

**MAHTOMEDI CITY COUNCIL
MINUTES
MAY 17, 2022**

Mayor Jud Marshall convened the regular City Council meeting at 7:00 p.m. with Council members Richard Brainerd, Lilly Melander, Luke Schlegel, and Jane Schneeweis in attendance. City Administrator Scott Neilson, City Attorney Bridget Nason, City Engineer John Sachi, Public Works Director Bob Goebel, Fire Chief Terry Fischer, and City Clerk Jerene Rogers were also in attendance.

CONSIDER APPROVAL OF AGENDA

City Administrator Scott Neilson said due to the severe weather last week, the planning commission had to continue the public hearing portion of their meeting regarding the 10 Old Wildwood Road application. He said the meeting will continue on June 1 and the City Council will hear this item at their June 7 City Council meeting.

City Administrator Neilson amended the agenda to add item 8a. under Staff Reports as Discussion and Direction regarding the City of Birchwood Village closing Birchwood Road and moved the Bill List to item 8b.

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

CONSIDER APPROVAL OF THE MAY 3, 2022 CITY COUNCIL MEETING MINUTES.

City Council member Schneeweis moved and City Council member Schlegel seconded the motion to approve the May 3, 2022 City Council meeting minutes. The motion was unanimously approved.

4. PRESENTATIONS – None

5. DISCUSSION FROM THE AUDIENCE

Sarah Harper Olson, 431 Juniper Street said she and her neighbors are concerned about their street. She said the Juniper Street cul-de-sac has huge potholes and experiences flooding.

Kimberly Morgan, 432 Juniper Street said the cul-de-sac is sinking in the middle, there are numerous potholes and the asphalt at the bottom of their driveways buckle. She said they have complained multiple times and their concerns have not been addressed.

Sydney May, 422 Juniper Street said there is a 4" drop between the end of her driveway and the street.

City Engineer John Sachi stated there are two options available for these residents. He said they can file a petition with the city to begin the process of a street improvement project or they can convince the City Council to add this item to the Capital Improvement Plan. He said the petition is the most effective option. He reminded these residents that there will be a street improvement assessment that they will be responsible for if this project is approved.

6. CONSENT AGENDA

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

6a. CONSIDER APPROVAL – Minor Subdivision Agreement for 1401 Harmony Drive.

A minor subdivision and permanent drainage and utility easement agreements for 1401 Harmony Drive were approved.

6b. CONSIDER APPROVAL – Temporary Easement for Vehicle Storage.

The contractor for the CSAH 12 project requested and received approval of a temporary construction easement agreement to allow a construction trailer and related equipment to use part of the grassy area adjacent to the parking lot at Wedgewood Park. The contractor will restore any damage to the area to its existing condition prior to expiration of this agreement.

6c. CONSIDER APPROVAL – Mahtomedi Beach Operations Agreement Between the City of Mahtomedi and the YMCA of the North.

An agreement for lifeguard services between the City of Mahtomedi and the YMCA of the North for 2022 was approved.

6d. CONSIDER APPROVAL – Firefighter Leave of Absence Request.

Nicholas Watson requested and received permission for a 90 leave of absence effective May 17, 2022 from the fire department.

6e. CONSIDER APPROVAL – Firefighter Housing Lease Agreement.

A firefighter housing lease agreement between the City of Mahtomedi and Faith Merz was approved. Ms. Merz will move into the lower unit in the firefighter housing June 1, 2022.

6f. CONSIDER APPROVAL – Ambulance Service Mutual Aid Agreement.

An Ambulance Service Mutual Aid Agreement between the City of Mahtomedi and the City of White Bear Lake was approved.

6g. CONSIDER APPROVAL – Resolution Calling a Public Hearing Regarding the Issuance by the City of St. Louis Park of Conduit Housing Revenue Bonds for the Benefit of St. Louis Park AH I, LLLP, Using, In Part, Recycled Bonding Authority from Bonds Issued by the City of Mahtomedi.

