

**MAHTOMEDI CITY COUNCIL
MINUTES
JULY 20, 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 Attorneys Bridget Nason, David Sienko and Scott Lucas, City Engineer Nick Guilliams, 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 Brainerd moved and City Council member Charlesworth seconded the motion to approve the agenda as presented. The motion was unanimously approved.

CONSIDER APPROVAL OF THE JULY 6, 2021 CITY COUNCIL MEETING MINUTES.

City Council member Schneeweis moved and City Council member Ledermann seconded the motion to approve the July 6, 2021 City Council meeting minutes as presented. The motion was unanimously approved.

4. PRESENTATIONS

Fire Chief Terry Fischer said Mike Eldred recently completed the required training allowing him to have his status changed from probationary paid on-call FF/EMT to a paid on-call FF/EMT. Fire Chief Fischer presented Mr. Eldred with his badge.

5. DISCUSSION FROM THE AUDIENCE

6. CONSENT AGENDA

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

6a. APPROVAL – Schedule Public Hearing for Preliminary Budget for September 21, 2021.

The Public Hearing for the 2022 Preliminary Budget is scheduled for September 21, 2021.

6b. APPROVAL – Resolution Approving the Acceptance of Gifts for the creation of a bench and an overlook at Chautauqua Park.

Resolution No. 2021-37 Approving the Acceptance of Gifts for the creation of a bench and an overlook at Chautauqua Park was approved. The Danforth family donated \$4,500 to the City for the bench and overlook.

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 Cornfest Celebration on September 11, 2021.

6. CONSENT AGENDA - Continued

Resolution No. 2021-38 Approving an Application for Authorization for St. Jude of the Lake Church, 700 Mahtomedi Avenue to Conduct a Raffle and for a Temporary, One-Day On-Sale Liquor License was approved.

6d. **APPROVAL – Construction Pay Voucher No. 2 for T.A. Schifsky and Sons, Inc. in the amount of \$349,944.37 for the Historic District Phase 4 – East Improvement Project.**

Construction Pay Voucher No. 2 for T.A. Schifsky and Sons, Inc. for the Historic District Phase 4 – East Improvement Project in the amount of \$349,944.37 was approved.

6e. **APPROVAL – Change Order No. 1 in the amount of \$28,688.40 for the Historic District Phase 4 – East Project.**

Change Order No. 1 in the amount of \$28,688.40 for the Historic District Phase 4 – East Improvement Project for T.A. Schifsky and Sons, Inc. was approved.

6f. **APPROVAL – Construction Pay Voucher No. 3 for North Valley, Inc. in the amount of \$415,729.21 for the 2021 Street Improvement Project.**

Construction Pay Voucher No. 3 for North Valley, Inc. for the 2021 Street Improvement Project in the amount of \$415,729.21 was approved.

6g. **APPROVAL – Construction Pay Voucher No. 2 for Miller Excavating in the amount of \$43,135.70 for the Glenmar Avenue Diversion Project.**

Construction Pay Voucher No. 2 for Miller Excavating for the Glenmar Avenue Diversion Project in the amount of \$43,135.70 was approved.

6h. **APPROVAL – Construction Pay Voucher No. 5 and Final for T.A. Schifsky and Sons, Inc. in the amount of \$51,542.29 for the Dahlia Street Improvement Project.**

Construction Pay Voucher No. 5 and Final for T.A. Schifsky and Sons, Inc. for the Dahlia Street Improvement Project in the amount of \$51,542.29 was approved.

6i. **APPROVAL – Contract for Wedgewood Park Basketball Court.**

A contract in the amount of \$10,000 to repave the basketball court and add a trail extension at Wedgewood Park to T.A. Schifsky and Sons, Inc. was approved. Funds are available in the 2021 Equipment and Building Replacement Fund for this project.

6. CONSENT AGENDA - Continued

6j. APPROVAL – Professional Services Agreement between Savatree, LLC and the City of Mahtomedi for Emerald Ash Borer Services.

An agreement between the City of Mahtomedi and Savatree, LLC. for the treatment of Ash trees for Emerald Ash Borer was approved. There are funds available in the Parks and Streets budget to cover these expenses.

6k. APPROVAL – Pre-Hospital Medical Direction Services Agreement Between the City of Mahtomedi and Regions Hospital.

An agreement between the City of Mahtomedi and Regions Hospital for Medical Direction Services was approved. The agreement is for an initial 3 years and will automatically renew for successive one-year terms after that. The first year of the contract will be \$4,500 with an annual increase of 5% over the previous year every year thereafter.

6l. APPROVAL – Status Change for Paid on-call firefighter/EMT.

Fire Chief Terry Fischer said Mike Eldred has completed the EMS training to fulfill the probationary requirements. By fulfilling these requirements his employment status should be changed from a probationary paid on-call Firefighter/EMT to an on-call Firefighter/EMT. The City Council approved the change in employment status.

