

**MAHTOMEDI CITY COUNCIL
MINUTES
FEBRUARY 20, 2018**

Mayor Jud Marshall convened the regular City Council meeting at 7:00 p.m. with Council members Richard Brainerd, Timothy Deans, and Jeff Ledermann in attendance. Council member Steve Wolgamot was absent with prior notice. City Administrator Scott Neilson, City Attorney Jay Karlovich, City Engineer John Sachi, City Planner Erin Perdu, Public Works Director Bob Goebel and Accounting Clerk Jerene Rogers were also in attendance.

CONSIDER APPROVAL OF AGENDA

City Council member Deans moved and City Council member Brainerd seconded the motion to approve the agenda as presented. The motion was unanimously approved.

CONSIDER APPROVAL OF THE JANUARY 23, 2018 JOINT CITY COUNCIL/PLANNING COMMISSION MEETING MINUTES AND THE FEBRUARY 6, 2018 CITY COUNCIL MEETING MINUTES

City Council member Brainerd moved and Mayor Marshall seconded the motion to approve the January 23, 2018 Joint City Council/Planning Commission meeting minutes and the February 5, 2018 City Council meeting minutes. Council member Ledermann amended the January 23, 2018 Joint City Council/Planning Commission meeting minutes as follows: Page 2 – my comments on the wording regarding random parcels. I would like the last sentence corrected to read: “He said all open space has some benefit as wildlife habitat, water infiltration or possible youth play space and wants the negative language removed in the plan.”

Page 3 – the paragraph on my comments regarding natural spaces, mowing etc. That paragraph should be changed to: “Council Member Ledermann wants the plan to include efforts to reduce the amount of mowing and pesticide use on city properties.” The second sentence should be removed as it is duplicative of my comments on page 2 and more accurately referenced above.

Page 4 – the third paragraph attributed to me. I don’t recall saying I would put solar panels on vacant parcels, but I might have. My main point was to make sure the plan encourages solar panels on rooftops, so I think the comment on vacant parcels should be removed. There is a typo on the second to last sentence in this paragraph. It should read, “He is also in favor of investigating organized waste collection.”

City Council member Brainerd moved and City Council member Ledermann seconded the motion to approve the January 23, 2018 Joint City Council/Planning Commission meeting minutes as amended and the February 5, 2018 City Council meeting minutes as presented. The motion was unanimously approved.

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4. **PRESENTATIONS-None**
5. **DISCUSSION FROM THE AUDIENCE-None**
6. **CONSENT AGENDA**

City Council member Deans moved and City Council member Ledermann seconded the motion to approve the Consent Agenda as presented. The motion was unanimously approved.

a. **APPROVAL-Animal Control Services Agreement.**

City Staff requested and received approval for a new Animal Control Services Agreement with Companion Animal Control and Animal Impound Services Agreement with Otter Lake Animal Care Center.

b. **APPROVAL-Request from St. Jude of the Lake Church, 700 Mahtomedi Avenue, to hold a gambling event and to sell wine and beer at the Annual Dinner on April 14, 2018.**

The request from St. Jude of the Lake Church for a gambling permit and their request to sell wine and beer at the Annual Dinner on April 14, 2018 was approved.

c. **APPROVAL- Construction Pay Voucher No. 2 and Final in the amount of \$1,753.05 for Pember Companies, Inc. for the Neptune Crosswalk Improvements Project.**

Construction Pay Voucher No. 2 and Final in the amount of \$1,753.05 for the Neptune Street Crosswalk Improvements for Pember Companies, Inc. was approved.

d. **APPROVAL-Construction Pay Voucher No. 7 in the amount of \$14,620.50 for Metering & Technology Solutions for the Water Meter Replacement Program.**

Construction Pay Voucher No. 7 in the amount of \$14,620.50 for the Water Meter Replacement Program for Metering & Technology Solutions was approved.

7. **PUBLIC HEARINGS-None**

8. STAFF REPORTS

8a. **CONSIDER APPROVAL-Request from Timothy and Tamara Fagely for a Conditional Use Permit for a rear yard setback reduction in order to reconstruct an attached garage at 91 Doover Lane.**

City Planner Erin Perdu said the applicants are requesting a rear yard setback reduction to construct a new attached garage that will be 302 square feet larger than the current one. She stated that the rear yard setback for the proposed garage is 11.25 feet where a 25 foot setback is required. She said the proposal meets all the other zoning requirements for the R1-E Historic Mahtomedi District and the request meets the criteria for a Conditional Use Permit.

