**Minutes of the Regular Meeting-7:30pm Tuesday,**

**May 10, 2022**

**Mendota VFW 1323 Sibley Memorial Hwy, Mendota Minnesota**

1. Call to order: Mayor Mielke called the meeting to order at 7:35 p.m.

2. Pledge of Allegiance

3. Present: Mayor Mielke. Council members Golias, Perron, Rasmussen and Donnelly. City Attorney Tom Loonan, City Clerk Kathy Krotter, Engineer Lucas Jones, Captain Wegener and Building official Mike Andrejka.

4. Agenda: Motion to change the agenda, removing Resolution comp plan and added nuisance properties. Motion to approve by Mayor Mielke and seconded by Council Member Donnelly. Approved 5-0.

5. Approval April 12, 2022 City Council Meeting minutes. Motion to approve last month’s meeting minutes by Mayor Mielke and seconded by Council Member Perron. With the change on page 3 to catalytic convertor thefts. Approved 5-0.

6. Treasurer’s Report: Motion to pay the bills by Mayor Mielke and seconded by Council Member Clark. Approved 5-0.

7. Building Official Report Mike Andrejka: Mike closed one permit, and issued two.

8. Resolution for Sale of City property: Tracy has given the city a formal written offer for the city property. Council member Donnelly talked to Robert Hop about the city property. Mr. Hop was not interested in the property. Tracy will be paying the closing costs. Tracy will be buying the city property with a contingent that he sells his property. The sale of Tracy’s property is contingent with the approval of the variance. The buyer has sent in a variance application, but it will go to the planning commission and then the council will make a decision on the variance at the next council meeting. Tom Loonan read the resolution to the council for the approval of the offer from Tracy Wilcziek. Motion to approve the resolution for the offer of the City’s property by Council Member Golias and seconded by Council Member Rasmussen. Approved 5-0

9. Cable to St Peters Church: City clerk explained what the installers needed from the city and Tom Loonan wanted to state for the record that this is pursuant to the franchise agreement that we currently have with Comcast and the installers are a sub-contractor for Comcast that will be doing the work for Comcast. Motion to grant approval, without blocking the street by Council Member Golias and seconded by Council Member Perron. Approved 5-0

10. Public Hearing for MS4 permit: Opened public hearing at 7:53 pm. Lucas spoke about the MS4 permit and what it meant. Official wording is “To provide the opportunity to the public to provide input on the adequacy of the storm water pollution plan.”

Lucas had an update on the MS4 permit, the application is due in June. But the annual report is not due until September 2022. There are a few requirements. One is a policy to illicit discharges, example would be, what if oil is going into a drain who gets notified and who is in charge of doing this, that and another. Lucas will be bringing in a draft for the council. Also the site plan review check list, which pertains to storm water. Council Member Golias stated, what if someone wanted to build a garage and asked what would qualify. Lucas stated that would be based on our ordinance, but right now it would be the C.U.P or an application. Residential improvements usually do not trigger the MS4 permit. Mayor asked for any comments from the public. Council Member Golias asked if there would be anything we could do to help Mike with a permit request that might involve an MS4 problem. Lucas stated that it is not usually triggered by a permit request unless it is over an acre and if it is platted before 1991 nobody has to do anything. Public hearing closed at 7:58pm.

11. Discussion of Nuisance Property: Mayor stated that he got some emails and citizen complaints about our nuisance ordinance. Tom stated that we do not have an official zoning administrator, who we would turn this over to. That hat like many hats falls on to our City Clerk Kathy. When these complaints arise, you should do your own determination of the validity and if there is legitimacy to the complaint you should let Kathy know. She can take a look and if the property is in violation, the city will give them a letter to clean it up within thirty days. If the property is not cleaned up in thirty days, the city can turn it over for prosecution, for a petty misdemeanor, with a fine. This is stated under our current code. Mayor Mielke stated that he had lunch with the Mayors from Mendota Heights, Lilydale, and Sunfish Lake today and it happened to be brought up at lunch about nuisances. It was not about Mendota and the Mayor did not bring it up, but the city can limit it if there is not a safety hazard. If they have boats sitting on the ground and not on trailers, or snowmobiles, jet skis, and campers that are not going anywhere, this is not a safety hazard. Tom said that the Mayor was talking about an abatement. That would be the city going in and fixing the situation. So the Mayor asked, how do we define a nuisance property? Page 87 section 601, 601-10, 606-1. Council member Golias read the junk ordinance. Mayor Mielke asked the city clerk if she had a letter for the nuisance ordinance. She stated that she did have a letter stating the ordinance section, the time line and the consequences.

