

**MAHTOMEDI CITY COUNCIL
MINUTES
MARCH 16, 2021**

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

CONSIDER APPROVAL OF AGENDA

City Council member Charlesworth 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, Charlesworth, Ledermann, Marshall, Schneeweis. Nay: None

CONSIDER APPROVAL OF THE MARCH 2, 2021 CITY COUNCIL MEETING MINUTES.

City Council member Schneeweis moved and City Council member Ledermann seconded the motion to approve the March 2, 2021 City Council meeting minutes as presented. The motion was unanimously approved by roll call vote. Yea: Brainerd, Charlesworth, Ledermann, Marshall, Schneeweis. Nay: None.

4. PRESENTATIONS – Proclamation Newton (Dee) Smith

Mayor Jud Marshall thanked Dee Smith for his years of service to the City of Mahtomedi. Dee served on the Ramsey/Washington County Cable Commission for three decades.

5. DISCUSSION FROM THE AUDIENCE - None

6. CONSENT AGENDA

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

6a. APPROVAL – Final Construction Payment for Hallam Park Redevelopment.

The final Construction Payment for the Hallam Park Redevelopment in the amount of \$7,268.85 for Bituminous Roadways, Inc. was approved.

6b. APPROVAL – Schedule Local Board of Equalization for Wednesday, April 7, 2021 at 5:00 p.m.

The Local Board of Equalization meeting was scheduled for Wednesday, April 7, 2021 at 5:00 p.m. This meeting will be held virtually through Zoom, the link and the telephone information are available on the City's website.

6. CONSENT AGENDA - Continued

6c. 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 and Auction on May 1, 2021.

The request from St. Jude of the Lake Church to hold a gambling event and sell wine and beer at the Annual Dinner and Auction was approved. The event will take place both virtually and in-person on May 1, 2021.

6d. APPROVAL – 2021 Street Sweeping.

The 2021 Street Sweeping contract with Allied Blacktop, Company was approved with the rate of \$87.00 per hour. Street sweeping usually takes five days in the spring and five days in the fall to complete.

6e. APPROVAL – WSB Proposal for Plans for Signal at CSAH 12 and Wedgewood Drive Intersection.

The WSB proposal for plans for the signal at CSAH 12 and Wedgewood Drive intersection was approved with a not to exceed amount of \$34,500.

6f. APPROVAL – WSB Proposal for Edith Pond Pumping.

The WSB proposal for a Stormwater Lift Station for the Edith Pond issue was approved. The proposal was approved at a not to exceed amount of \$26,800.

6g. APPROVAL – Maintenance Agreement for Stormwater Management Facilities Between the Rice Creek Watershed District and the City of Mahtomedi.

The Maintenance Agreement between the Rice Creek Watershed District and the City of Mahtomedi was approved. The Agreement for the Glenmar Diversion Project requires the City of Mahtomedi to maintain the stormwater system for 5 years.

6h. APPROVAL – Budget Transfer for 2020.

Finance Director Scott Schaefer asked and received permission to transfer funds for the Echo Lake Street Improvement Project from the water and sewer funds to the project fund.

7. PUBLIC HEARINGS – None

8. STAFF REPORTS

8a. CONSIDER APPROVAL-Ordinance Granting a Cable Television Franchise to Comcast of Minnesota, Inc.

City Administrator Scott Neilson said the initial term of the franchise has been extended multiple times by agreement of Comcast, Suburban Cable Commission, and member cities. Suburban Cable Commission has been involved in formal renewal proceedings in the past few years with Comcast

8a. STAFF REPORTS – Continued

and both have come to an agreement on the proposed franchise agreement.

John Baker, Greene Espel Law Firm said all the member cities approved the Franchise Ordinance that was included in the Council materials. He said in 2019 the Federal Communications Commission issued an order which ruled that cable companies can recoup the fair market value of some of those services that were previously free or discounted to public buildings and schools. He said Mahtomedi should expect to see a letter from Comcast regarding the services that will now have to pay for.

He explained the new Franchise has a 10-year term, expiring April 2031. He said the franchise fee will consist of 5% of Gross Revenues. He stated the "Gross Revenues" definition was strengthened and this should increase the base of company revenues from which the 5% fee is calculated. He said when other Comcast systems in Ramsey or Washington County receive a system upgrade our cable system will be updated as well. He stated the Ordinance was unanimously passed by the Commission.

City Council member Brainerd moved and City Council member Schneeweis seconded the motion to approve Ordinance 2021-03 an Ordinance Renewing the Grant of a Franchise to Comcast of Minnesota, Inc. to Operate and Maintain a Cable System in the City of Mahtomedi, Minnesota; Setting Forth Conditions Accompanying the Grant of a Franchise; Providing for City Regulation and Administration of the Cable System; Terminating the Prior Franchise. The motion was unanimously approved by roll call vote. Yea: Brainerd, Charlesworth, Ledermann, Marshall, Schneeweis. Nay: None.

8b. APPROVAL – Resolution Approving the Publication of a Summary of Ordinance Granting a Franchise to Comcast of Minnesota, Inc.

City Council member Brainerd moved and City Council member Ledermann seconded the motion to approve Resolution 2021-17 a Resolution Approving the Publication of a Summary of Ordinance Granting a Franchise to Comcast of Minnesota, Inc. (Comcast) to Construct, Operate, and Maintain a Cable System in the City of Mahtomedi, Minnesota Setting Forth Conditions Accompanying the Grant of the Franchise; Providing for Regulation and Use of the System and the Public Rights-of-Way; and Prescribing Penalties for the Violation of the Provisions Herein. The motion was unanimously approved by roll call vote. Yea: Brainerd, Charlesworth, Ledermann, Marshall, Schneeweis. Nay: None.