City Engineer John Sachi said the plans have been reviewed and he has no comments. He said the proposed roadway, storm sewer and utility improvements proposed for Doover Lane as part of the Historic District Phase 3 will not conflict with this request. He said the applicant might have their driveway completed during the Historic District project.

City Council member Brainerd moved and City Council member Deans seconded the motion, to approve a Resolution Approving a Conditional Use Permit for Reduction in the Rear Yard Setback for a Principal Structure on the Property Located at 91 Doover Lane, PID 29.030.21.32.0030. The motion was unanimously approved.

8b. **CONSIDER APPROVAL-Request from Cottage Homes for a minor subdivision in order to combine and divide the properties described as PID 29.030.21.24.0105 and 29.030.21.24.0106 (located on Ash Street) into two lots, and a variance from the minimum lot width and area requirements.**

City Planner Perdu said the applicant is requesting a minor subdivision and lot combination for the purpose of combining three existing parcels and creating two new, buildable lots. The three parcels to be divided and combined have a total area of 21,945 square feet. She explained that Parcel A has a net lot area of 7,412 square feet and Parcel B has a net lot area of 9,370 square feet, where 10,400 square feet are required. She stated Parcel B has a large easement through the west side, which greatly diminishes the usable area. She said Parcel A requires a width variance. The width is 60.01 feet where 80 feet is required.

Engineer Sachi said the topography should not cause an issue for the construction of the two future homes. The final grading and drainage plan will be reviewed at the time a building permit is turned in. He said MN Dot has reviewed the proposed plan and has

8b. STAFF REPORTS-Continued

provided their comments. He stated the lots will have access off Ash Street, no access to Hwy 244 will be allowed. He said no City utilities are currently stubbed to this property; however, the City will be improving Ash Street in 2018, so there will be an opportunity for the properties to connect as part of the project, for a \$1,500 per lot fee to the owner. He explained the pending assessment for this lot was \$400 for the proposed improvements, but with this subdivision the corner lot will be assessed \$400 and the second lot will be assessed \$800. The developer should waiver their rights to appeal these proposed assessments.

City Council member Brainerd moved, and City Council member Deans seconded the motion, to approve a Resolution Approving a Minor Subdivision and Variances for the Vacant Property Located at the Northwest Corner of the Intersection of Ash Street and Mahtomedi Avenue, PIDS: 29.030.21.24.0106, 29.030.21.24.0105 & 29.03.21.24.010. The motion was unanimously approved.

8c. DISCUSSION-Ruling on White Bear Lake Water Level

City Engineer Sachi provided an update of the White Bear Lake/DNR lawsuit impacts. He said the DNR is required to take several corrective actions that they are passing down to the 11 cities that will be affected by the rulings. Currently, there is a temporary “stay” on the rulings until post-trial motions. He said the corrective actions will become conditions of the DNR’s Water Appropriations Permits to cities within 5 miles of White Bear Lake.

8d. CONSIDER APPROVAL-Bill List

City Council member Deans moved, and City Council member Ledermann seconded the motion, to approve the Bill List as presented. The motion was unanimously approved.

9. REPORT FROM THE CITY ADMINISTRATOR

City Administrator Scott Neilson said there will only be three council members present for the joint City Council/Parks Commission meeting on February 26, 2018 and asked those members to be ready to discuss the Parks and Trails System Plan.

10. COMMENTS FROM THE CITY COUNCIL

City Council member Ledermann said the St. Andrew’s Environmental Stewardship Team is viewing “Saving Snow” a documentary on the impacts of our warmer and shorter winters in the Great Hall on March 4th, 2018 at 6:30 at St. Andrew’s. He invited everyone to attend.

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11. CLOSED SESSION – None Scheduled

12. ADJOURNMENT

City Council member Brainerd moved and City Council member Deans seconded the motion to adjourn the meeting at 8:15 p.m. The motion was unanimously approved.

ATTESTED:

APPROVED:

**JERENE ROGERS
ACCOUNTING CLERK**

**JUD MARSHALL
MAYOR**