Resolution No. 2022-29 a Resolution Calling a Public Hearing Regarding the Issuance by the City of St. Louis Park of Conduit Housing Revenue Bonds for the Benefit of St. Louis Park AH I, LLLP, Using, In Part, Recycled Bonding Authority from Bonds Issued by the City of Mahtomedi was approved.

7. PUBLIC HEARINGS

7a. CONSIDER APPROVAL – Resolution Providing for the Vacation of a Footpath and Watermain Easement Pursuant to Minnesota Statutes 412.851 and 462.358, Subd. 7.

City Attorney Bridget Nason said the owners of the property located at 87 Wildwood Beach Road commenced a title registration action by which they seek to register their property in the Torrens system. The City Council is asked to hold a public hearing regarding the proposed easement vacation and to approve resolutions regarding the proposed vacation and acceptance of a utility and right-of-way easement.

City Attorney Scott Lucas said title work for this property revealed two old easements. One easement from 1915 was for a walking path and the other from 1957 was for a watermain easement. He said neither of these easements is currently in use by the City and both have previously been vacated on the property located at 91 Wildwood Beach Road in 1984.

Mayor Marshall opened the public hearing at 7:28 p.m. Hearing no commentary the public hearing was closed at 7:29 p.m.

City Council member Brainerd moved and City Council member Schneeweis seconded the motion to approve Resolution No. 2022-28, a Resolution Providing for the Vacation of a Footpath and Watermain Easement Pursuant to Minnesota Statutes 412.851 and 462.358, Subd. 7. The motion was unanimously approved.

CONSIDER APPROVAL – Resolution Accepting Watermain and Roadway and Utility Easements.

City Council member Brainerd moved and City Council member Schlegel seconded the motion to approve Resolution No. 2022-31, a Resolution Accepting Watermain and Roadway and Utility Easements. The motion was unanimously approved.

8. STAFF REPORTS

8a. DISCUSSION AND DIRECTION – City of Birchwood Village closure of Birchwood Road.

City Administrator Neilson said staff is looking for direction from the City Council regarding the City of Birchwood Village recent decision to barricade a portion of Birchwood Road. He said we have had numerous calls regarding this issue.

Lorraine Kluegel, 750 Warner Avenue North said she tried to go through Birchwood and was forced to turn around by a volunteer that told her she couldn't get through that way. She wants to know if it is legal for Birchwood to close the road.

Carrie Hammer, 205 Board Circle asked if Birchwood was required to give a 30 day notice before closing the road. She said we all want a safe route. She said the speed and the number of vehicles using Woodland Drive is ridiculous. She said we are all in this together, can't we be neighborly. She suggested the County opening one lane on CSAH 12 to ease the traffic.

8. STAFF REPORTS - Continued

Sarah Johnson, 109 Edgumbe Drive said she has the same concerns as the others. She said with the increased traffic there has not been an increase in police patrol.

Sheila Bennett, 25 Birchwood Road asked the council to find a way to end the blockade of Birchwood Road. She said the decision to keep Mahtomedi residents off the road is completely wrong. She said Birchwood residents use Mahtomedi's portion of Birchwood Road, CSAH 12, Wildwood Beach Road, etc. She said the concern is safety and maybe there is a need to explore other solutions. For instance, not allowing semi's, install additional signage alerting motorists to pedestrians and cyclists, ask for additional speed trailers and ask the Sheriff's office for more presence. She said Birchwood residents are policing the barricades and are intimidating and harassing motorists. She said this is having a negative impact on our local businesses as well as delivery vehicles and buses.

William Merrill, 145 Lost Lake Court stated he agrees with the others. He said the small businesses in both Mahtomedi and White Bear Lake are suffering. He has concerns regarding the flooding of Birchwood Road as well. He said it seems like ditches in the area might be clogged and that could be what is causing this issue.

Peter Merrill, 145 Lost Lake Court said the drainage issue seems worse since the sidewalk was installed. He also is concerned about the capability of emergency vehicles getting through the road barricades.

