

**MAHTOMEDI CITY COUNCIL  
MINUTES  
OCTOBER 17, 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, City Planner Hannah Rybak, Public Works Director Bob Goebel, Fire Chief Terry Fischer, Finance Director Scott Schaefer, and City Clerk Jerene Rogers were also in attendance.

Washington County Deputy Jarrett provided an update regarding recent activities within the City. He said car tampering and break-ins are ongoing and reminded residents to lock their vehicles and shut and lock their garages. He indicated there continues to be traffic concerns by O.H. Anderson School. He feels that the speed trailers are making a difference.

**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 OCTOBER 3, 2023 CITY COUNCIL MEETING MINUTES.**

City Council member Charlesworth moved and City Council member Melander seconded the motion to approve the October 3, 2023 City Council meeting minutes as presented. The motion was unanimously approved.

**4. PRESENTATIONS**

**5. DISCUSSION FROM THE AUDIENCE**

Gene Altstatt, 67 Wildwood Beach Road asked permission to put his sailboat in Veterans Memorial Park once again this year beginning Thanksgiving night through January 6<sup>th</sup>, 2024.

The City Council supports this request.

City Attorney Nason stated she will prepare an agreement between Mr. Altstatt and the City of Mahtomedi for a Holiday Display in Veterans Memorial Park for the next City Council meeting.

**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 – Safety Training Agreement with SafeAssure.**

Staff requested and received permission to enter into a contract for safety consulting and training with SafeAssure. The contract is considerably less expensive than our previous consultant.

6. CONSENT AGENDA - Continued

6b. APPROVAL – Award of Contract for Water Tower #1 Rehabilitation.

A contract with the base bid in the amount of \$737,000 to BRZ Coatings for the rehabilitation of Water Tower #1 was approved.

6c. APPROVAL – Acknowledge Completion of Probationary Period for Firefighter/Medic.

Fire Chief Terry Fischer requested and received permission to change the status for Jon Anderson from a probationary Firefighter/Medic to a non-probationary full-time Firefighter/Medic. Chief Fischer presented Jon with his badge, then Jon's wife pinned him with the badge.

7. PUBLIC HEARINGS

7a. CONSIDER APPROVAL – Resolution Ordering Public Improvement Project Stillwater Road (CSAH 12) Phase 2 Street Improvement Project, Authorizing Preparation of Final Plans and Specifications, Authorizing Advertisement for Bids, and Authorizing Preparation of Preliminary Proposed Assessment Roll for Pending Assessment Reporting Purposes.

City Engineer John Sachi said at their September 19, 2023 City Council meeting the council received the Feasibility Report for the Stillwater Road (CSAH 12) Phase 2 Improvement Project. He reminded the council that this project will be led by Washington County. He said anticipated improvements include pavement rehabilitation, new concrete curb and gutter, storm sewer upgrades as needed, city utility improvements as needed, trail and sidewalk extensions and improvements, and pedestrian and bicycle safety improvements. He explained there will be additional decorative lighting installed, a signal light installed at Hallam Avenue/East Avenue, replacement of existing and installation of new pedestrian/bicycle facilities and other safety improvements as needed. He stated there are several proposed utility improvements that consist of hydrant and gate valve replacements, sanitary casting replacements, and storm sewer and catch basin replacements as needed. He said they hope to bid the project in the spring and have the majority of the project completed in the fall of 2024.

City Engineer Sachi explained the estimated cost of the project is \$7,287,987 with the city roughly paying \$524,460 of which \$193,958 will come from special assessments. He said Washington County is completing about \$57,040 of work for St. Andrew's Church of which St. Andrew's Church asked for this amount to be included with their special assessment from the City. He said a separate assessment agreement will have to be signed by St. Andrew's Church for this amount. City Engineer Sachi explained that the few residents along this area will be assessed for an Urban Reclamation/reconstruction per the assessment policy. He said notices will be provided before the Assessment Hearing in the fall of 2024. He explained the next steps are to hold a public hearing and then approve the resolution ordering the project to proceed with Washington County as the lead agency.

Washington County Commissioners Miron and Karwoski thanked the residents of Mahtomedi for their involvement with the public engagement for this project. They both stated they enjoy

**7. PUBLIC HEARINGS - Continued**

working with the City of Mahtomedi citizens and that they strive to make these projects as painless as possible.

Mayor Brainerd opened the public hearing at 7:24 p.m. Hearing no commentary the public hearing was closed at 7:25 p.m.

City Council member Charlesworth moved and City Council member Schneeweis seconded the motion to approve Resolution 2023-56 a Resolution Ordering Public Improvement Project Stillwater Road (CSAH 12) Phase 2 Street Improvement Project, Authorizing Preparation of Final Plans and Specifications, Authorizing the Advertisement for Bids, and Authorizing Preparation of Preliminary Proposed Assessment Roll for Pending Assessment Reporting Purposes. The motion was unanimously approved.

**8. STAFF REPORTS**

**8a. CONSIDER APPROVAL – Request for approval of a Conditional Use Permit to Allow for the replacement and expansion of a legal nonconforming detached garage at the property located at 721 Park Avenue, PID: 29-030-21-22-0060.**

City Administrator Neilson said the property owners at 721 Park Avenue are requesting a Conditional Use Permit for the replacement and expansion of a legal nonconforming detached garage.

