

CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

Minutes of the Regular Meeting
Held Tuesday, March 17, 2009

Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota Heights, Minnesota was held at 7:00 o'clock 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 Krebsbach, Schneeman and Vitelli. Councilmember Duggan will be joining the Council shortly.

PLEDGE OF ALLEGIANCE

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

AGENDA ADOPTION

Councilmember Krebsbach moved adoption of the agenda as revised.
Councilmember Vitelli seconded the motion.

Ayes: 4

Nays: 0

APPROVAL OF MINUTES

Councilmember Vitelli moved approval of the minutes of the regular meeting held on March 3, 2009 as presented.
Councilmember Schneeman seconded the motion.

Ayes: 4

Nays: 0

It is noted that Councilmember Duggan joined the Council at this time.

CONSENT CALENDAR

Councilmember Krebsbach moved approval of the consent calendar as presented, pulling items h, i, o, and p for further discussion, and authorization for execution of any necessary documents contained therein.

- a. Acknowledgement of the Minutes from the March 10, 2009 Parks and Recreation Commission Meeting.
- b. Acknowledgement of the February Treasurer's Report.
- c. Acknowledgement of the February Fire Report.
- d. Acknowledgement of the Ongoing Street Reconstruction Program.

- e. Authorization for Purchase Order for ¾ Ton Truck.
- f. Authorization for Purchase Order for Street Roller and Trailer.
- g. Authorization for Temporary Liquor License – St. Thomas Academy.
- h. Approval of the Restructuring of the Traffic Safety Committee.
- i. Appointment of Citizen Representatives to the Gun Club Lake and Lower Mississippi River Watershed Management Organizations.
- j. Adoption of Ordinance No. 422: “AN ORDINANCE AMENDING TITLE 6, CHAPTER 3 OF THE MENDOTA HEIGHTS CITY CODE, TRAFFIC SCHEDULES (FOR STOP SIGNS).”
- k. Adoption of Ordinance Summary for An Ordinance Amending Title 11 of the Mendota Heights City Code to Include Chapter 6, Stormwater Management, Illicit Discharge Detection and Elimination, Soil Erosion and Sedimentation.
- l. Adoption of Resolution No. 09-20: “A RESOLUTION ACCEPTING WORK AND APPROVING FINAL PAYMENT FOR JOB #200603, IMPROVEMENT NO. 2007-03, 2006 STREET CONSTRUCTION”.
- m. Review and Approval of Sign Permit Review – 1270 Northland Drive.
- n. Adoption of Resolution No. 09-21: “A RESOLUTION ACCEPTING FEASIBILITY REPORT AND CALLING FOR A PUBLIC HEARING ON CHERRY HILLS 2ND REHABILITATION PROJECT (PROJECT #900903)”.
- o. Authorization for Purchase Order for Par 3 Landscaping.
- p. Authorization to Table Final PUD and Final Plat for Planning Case 08-11 to April 7, 2009.
- q. Approval of the List of Contractors dated March 17, 2009.
- r. Approval of the List of Claims, dated March 13, 2009, totaling \$338,844.43.

Councilmember Duggan seconded the motion.

Ayes: 5
Nays: 0

Councilmember Duggan referred to item “l” and noted that the program was initiated in 2006 and started in 2007, and asked if it takes this long to be completed as he does not

remember having any one request so far into the future. Public Works Director John Mazzitello said typically it does not take this long to finalize as there were some issues specific to this project that Staff wanted to make sure held through the warranty period. The final payment that was withheld to insure the work was properly done is being paid with this resolution.

