

CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

Minutes of the Regular Meeting
Held Tuesday, June 17, 2008

Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota Heights, Minnesota was held at 7:30 o'clock p.m. at City Hall, 1101 Victoria Curve, Mendota Heights, Minnesota.

CALL TO ORDER

Mayor Huber called the meeting to order at 7:30 p.m. The following members were present: Councilmembers Duggan, Krebsbach and Schneeman. Councilmember Vitelli was excused.

PLEDGE OF ALLEGIANCE

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

AGENDA ADOPTION

Councilmember Duggan moved adoption of the agenda as revised. Councilmember Schneeman seconded the motion.

Ayes: 4

Nays: 0

APPROVAL OF MINUTES

Councilmember Duggan moved adoption of the minutes as revised. Commissioner Schneeman seconded the motion.

Ayes: 3

Nays: 0

Abstain: 1 Huber

CONSENT CALENDAR

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

- a. Acknowledgement of the Par 3 Update, April and May 2008.
- b. Appointment of Secretary / Utility Bill Clerk.
- c. Approval of appointment to Mechanic Position.
- d. Approval of Cell Tower Agreement.
- e. Approval of Sign Permit for Verizon Wireless, 740 Main Street.

- f. Discussion of an ordinance amending Title 4 of the city code.
- g. Approval of the List of Contractors, dated 6/12/08.
- h. Approval of the List of Claims, dated 6/17/08, totaling \$283,194.52.

Councilmember Schneeman seconded the motion.

Ayes: 4
Nays: 0

Councilmember Duggan referred to item d and said there was a lot of discussion at the last meeting, and this does include the bond that was a concern. Councilmember Duggan said he appreciated the help from the City Attorney and Staff on this.

Councilmember Duggan referred to item f and noted a suggested change he submitted. That change is located under Section 1-O “Outdoor Power Implement/Construction Activities in Residential Districts”, and says “outdoor power implements including lawn mowers, hedge clippers, and power saws”. Councilmember Duggan said he is requesting that this be added, and this is something that the City of Burnsville is using.

Mayor Huber said he can’t see doing that, and understands Councilmember Duggan’s reasoning on this, but he believes a lot of people cut the grass in the evening, and that may not give residents time in the evening to cut their grass.

Councilmember Krebsbach asked if there needs to be a public hearing on this.

Mayor Huber said he believes that people should not be trimming hedges and mowing lawns at 9:30 pm, but 7:30 pm is unreasonable.

Councilmember Schneeman mentioned that there was an issue a few years ago with someone jack-hammering at his home and there is already language in the ordinance to address that. City Administrator Jim Danielson said it is not in the ordinance, but construction companies/developers

have this requirement in their development agreements.

Councilmember Duggan said this ordinance should apply to residents doing this type of work in their home. There are also concerns about unnecessary noises such as radios.

Councilmember Krebsbach said she is cautious about changing the ordinance based on just a few complaints.

Mr. Danielson said public hearings are only required for zoning ordinance changes, but for the other parts of the ordinances, there is only publication of the ordinance required.

Councilmember Krebsbach suggested tabling this discussion until the next meeting. Councilmember Schneeman said she would like that.

Councilmember Duggan said this could be implemented to each individual application where Staff would provide the applicant with a note regarding this ordinance, to make them aware of the noise impacts in the early mornings and late evenings. Councilmember Duggan said the ordinance would give flexibility to emergency cleanups.

Councilmember Krebsbach encouraged residents to send in their feedback on this issue.

Councilmember Schneeman said Mendota Heights residents are very independent and she would be very cautious about imposing a lot of restrictions on them.

Councilmember Krebsbach moved to table discussion on the proposed ordinance. Councilmember Schneeman seconded the motion.

Ayes: 4

Nays: 0

ANNOUNCEMENT

Mayor Huber announced that this meeting will be the last to begin at 7:30 pm, and that all the future

regular City Council meetings will begin at 7:00 pm.

PRESENTATION

Mr. Jay Haugen, Superintendent of School District 197, gave an update on the current activities of the school district.

