

**MAHTOMEDI CITY COUNCIL
MINUTES
SEPTEMBER 20, 2022**

Acting Mayor Richard Brainerd convened the regular City Council meeting at 7:00 p.m. with Council members Luke Schlegel and Jane Schneeweis in attendance. Mayor Jud Marshall and City Council member Melander were absent with prior notice. City Attorney Bridget Nason, City Engineer John Sachi, City Planner Hannah Rybak, Finance Director Scott Schaefer, Public Works Director Bob Goebel, and City Clerk Jerene Rogers were also in attendance.

CONSIDER APPROVAL OF AGENDA

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

CONSIDER APPROVAL OF THE AUGUST 16, 2022 CITY COUNCIL MEETING MINUTES.

City Council member Schneeweis moved and City Council member Schlegel seconded the motion to approve the August 16, 2022 City Council meeting minutes. The motion was unanimously approved.

4. PRESENTATIONS – None

5. DISCUSSION FROM THE AUDIENCE

Sheryle VanCleve, 219 Hazel Avenue asked for clarification regarding the encroachment agreement that was approved in 2021 for her property. She said the encroachment agreement prohibits them from doing anything with their property for 10 years. She said they were originally told their property encroached 10 feet onto City property, where in fact it encroaches 6 inches onto City property. She asked why they were not given the opportunity to buy the property from the City.

City Attorney Bridget Nason said she can provide background information to the City Council regarding the history of the encroachment agreement at a future council meeting. She indicated that her office conversed with Mrs. VanCleve's attorney regarding the agreement. She said the property owner did not request to purchase the property.

City Engineer John Sachi said the original 10 foot encroachment area came from an aerial view from the Washington County mapping system. He said the City hired a surveyor, at our cost and found that the encroachment was 6 inches. He said the depiction was included with the encroachment agreement to the property owner.

Jim Podobinski, 570 Warner Avenue South asked to have something done with the speed of the traffic on Warner Avenue South. He said the traffic races down that road and he is concerned about the children walking on the street. His recommendation is to add stop signs to slow the traffic down.

City Engineer Sachi stated he would not recommend installing additional stop signs. He said this does not slow traffic down, but the council can choose to do what they want.

Acting Mayor Brainerd said the City Administrator can reach out to the Sheriff's office to have their deputies in that area more frequently. He said we could also put our speed trailer in that area.

5. **DISCUSSION FROM THE AUDIENCE – Continued**

Public Works Director Bob Goebel said he would put the trailer in that area next week facing the southbound traffic.

6. **CONSENT AGENDA**

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

6a. **APPROVAL – Resolution Calling for and Ratifying an Assessment Hearing with Respect to CSAH 12 (Wildwood Road) from Century Avenue to Mahtomedi Avenue Street Improvement Project.**

Resolution 2022-51 a Resolution Calling For and Ratifying an Assessment Hearing with Respect to CSAH 12 (Wildwood Road) From Century Avenue to Mahtomedi Avenue Street Improvement Project was approved. The public hearing will be held on October 18, 2022.

6b. **APPROVAL – Resolution Calling for and Ratifying an Assessment Hearing with Respect to 2022 Street Improvement Project.**

Resolution 2022-50 a Resolution Calling for and Ratifying an Assessment Hearing with Respect to the 2022 Street Improvement Project was approved. The public hearing will be held on October 18, 2022.

6c. **APPROVAL – Firefighter Request for Leave of Absence.**

Firefighter Blake Tschida asked and received permission to take a 90 day leave of absence from the Fire Department. The leave will be effective August 24, 2022.

6d. **APPROVAL – Firefighter Organization Management and Staffing Study.**

The City Council approved a Fire and Ambulance Services Organizational and Staffing Study to be completed by Baker Tilly. The cost of the study is \$39,515 which will be split between the Fire and Ambulance Budgets.

6e. **CONSIDER APPROVAL – Resolution Approving a Massage Business License for owner Rhianon Nelson of Jessie Tomme Salon and a Massage Therapist License for Calvaleigh Rasmussen.**

Resolution 2022-49 a Resolution Approving a Massage Business License for Owner Rhianon Nelson and a Massage Therapist License for Calvaleigh Rasmussen for the business located at 92 Mahtomedi Avenue, known as Jessie Tomme Salon was approved.

6f. **CONSIDER APPROVAL – Construction Pay Voucher No. 3 for 2022 Street Improvement Project in the amount of \$352,674.81 for OMG Midwest.**

Construction Pay Voucher No. 3 for OMG Midwest, for the 2022 Street Improvement Project in the amount of \$352,674.81 was approved.