Councilmember Duggan asked to have item “h” pulled and said he believes there should be a citizen on this board separate from Staff, Council, and City Commissions as someone in the community that does not have an “inside” in all of this. Councilmember Duggan recognized that Councilmember Vitelli had a concern about having more than 5 members on this committee, but Councilmember Duggan feels that there should be one more and in this case, a citizen representative. Mayor Huber said that may cause an issue because there would be 6 members and there may be the possibility of a split vote. Four of the current members live in Mendota Heights, but are members of Staff and /or serving on a commission or City Council. Councilmember Krebsbach said it is fine the way it is, having Chief Maczko holding the citizen seat and there as the fire chief. Councilmember Krebsbach said she is not sure how a citizen would be selected for this additional seat. Mayor Huber noted that there are no grounds for support and will leave this item as is.

Mayor Huber moved to approve the restructuring of the Traffic Safety Committee.

Councilmember Vitelli seconded the motion.

Ayes: 5

Nays: 0

Councilmember Schneeman asked to have item “i” pulled and said she is going to be leaving that board. Former Parks Commissioner Larry Craighead will be taking her place, as she will be going on to the Lower Mississippi River Watershed Management Organization.

Councilmember Duggan said according to statute, city staff members may not serve as primary citizen representatives.

Councilmember Duggan moved to approve the appointments of Larry Craighead to serve as the Citizen Representative to the Gun Club Lake and Mary Jean

Schneeman to serve as the Citizen Representative to the Lower Mississippi River Watershed Management Organizations.

Councilmember Vitelli seconded the motion.

Ayes: 5

Nays: 0

Councilmember Vitelli asked to have item "o" pulled and said he does not know if the Council is ready for a purchase order and said he does not understand what is being purchased. Councilmember Krebsbach said it would be good to have people know what is happening at Par 3 and be able to look at what the landscape plan is.

Assistant to the City Administrator Jake Sedlacek said there has been a Greens Committee formed, comprised of a handful of citizens that volunteered to review capital improvement projects, primarily at the Par 3 before they go to the Parks and Recreation Commission. This committee made a recommendation to the Parks and Recreation Commission to do the landscaping in between the two sidewalks at the Par 3, which is a very torn up space. Sage Landscaping provided a free landscape plan for this area. This has been placed on the agenda this evening because originally in the Par 3 budget, they planned for tee signs, a monument sign, a new roof and a new mower as capital budget items for 2009. However, the Greens Committee felt that all of those could be held off for a while longer and make those improvement later if so chosen to do. Since this area needs the work, and the city had the benefit of a free design to work from, the committee asked this to be bumped up in priority. There is no need for a purchase order at this time. Mr. Sedlacek said he is hoping to get authorization from the Council to move ahead with this. Originally, there was \$1,000 in the capital budget for landscaping and this proposed project will cost about \$3,000 or \$4,000. The materials provided show all the plants along with the costs (\$700 in shrubbery and \$2,400 in different perennial plants).

Councilmember Vitelli said the request to the Council is to pass a motion authorizing Staff to finalize the plan and to complete a purchase order. Councilmember Vitelli suggested that the Council wait until the plan is finalized and then come back with the purchase order for approval. Councilmember Krebsbach said she asked to go over this in

greater detail. Mr. Sedlacek said the big question was that this was not in the capital budget and is a substitution that needs approval from the Council.

Councilmember Vitelli moved to authorized Staff to complete a final plan and prepare a purchase order. Councilmember Schneeman seconded the motion.

Councilmember Krebsbach said she has asked Mr. Sedlacek to review this landscape plan in detail as well to give the residents some idea of what is happening. Mr. Sedlacek continued to review some of the highlights of the landscaping plan.

Councilmember Vitelli said he is in favor of doing all of this, but felt that a plan and purchase order should have been completed before coming back to the Council.