Jill, Birchwood Road stated she has the same concerns as everybody else. She said she called Washington County Commissioner Stan Karwoski and he fully supports the Birchwood Road closure. She said the Birchwood Mayor and residents are standing on private property while they are manning the barricades. She said they are taking pictures of vehicle license plates and of the driver's faces that are trying to use the street. She said this is harassment and threatening.

Bob Lane, 135 Lost Lake Court stated since Washington County is reconstructing the road they should be responsible to increase police patrol on the perimeter streets. He said there seems to be an increase in the water volume coming downstream that is creating the flooding issue.

City Council member Brainerd said the City Council hears all of our residents' concerns. He said this situation is very disheartening. His suggestion is to have the City Administrator draft a letter for the Mayor to sign directed to the Birchwood City Council forcefully opposing the closure of Birchwood Road. He said this has been a disservice to the residents of Mahtomedi and to request the road be re-opened. He wants to remind the Birchwood City Council of all the items the two city councils have cooperated on. He would like to have a joint meeting with the entire Birchwood City Council.

City Council member Schneeweis agrees with Council member Brainerd. She reiterated that the City of Mahtomedi did not know this was happening. She is disappointed and stunned by the actions of the Birchwood City Council. She said we would never do something like this to our neighbor. She said with the world so divided on everything Birchwood missed a golden opportunity to step up and this is not acceptable.

8. STAFF REPORTS - Continued

City Council member Melander thanked the audience for their comments and said the council reads everything they receive. She said Mahtomedi did not have a heads up on this and feels the actions of the Birchwood Mayor was an extreme power grab. She said we should be finding ways to work together.

City Council member Schlegel said he agrees with his fellow council members. He would like to know if their emergency meeting was properly noticed since they closed the road so quickly. He would like a public meeting with both city councils'. He said we need to come together to get this resolved. He asked the audience to continue to show up to meetings and keep the council posted on what they see and hear.

City Council member Brainerd said the City Administrator will draft a memo to Birchwood outlining our concerns. He would like the Washington County Commissioners to get a copy of this letter to understand where we stand. He requests a joint meeting with the Birchwood City Council held in our office since our facility will hold more people and he wants to know what our legal options are if we can't reach a resolution.

Mayor Marshall and City Council members Schneeweis, Schlegel and Melander concur with City Council member Brainerd.

City Engineer Sachi said CASH 12 cannot be opened for one lane of traffic because they are replacing a 10' in diameter culvert. He said there is also an issue closer to Birchwood Road that will need 90 days to solidify once the work is complete. He said he will speak with Washington County to get portable speed bumps. He explained that Washington County chose to close Old Wildwood Road at CSAH 12 to ensure the safety of pedestrians and bicyclists.

City Engineer Sachi indicated that the water issue on Birchwood Road is being investigated. He reminded everybody that we have had a very wet spring. He reminded the council that we installed the flashing beacon at the request of Birchwood, they have refused to sign the water agreements for their four residents that utilize water from us, and we agreed to let them use our Lake Links Grant money to fund a portion of their trail.

8b. CONSIDER APPROVAL – Bill List.

City Council member Brainerd moved and City Council member Schneeweis seconded the motion to approve the bill list as presented. The motion was unanimously approved.

9. REPORT FROM CITY ADMINISTRATOR

City Administrator Neilson explained that the bill regarding White Bear Lake is part of Omnibus Bill number 4062 in legislation and is still alive in the Senate.

10. COMMENTS FROM THE CITY COUNCIL - None
11. CLOSED SESSION - None
12. ADJOURNMENT

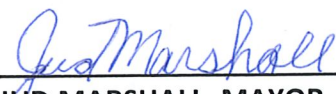
City Council member Schneeweis moved and City Council member Schlegel seconded the motion to adjourn the meeting at 8:50 p.m. The motion was unanimously approved.

ATTESTED:

APPROVED:



JERENE ROGERS, CITY CLERK



JUD MARSHALL, MAYOR