Minutes for Regular City Council Meting Held on January 10, 2012

Present: Mayor: Brian Mielke

Council Members: Josh Lee, Alan Ralston, Joan Perron

Absent: Council Member Adam Strain

Also Present: Police Chief Mike Aschenbrenner, City Clerk Jennifer Bruestle

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

Minutes: It was moved (Lee/ Perron) to approve the December 13, 2011 minutes as presented. Passed 4-0.

Agenda: The agenda was approved as presented.

Treasurer’s Report: Motioned by Ralston, seconded by Perron to accept the Treasurer’s Report as presented, with the addition of the Xcel Energy bill of $384.16. Passed 4-0.

**General Fund:**

Met Council--Monthly wastewater Charge for January $ 1,189.41

Lehmann & Lutter--Attorney fees for Dec. $ 2,000.00

Kim Perron--snow removal $ 832.50

City of Mendota Heights--Police & Fire $ 8,357.11

State of MN--Rent for Benson Metals $ 140.00

Aggregate Industries--Inv. 2041048 $ 671.39

Xcel Energy--jail lights 11/17-12/20/11 $ 10.11

Xcel Energy--Street lights $ 384.16

Wells Fargo--GO Bond payment7 of 9 $14,557.20

PERA--December $ 135.00

Department of Labor & Industry--Surcharge $ 19.50

Withholding taxes--4th Quarter $ 470.55

Jennifer Bruestle--Phone Service $ 47.52

Jennifer Bruestle--Clerk Salary $ 1,000.00

**Enterprise Fund:**

Xcel Energy--park lights $ 15.49

It was moved (Perron/Lee) to approve the transfer of $1,189.41 from the Sewer Fund to the General Fund for the monthly wastewater fee to Metropolitan Council, and the transfer of $30,000 from the Money Market Fund to the General Fund to maintain the General Fund balance. Passed 4-0.

Don Collier representing the VFW Post 6690 to present information regarding the failure of the liquor compliance check on December 5, 2011: Don Collier informed the Council on the evening of the liquor compliance check, a large party was in attendance when the bartender arrived for her shift. The bartender assumed all patrons had already been asked for identification. Since the compliance failure, Don Collier has been monitoring the bartenders to ensure all are asking for identification when alcohol is purchased. Also, Mr. Collier informed Council an integrated ID scanner is available for use by employees, as well as two calendars on display to inform employees of the earliest birth date a patron has to be in order to consume alcohol legally. Council was in agreement to waive the $500.00 fine, due to this being the first liquor compliance failure by the VFW, in addition to the precedent set by the Council waiving the fine for Axel’s liquor compliance failure several years ago. The Council informed Mr. Collier if the VFW fails a liquor compliance check within a two year period beginning December 5, 2011, the Council will then impose the full penalty. Motioned by Ralston, seconded by Lee to waive the $500 fine for the first offense, but to enforce the full penalty in the case of a second offense within a two year period. Passed 4-0.

Engineering Presentation by Barr Engineering, Mattefy Engineering and BDM Consulting Engineers:

Jeff Weiss of Barr Engineering informed Council he currently provides engineering services to the neighboring City of Lilydale, and has done so for the past 6 years. Barr Engineering currently has over 600 employees, and Mr. Weiss believes the City of Mendota would benefit from the suite of services provided by Barr Engineering, by tapping into services to offer the lowest cost available. Mr. Weiss stated the average rate for services for Mendota would vary between $65-$180/hour, with a principle engineer at the higher end, and Mr. Weiss at a rate of $105/hour. Mr. Weiss stated he currently attempts to make a list of potential projects, ordinances and maintenance issues the City of Lilydale can anticipate in the coming year and provide this information to the Treasurer during the budgeting process; therefore, the City of Lilydale is able to stagger projects and maintenance issues, as well as anticipate costs for the upcoming year. As an example, Mr. Weis informed Council the MS4 Permit process would cost the City of Mendota approximately $500-$600 for the completion of the application, as well as the annual meeting. Mr. Weiss responded to Council Member Ralston’s question regarding shared costs with Lilydale if Barr Engineering were to provide services to both cities. Mr. Weiss stated some costs could be shared, such as ordinance publication, completing state requirements that affect both cities, as well as projects that affect both cities; however, Mr. Weiss stated if there are cost savings it would most likely be due to the suite of services Barr Engineering would be able to offer to Mendota. Mr. Weiss stated Barr Engineering is appointed as the city engineer to one municipality, while completing individual projects to various municipalities throughout the twin cities. Mr. Weiss informed Mayor Mielke his specialty is stormwater management and erosion control, which Mayor Mielke informed Mr. Weiss are two areas of concern for the City of Mendota. Mr. Weiss closed by informing Council he typically does not charge for short phone calls for clarification or questions.

Les Mattefy of Mattefy Engineering informed Council he has five employees, and his company is based out of New Brighton. Mattefy Engineering primarily works with smaller cities as their primary engineer at a rate of $96.00/hour, and $105/hour for the primary engineer. Mr. Mattefy informed Council he strives to offer engineering services at a fair and reasonable price and is cognizant of smaller cities budgeting issues; therefore, he does not charge for short phone calls for clarification or questions. Mr. Mattefy stated for an example, his firm would charge between $500-$800 for the completion of the MS4 Permit application and annual meeting.

Brian Miller of BDM Consulting Engineers stated he was appointed as the Mendota City Engineer in 1992, when the initial water main extension was put in place. BDM currently has 16 employees. Mr. Miller stated he works with many cities within the twin cities, such as Hastings, Schaeffer, and Newport. Mr. Miller stated he would complete the MS4 permit application process at the lowest cost possible. Presently, BDM is assisting the City of Mendota on an as needed basis, while letting the City Clerk complete the MS4 application process and being available for guidance if it is needed. Mr. Miller stated the City of Mendota would be charged at a rate of $84/hour and $121/ hour for the principal engineer. However, Mr. Miller will charge $105/hour for the principal engineer for the first four hours for general services. Mr. Miller stated BDM would not charge for the quick 10 minute phone calls for questions and/or clarification.