Ayes: 5
Nays: 0

Councilmember Duggan asked to have item “p” pulled and asked what will happen if Mendota Mall is not ready on April 7, which is the day they are required to do so in accordance with the 60-day notice. City Attorney Tami Diehm said with the approval of the final plan, the final plan cannot be acted on by the Council unless and until all of the requirements that the city set forth in the preliminary approval have been met, and so the timing is based in part on the 60-day requirement but also contingent upon them providing all the things they are required to. In addition, one of the conditions in the preliminary approval was a fully negotiated development agreement. The applicant hopes to come before the city on April 7, which is acceptable within the timeframe. Staff pushed this to April 7 rather than having it tonight, and is almost completed with the development agreement in a form that Staff feels comfortable recommending. Staff also wants to be sure the Council has more than one week to review this.

Councilmember Duggan asked how long does the Council have to respond as a Council body to this development and the agreements that go with it. Ms. Diehm said the development agreement is not a land use application, but the goal is to have the development agreement approved by the Council on April 7th. Councilmember Duggan asked if the Council will have a copy of the agreement in the next

week or so. Ms. Diehm said she believes they will. Councilmember Duggan said he senses there will be a lot of detail in there that will be discussed, and council members should get all their concerns to Staff as soon as possible.

Councilmember Schneeman moved to table the final PUD and final plat for Planning Case No. 08-11 to April 7, 2009. Councilmember Duggan seconded the motion.

Ayes: 5

Nays: 0

PUBLIC COMMENTS

Mayor Huber responded to a letter that a Council member received regarding retail development in West St. Paul and Mendota Heights. The letter writer indicates that the mix of retailers in these cities is not the best, and there seems to be a lot of discount retailers in West St. Paul, and there is also a broader range of things in Eagan.

Mayor Huber said the Mendota Heights City Council has spent a lot of time talking about the design and layout of the retail areas in the city, but the Council will not require certain retailers to be in those developments. Mayor Huber said the role of the City Council is to help with the design and type of retailer, but cannot specifically require a certain retailer. Mayor Huber said the Council tries to work with the developer to end up with a development plan that has a certain amount of permanence to it, as retailers come and go.

Mayor Huber did not wish to speak of a particular store that left The Village, but said that there was a number of things going on with that store, the least of which was the level of business it did.

Mayor Huber said he likes receiving comments from residents, and if these residents choose not to sign their name, that is fine as well. Mayor Huber said one of the things he really enjoys is the chance to exchange dialogue with residents on different topics. Mayor Huber said the problem with not signing names, further dialogue does not happen. Mayor Huber asked that the person who wrote this letter give him a call to further discuss these issues.

Councilmember Duggan said Mendota Plaza was one of the two areas mentioned in this letter. Councilmember Duggan said this is private property and what the owner chooses to put on there, if it meets the standards and requirements of the city ordinances, the Council cannot deny it.

Mayor Huber encouraged residents to talk to local business owners with their comments and concerns.

ANNUAL PUBLIC HEARING FOR NPDES PHASE II STORM WATER

Public Works John Mazzitello said Staff is asking for a public hearing on the Mendota Heights municipally separated the sanitary and storm sewer (MS4 Permit). The City of Mendota Heights under the guise of this permit which is issued by the MPCA has developed a storm water pollution prevention plan which was developed in 2003 and renewed in 2008. That plan identifies minimum control measures that the city has to do in order to be in compliance with its approved plan. Those include public education and outreach, public participation, public involvement, illicit discharge detection elimination, construction site run off and control as well as post construction site run off, and pollution prevention good housekeeping measures. Mr. Mazzitello presented a presentation on how the city is meeting these six requirements.

The City of Mendota Heights is conducting public education and outreach in a number of different ways: articles in Heights Highlights, provide information through the city building permit program, participating and sometimes hosting seminars in conjunction with Dakota County's Soil and Water Conservation District. The city has also participated in "Keep It Clean" programs with neighboring cities on local cable, which gives instructions for keeping debris out of the storm sewer and to manage lawns and gardens.

The city has a public participation program, providing avenues for residents to talk to City Hall about storm water issues through contacting city staff either through email or telephone, and there is a storm sewer issue email link on the city's website on the Public Works page. The city has active participation in both the Gun Club Lake and Lower Mississippi River Watershed with newly appointed citizen representatives.

