

CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

Minutes of the Regular Meeting
Held Tuesday, January 19, 2010

Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota Heights, Minnesota was held at 7:00 p.m. at City Hall, 1101 Victoria Curve, Mendota Heights, Minnesota.

CALL TO ORDER

Mayor Huber called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Duggan, Krebsbach, Schneeman and Vitelli.

PLEDGE OF ALLEGIANCE

Council, the audience and staff recited the Pledge of Allegiance.

AGENDA ADOPTION

Councilmember Vitelli moved adoption of the agenda as presented.

Ayes: 5

Nays: 0

Councilmember Duggan seconded the motion.

APPROVAL OF MINUTES

Councilmember Schneeman moved approval of the minutes of the regular meeting held on January 5, 2010 as corrected. Councilmember Vitelli seconded the motion.

Ayes: 5

Nays: 0

CONSENT CALENDAR

Councilmember Duggan moved approval of the consent calendar as presented, pulling item d for further discussion and authorization for execution of any necessary documents contained therein.

Councilmember Duggan asked staff to see why Highland Sanitation was not on the list of approved refuse contractors.

- a. Acknowledgement of the Minutes from the January 12, 2010, Parks and Recreation Commission Meeting.
- b. Acknowledgement of the December 2009 Fire Department Monthly Report.
- c. Approval of Sign Permit for 800 South Plaza Drive, MarketPlace Home Mortgage.
- d. Appointment of Parks & Recreation Commissioner.

- e. Adoption of Resolution No. 10-09: “A RESOLUTION ACCEPTING WORK AND APPROVING FINAL PAYMENT FOR JOB #200903, IMPROVEMENT NO. 2009-02 – CHERRY HILLS 2ND REHABILITATION.”
- f. Approval of Contractors List, dated January 14, 2010.
- g. Approval of the List of Claims, dated January 19, 2010, totaling \$997,611.89.

Ayes: 5

Nays: 0

Councilmember Vitelli seconded the motion.

APPOINTMENT OF PARKS AND RECREATION COMMISSIONER

Mayor Huber informed the audience that Council met at 6:15 p.m. prior to the Council meeting to interview several candidates for an opening on the Parks and Recreation Commission. He recommended that David Miller be appointed to fill the unexpired term of Liz O'Brien.

Councilmember Schneeman moved to appoint David Miller to the Parks and Recreation Commission for a term expiring on January 31, 2011.

Councilmember Vitelli seconded the motion.

Ayes: 5

Nays: 0

BILL WOLSTON DAY

Mayor Huber read in full a Proclamation declaring January 23, 2010 as Bill Wolston Day in recognition of his contributions for more than two decades to preserving the history of Mendota Heights. He explained that a ceremony will be held on Saturday, January 23, 2010 at 12:30 p.m. at the Dakota County Historical Society Museum in South St. Paul to celebrate Bill's accomplishments on behalf of the city, county and Town Square Television.

RECYCLING POSTER CONTEST

Assistant to the City Administrator Jake Sedlacek explained that as part of the city's Community Landfill Abatement Grant, the city sponsored a recycling poster contest at Friendly Hills Middle School (FHMS). This contest was overseen by Sara Derby and Curt Friemann, who served as co-leaders of the FHMS Live Green Team. Mr. Sedlacek presented the winners of the Poster Contest as follows: Samantha Guneratne (5th Grade) for best overall poster, Maddie McDermott (5th Grade) for the most creative, and Alexis Castro (6th Grade) for the best slogan.

Mayor Huber presented each of the students with a certificate for their creativity and excellent work in the poster contest.

MENDAKOTA PARK PLAYGROUND

Mr. Sedlacek noted that the Parks and Recreation Commission, at their January 12, 2010 meeting, discussed proposed improvements to the Mendakota Park playground. Mr. Sedlacek explained that after a lengthy discussion and concern expressed about project costs, a majority of the commission felt that remaining Special Park Fund monies should be focused on the most important projects and decided it would be appropriate to install ADA compliant materials at each play area.