City Planner Hannah Rybak said the applicants, Geoffrey and Jean Ratte have proposed to tear down and replace an existing legal non-conforming garage. She said the existing structure is a two-story detached, single stall garage, with a dwelling unit on the upper level. She said it is not possible to fit a modern vehicle into the garage. She explained the current garage sits approximately 1.5 feet from the north property line and extends approximately two feet over the rear property line. She stated the proposed structure will allow for one modern vehicle to park on the lower lever, with an accessory dwelling unit on the upper level. She said the accessory dwelling unit standard criteria for this application have been met.

City Engineer John Sachi said the removal of the small portion of the existing garage that juts out into the right-of-way is a positive aspect of this proposal. He said a sediment and erosion control plan has already been provided. He does not feel there will be any issues with this proposal.

Jim Vail, Vail Builders said they will be re-siding the other garage on the property to match the one being proposed. He said they are planning to directional bore for the new water/sewer lines.

City Council member Melander moved and City Council member Schlegel seconded the motion to approve Resolution No. 2023-55 a Resolution Approving a Conditional Use Permit for Replacement and Expansion of a Legal Non-Conforming Detached Garage on the Property Located at 721 Park Avenue, PID 29.030.21.22.0060. The motion was unanimously approved.

8. STAFF REPORTS - Continued

8b. CONSIDER APPROVAL – Ordinance Amendments to Chapter 11 Section 10.01, (C) Related to Building Height; and Chapter 11, Section 11.01, Subd. 11.1, Table 11.0 A: Land Use Table.

City Administrator Neilson said the council is asked to approve ordinance amendments to Chapter 11, Section 10.1 (C) related to Building Height and Chapter 11, Section 11.01, Subd. 11.1, Table 11.0 A: Land Use Table.

City Planner Rybak said there have been unintended issues with the way the Zoning Ordinance guides height to be measured. She stated it seems to be overly restrictive. She said building height is measured from the point of average grade to the midpoint of the tallest roof peak. She explained there is an extra provision that caps the height of the tallest peak to no more than five feet taller than the maximum allowable height per zoning district. She said the issue is when there is a large difference in the grade from the front to the rear of the property. She said increasing the number of feet to 10 feet taller than the maximum allowable height per the zoning district will correct this issue.

City Planner Rybak said the code referenced to Minnesota State Statute in the Land Use Table is incorrect. She said staff recommends correcting this to refer to the correct provision to be consistent with statute.

City Council member Schlegel moved and City Council member Schneeweis seconded the motion to approve Ordinance No. 2023-13 an Ordinance Amending Mahtomedi City Code Chapter 11, Section 10.1 (C) Related to Building Height. The motion was unanimously approved.

City Council member Schlegel moved and City Council member Charlesworth seconded the motion to approve Ordinance No. 2023-14 an Ordinance Amending Mahtomedi City Code Chapter 11, Section 11.01, Subd. 11.1, Table 11.0 a Land Use Table. The motion was unanimously approved.

8c. CONSIDER APPROVAL – Request for approval of a State Fire Aid Allocation Plan.

Finance Director Scott Schaefer said the governing body and fire department are eligible to share Fire State Aid. He said currently the State Aid goes directly into the Statewide Volunteer Firefighter Plan on behalf of the City of Mahtomedi. He said to share the State Aid, state law requires the City have an allocation plan. The requested allocation plan is requesting 75% of Fire State Aid be allocated back to the City of Mahtomedi to recover PERA employer contributions for fulltime firefighters. He explained this would be approximately \$60,000 based on estimated State Aid of \$80,379. He said the allocation plan would be in effect for three years from January 1, 2024 through December 31, 2026. He stated per statute the volunteer firefighters have the right to file a petition within 45 days to stop the proposed Fire State Aid allocation plan. He said if the plan is approved this could reduce the property tax rate by 1.06% for 2024.

City Council member Schneeweis moved and City Council member Schlegel seconded the motion

**8. STAFF REPORTS - Continued**

to approve a Mahtomedi State Aid Allocation Plan as requested by staff. The motion was unanimously approved.

**8d. CONSIDER APPROVAL – Bill List.**

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

**9. REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Neilson said he is looking to schedule a Strategic Planning meeting sometime in December. He will touch base with the council members to come up with a date that works for everybody.

**10. COMMENTS FROM THE CITY COUNCIL**

City Council member Schneeweis said she will be attending a ribbon cutting for the Northeast Family Services building. This will be held Thursday, October 19<sup>th</sup> at 3:45 p.m. She also indicated that she will be attending the Willernie City Council meeting on Wednesday, October 18<sup>th</sup>. She said the 180' area of McGregor Avenue that is part of our 2024 Street Improvement Project and is in the City of Willernie will be discussed at this meeting.

City Council member Schlegel said that he attended a Purple Line meeting. He said they are still looking at White Bear Avenue for this transit line.

Mayor Brainerd said he attended the Safe Routes to School walk with a group of students and parents to O.H. Anderson. He said there were a lot of kids and they had a good time.

Washington County Commissioner Miron gave an update regarding proposed projects the County will be managing over the next few years. He shared the 2024 Board Approved Max Levies for 19 Minnesota Counties and the Tax Capacity and Market Value Levies for Washington County Taxing Districts with a five year comparison documents with the Council. He said the groundbreaking for the new Northern Environmental Center took place recently. He indicated the northern yard waste site will move to the same location as the Environmental Center and will be open more hours.

**11. CLOSED SESSION – None**

12. ADJOURNMENT

City Council member Charlesworth moved and City Council member Schneeweis seconded the motion to adjourn the meeting at 8:30 p.m. The motion was unanimously approved.

ATTESTED:

APPROVED:

  
\_\_\_\_\_  
JERENE ROGERS, CITY CLERK

  
\_\_\_\_\_  
RICHARD BRAINERD, MAYOR