The Illicit Discharge Detection and Elimination program is completed through the inspection of storm sewer catch basins and manholes, looking at ponds and wetlands and detention basins on an annual basis and inspect for vegetation growth and sediment deposits. The city participates in the Dakota County Wetland Health Evaluation program and recently passed the storm water ordinance which will help regulate the storm water activities in the city. Included in that ordinance was the construction site run off and control measures which are now enforceable under city code and that program can be used to assist developers and construction contractors both through the building permit program as well as through site inspection. This ordinance also governs the post construction control, giving water quantity and quality standards that developers have to meet.

The Pollution, Prevention and Good Housekeeping measures have been mapping the city's storm sewer system as modifications are being made and new storm sewers are being installed with road reconstruction projects. Rain water gardens have also been installed in several road projects in recent years, and the city conducts annual inspections of discharge points, ponds and wells.

Mayor Huber opened the public hearing. Seeing no one come forward wishing to speak, Mayor Huber asked for a motion to close the public hearing.

Councilmember Krebsbach moved to close the public hearing. Councilmember Vitelli seconded the motion.

Ayes: 5

Nays: 0

BID AWARDS: STREET SWEEPING

Councilmember Schneeman moved to award Pearson Brothers, Inc., Hanover, MN the bid for street sweeping at a charge of \$71.00 per hour (240 hours est.) for a total not to exceed \$17,040.

Councilmember Duggan seconded the motion.

Ayes: 5

Nays: 0

DEMOLITION 694 WENTWORTH AVE.

City Administrator Jim Danielson announced that the city received 6 bids. The low bid of \$4,842.00 was from GAC Contractor who has work with the city in the

past. They did the last demolition on Bourne Lane and the city has been very happy with their work. They will begin demolition as soon as possible within the next two days.

Councilmember Vitelli moved to accept the bid and issue the award to GAC Contractors in the amount not to exceed \$4,842.00 for the demolition of the existing structure located at 694 Wentworth Avenue.

Councilmember Schneeman seconded the motion

Ayes: 5

Nays: 0

Ron and Diane Berfelz, 688 Wentworth, are the next door neighbors to the house in question. Ms. Berfelz said they are very grateful that this house will be taken down and invited the Council to come and watch. Ms. Berfelz asked for verification that the hazardous materials will be removed from the property as well. Ms. Berfelz asked who will maintain this property afterwards. Mr. Danielson said the city is planning on filling the property with black dirt and seeding the project once the structure is removed and weather allows. Mr. Danielson said the contractor is aware of the hazardous materials that will need to be removed.

Councilmember Duggan said it is written that the city shall be entitled to judgment against the defendant as the owner of the property, but there are others listed. Ms. Diehm said this list includes people such as the banks and other individuals that are interested in the property. The statute gives the city the right to file a judgment personally against the property owner as well as place a lien against the property.

NEIGHBORHOOD CONCERNS ROGERS LAKE

Mr. Danielson said the city has been approached by some of the neighbors around Rogers Lake asking about control of the weeds. Residents attended the last Parks and Recreation Commission meeting and made a presentation. Staff is looking into what the options are for controlling weeds in a lake such as this. Staff met with the lake doctor a few years ago to get some advice and is now planning on meeting with the DNR later this month. Staff is now looking for input from residents and Council and will then put some goals into place.

Mayor Huber said this project is still in the information gathering mode, and there is a need to identify what is

scientifically going on with the lake as well as to find the goal of what this lake is supposed to be.

