

**MAHTOMEDI CITY COUNCIL
MINUTES
OCTOBER 3, 2023**

Mayor Richard Brainerd convened the regular City Council meeting at 7:00 p.m. with City Council members Jeff Charlesworth, Luke Schlegel, and Jane Schneeweis in attendance. City Council member Lilly Melander was absent with prior notice. City Administrator Scott Neilson, City Attorney Bridget Nason, City Engineers John Sachi and Katie Koscielak, Public Works Director Bob Goebel, and City Clerk Jerene Rogers were also in attendance.

CONSIDER APPROVAL OF AGENDA

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

CONSIDER APPROVAL OF THE SEPTEMBER 19, 2023 CITY COUNCIL MEETING MINUTES.

City Council member Charlesworth moved and City Council member Schneeweis seconded the motion to approve the September 19, 2023 City Council meeting minutes as presented. The motion was unanimously approved.

4. PRESENTATIONS

5. DISCUSSION FROM THE AUDIENCE

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 – New Liquor License.

Juan Robles, owner of Bella Ciao Ristorante has sold his business to Mauro Aucay. The name of the business will remain the same. The background check on Mr. Aucay has been completed through the Washington County Sheriff's Office and no violations were found to prevent him from receiving a license. The fees for on-sale liquor and Sunday liquor sales have been paid and a Certificate of Insurance for the business has been issued. The City Council approved the liquor license for Mauro Aucay, the new owner of Bello Ciao Ristorante.

7. PUBLIC HEARINGS – None

7a. CONSIDER APPROVAL – Resolution Adopting Special Assessments for 2023 Street Improvement Project (Juniper Street).

City Engineer John Sachi said at their September 5, 2023 City Council meeting the council approved a resolution calling for and ratifying an Assessment Hearing for the 2023 Street Improvement Project (Juniper Street). He said the improvements that were completed include; remove existing pavement, correct existing subgrade, grade roadway and place new aggregate

7. PUBLIC HEARINGS – Continued

base and sand sub-base, install new concrete curb and gutter and install new pavement. He explained utility improvements included; storm sewer installation, new drain tile behind the entire length of curb, sump pump connections and stubs to new drain tile. He said the project costs were \$493,200 and the amount to be specially assessed is \$104,780 or 21.25%. Engineer Sachi reminded the council that the Gosiwin Trail Improvement was added to this project. He stated lots adjacent to Juniper Street receiving the improvement will be assessed. He said the assessment for a single-family residential unit will be \$9,979.00 per the Assessment Policy. He explained that residents wishing to pay the assessment interest free will be able to do so until November 2nd. He said the assessment can be levied to the property taxes over a ten year period with an interest rate of 3.32%.

Mayor Brainerd opened the public hearing at 7:06 p.m. Hearing no commentary the public hearing was closed at 7:07 p.m.

City Council member Charlesworth moved and City Council member Schneeweis seconded the motion to approve Resolution 2023-53 a Resolution Adopting Special Assessments 2023 Street Improvement Project (Juniper Street). The motion was unanimously approved.

8. STAFF REPORTS

8a. CONSIDER APPROVAL – Bill list.

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

9. REPORT FROM THE CITY ADMINISTRATOR

City Administrator Neilson reminded the City Council that there will be a joint City Council/Finance Commission meeting at 5:30 p.m. on Tuesday, October 17th to discuss the 2024-2028 Capital Improvement Plan and the 2024 Fee Schedule.

10. COMMENTS FROM THE CITY COUNCIL

City Council member Schneeweis said she has a meeting scheduled next week with Willernie Mayor Parent. She said one of the topics of discussion will be the reconstruction of McGregor Avenue.

Mayor Brainerd said City Council member Schneeweis has volunteered to be the Council Representative on the Many Faces of White Bear Lake Organization. He thanked her for volunteering to take this on.

11. **CLOSED SESSION** – Closed session pursuant to Minn. Stat. Sec. 13D.05, subd. 3(b), attorney-client privilege, regarding the contested case concerning the City’s water appropriation permit that is part of OAH Master Docket No. OAH 8-2002-37733, *In the Matter of Amendments to Various Water Appropriation Permits* and OAH 8- 2002-35477, *In the Matter of Amendments to Water Appropriation Permit 1969-0163, City of Mahtomedi* (OAH 84-2002-35477), which resulted from the Lake Level Litigation, *White Bear Lake Restoration Association, et al v. Minnesota Department of Natural Resources, et al.*

Mayor Brainerd made a motion to move into closed session pursuant to Minnesota Statutes, Section 13D.05, subd. 3(b) attorney-client privilege, regarding the contested case concerning the City’s water appropriation permit that is part of OAH Master Docket No. OAH 8-2002-37733, *In the Matter of Amendments to Various Water Appropriation Permits* and OAH 8- 2002-35477, *In the Matter of Amendments to Water Appropriation Permit 1969-0163, City of Mahtomedi* (OAH 84-2002-35477), which resulted from the Lake Level Litigation, *White Bear Lake Restoration Association, et al v. Minnesota Department of Natural Resources, et al.* City Council member Schneeweis seconded the motion and the motion unanimously passed at 7:18 p.m.

Mayor Brainerd, City Council members Charlesworth, Schlegel and Schneeweis, City Administrator Neilson, City Attorney Nason, City Attorney David Sienko, 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 Schlegel seconded the motion to reconvene the regular city council meeting at 8:08 p.m. The motion was unanimously approved.

City Council member Schlegel moved and City Council member Schneeweis seconded the motion to approve Resolution 2023-54 a Resolution Authorizing Execution of Settlement Agreement and Related Documents. The motion was unanimously approved.

12. ADJOURNMENT


City Council member Schneeweis moved and City Council member Schlegel seconded the motion to adjourn the meeting at 8:14 p.m. The motion was unanimously approved.

ATTESTED:



JERENE ROGERS, CITY CLERK

APPROVED:



RICHARD BRAINERD, MAYOR