

**MAHTOMEDI CITY COUNCIL
MINUTES
AUGUST 2, 2023**

Mayor Richard Brainerd convened the regular City Council meeting at 7:00 p.m. with City Council members Jeff Charlesworth, 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 Council member Charlesworth moved and City Council member Schneeweis seconded the motion to approve the agenda as presented. The motion was unanimously approved.

CONSIDER APPROVAL OF THE JULY 18, 2023 CITY COUNCIL MEETING MINUTES.

City Council member Schlegel moved and City Council member Charlesworth seconded the motion to approve the July 18, 2023 City Council meeting minutes as presented. The motion was unanimously approved.

4. PRESENTATIONS – None

5. DISCUSSION FROM THE AUDIENCE

Jim Podobinski, 570 Warner Avenue South shared his continuing frustration with the speed and volume of traffic on Warner Avenue in front of his home. He said the speed trailer is not slowing drivers down. He stated Washington County deputies have patrolled that area a few times since May, but even that doesn't deter speeders. He is hoping something can be done soon before there is a serious accident.

6. CONSENT AGENDA

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

6a. APPROVAL – Resolution Approving the Acceptance of Gifts for miscellaneous purchases for the Mahtomedi Fire Department.

Resolution No. 2023-27 a Resolution Approving the Acceptance of Gifts in the amount of \$852.12 from St. Andrew's Lutheran Church to the Mahtomedi Fire Department for miscellaneous purchases was approved.

6b. APPROVAL – New Liquor License Application.

Jennifer Rodriguez Cabrera recently purchased Red Luna Seasons, located at 114 Mahtomedi Avenue. Due to the change of ownership, Ms. Cabrera had to apply for a new liquor license. The City Council approved the new liquor license application for Red Luna Seasons.

6. CONSENT AGENDA - Continued

- 6c. APPROVAL – Resolution Approving the renewal of a Massage Business License for Jessie Tomme Salon and the renewal of the Massage Therapist License for Calvaleigh Rasmussen for the business located at 92 Mahtomedi Avenue.

Resolution 2023-28 a Resolution Approving the Renewal of a Massage Business License for Jessie Tomme Salon and the renewal of the Massage Therapist License for Calvaleigh Rasmussen for the business located at 92 Mahtomedi Avenue was approved.

6d. APPROVAL – Disposition of Surplus Items.

Public Works Director Bob Goebel asked and received permission to dispose of miscellaneous hydraulic cylinders and a boat the fire department no longer uses. The items will be auctioned on the State auction site.

7. PUBLIC HEARINGS – None

8. STAFF REPORTS

- 8a. CONSIDER APPROVAL – Resolution Establishing Parking Restrictions on Certain City Streets.

Public Works Director Bob Goebel said at the last council meeting we heard from residents who have concerns regarding parking on Park Avenue near the beach. He said we placed temporary no parking signs on the east side of the road until the council could formally adopt a resolution restricting the parking. He stated that he received many responses in favor of the proposed no parking and a few opposed to the no parking.

Roger Weenig, 933 Park Avenue asked the council if they would also consider including no parking between Iris Street and Juniper Street. He said that it is a bottleneck near the beach and the issue extends as far south of the beach as Iris Street.

Public Works Director Goebel read an email the City received late today from Julie Neujahr, 1154 Park Avenue. She would prefer to see temporary no parking on Park Avenue during the time period of Memorial Day through Labor Day. She does not believe it's necessary to restrict parking all the way to Locust Street.

City Council member Schneeweis would like to see no parking on the east side of Park Avenue from Iris Street to Locust Street. She said emergency vehicles would not be able to get through if needed.

Fire Chief Terry Fischer said he is in favor of this proposal. He said it can be a struggle to get through this area when there is parking on one side of the street and almost impossible when vehicles are parked on both sides.

8. STAFF REPORTS – Continued

City Council member Schneeweis moved and City Council Charlesworth seconded the motion to approve Resolution 2023-29 a Resolution Establishing Parking Restrictions on Certain City Streets with a modification to restrict parking on the east side of Park Avenue from Iris Street North to Locust Street. The motion was unanimously approved.

8b. **CONSIDER APPROVAL – Ordinance Amending City Code, Section 9, Adding Section 9.07 Prohibiting Cannabis and Tobacco Products Use Within Certain Public Places.**

City Attorney Bridget Nason explained with the legalization of adult use cannabis, certain cannabis products are not explicitly prohibited by the legislation. She said cities are authorized to adopt ordinances prohibiting the use of certain cannabis products in public places. She stated the draft ordinance has been prepared to include a broad definition of public places, including city buildings, parking lots, parks, beaches, sidewalks and trails. She said it includes prohibitions of the use of both cannabis and tobacco and nicotine solution products in public places after staff determined that the City does not currently have an ordinance prohibiting the use of tobacco in public places.

City Council member Schlegel said he is happy tobacco and vape products are included in the draft ordinance. He likes the definition of public places as spelled out in the draft ordinance and feels the violation of a petty misdemeanor is appropriate.

City Council member Charlesworth moved and City council member Schneeweis seconded the motion to adopt Ordinance 2023-03 an Ordinance Amending City Code, Section 9, Adding Section 9.07 Prohibiting Cannabis and Tobacco Products use Within Certain Public Places as presented. The motion was unanimously approved.