Mr. Patrick Hickey, 2303 Swan Drive, said Rogers Lake is a true natural resource and a treasure to have in the city. It is enjoyed by the community as a whole as well as visitors. As a recreational lake, it is the responsibility of the city of Mendota Heights as representative of all citizens along with those private and public concerns surrounding the lake and adjacent to the lake to do all possible to maintain this as a vibrant natural resource. Its responsibility must be viewed to be ongoing and the process to ensure this must happen so that the citizens have a healthy lake for generations to come. Mr. Hickey said the following people were in attendance last week at the Parks and Recreation Commission meeting: 15 to 20 property owners; representatives from St. Thomas Academy; Wendy Hanson, Human Resources Coordinator representing Dr. Tom Mish; Dr. Don Nichols, Head of School of Visitation; Sister Mary Denise, representing the Sisters of Visitation; and a representative from Patterson Dental. These people took the time to express their concern and how important this lake is. The Parks and Recreation Commission recommended to the City Council to direct staff to explore options to control weed growth in Rogers Lake. That motion passed 6-0.

Mr. Hickey said that currently, Rogers Lake (both north and south bodies) has become virtually unusable as a recreational lake due to the extreme amount of weed density which covers nearly 100% of the surface water. Additionally there is uncontrolled growth expansion of cattails along the shoreline. To that point, City Staff has been asked to immediately contact the DNR, which they have done, and obtain a fully detailed understanding of the permit process and cost necessary for the city to address the weed and cattail encroachment issues by use of safe chemical treatment for the entirety of Rogers Lake. Specifically that healthy percentage that has been designated by the DNR, beginning now in the spring of 2009. Also to determine specific treatment and cost that would best resolve the issues to begin the process of bringing Rogers Lake back to use as a recreational lake significantly reducing weed, scum, mold, cattails beginning this spring of 2009. Lastly, the final recommendation for

process cost and planned implementation be provided to the Council prior to the next meeting for a vote.

Mr. Hickey said between March 17th (this meeting) and the next scheduled Council meeting, the Council is also being asked three things: to identify funds that may be re-appropriated from or added to other budgets to be ready to immediately fund this effort; to recognize this responsibility as an overall community issue which truly impacts the entire Mendota Heights and the viability of Rogers Lake as a recreational lake; and thirdly the Mayor received a letter from Don McMillan, a resident of the city, who serves as the president of the Minnesota Outdoor Heritage Alliance which was one of the primary forces behind the passage of the amendment for the outdoors this past November, which passed with a 56% yes vote. This letter suggests that Mendota Heights may be able to submit a request for a proposal for a cleanup of Rogers Lake. Most of the projects recommended by the Lazard Council are out of state Minnesota, but there is a push by legislators to spend a fair amount of clean water money in the metro area which would include Mendota Heights. It has been suggested that Rep. Rick Hanson and Sen. Jim Metzen be in this process. It would also be appropriate for discussions to take place among those residents that own property along the shore of Rogers Lake to determine what funds can be raised by these property owners.

Mr. Hickey said the Council received a memorandum recently which talked about "Neighborhood Concerns Regarding Weed Growth" and said he objects to this memo as this is not just a neighborhood concern, but is a concern for the overall community. Mr. Hickey spoke on behalf of resident Dick Powell, who brought up a few points: different weed services and products, the possibility of annual burn off of the shoreline and encroachment of cattails, the possibility of more precise lake water level control that may change the amount of weeds that surface, and the possibility of some funding from the Clifford Tim Trust.

Councilmember Krebsbach asked Mr. Hickey if he could define a glacial lake, and would Rogers Lake be considered a 99-acre glacial lake. Mr. Hickey said he did not use the term glacial lake. Councilmember Krebsbach said this

term is in the Rogers Lake report and said the Council would like to have a sense of what the natural state of that lake could be. Mr. Mazzitello said the term “glacial lake” is used two different ways: 1) the lake is fed by a melting glacier, and 2) the depression that creates the lake was carved by a receding glacier at the end of the ice age.

Councilmember Krebsbach asked what the natural bottom of a glacial lake is. Mr. Mazzitello said it is typically glacial deposit; the sand, rock and silt deposits that are inside the ice glacier as it melts and recedes.