6. **CONSENT AGENDA - Continued**

6g. **CONSIDER APPROVAL – Resolution in Support of the Lincolntown Avenue Drainage Improvement Project.**

Resolution No. 2022-55 a Resolution in Support of the Lincolntown Avenue Drainage Improvement Project was approved.

6h. **CONSIDER APPROVAL – Public Works Security Gate.**

Quotes from Midwest Fence and Barnum Companies to repair/replace the public works security gate were approved. The total repair will be \$16,423. Adequate funds are available in the Building and Equipment Replacement Budget.

6i. **CONSIDER APPROVAL – Write-Off of Uncollectible Ambulance Receivables.**

Uncollectible Ambulance Receivables in the amount of \$103,906.98 were approved to be written off. The billings for the write-offs date 2012-2016 and have exceeded their statute of limitations deadline for collection.

6j. **CONSIDER APPROVAL – Construction Pay Voucher No. 2 (Final) in the amount of \$12,024.75 to Insituform Technologies for Sanitary Sewer Lining Project.**

Construction Pay Voucher No. 2 (Final) for Insituform Technologies, for the 2022 Sanitary Sewer Lining Project in the amount of \$12,024.75 was approved.

6k. **CONSIDER APPROVAL – Resolution Approving 331 Park Avenue Minor Subdivision Development Agreement.**

Resolution No. 2022-57 a Resolution Approving of a Minor Subdivision Development Agreement and Acceptance of Permanent Public Easements for Drainage, Utility, and Roadway Purposes was approved.

7. **PUBLIC HEARINGS – CONSIDER APPROVAL – Resolution Ordering Certification of Unpaid Utility Charges Pursuant to Minnesota Statutes 444.075, Subd. 3e, and 443.29 for Collections with Payable 2023 Property Taxes.**

Finance Director Schaefer said the delinquent utility accounts for 2022 are a little higher than last year. He said since the letters have been sent out we have already received about \$22,000 in payments.

Acting Mayor Brainerd opened the public hearing at 7:35 p.m. Hearing no commentary the public hearing was closed at 7:36 p.m.

City Council member Schlegel moved and City Council member Schneeweis seconded the motion to approve Resolution 2022-56 a Resolution Ordering Certification of Unpaid Utility Charges Pursuant to

7. PUBLIC HEARINGS- Continued

Minnesota Statutes 444.075, Subd. 3e, and 443.29 for Collection with Payable 2023 Property Taxes. The motion was unanimously approved.

8. STAFF REPORTS

8a. **CONSIDER APPROVAL – Ordinance Amendment to Chapter 11.01, Section 10.7: Signs.**

City Planner Hannah Rybak said staff found that there was an oversight in the proposed amendment following last month's Zoning Ordinance Amendment. She said an additional amendment should have been included. She said the amendment was intended to include electronic signage in the Parkland/Public District as several schools are included in this zoning district. The intent of the amendment is to allow schools and churches to install electronic signage subject to a Conditional Use Permit.

City Council member Schlegel moved and City Council member Schneeweis seconded the motion to approve Ordinance 2022-08 an Ordinance Amending City Code, Chapter 11 Section 11.01, Section 10.7, Signs Related to Electronic Display Signs in the Parkland/Public Zoning District. The motion was unanimously approved.

8b. **CONSIDER APPROVAL – Request from Mahtomedi Public Schools at 1520 Mahtomedi Avenue for a Conditional Use Permit to update a portion of the existing monument sign at the subject property to an electronic display.**

City Planner Rybak stated Mahtomedi Public Schools requested a Conditional Use Permit to allow for an electronic display sign at their property located at 1520 Mahtomedi Avenue. She said the upper portion of the sign will remain the same and the lower portion will be converted from a letter cabinet to an electronic cabinet. City Planner Rybak stated the Planning Commission recommended unanimous approval of this application.

City Council member Schneeweis moved and City Council member Schlegel seconded the motion to approve Resolution 2022-54 a Resolution Approving a Conditional Use Permit for the Installation of an Electronic Graphic Display Sign at the Property Located at 1520 Mahtomedi Avenue and described as PID 20.030.21.24.0066. The motion was unanimously approved.