Approval of 2012 Mendota Business Licenses:

Motioned by Ralston, seconded by Perron to approve the following Business Licenses:

Benson Metals Greg’s Barbershop

Bonfire Restaurant Co. VFW Post 6690

Fun Jumps Entertainment Landmark Fence & Deck

Lucky’s 13 Pub EZ Lift Systems

Sibley House Historical Site Bard Flowers

Berg Plumbing Lee Educational Services

The following businesses were conditionally approved, based on the businesses completing the necessary application process and submitting payment to the City of Mendota:

Go Grocery Go! Myron Anderson

Passed 3-0. Lee Abstained

Approval of 2012 Cattery/Kennel Licenses:

Motioned by Lee, seconded by Perron to approve the following Cattery/ Kennel Licenses:

Larry and Pat Jung Alan and Maria Ralston

Passed 3-0. Ralston Abstained

Approval of 2012 city designations and appointments:

Designated bank where city funds are deposited: Home Federal Saving Bank

Deputy Mayor: Alan Ralston

City Newspaper: Southwest Review

Sewer Commissioner: Jennifer Bruestle

Recycling Commissioner: Jennifer Bruestle

Cable Commissioner: Josh Lee

Government Data Practices: Jennifer Bruestle

Public Relations: Brian Mielke

Road Commissioner: Danny Dahlberg

Park Commissioner: Adam Strain

City Attorney: Tom Lehmann of Lehman and Lutter

City Engineer; BDM Consulting Engineers

Building Official: David Neameyer

Noxious Weed Inspector: Gunnar Bruestle

Motioned by Ralston, seconded by Perron to approve the above city designations and appointments. Passed 4-0.

Resolution 12-01: Motioned by Lee, seconded by Perron to approve Resolution 12-01, Approving Application of the City of Mendota for Fiscal year 2012, Dakota County Community Development Block Grant (CDBG) Funding. Passed 4-0.

Public Comment: Public comment opened at 8:36 p.m.

Carl Robinette requested the City Clerk insert the disbursements above the ending balance for the General Fund to offer more clarity in the General Fund section within the Agenda.

Public comment closed at 8:37 p.m.

Council Comment:

**Council Member Josh Lee:** Council Member Josh Lee wished the Council a Happy New Year, as well as thanked the Council for allowing him to pursue his career goals regarding wheelchair modifications during the last two council meetings.

**Council Member Alan Ralston:** Council Member Ralston stated he received a citizen complaint regarding two tree branches above the baby swing within Veteran’s Park. Council Member Perron stated she would have Willard Perron address this issue.

Council Member Ralston stated, based on last month’s meeting, he contacted Bituminous Roadways to obtain a manhole cover and has not yet received a response. Also, Road Commissioner Dahlberg will be out of town until May 1, 2012. Therefore, Council Member Ralston has not obtained the three manhole covers. Council Member Ralston is concerned he is not designated by the City to address sanitary sewer maintenance, as well as meeting OSHA requirements. Police Chief Aschenbrenner recommended the city pay a contractor to replace the manhole covers to avoid any potential lawsuits and/or accidents. Council Member Ralston requested Clerk Bruestle contact McDonough’s to receive a quote for the manhole covers as well as the installation.

**Mayor Brian Mielke:** Mayor Brian Mielke stated the City mail is available for review. Mayor Mielke stated a representative of Senator Klobaschar’s office will be available to meet with Council and City Staff on January 19, 2012 at 3:30 p.m. at the VFW Post 6690. During this meeting, the City will discuss the possible closure of the Mendota Post Office as well as any other city concerns. Mayor Mielke also stated he noticed water draining across highway 13 near 1226 Highway 13. Clerk Bruestle informed Mayor Mielke this issue was discussed with Sheila Kauppi of MN/Dot during the Better Roads Meeting. MN/Dot is aware of the drainage issues within the culverts along Highway 13, and will attempt to remedy this issue during the Highway 13 Better Roads Project to take place during the summer of 2012. Mayor Mielke asked Chief Aschenbrenner if the MH Police Department has a specific amount of time designated for speed enforcement within the City of Mendota. Chief Aschenbrenner stated he attempts to keep the enforcement random within the City. However, next month the MH Police Department will obtain a speed trailer and will position it within the City of Mendota to address speed enforcement issues.

**Council Member Joan Perron:** No comment.

Staff Comment:

**Police Chief Mike Aschenbrenner:** No formal report, but is available for questions and/or comments.

**City Clerk Jennifer Bruestle:** Clerk Bruestle contact Jim Grob, Gambling Manager for American Veterans affiliated with Lucky’s 13 Pub. Clerk Bruestle inquired if American Veterans would be willing to sponsor a removable hockey rink within Veteran’s Park. Mr. Grob stated American Veteran’s is currently not financially able to provide a rink. Mr. Grob did recommend the City contract with Alan Bebel to remove the sand and sediment from Veteran’s Pond, while the water is at a very low level. Carl Robinette stated the last time Mr. Bebel removed the sand he created grooves and dips near the pond. Clerk Bruestle will consult with Park Commissioner Adam Strain and Alan Bebel to see if the pond can be maintained for under $200, as well as keep the landscape smooth and presentable.

There being no further business, it was moved (Lee/Perron) to adjourn the meeting at 9:00 p.m. Passed 4-0.

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jennifer Bruestle