Councilmember Krebsbach asked how Rogers Lake ended up with the silt bottom. Mr. Hickey said the representative from St. Thomas Academy may have a better answer.

Mayor Huber said it would be good to consider what Rogers Lake would be in 10 to 20 years from now if nothing is done.

Garry Loufek, Environmental Studies Teacher at St. Thomas Academy, said the state is divided into eco regions and the city is placed right on the fringe of the central hardwood forest and the western corn belt. Mr. Loufek described the difference between Lake Harriett and Rogers Lake, showing that Rogers Lake is considerably more shallow and is more of a substantial runoff/collection base rather than a deep water lake. Mr. Loufek said he had a project for his students about 10 years ago where they put in a floating dock, which was built on campus and placed in the lake. Since then that dock is completely landlocked. Mr. Loufek said he would suggest that the natural succession would show the lake in fifty years will fill and will look like a Class 3 or Class 4 wetland.

Councilmember Krebsbach asked if this lake was ever at one time deeper than 8 feet. Mr. Loufek said he would say it was about 2 more feet deeper.

Councilmember Krebsbach asked if Rogers Lake could become the same as the marsh behind City Hall. Mr. Loufek said it would, and talked about how the runoff from the surrounding areas could increase this chance (using phosphorus).

Councilmember Krebsbach asked if the city become more aggressive in treating this lake, would the city and/or state will have to continually commit to offset what the natural inclination would be. Mr. Loufek said education needs to be out there, and that the residents on the lake also should put in a buffer to better protect the lake. There needs to be a minimum of 10 feet to leech and filter all the nutrients coming into the lake. Mr. Loufek said St. Thomas Academy would most likely be willing to test the landowners' soils to see if there is fertilizer needed on those lawns. A mulching lawnmower would be much better to use.

Councilmember Schneeman asked what kind of buffer is around Lake Harriett. Mr. Loufek said there is a walking trail, creating a nice thin buffer from the fringe of the shoreline to the edge of the asphalt. Many of their runoff is coming from the local community, and the lake has a catchment basin which is like a mini wetland that filters the water.

Councilmember Vitelli asked Mr. Loufek if he is aware of any lake that is similar to Rogers Lake where action was taken and the situation was corrected. Mr. Loufek said he could research this, but he would guess that Lake of the Isles and Como Lake would be similar. Como Lake has a fabulous irrigation system as does Rogers Lake. Councilmember Vitelli said more research done by the academy would help staff in determining what actions were taken, and what were the results of those actions, and how much did it cost.

Mr. Mazzitello asked that this information be given to the Public Works Department.

Councilmember Duggan said he believes Warrior Pond, next to the high school, might be a lake similar to Rogers and the community in that area has removed some of the cattails, and suggested that staff find out what was done in that lake.

Mr. Hickey said he looks at this as being a lake that serves the entire city and is hoping that staff will come back with recommendations to the Council and the property owners. Mr. Hickey talked about the attempts in Copperfield where

the residents were asked to donate \$20 to help clean up the lake. Councilmember Duggan said that \$20 was for a permit for each home and does not understand why it could not have been a blanket permit and use the rest of the money for restoring the lake in parts over a period of time. Councilmember Duggan said he agrees that this is a city wide problem for all the waters in Mendota Heights.

Mr. Hickey said the weeds are so thick that the city cannot host a fishing contest for the kids.

Mayor Huber said the city would like to draw on any expertise that residents may have regarding this.

Al Hargrave said his was the first house on Swan Court and talked about what the lake was like twenty-five years ago. Mr. Hargrave said he thinks the Lake Doctor compared Rogers to other lakes, and there should be some information in that report. Mr. Hargrave said in another twenty-five years this will be a marsh and something needs to be done about it now.