7. PUBLIC HEARINGS – None

8. STAFF REPORTS

8a. CONSIDER APPROVAL – Appointment of Advisory Commission Member

City Administrator Neilson said earlier this evening the City Council interviewed Heather LaValle-Tumbleson for a vacancy on the Finance Commission.

City Council member Brainerd said the City Council was very impressed by Ms. LaValle-Tumbleson and they have decided to ask her to serve on the Finance Commission.

City Council member Brainerd moved and City Council member Schneeweis seconded the motion to approve Resolution 2021-36 a Resolution Appointing Advisory Commission Member(s) to a Term Starting July 20, 2021 running through March 31, 2024.

8b. CONSIDER APPROVAL-Bill List.

City Council member Charlesworth moved and City Council member Ledermann seconded the motion to approve the bills as presented. The motion was unanimously approved.

9. REPORT FROM CITY ADMINISTRATOR

City Engineer Nick Guilliams said curb, gutter and utilities have been installed in Quail Street and Spruce Street as part of the Historic District Phase 4 – East project. He said they are anticipating this project being complete in September. He said the 2021 Street Improvement project is complete with only a few punchlist items remaining. He indicated they will be putting grass seed down in August with the hope we will have rain. This project came in under budget and ahead of schedule. He said the paint for the street striping projects has not been received. They expect delivery of the paint in the next week or two and the striping will take about two weeks to complete.

Public Works Director Goebel said the City has received information from the Department of Natural Resources indicating they are in a warning stage for drought. They are suggesting cities reduce their water usage by 50% of their January usage. He said we have been proactive getting the word out about water conservation. We have put information on the website, in the newsletter and on Facebook. He has informed the deputies to ticket repeat offenders of our sprinkling ordinance. He stated the City will be sending out postcards to every resident regarding water conservation.

Public Works Director Goebel said the Wedgewood Park playground has been completed and the basketball court will be paved in the next two weeks. He said the new speed limit signs are being installed and the radar trailer will be put in place by the end of the week.

City Attorney Bridget Nason said she heard from the attorney for 520 Robert Court and this house has been sold to an investor and should close in the next few days.

10. COMMENTS FROM THE CITY COUNCIL

City Council member Brainerd said earlier today there was a ribbon cutting for the County Road 12 project. There was also a one year anniversary celebration for the new library that representatives from the City Council attended. He stated last week there was a ribbon cutting for the Wolgamot Way Trail at the District Center that was well attended.

11. CLOSED SESSION - Pursuant to Minnesota Statutes, Section 13D.05, Subd. 3(b), for confidential attorney-client discussions concerning pending White Bear Lake Litigation matters including in OAH file 8-2002-35477.

CLOSED SESSION – Pursuant to Minn. Stat. Sec. 13D.05, Subd. 3(b), attorney-client privilege, regarding litigation In the Matter of the Application of Thomas Malecha and Catherine Malecha to Register Title to Certain Real Estate Situated in Washington County, Court File No. 82-CV-21-242.

11. CLOSED SESSION – Continued

City Council member Schneeweis moved and City Council member Ledermann seconded the motion to adjourn the regular City Council meeting at 7:35 p.m. and go into a Closed Session, Pursuant to Minnesota Statutes, Section 13D.05, Subd. 3(b) for an attorney-client privileged discussion involving the following pending litigation: Pending White Bear Lake Litigation matters including in OAH file 8-2002-35477 and regarding litigation In the Matter of the Application of Thomas Malecha and Catherine Malecha to Register Title to Certain Real Estate Situated in Washington County, Court File No. 82-CV-21-242. The motion was unanimously passed by roll call vote. Yea: Brainerd, Charlesworth. Ledermann, Marshall, Schneeweis. Nay: None.

Mayor Marshall, City Council members Brainerd, Charlesworth, Ledermann and Schneeweis were in attendance along with City Administrator Neilson, City Attorney Nason, City Attorney Scott Lucas, City Attorney David Sienko, City Engineer Nick Guilliams, Public Works Director Goebel and City Clerk Jerene Rogers.

Following the Closed Session, City Council member Brainerd moved and City Council member Ledermann seconded the motion to reconvene the regular meeting at 9:00 p.m. The motion was unanimously approved.

City Council member Brainerd moved and City Council member Charlesworth seconded the motion to approve Resolution 2021-39 a Resolution Authorizing Consolidation of the Contested Case Proceedings Related to the Residential Irrigation Ban Amendments in OAH File 8-2002-35477 and Authorizing the Execution of the Common Interest Agreement. The motion was unanimously approved.

12. ADJOURNMENT

City Council member Ledermann moved and City Council member Schneeweis seconded the motion to adjourn the meeting at 9:02 p.m. The motion was unanimously approved.

ATTESTED:

APPROVED:



JERENE ROGERS, CITY CLERK



JUD MARSHALL, MAYOR