Mr. Haugen reviewed some of the construction projects going on:

- Henry Sibley High –
 - Remodel of first floor classrooms to be similar to second and third floor.
 - Installation of lighting, replacement of chilled water piping, tile replacement, lockers added to boys' locker room, and video cameras.
 - Replacement of hot water system and main rest room sinks on the first, second and third floors. New entrance for district offices.
- Friendly Hills Middle School –
 - Replacement of fan powered variable air volume boxes (cost: \$600,000).
 - Parking lot and dock improvements.
 - As results of winning litigation, new air handling systems will be installed.
- Mendota Elementary –
 - Fin tube radiation installed in classrooms.
 - Asphalt replacement on southwest playground.
 - Adding lighting automation.
 - Rolling partitions to the gym.
- Somerset Elementary –
 - Installation of video cameras.
 - Painting bell tower.
 - Refinishing gym floor.
 - Landscaping improvements.

Mr. Haugen said the school district will be celebrating their 150th anniversary. The first school in the district was Somerset, and he gave some history on the school.

Mr. Haugen reviewed the 2008 – 2012 goals, strategies and accountability measurements that are in place. Those goals are: Testing, Excellence, Stewardship and Climate. Mr. Haugen also talked

about the successful play that was written by five of the district's teachers.

Mayor Huber thanked Mr. Haugen for his presentation.

Councilmember Schneeman said she was very pleased with the shadowing program, and would like to see that offered again.

Councilmember Krebsbach complimented Mr. Haugen on the district's and Henry Sibley's websites as she could easily follow the basketball tournament.

Councilmember Duggan said he is glad to have the district "think outside the box" and said he believes these students are capable of going well beyond being the "productive members of society", and congratulated the district for going in this direction.

Councilmember Krebsbach spoke of the basketball tournament at the Target Center, and how the students demonstrated teamwork, projecting a strong sense of community.

HEARING: LIQUOR LICENSE
WINDY CITY PIZZA

City Clerk Kathleen Swanson presented the liquor license application for Windy City Pizza. Mayor Huber said the hearing is set for tonight and action will be taken at the next City Council meeting.

Ms. Swanson said this application is for on-sale wine and 3.2 malt liquor licenses. Ms. Swanson said the city's ordinance now allows the sale of strong beer with wine. The applicant, Windy City Pizza, dba Tommy Chicago's Pizzeria, hopes to open in the Village at Mendota Heights, adjacent to the Sage Market. Ms. Swanson said the facility meets the ordinance requirements for wine licenses and the application is complete. Staff has not yet completed the investigations as the investigators have been either in school or on vacation.

Ms. Swanson said the hearing on this application should be continued to the next Council meeting for action.

Mr. Tom Magnuson, on behalf of Windy City Pizza, said Windy City Pizza originated out of Seattle and has been there for about 15 years.

Mr. Magnuson said they tried a venture in South St. Paul for awhile but did not like the location. Mr. Magnuson said the investors (some from Mendota, Mendota Heights, and Sunfish Lake) asked Mr. Magnuson if he would be interested in trying a location in Mendota Heights.

Mr. Magnuson said they will be starting small, with pizzas, salads, and calzones, moving onto offering pastas later in the year.

Councilmember Duggan asked if there are any plans for a sit-down dining arrangement. Mr. Magnuson said they will offer takeout and delivery, as well as a 58-seat dining area.

Councilmember Duggan asked if they will be having outside seating. Mr. Magnuson said that is definitely a possibility, but right now the investors have a strict budget, and that Staff informed him he could do this at a later time by filling out a supplemental application.

Councilmember Duggan asked where one would find another of the applicant's restaurant in the metro area. Mr. Magnuson said this will be the first one, other than the failed one in South St. Paul.

Councilmember Duggan asked if there is an estimated opening date. Mr. Magnuson said it would be around July 25-28, 2008.

Councilmember Krebsbach said it will be nice to have pasta.

Councilmember Krebsbach said she voted against the liquor license for Theresa's because it was open until 1:00 am. Mr. Magnuson said their game plan

is that they will stay open until 11:00 pm, depending on how business is. Mr. Magnuson said this is not intended to be a bar.

Councilmember Duggan suggested that Mr. Magnuson bring updated information to the next meeting with the firm hours of operation. Mr. Magnuson said he will do that.

Councilmember Krebsbach said this will be a great addition to the city.

Mayor Huber asked for questions and comments from the audience.

