**City Of Mendota**

**Dakota County Minutes of the Regular Meeting**

**Held Tuesday January 14, 2014**

**Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota, Minnesota**

**held at 7:30 pm at the Mendota VFW 1323 Sibley Memorial Hwy Mendota, Minnesota**

**Present:** Mayor; Brian Mielke, Council Members; Joan Perron, Alan Ralston, Erick Lehet and Melody Rasmussen, Chief of Police; Mike Aschenbrener, City Attorney; Tom Lehmann, Building Official; David Neameyer and City Clerk; KimberLee West.

**1. Mayor Brian Mielke opened the City Council Meeting at 7:30 p.m. with the Pledge of Allegiance.**

**Minutes:** **Moved by Councilmember Lehet, seconded by Councilmember Rasmussen to approve the December 10, 2013 City Council minutes with the change of “December 10” to “November 12, 2014 City Council Minutes”. Passed 5-0.**

**Agenda:** The agenda was approved with the addition ofitem 4b**.** Approval of City Appointments and 5b.Tobacco Ordinance. **Motion by Councilmember Ralston, seconded by Councilmember Perron to approve the agenda with the above amendments. Passed 5-0.**

**2. Treasurer’s Report:** **Motion** **by Councilmember Ralston, seconded by Councilmember Perron to pay the December 2013 disbursements as presented. Passed 5-0.**

**3. General Disbursements:**



Transfer from Sewer Fund $2,748.32 to General Fund for wastewater bill, transfer from Money Market Fund $20,000 to General Fund. **Motion by Councilmember Ralston, seconded by Councilmember Perron to approve the two transfers. Passed 5-0.**

**4. Business License** - The following business for 2014 were approved by the City Council.

Waste Management Landmark Fence & Deck

Benson Metals, Inc. Troje’s Trash Pick-up, Inc.

Berg Plumbing VFW

Highland Sanitation Lucky’s

Axel's/Bonfire Co, LLC. Greg’s in Mendota

Nitti Sanitation Bard Flowers

Anderson Storage Allied Waste

Fun Jumps E-Z Lift Systems

Lee Educational Services Sibley House Historical Site

Jung/Ralston Kennel and Cattery

**Motion by Councilmember Perron, seconded by Councilmember Lehet to approve the above 2014 Business License. Passed 5-0.**

**Motion by Councilmember Lehet, seconded by Councilmember Rasmussen to approve the 2014 Kennel and Cattery License. Passed 4-0-1. (Ralston abstains)**

**4 b. City Appointments** -As outlined in the City of Mendota City Code Section 104.03, the Council will appoint the following:

DEPOSITORY OF CITY FUNDS: Home Federal – Eagan

OFFICIAL NEWSPAPER: Southwest Review

DEPUTY MAYOR: Alan Ralston

CITY CLERK: KimberLee West

SEWER COMMISSIONER: KimberLee West

RECYCLING COMMISSIONER: KimberLee West

PLANNING COMMISSIONER: City Council

NDC4 CABLE COMMISSIONER: Melody Rasmussen

GOVERNMENT DATA PRACTICES: KimberLee West

PUBLIC RELATIONS: Brian Mielke

ROAD COMMISSIONER: Danny Dahlberg

WINTER SPORTS COMMISSIONER: Grant Littlefield

PARK COMMISSIONER: Erick Lehet

CITY ATTORNEY: Tom Lehmann of Eckberg Lammers Attorneys at Law

CITY ENGINEER: BDM

BUILDING OFFICIAL: David Neameyer

NOXIOUS WEED INSPECTOR: Gunnar Bruestle

**Motion by Councilmember Perron, seconded by Councilmember Lehet to approve the above City appointments. Passed 5-0.**

**5. Host Ordinance 14-01** - Police Chief Aschenbrener said Ordinance 14-02 makes it unlawful to provide an environment where underage drinking takes place. And he said any person is criminally responsible if they intentionally aid, advises, council, or conspires with another to commit the prohibited act. Aschenbrener also said the penalty for violating the code is a misdemeanor and, upon conviction could receive a $1000 fine and 90 days in jail.

**Motion by Councilmember Ralston, seconded by Councilmember Lehet to approve Host Ordinance 14-01. Passed 5-0.**

**5 b. Tobacco Ordinance 14-02** -Police Chief Aschenbrener told the Council that the City of Mendota Heights and Lilydale have recently adopted tobacco ordinances in their cities. He said the City of Lilydale has made their ordinance stricter, by not allowing e-cigarettes to be smoked in any public place. City Attorney Lehmann said it’s best for the city to adopt this Tobacco Ordinance. **Motion by Councilmember Lehet, seconded by Councilmember Rasmussen to allow the use of e-cigarettes in Mendota businesses that hold a Liquor License. Passed 3-2.** Councilmember Ralston stated he is against the government telling the public what they can and can’t do when it comes to e-cigarettes. Councilmember Lehet added that he spoke with managers from both the VFW and Lucky’s and they are against prohibiting the use of e-cigarettes in their businesses. **Motion by Councilmember Lehet, seconded by Councilmember Ralston to adopt Tobacco Ordinance 14-2 and to allow the use of e-cigarettes in any public place in the City of Mendota. Passed 3-2.**

**Public Comment** -opened at 7:57 p.m.No public comment was made.

Public comment closed at 7:57 p.m.

**Council Comment** -opened at 7:57 p.m.

Councilmember Rasmussen asked the other members of the council if she could forgo the LMC Conference and save the city the $300 it would cost. Rasmussen said she can take part in free webinars and read articles on the LMC website to learn more about how a city operates.

Councilmember Lehet suggested developing a community garden in Veterans Park. Though he is not yet sure where the water supply will come from. Lehet also explained to the council that the lights for the hockey rink must be turned on and off at the fuse box. The box is located by the gazebo. Lehet added it can be fixed to turn on and off down by the rink but that cost was an issue. Councilmember Lehet would like to invite everyone to partake in adult boot hockey games that take place on Sunday evenings at 5:30 p.m. Next meeting Lehet would like to discuss the change to one garbage hauler for the City of Mendota.

Councilmember Ralston mentioned the professional look of the winter newsletter. Ralston asked that Highway 13 residents and businesses be notified of noncompliance with code 604 keeping sidewalks clear of snow and ice.

Mayor Mielke has city mail for review. And he stated the lights are still going on and off on upper 2nd street.

Councilmember Perron said the garbage cans are still sitting in Veterans Park.

Council comment closed at 8:17 p.m.

**Staff Comment** opened at 8:17 p.m**.**

Building Official Neameyer stated this is a slow time of year with no new permits issued.

Police Chief Aschenbrener said the Fire Department has challenged the Mendota Heights Police to a wing eating contest. The event will take place at Moose Country on February 2nd. Donations will go to the Special Olympics and Fire Relief Fund.

City Attorney Lehmann reviewed the rules for Government Officials on receiving gifts and conflict of interest. Lehmann said Officials are limited on what they can take as a gift. As little as $5 is the maximum that an Official can accept. The penalty for accepting anything more than that is a misdemeanor with a $3000 fine and a year in jail. Lehmann explained conflict of interest as any situation in which an Official is in a position to exploit a in some way for their personal benefit. A good example said Lehmann is when Councilmember Ralston abstains on voting when the vote concerns him or his business.

Clerk West mentioned a $73,000 deposit made to the Money Market Fund for the second half of taxes.

Staff comment closed at 8:25 p.m.

**There being no further business, it was motioned by Councilmember Rasmussen, seconded by Councilmember Lehet to adjourn the City Council Meeting at 8:25 p.m.**

Respectfully submitted:

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KimberLee West, City Clerk