Doug Hennes, 2215 Swan Court, when the Planning Commission commissioned Mr. Steve McComus and Blue Water to do the study, raising funds to match those of the city, the big concern was that the lake was dying as that summer one could literally walk on the lake. Mr. McComus determined that the lake was not dying and in fact was very healthy, and validated what the students of St. Thomas Academy found out, in terms of what kinds of weeds were present. Last year the lake was bad, but not as bad as 2006, and one of the things the city did was to contract with Metro Council to do the lake testing. Mr. Hennes said he is one of those testers and gathers samples. Mr. Hennes said the middle of the lake looks clear but when poking a stick down into the silt, you can't see the stick, and said that there is deep weed growth in the deepest part of the lake. Mr. Hennes said he agrees that it is a matter of time before this lake fills in, and even though this can be treated around the shorelines with chemicals, the middle of the lake needs to be attended to as well.

Mark Schimensky, 2343 Swan Drive, said he has lived there for about 15 years and asked if the lake level control has been put down too far because during dry spells, that

lake will drop even farther. Mr. Danielson said that lake level control was put in before he worked for the city, and swimming was discontinued at the beach because of swimmers itch. Councilmember Schneeman said she lived in Mendota Heights for 43 years and used to swim in Rogers Lake.

Randy Johnson, a resident living near Rogers Lake, said the city has gone from a very recreational lake to what it is now, and living on the lake, he has noticed that the lake has become unusable. Mr. Johnson said there appears to be a lot of muck, and there appears to be a solid base of sand or pebbles below that muck. Mr. Johnson said he would like to see this lake cleaned up as a lot of people use it.

Mr. Danielson said the city chemically treated the water when it was used as a swimming beach.

Resident at 2301 Swan, said his children would like to swim in this lake and the goals contained a lot of different things. He currently has a lot of shoreline on his property, which does not have any buffer, and would like to have more education on what he can do. He would like to know what the costs will be to use the harvester.

Councilmember Duggan suggested that someone from Rogers Lake attend the upcoming meeting with the DNR as they may ask questions that staff may not think of. Mayor Huber said that is fine. Mr. Hickey said he would be willing to meet with the DNR, as they have done last year. The residents thought this stuff was being done last year and have been waiting to get information on what needs to be done and how much it would cost. The consensus of the residents is that this is a natural treasure and should be recreational in use.

Mayor Huber said care needs to be taken as many of these properties extend into the lake and there needs to be permission from that property owner to enter onto their property.

Councilmember Schneeman said she has a lake home up north and the residents there are so together on preserving the lake. Councilmember Schneeman said a big difference can be made in using certain kinds of plantings.

Councilmember Schneeman said the city staff does not have a lot of experienced people in regards to lakes as does the City of Eagan, but they are willing to help out the residents as much as they can. Perhaps it would be possible to engage some of Eagan's staff that has more expertise on this.

Councilmember Krebsbach said it would seem there could be some money with the sales tax income to preserve hunting and wetlands that could be used to support the reversal of the lake and the maintenance of the lake.

Councilmember Duggan said when he built his home in Copperfield, he was told to leave a minimum 15-ft buffer, so grass did not go all the way to the lake and it is easy to get rid of grass, bringing it backward rather than leaving it native or vegetative or planting things that will eventually leech out whatever might be put in the rest of the grass to make it "Irish" greener. Councilmember Duggan asked staff if the 15% chemical treatment is on an annual basis or a one time only versus the 50% harvester. Mr. Mazzitello said he believes it is annual and staff will be meeting with the DNR on March 27th and that is one of the questions on the list, how frequently they can take advantage of that percentage. Councilmember Duggan said he noticed that the hiring of the harvester is \$1,000 per day and asked if volunteers could operate the harvester, and what happens to the material that is pulled out of the lake. Mr. Mazzitello said a deposit site has not been identified and they will be working that out with the DNR as well. Councilmember Duggan said he suspects that volunteers may want to help out with the work on their property.