8c. **CONSIDER APPROVAL – Preliminary 2023 General Fund Budget, Certification of 2023 Levy to Washington County, Schedule Public Hearing for Consideration of Final Budget Approval and Certification for December 6, 2022 at 7:00 p.m. and Schedule a Public Hearing for 2023-2027 Capital Improvement Plan for November 1, 2022.**

Finance Director Schaefer said the Council is asked to approve the Preliminary 2023 General Fund Budget for certification to Washington County.

Finance Director Scott Schaefer said the 2023 General Tax Levy is proposed at \$4,161,086 an

8. Staff reports- Continued

increase of 16.15% from the 2022 General Tax Levy, which does not include Special Levies. The 2023 service levy is proposed at \$1,791,095. The total Proposed Tax Levy is \$5,952,181 which represents a 10.73% increase from the 2022 Budget. The proposed tax capacity rate for 2023 is 34.38% compared to 39.12% in 2022. Based on a home value of \$439,850, property taxes will be approximately \$1,512 in 2023 compared to \$1,360.96 in 2022.

Acting Mayor Brainerd said the Finance Commission and City Council discussed the proposed 2023 budget at a recent workshop meeting. At that time the Finance Commission members were asked to go through the budget in detail. He said the proposed budget that is levied to the County cannot be increased, but can be decreased if needed.

City Council member Schlegel moved and City Council member Schneeweis seconded the motion to approve Resolution 2022-53 Approval of Proposed 2023 Annual Budget for General Fund. The motion was unanimously approved.

City Council member Schlegel moved and City Council member Schneeweis seconded the motion to approve Resolution No. 2022-52 a Resolution Approving Proposed Tax Levy for 2023 and Cancellation of debt levy in the amount of \$1,762,803 for taxes payable in 2023. The motion was unanimously approved.

City Council member Schlegel moved and City Council member Schneeweis seconded the motion to schedule a public hearing for the 2023-2027 Capital Improvement Plan for November 1, 2022 and to schedule a public hearing for December 6, 2022 for Final 2023 Budget and Levy consideration. The motion was unanimously approved.

8d. CONSIDER APPROVAL – Bill List.

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

9. REPORT FROM CITY ADMINISTRATOR

City Engineer Sachi said the City has been awarded a \$44,000 policy development grant from the Met Council to develop policies for our Sustainability Plan. He said this is a reimbursable grant and WSB will help with the policies.

City Engineer Sachi said the final lift of pavement has been installed on the main line of CSAH 12. He said they will be installing guardrail and signage, striping and completing final restoration work on the roadway. The anticipated open date is Tuesday, September 27 and indicated the signal will not be active.

City Engineer Sachi said as part of the CSAH 12 project it was discovered that a sanitary sewer line that serves the properties at CSAH 12 and HWY 120 is very shallow at only 2 feet deep. He said MNDot

9. REPORT FROM CITY ADMINISTRATOR - Continued

installed a 42 inch sewer line that crosses with the sanitary sewer line. He said Washington County wants this fixed before completion of the trail in that area. He said the best solution would be to install a new pipe at a lower depth with a lift station to White Bear Lake's main sewer line on the north side of the street. He said the cleanest way to do this is to add a change order to Forest Lake Contracting and have them do the work. He explained the project could cost approximately \$300,000 and determining who is responsible to pay for the project is going to be difficult. He said nobody is taking ownership of the line.

10. COMMENTS FROM THE CITY COUNCIL

City Council member Schneeweis stated the funeral service for former City Council member Steve Wolgamot is October 7th at St. Andrew's Church.

City Council member Schlegel said the Metro Transit public comment period will begin in November for the possible three end points of the proposed purple bus line, with a decision made in January. He said there will be open houses and mailings distributed.

Acting Mayor Brainerd reminded the City Council of the October 4th work session to interview a candidate for an advisory board. The work session will begin at 6:15 p.m. He also reminded the City Council of the joint City Council/Finance Commission meeting scheduled for October 18th before the regularly scheduled City Council meeting. The 2023-2027 Capital Improvement Plan will be discussed at this meeting.

11. CLOSED SESSION - None

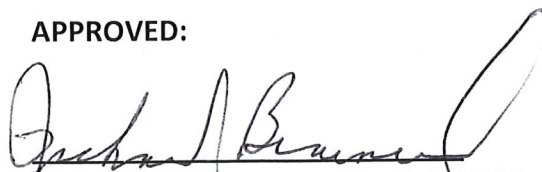
12. ADJOURNMENT

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:


JERENE ROGERS, CITY CLERK

APPROVED:


RICHARD BRAINERD, ACTING MAYOR