,300
Wayfinding Signs / Kiosks -	\$25,000
Construction Subtotal	\$2,742,310
20% Contingency	\$548,462
Estimated Construction Total	<b>\$ 3,290,772</b>
Administration / Consulting (25%)	\$822,693
<b>Estimated Project Total</b>	<b>\$4,113,465</b>

**Potential Add-Ons If Alternate Alignments Are Selected:**

* Powerline Bury Between Fir & Juniper	\$500,000
* Boardwalks Adjacent To Birchwood	\$930,000

**8a. Continued.**

Council member Wolgamot said he thinks the trail costs are very expensive. He suggested using Wildwood Beach Road as a share the road along with Park Avenue. He said safety is a priority. The Lake Links Association is intending to go to the Legislature for funding for this project and will be meeting with Representative Wiger this week to discuss it.

Mike Brooks, Co-Chair of Lake Links, said they are looking at ways to cut costs for the whole trail process.

Council member Brainerd said this is pretty expensive. He said he agrees with Council member Wolgamot. It makes more sense to go along Park Avenue. He said along Highway 244 in places is not a good place for a trail.

Mayor Marshall asked what plan they will bring when they present it to the legislature. He does not want to redo the trail plan at this time.

Council member Wolgamot said Lake Links is still working on the design.

Council member Ledermann commented that residents want to see additional routes for biking and walking.

Mayor Marshall asked what portion of Wildwood Road is in MNDOT Right-of-Way.

Engineer Sachi said the road lies entirely within MNDOT Right-of-Way.

Council member Brainerd moved and Council member Wolgamot seconded the motion to approve Resolution No. 2018-03 Approving Layout and Requesting Appropriation of Funds to Complete Final Design and Construction for the Lake Links Trail Near and Adjacent to TH 244 in Mahtomedi. The motion was approved.

Council member Brainerd moved and Council member Wolgamot seconded the motion to reconsider Resolution No. 2018-03 to change some of the language in the Resolution. The motion was approved.

The section of Now Therefore be it Resolved was deleted and the last paragraph was changed to "Lake Links Trail near or adjacent to TH 244".

Council member Wolgamot moved and Council member Brainerd seconded the motion to approve the changes to Resolution No. 2018-03. The motion was approved.



**8b. CONSIDER APPROVAL-Ordinance Amending City of Mahtomedi City Code, Chapter 13, Section 13.10, Relating to the City's Right of Way Management Ordinance.**

City Engineer Sachi said the amended right of way ordinance includes amendments to address recent changes in State Statute regarding telecommunications. In 2017, the State Legislature passed legislation recognizing wireless service providers as "telecommunications right of way users" and requiring cities to permit them to install small wireless facilities in the public right of way. In December 2017, the City completed the first of three steps in the process of addressing this change by adopting a Standard Small Wireless Collocation Agreement.

Council member Brainerd moved and Council member Wolgamot seconded the motion to approve Ordinance No. 2018-01 Amending City Code Relating to the City's Right of Way Ordinance. The motion was approved.

**8c. CONSIDER APPROVAL-Bill List**

Council member Brainerd moved and Council member Wolgamot seconded the motion to approve the bills as presented. The motion was unanimously approved.

**9. REPORT FROM THE CITY ADMINISTRATOR**

Administrator Neilson said on March 22<sup>nd</sup>, the Legislative Conference is being held and asked if anyone wants to attend to please let him know.

Administrator Neilson said the money budgeted for Green Step will not be utilized this year and would like to use those funds to support Partners in Energy instead. He suggested using the funds to pay a portion of home energy audits for residents.

**10. COMMENTS FROM THE CITY COUNCIL**

Council member Brainerd suggested having a workshop to discuss Fire Department Staffing and the use of the firefighter housing duplex.

**11. CLOSED SESSION- CLOSED SESSION- Attorney-Client Privileged Discussion of Hague, et al v. City of Mahtomedi.**

Council member Brainerd moved and Council member Wolgamot seconded the motion to recess the regular meeting at 8:25 p.m. to go into Closed Session to discuss Attorney Client Privileged information regarding the Hague, et al v City of Mahtomedi lawsuit. Mayor Marshall, Council members Brainerd, Ledermann and Wolgamot were in attendance along with Administrator Neilson, City Attorney Karlovich, Public Works Director Bob Goebel and City Clerk Mary Solie. Council member Deans was absent.

**11. Continued.**

Following the Closed Session, Council member Brainerd moved and Council member Wolgamot seconded the motion to reconvene the regular meeting. The motion was approved.

**12. ADJOURNMENT**

Council member Brainerd moved and Council member Wolgamot seconded the motion to adjourn the meeting at 10:20 p.m. The motion was unanimously approved.

**ATTESTED:**

**APPROVED:**

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**MARY SOLIE, CITY CLERK**

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**JUD MARSHALL, MAYOR**