8c. CONSIDER APPROVAL – Proposed Ordinance Amendments to Chapter 11 of Mahtomedi City Code.

City Administrator Neilson said the Planning Commission unanimously recommended approval of the proposed Ordinance amendments at their most recent meeting.

City Planner Hannah Rybak said staff has completed the Ordinance amendments that have been in the works for approximately one year. She said the amendments have been drafted based on discussions at two joint City Council/Planning Commission meetings, the 2020 Strategic Planning Session and numerous Planning Commission meetings. She said there were amendments that are required by the

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8b. STAFF REPORTS - Continued

Comprehensive Plan, some amendments were requested by the City Council and then there were several that were miscellaneous updates.

City Council member Brainerd asked if the City had received any correspondence from contractors or residents regarding the amendments.

City Planner Rybak stated nobody spoke at the Planning Commission meeting. She said she had one builder who asked about pushing their permits through before the impervious surface amendments were approved, she told him no.

City Council member Schneeweis thanked staff and said this provides a lot more clarification.

City Council member Brainerd thanked staff, our attorney and any others that may have worked on these amendments. He said it was very well done.

City Council member Brainerd moved and City Council member Schneeweis seconded the motion to approve Ordinances 2021-04 through 2021-27, Ordinances Amending Various Provisions of the City's Zoning Ordinance. The motion was unanimously passed by roll call vote: Yea: Brainerd, Charlesworth, Ledermann, Marshall, Schneeweis. Nay: None.

8d. CONSIDER APPROVAL – Resolution Approving the Publication of a Summary of Ordinance Nos. 2021-04 through 2021-27, Ordinances Amending Various Provisions of the City's Zoning Ordinance.

City Council member Brainerd moved and City Council member Ledermann seconded the motion to approve Resolution 2021-18 a Resolution Approving the Publication of a Summary of Ordinance Nos. 2021-04 through 2021-27, Ordinances Amending Various Provisions of the City's Zoning Ordinance. The motion was unanimously passed by roll call vote: Yea: Brainerd, Charlesworth, Ledermann, Marshall, Schneeweis. Nay: None.

8e. CONSIDER APPROVAL – Council Member Appointments to Personnel Committee and Parks Commission Liaison.

City Council member Brainerd said transferring City Council member Schneeweis to the Personnel Committee to replace former City Council member Wolgamot and appointing City Council member Charlesworth to be the Parks Commission liaison makes sense.

City Council member Schneeweis said she couldn't think of anybody better to pass this position on to.

City Council member Charlesworth thanked City Council member Schneeweis for allowing him to stay active with the Parks Commission while serving on the City Council.

8e. STAFF REPORTS - Continued

City Council member Brainerd moved and City Council member Ledermann seconded the motion to appoint City Council member Schneeweis to the Personnel Committee and City Council member Charlesworth as the liaison to the Parks Commission. The motion was unanimously passed by roll call vote. Yea: Brainerd, Charlesworth, Ledermann, Marshall, Schneeweis. Nay: None.

8f. CONSIDER APPROVAL – Resolution Appointing Advisory Commission Members.

City Council member Brainerd said the City advertised for vacancies on our Advisory Commissions. He said in 2020 the City Council decided not to interview incumbents. He stated earlier tonight the City Council interviewed Lacey Smieja for a position on one of the advisory commissions. He said the City Council was very impressed by Ms. Smieja and they have decided to ask her to serve on the Planning Commission. He also thanked Susan Stewart for her many years of serving the City on the Planning Commission.

Mayor Jud Marshall moved and Council member Schneeweis seconded the motion to appoint:

Chantell Knauss to the Planning Commission with a term to expire on March 31, 2024
Lacey Smieja to the Planning Commission with a term to expire on March 31, 2024
William Seuffert to the Environmental Commission with a term to expire March 31, 2024
Mike Chevalier to the Environmental Commission with a term to expire March 31, 2024
Charles Lindberg to the Parks Commission with a term to expire on March 31, 2024
Ross Metz to the Parks Commission with a term to expire on March 31, 2024

The motion was unanimously approved by roll call vote. Yea: Brainerd, Ledermann, Marshall, Schneeweis, Wolgamot. Nay: None.

8g. DISCUSSION – Bill List.

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

9. REPORT FROM CITY ADMINISTRATOR

City Administrator Neilson said the city-wide survey should be wrapped up by the end of the month and we should have results for the April 6th meeting. He said the President recently signed the Recovery Act that was approved by Congress. He said at this time the League of Minnesota Cities is working out the guidelines for spending the money each city will receive. He indicated that we may have to schedule a work session to review the guidelines. He stated that he and Council member Brainerd participated in a meeting with Senator Wiger and MNDot regarding east metro construction. He said the discussion included TH 244, the City portion and the portion in Dellwood to Hwy 96. They also discussed the transfer of TH 120 to Ramsey and Washington Counties.

10. COMMENTS FROM THE CITY COUNCIL

City Council member Brainerd said driving in the East Metro will be frustrating this year due to construction. He said there is also frustration with not being able to get everything funded and completed that needs attention.

City Council member Schneeweis thanked the Boy Scouts and Cub Scouts that picked up trash on the lake.

11. CLOSED SESSION - None

12. ADJOURNMENT


City Council member Brainerd moved and City Council member Schneeweis seconded the motion to adjourn the meeting at 8:38 p.m. The motion was unanimously approved by roll call vote. Yea: Brainerd, Charlesworth, Ledermann, Marshall, Schneeweis. Nay: None.

ATTESTED:



JERENE ROGERS, CITY CLERK

APPROVED:



JUD MARSHALL, MAYOR