Mr. Sedlacek described the three recommendations suggested by the Parks Commission - replacement of the play structure in the southeast corner of the park; refurbishment of the bouncy toy and an additional ADA accessible play area to the west of the current play structures. He explained the proposed equipment would be from Earl F. Anderson, which has been a great company to work with in the past. Staff did not get competitive bids for the project. Last year the city got four bids for play equipment for Valley Park but the trouble the Parks Commission had with that was that it was very difficult to make apples to apples comparisons. The prices were very comparable. The Parks Commission is recommending approval of the project as presented and that half of the cost be funded by the Special Park Fund and half from cell tower revenues.

Mr. Sedlacek stated that the estimate for the park improvements was \$52,000, but the bid came in at \$56,000. The Parks Commission discussed the expense in detail and concluded that the improvements were much needed and would greatly benefit the residents of Mendota Heights. He stated the Parks Commission would like the Council to move ahead with the improvements as proposed.

Councilmember Vitelli stated that the play equipment that is proposed is being phased out by the contractor. He asked why the city would buy that equipment and also why the commission would seek the roof for the play structure later which would be an additional cost from the manufacturer. Mr. Sedlacek stated that Earl F. Anderson and Landscape

Structures have worked together for a long time but are parting ways now. Anderson is promoting a new product now. He explained that the Landscape Structures equipment is the product that has been used primarily in the city parks for the past twenty years. Parks Projects Coordinator Guy Kullander is comfortable with the product and its quality, and the parks crew is comfortable maintaining it. Landscape Structures will still be around and will be picked up by another Minnesota or Wisconsin landscape structure dealer and the city will have the option to go to that dealer or directly to the manufacturer.

Councilmember Vitelli suggested the city seek competitive bids for the project as it did come in over budget. He stated he supports the park upgrades but requested the Parks Commission further review the issue and report back after reviewing several competitive bids.

Councilmember Duggan supported Councilmember Vitelli's suggestion. He questioned if the equipment would be guaranteed if the company were to change ownership. He recommended that a roof should be added to the ADA accessible play structure to provide protection from the sun.

Councilmember Schneeman asked how long the competitive bidding process takes. Mr. Sedlacek stated it is a fairly quick process; however, it would be difficult to compare the bids if equipment differed within the proposals.

Councilmember Vitelli moved that the Parks and Recreation Commission revisit the Mendakota Park Playground discussion to bring the proposed changes within budget and that a competitive bidding process be completed.

Councilmember Schneeman seconded the motion.

Ayes: 5

Nays: 0

DISCUSSION OF WATERS DRIVE DEVELOPMENT AGREEMENT

Mr. Sedlacek stated that the city had entered into a developers agreement for Waters Drive Business Park Planned Unit Development (PUD) on June 14, 2004. However, this agreement was made with Klingelhutz Development Company, which no longer exists. The PUD included seven office buildings, five of which have been completed to date. Staff received a letter from Tim Heiland

with DDK Construction, Inc., which previously worked with Klingelutz, requesting an amendment to the developer's agreement to update the timeline for the development. There will also need to be an update to the ownership.

Mr. Sedlacek advised that staff has also been made aware of a concern the Waters Drive Business Association has with the development. A second lift of asphalt has yet to be completed, resulting in a one-inch lip at each instance where concrete curbing meets the asphalt. The association has asked the city to look into enforcement action to have the second lift of asphalt completed before the complete build-out of the site. Mr. Sedlacek said staff has conferred with legal counsel and recommends that Council authorize the research and drafting of an amendment to the current developers agreement.

Mr. Sedlacek reviewed the current site plan, noting building phase one was complete but that no other buildings have been completed to date.

Councilmember Krebsbach explained she was not in favor of the development originally and would like to ensure that the language within the revised agreement be clear for the new owner.

Councilmember Vitelli agreed and added that the concerns with this development were not the city's problem. He felt the concerns should be passed along to the new owner, and did not feel it was necessary for the city to allocate funds to resolve the developmental concerns.