12. Public Comments: Opened at 8:12 pm. Closed public comment also at 8:12 pm.

13. Council Comments: 8:13 pm.

Council Member Rasmussen, nothing.

Council Member Golias, thanked everyone for their well wishes.

Mayor Mielke: Had some mail, if anyone is interested in reading it. Mentioned he had lunch with the other Mayors to touch basis, with what is going on with our neighboring cities. Also the tree situation, now that the trees are budding, we need to decide which ones are a hazard and which ones are completely dead. Especially one that will come down and block someone from going to work. Council Member Golias stated that there are bushes on Fourth Street across from Gracin’s.

Council Member Donnelly: Stated that his family received a very nice thank you from some residents for the May Day flowers that they passed out on May 1st. A potted plant with suckers. Thanks. Also asked about getting sentence to serve to come out and clean the park before the Mendota Picnic and maybe some dumpsters. We could give the town a great clean up.

Council Member Perron: Told the Captain that someone dropped some boxes in the parking lot below the church. (Mendota Heights property) Also the Christmas tree is still up.

Closed council comments at 8:21 pm.

 14. Staff Comments: 8:21 pm Captain Wegener did email Sargent Fleming about Mendota Days. He will let the Mayor know what is happening with that.

April’s calls we had 29 calls and 2 open cases. Captain asked if the Mayor or Council reviewed the calls list, and they all said no. The city clerk does receive the CAD incident report but has not passed them on to the council. When you get the reports there is a CRU referrals, listed on the side. In the police department they now have a member of the Dakota County Crisis Response Unit. There was a story on Channel 11, last week that talked about partnering with crisis response units and the police department. If there are any calls that an officer is not prepared for, Dakota County Crisis response helps on. Captain asked for any questions. Council member Donnelly asked about Hwy 62 being closed. And yes the west bound side is closed and then after that is done the east bound side will be closed. Also portions of Hwy 55.

Lucas Jones: Update on Comp Plan, we took it off the agenda because Met Council still has not approved the Comp plan. Lucas had a meeting with them today and they have all the information that they need and they have one more final review in which then they have 60 days to do so. We might get a letter that states 120 days, because they like to take an extension right away typically because they have a large group of folks that have a meeting and discuss what’s in the plan to make sure everyone is ok with it. So if one person is gone or there is a holiday or someone is sick it could get delayed. The plan is to have it done in 60 days though.

Mendota Point, Mr. Crosby had called both Tom and Lucas today and Lucas did get a hold of him and he was just curious if Met Council had approved the Comp Plan and he wanted to know if he should come tonight. Since no decision was made from Met Council Mr. Crosby decided to wait.

Mr. Klug has been in contact with Lucas too and he is the man interested in buying Tracy’s property. Largely, he is concerned about the setbacks on the bluff. Lucas stated he would need a variance.

Lucas will be bringing more information on the storm water as far as what we are on the hook for with the new permit.

Council member Donnelly asked if there is about two weeks left in the session, and if something is going to be hammered through. Lucas stated that we should be getting something but did not know where our projects stand at this point.

Lawyer Tom Loonan: For Mr. Crosby our moratorium is no longer in effect. Application for the downtown corridor has to be processed and considered.

Working on the city property and working with Tracy and his realtor who is not representing him but is representing him on some things.

Discussions with Mr. Dan Klug. Tom has been telling him about the process. And the city is likely to accept Tracy’s offer tonight. Mr. Klug will have to clarify the access up the hill. We have the application for the variance and we will be planning a planning committee meeting for the variance. And hopefully get some guidance from the planning committee on the variance. Tom stated that Mr. Klug has a purchase agreement with Tracy also.

City Clerk Krotter: Clerk stated that she has done a draft of the nuisance letter and has given it to Tom to look over. Clerk has the variance from Mr. Klug and will call Jennifer and set up a planning commission meeting.

Clerk passed out the variance from Mr. Klug to the Mayor and Council members.

Council member Donnelly and the Mayor will be out of town for the next council meeting so the date was changed to Wednesday the 8th of June.

Closed staff comment at 8:44 pm.

 15. Adjourn: 8:45pm. Motion to adjourn the meeting by Council member Donnelly and seconded by Council member Perron. Approved 5-0.