Councilmember Duggan said the city may want to take this program through the entire city and not just at Rogers Lake, making the city much more beautiful as work is done for the water as well as everything else.

Councilmember Vitelli said he agrees with Mr. Hickey in that there is some discussion in seeking funds, but there first needs to be a definition of what needs to be done. This definition is needed based on experience and advice from the DNR, outlining the four things that need to be done to improve this lake. Then the city can get some funding.

Funding will never be obtained if the work is not well defined.

Mayor Huber said it seems that everyone is looking for an action plan, noting that staff is still in the information gathering mode. An action plan is needed on what can be done, and look at this as something that not only this Council, but future Councils will need to think about as a longer term project, needing some level of on-going maintenance, and for now the Council will need some actions plans and costs, and funding sources. Mayor Huber said Mr. Hickey's opening comments laid out several good thoughts on what that action plan and goals might be. The concern about doing nothing is very significant because this is something that could very well turn into a marsh, which is not always a good thing.

Mayor Huber asked for suggestions on how to keep communications going between the city and the residents. Councilmember Duggan suggested that a quarterly report from staff is provided to the Council on the lake and perhaps other issues. Councilmember Schneeman asked if there is a lake association for Rogers Lake, and suggested this would be a good vehicle to use for communications.

HiPP MEMORANDUM OF UNDERSTANDING

Assistant to the City Administrator Jake Sedlacek said this item was on the consent agenda from last month's meeting and was pulled for more discussion on what is the purpose of the Memo of Understanding and what is the purpose of the steering committee.

At this point, there has been a HiPP Steering Committee that was created and some major tasks completed a number of years ago. The thought originated from Dave Osberg, City Administrator/Manager in Hastings and Heidi Welsh, a manager in the office of Planning and Analysis at Dakota County. There have been a number of ideas bantered about as potential HiPP projects, and they felt it would be important to re-evaluate what the high performance partnership is all about, and, if it is going to continue, how would we establish a process for evaluating these decisions. At this time, they are looking for a commitment from cities to send one council person and one staff person to a steering committee to discuss the broader view of HiPP and what has this thing been and what might it be. In terms of

commitment, they don't know for sure yet, but they are not at the point they are taking in projects at this time.

Mr. Sedlacek said they have not established any timeframes at this time, and it is the hope of Ms. Welsh that this will be a couple of months worth of work and depending on how that goes, if HiPP is going to be rejuvenated, it would come back to this body with a plan for HiPP. At that point, there would be a decision needed from this Council if the Council wants to be on board or not.

Mayor Huber asked if there is any information as to who else is going to be on that Council. Mr. Sedlacek said on the first go around, it is typically mayors and city administrators. Mr. Danielson has attended some meetings at this point, and Mr. Sedlacek has offered to begin attending those meetings in place of Mr. Danielson.

Councilmember Krebsbach said she can do it if it is a short-term commitment. Mr. Sedlacek said it is a Friday morning commitment, either the third Friday or the last Friday of the month, beginning about 7:30 am and last a couple of hours.

Councilmember Duggan said he would be happy to go if it does not work out for Councilmember Krebsbach.

COUNCIL COMMENTS

Councilmembers Schneeman and Krebsbach wished everyone a Happy St. Patrick's Day.

Councilmember Duggan congratulated and thanked the returning council members for bringing warm weather with them.

Councilmember Duggan thanked Mayor Huber for raising the concern about the secrecy and budgeting that seems to be going on in communities, and noted that Saint Paul Mayor Coleman pulled back his initial support of this as well.

Councilmember Duggan wished everyone a happy St. Patrick's Day.

ADJOURN

There being no further business to come before the Council, Councilmember Schneeman moved to adjourn to a closed meeting to discuss strategy for employment negotiations. Councilmember Duggan seconded the motion.

Time of Adjournment 8:37 p.m.

Rebecca Shaffer
Recording Secretary

ATTEST:

John J. Huber
Mayor