

**MAHTOMEDI CITY COUNCIL
MINUTES
MAY 5, 2020**

Mayor Jud Marshall convened the regular City Council meeting telephonically at 7:00 p.m. with Council members: Richard Brainerd, Jeff Ledermann, Jane Schneeweis, and Steve Wolgamot in attendance. City Administrator Scott Neilson, City Attorney Bridget Nason, City Engineers John Sachi and Nick Guilliams, Public Works Director Bob Goebel, Finance Director Scott Schaefer, and City Clerk Jerene Rogers were also in attendance.

CONSIDER APPROVAL OF AGENDA

City Council member Wolgamot moved and City Council member Schneeweis seconded the motion to approve the agenda as presented. The motion was unanimously approved by roll call vote. Yea: Brainerd, Ledermann, Marshall, Schneeweis, Wolgamot. Nay: None

CONSIDER APPROVAL OF THE APRIL 21, 2020 CITY COUNCIL MINUTES

City Council member Brainerd moved and City Council member Ledermann seconded the motion to approve the April 21, 2020 City Council meeting minutes. The motion was unanimously approved by roll call vote: Yea: Brainerd, Ledermann, Marshall, Schneeweis, Wolgamot. Nay: None

4. PRESENTATIONS – 2019 Audit Presentation

Chris Knopik, CliftonLarsonAllen, presented the audit for Fiscal Year ending December 31, 2019. Some of the highlights are as follows:

- The City had a “Clean Opinion” on the 2019 financial statements
- The City again received the award for “Excellence in Financial Reporting” from GFOA for 2018, this is the 28th consecutive year the City has received the award
- There were no findings of noncompliance for 2019
- There were no exceptions noted in internal controls

Mr. Knopik explained the emerging issues that are required in the coming years.

Finance Director Scott Schaefer thanked Chris and his team for their hard work. He also thanked City staff for their efforts.

5. DISCUSSION FROM THE AUDIENCE

Brian Leach, 250 Shamrock Drive, requested permission from the City Council to build a vegetable garden on City property. The property is located behind his and three of his neighbor’s homes. At this time, Brian has approval from one of the neighbors that this

5. DISCUSSION FROM THE AUDIENCE - Continued

project would affect. He will speak with the other neighbors to get their approval as well. He indicated that the garden would be approximately 30' x 30'.

City Council member Jane Schneeweis said she would like feedback from the neighbors that Brian has not spoken to.

City Council member Brainerd thinks this is a good idea, however he thinks there are many unanswered questions. He wants to know if there will be a cost to the city, if there is liability issues if city equipment is used, are there easements to deal with, etc.

Public Works Director Bob Goebel said there is not irrigation in this area but there is a storm pipe. He said at this time he does not know how deep the pipe is.

City Attorney Bridget Nason said property records will need to be looked at and a policy drafted. She said there might be city owned property in other locations that could also be used for gardens. The City Council will have to determine how they want to proceed. She said that a policy should include a lease or sublease for community plots. She said the land will be disturbed for this type of project and when it is no longer used as a garden, somebody will need to be responsible to put the land back to its original state.

The City Council advised Brian to make a presentation to the Parks Commission regarding his request. They asked Public Works Director Bob Goebel to identify other areas within the City that could accommodate a community garden. Public Works Director indicated that he would add this item to the May 20, 2020 Park Commission agenda. The City Council also directed City Attorney Bridget Nason to draft a policy for community gardens.

6. CONSENT AGENDA

City Council member Wolgamot moved and City Council member Schneeweis seconded the motion to approve the Consent Agenda as presented. The motion was unanimously approved by roll call vote. Yea: Brainerd, Ledermann, Marshall, Schneeweis, Wolgamot. Nay: None.

6a. APPROVAL – Dahlia Street Improvements Change Order No. 1.

Change Order #1 for the Dahlia Street Improvements was approved. The change order will allow the contractor to install a portion of the water main using the pipe bursting method instead of an open cut, excavated trench. There will be no additional cost to the City for this change.

6. **CONSENT AGENDA - Continued**

6b. **APPROVAL – Resolution No. 2020-23 Approving Placement of Stop Signs at the Intersections of Wildwood Bay Drive and Harmony Drive.**

Resolution No. 2020-23 Authorizing the Placement of Stop Signs at both intersections of Wildwood Bay Drive and Harmony Drive was approved. The new stop signs will be located at both the northern and southern intersections of Wildwood Bay Drive and Harmony Drive.