Councilmember Duggan questioned if the development owes taxes to the city or has any other debt. City Attorney Tami Diehm thanked the Council for the comments and questions, stating the request for an amendment could be pushed back on the developer to draft a proposal. All staff fees associated with the amendments would be the responsibility of the developer.

Ms. Diehm explained the current agreement does allow the city to terminate the agreement if the developer is in default. This would mean that any remaining buildings would need to come back to the city for approval.

Councilmember Krebsbach stated she would like to explore this option before revising the agreement.

Mayor Huber indicated the developers agreement was in default. He was encouraged by the fact the new developer did step up and bring it to the city's attention.

Councilmember Schneeman stated that the development was well done to date and indicated she would like to see it completed as was proposed.

Councilmember Krebsbach felt it would benefit Council to review the full plan before any action is taken on this issue.

PAR 3 ANNUAL REPORT

Mr. Sedlacek reported that Mendota Heights Par 3 has finished another full year of golf. The primary market for the course was Mendota Heights and the surrounding five miles, with a great deal of connection to neighboring communities. He explained the organizational structure, noting there were 193 days of operation in 2009 with 12,562 open rounds of golf. This was a slight increase over 2008.

Mr. Sedlacek indicated the focus in the future would be a monument sign and little changes to the clubhouse or patio furniture. He explained that many of the major deferred maintenance issues were handled in 2009, which drove up the expenses. Last year the city increased the course fee \$1.00 to assist in covering future maintenance.

Mr. Sedlacek reviewed preliminary goals for 2010. The course has met the financial expectations set forth, to be revenue generating and not rely on taxpayers. Par 3 would like to maintain a customer friendly atmosphere in the clubhouse and on the course. He stated the city would like to refine and enhance offerings for local area youth, including leagues, lessons, camps and special events. Par 3 would like to retain the current leagues, coordinating promotion efforts, and meeting their needs.

Mr. Sedlacek reported that Par 3 will work to broaden offerings for casual adult golfers and family golf outings. Lastly, they will continue to seek out efficiencies in operations through right-staffing, using resources

efficiently, and improving procedures for the golf course. He explained that any feedback from the Council would be brought back to the Greens Committee before the 2010 golf season begins.

Councilmember Vitelli thanked Mr. Sedlacek for the summary and report. He recommended that overhead expenses not exceed 15%, which would be a well-defined metric. In addition, he suggested that Par 3 try to target a 6% yearly increase in greens fee revenues. A third target could be added to the goals for Par 3's net profit. Councilmember Vitelli suggested the total number of possible rounds be calculated for a season and have this compared to the total number of rounds sold.

Councilmember Schneeman suggested that the city seek a marketing person from the community to join the greens committee to assist with public relations.

Councilmember Duggan added to Councilmember Vitelli's comments asking for a sixth goal - to increase the bottom line. He felt that setting goals would encourage the committee to work towards increased profits.

Mr. Sedlacek indicated the golf course was a successful community facility and thanked the Council for their comments and suggestions. He noted the report will be brought back to the Council in March for formal acceptance.

COUNCIL COMMENTS

Councilmember Vitelli said he had a very enjoyable time watching the Minnesota Vikings game, seeing professional athletes act like high school boys who just won the state championship and seeing that kind of excitement in professional athletes.

Councilmember Krebsbach advised she had judged a ninth grade STEM science contest at Anoka-Hennepin. She indicated the projects were very encouraging and green related.

Councilmember Duggan said he was celebrating his 35th year in Minnesota today.

ADJOURN

There being no further business to come before the Council, Councilmember Duggan moved to adjourn the meeting.

Councilmember Schneeman seconded the motion.

Ayes: 5

Nays: 0

Time of Adjournment 8:03 p.m.

Kathleen M. Swanson

City Clerk

ATTEST:

John J. Huber

Mayor

Prepared by: Heidi Guenther Recording Secretary