8c. **CONSIDER APPROVAL – Change Order for Sidewalk at Wildridge Road and Lincolntown Avenue.**

City Engineer John Sachi said at the last City Council meeting, the City Council asked staff to work with the contractor working in the area to lower their change order and also try to solicit additional quotes for the proposed sidewalk at Wildridge Road and Lincolntown Avenue. He stated the existing contractor refused to lower their bid and they had absolutely no response from additional contractors for this project. He suggested including this project as part of the 2024 Street Improvement Project contract.

Mayor Brainerd asked if the rectangular rapid flashing beacon (RRFB) can be installed this year.

Public Works Director Goebel said they are waiting for the light to be shipped. When it is received, public works will install.

City Engineer Sachi indicated if the need arises, the RRFB is a solar/Wi-Fi light and can be relocated at any time.

8. STAFF REPORTS – Continued

Gerard Dielentheis, 27 Wildridge Road said he supports the RRFB, he does not support the sidewalk or the crosswalk that seems to lead nowhere. He said the sidewalk would be 120 feet long in the front of his yard. He said most of the pedestrians will cross the street in the narrowest part of the roadway, which is quite a bit farther west of his property.

City Engineer Sachi said staff is looking for direction from the Council regarding this project. Is this something you really want to move forward with at this time or would you like to include this with the 2024 Street Improvement Project?

City Council member Schneeweis said she wants to move forward with the RRFB, but is not ready to vote for the sidewalk tonight. She would like this included with the 2024 Street Improvement Project.

The consensus of the City Council is to not move forward with the change order but to move forward installing the RRFB and include the sidewalk in the 2024 Street Improvement Project.

Engineer Sachi said this will be heard as part of the Public Improvement Hearing in November. He said he will pass this information on to the interested parties.

8d. CONSIDER APPROVAL – Bill list.

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

9. REPORT FROM THE CITY ADMINISTRATOR

City Engineer Sachi updated the City Council about the current construction projects as follows:

Juniper Street – contractor fixed a 10 foot section of curb that was not draining properly, final pavement course to be completed next week, restoration is mostly complete.

Gosiwin sidewalk – construction will take place in September, plantings at the same time.

Lincolntown Avenue Storm sewer – street will close next week for a few hours. This is to alleviate the flooding issue in that area.

Birchwood Road – problem is ongoing. They are having issues working with the DNR.

Pickleball Court – mostly complete, painters in next week, final restoration this fall.

CSAH 12 – Lift Station – bids came in higher than anticipated, Washington County and the City of White Bear Lake have agreed to contribute additional funding. We are working on a few clerical issues with the annexation piece that are being resolved. The plan is to build the lift station in October.

Public Works Director Goebel said he attended a meeting with representatives from the Three River Park District, city, county, and sheriff department staff regarding the deer population. He said the Metro Bowhunters Association is willing to come into the city to help with thinning the herd. He said it's too late this year to start the process but feels we could have a hunt next year.

9. REPORT FROM THE CITY ADMINISTRATOR – Continued

He said the key to maintaining the deer population is enforcement of our ordinance. He said the City of Roseville recently passed an ordinance that bans feeding of all wildlife, not just deer. He thinks we should consider something similar to this.

The City Council would like to see a draft ordinance that includes banning the feeding of all wildlife. They would also like to have Metro Bowhunters back next year for a hunt.

10. COMMENTS FROM THE CITY COUNCIL

City Council member Melander thanked public works staff for all their hard work cleaning up the tree debris and storm damage throughout the City.

City Council member Schneeweis would like the City to stop treating the beach for the itch. She said the chemicals are toxic if they are swallowed.

City Administrator Scott Neilson said we need to find out if we hold the contract for this service or if the contract is held by the White Bear Lake Conservation District.

Public Works Director Goebel will contact the company that treats the lake and ask them to postpone the next treatment until further notice.

11. CLOSED SESSION - Closed session pursuant to Minn. Stat. Sec. 13D.05, subd. 3(c)(1) and (2), in order to review confidential or protected nonpublic appraisal data under section 13.44, subdivision 3 and determine the asking price for real property owned by the City located on Glenmar Avenue (Parcel ID No. 29.030.21.42.0036) and on Bevins Lane (Parcel ID No. 32.030.21.24.10).

City Council member Schneeweis made a motion to move into closed session pursuant to Minnesota Statutes, Section 13D.05, subd. 3(c)(1) and (2) in order to review confidential or protected nonpublic appraisal data under section 13.44, subdivision 3 and determine the asking price for real property owned by the City and located on Glenmar Avenue (Parcel ID No. 29.030.21.42.0036) and on Bevins Lane (Parcel ID No. 32.030.21.24.0010). City Council member Schlegel seconded the motion and the motion unanimously passed at 9:20 p.m.

Mayor Brainerd, City Council members Charlesworth, Melander, Schlegel and Schneeweis, City Administrator Neilson, City Attorney Nason, City Engineer Sachi, Public Works Director Goebel, and City Clerk Rogers were in attendance for the Closed Session.

Following the Closed Session, City Council member Schneeweis moved and City Council member Charlesworth seconded the motion to reconvene the regular meeting at 9:50 p.m. The motion was unanimously approved.

12. ADJOURNMENT

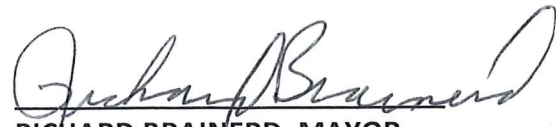
City Council member Charlesworth moved and City Council member Schneeweis seconded the motion to adjourn the meeting at 9:51 p.m. The motion was unanimously approved.

ATTESTED:

APPROVED:



JERENE ROGERS, CITY CLERK



RICHARD BRAINERD, MAYOR