6c. **APPROVAL – Award Contract for the Hallam Park Playground Equipment.**

A contract for the Hallam Park Playground Equipment in the amount of \$79,805.65 for Flagstaff Recreation was approved. Staff feels this playground is the best suited in terms of overall design and quality as it has the greatest playability for the widest range of age and will be well received by the residents.

6d. **APPROVAL – Resolution 2020-24 Authorizing Execution of a Settlement Agreement between the City of Mahtomedi and Katherine Verzhbitska-Radzills and Related Documents.**

Resolution No. 2020-24 Authorizing the Execution of a Settlement Agreement between the City of Mahtomedi and Katherine Verzhbitska-Radzills and related documents was approved. Upon execution of the settlement agreement by both parties and receipt of \$8,715.00 for the City's damages, the City authorizes the execution and filing of the Full Satisfaction of Judgement Amount and Discharge of Notice of Lis Pendens with the Washington County District Court/ Office of the Washington County Recorder.

7. **PUBLIC HEARINGS - None**

8. **STAFF REPORTS**

8a. **CONSIDER APPROVAL – Bill list.**

City Council member Ledermann moved and City Council member Wolgamot seconded the motion to approve the bills as presented. The motion was unanimously approved by roll call vote. Yea: Brainerd, Ledermann, Marshall, Schneeweis, Wolgamot. Nay: None.

9. REPORT FROM CITY ADMINISTRATOR

City Administrator Scott Neilson explained that he heard from Tracy Jones regarding the Farmer's market. He reviewed the guidelines set out by the State of Minnesota that allow for this type of activity. He said Tracy indicated that they would once again like to hold the market at Veteran's Memorial Park. He said that he would talk to Tracy regarding the necessary signage and precautions that will need to be followed for this summer.

City Engineer John Sachi updated the City Council on the projects throughout the City. He said the Birchwood Road and Historic District Phase 4 projects should begin on Monday, May 11. He said the temporary water main is laid out and ready to be hooked up for the Dahlia Street project. He said the pipe bursting for this project will begin at the end of the week. He indicated that the storm water projects for Park Avenue and Harmony Drive have been re-bid and will be opened this week. He also said the Bevins, Bichner and Talahi project has been re-bid. He said the plans have been modified to give the contractor until 2021 to complete the project. He stated the CSAH 12 project should be completed by the end of May; they are currently completing sidewalks and landscaping.

Public Works Director Bob Goebel said the contractor for the Hallam Park project started removing trees today.

10. COMMENTS FROM THE CITY COUNCIL

City Council member Ledermann asked if we have a downtown beautification design ready for review.

City Engineer Sachi said he would contact Candace Amberg to follow up on this plan.

11. CLOSED SESSION - – Attorney-Client Privileged Discussion (pursuant to Minnesota Statutes, Section 13D.05, Subd. 3(b)) of City of Mahtomedi v. Lyla M. Douglas, et al., Washington County District Court File No. 82-CV-19-5745.

City Council member Ledermann moved and City Council member Brainerd seconded the motion to adjourn the regular City Council meeting at 8:25 p.m. and go into a Closed Session for an attorney-client privileged discussion involving the following pending litigation matter: City of Mahtomedi v Lyle M. Douglas, et al. Washington County District Court File No. 82CV-19-5745. The closed meeting will be held via telephone only on a separate Zoom conference call number and will commence immediately. Once the closed meeting is completed, there being no further items on the agenda, once back in open session the Council will simply adjourn the meeting. The motion was unanimously passed by roll call vote. Yea: Brainerd, Ledermann, Marshall, Schneeweis, Wolgamot. Nay: None.

Mayor Marshall, City Council members Brainerd, Ledermann, Schneeweis and Wolgamot were in attendance along with City Administrator Neilson, City Attorney Nason, and City Clerk Jerene Rogers.

Following the Closed Session, City Council member Brainerd moved and City Council member Wolgamot seconded the motion to reconvene the regular meeting. The motion was unanimously approved by roll call vote. Yea: Brainerd, Ledermann, Marshall, Schneeweis, Wolgamot. Nay: None.

12. ADJOURNMENT

City Council member Brainerd moved and City Council member Wolgamot seconded the motion to adjourn the meeting at 9:20 p.m. The motion was unanimously approved by a roll call vote. Yea: Brainerd, Ledermann, Marshall, Schneeweis, Wolgamot. Nay: None.

ATTESTED:

APPROVED:



JERENE ROGERS,
CITY CLERK



JUD MARSHALL, MAYOR