There being no questions or comments, Councilmember Duggan moved to continue the public hearing to the July 1st City Council meeting. Mayor Huber seconded the motion.

Ayes: 4
Nays: 0

Mayor Huber said he has seen a new store going in to the Village, the Three Kittens Yarn Shop.

FOURTH OF JULY FIREWORKS

Mr. Danielson said once again, the Mendakota County Club is planning on having a fireworks display as they have for many years. Mr. Danielson said the city has cooperated with them to have this display. This year, they are asking the City to increase their donation to be able to keep with the increased costs of this event. They are now asking the city for a \$500 increase to their annual participation.

Councilmember Schneeman said they should split this and have the City pay just \$250.

Councilmember Krebsbach said she thinks the City should give the \$500. There will also be a band this year. Councilmember Krebsbach said this is a Mendota Heights event.

Councilmember Duggan said in the Staff Report, it states that the City will again provide added traffic control, police and fire protection, provisions of portable bathrooms, and community publicity.

Councilmember Duggan asked Staff if there is a dollar figure for those contributions that the City is also making, and have made in the past, to Mendakota. Councilmember Duggan said he as supported the concept, as he has in the past, and is willing to go to \$2,750 for the next two years. Councilmember Duggan said this will lock in at least another year because there have been fairly continuous increments on their part to the city. If this year they are adding additional service that might bring in more money, he would be delighted for them that this would be the case.

Mr. Danielson apologized and said he does not have the city cost figures at this time.

Councilmember Duggan moved to increase the City's contribution to \$3,000 as requested, keeping it at \$3,000 for the next three years. Motion failed for lack of a second.

Councilmember Krebsbach moved to approve the request for \$3,000 contribution for the Mendakota Fourth of July Fireworks event for this year, and look at this on a year to year basis. Councilmember Duggan seconded the motion.

Ayes: 3

Nays: 1 (Councilmember Schneeman)

UNITED PROPERTIES

Public Works Director Sue McDermott said several months ago, United Properties was before the Council regarding the property at the corner of Northland Drive and Pilot Knob Road. They were interested in putting in a retail center with a gas station. Since then, they have changed their plan and would like to build a hotel along with a retail center that does not include a gas station, but would have amenities for the industrial park such as dry cleaning, or a coffee shop.

Ms. McDermott said in order to accomplish this in the industrial zone; Staff has been working with United Properties and has recommended that they request an ordinance amendment to allow this type of use with a conditional use permit in the industrial zone.

Ms. McDermott said the city planner has made some recommendations on the language and has been working with George Burkhardts of United Properties on this language. The language would essentially be allowing: a greater floor area ratio, more than one building on the lot, retail uses that would be similar to uses allowed in the B-2 zoning district, drive-up or fast food restaurant, only allowing the type of use adjacent to an interstate highway being within 300 feet of an interchange ramp. Ms. McDermott said they are also requesting shared parking.

George Burkhardts, United Properties, thanked the council for their time to listen to this proposal. Mr. Burkhardts said this particular site had a covenant for a sit down restaurant that expired about 1½ years ago.

Mr. Burkhardts said United Properties selected The North Central Group to enter into a purchase agreement with the condition that this receives both the approvals of the City and United Properties. United Properties will have architectural standards that they will need to meet. The same holds true for the retail center. Mr. Burkhardts said the structures will have some form of slanting roofs, and there will be one major access off Northland Drive.

Mr. Burkhardts said there are no specific plans at this time in terms of how the hotel and retail center will look, but it will be upscale or better.

Mr. Burkhardts said if the hotel design is approved, the construction start date will be the first part of 2009. The retail center would come following the completion of the hotel.

Councilmember Krebsbach said the reason the Council did not want a gas station is because they did not want this to be a hang out, and it sounds like this plan will be an upscale hotel with limited retail services.

Mr. Nathan Gundrum, Director of Development of The North Central Group, said his company is a hotel development and management company based out of Madison, Wisconsin. Mr. Gundrum said his company currently has the hotel portion of the subject site under contract with United Properties.

Mr. Gundrum said The North Central Group has been in the hotel business for 25+ years, and in the course of that time, they have developed over 50 properties ranging from full service hotels to economy type brands.

Mr. Gundrum said they currently have 25 hotels in their portfolio, which includes the Hampton Inn in Eagan and the Hilton in Maple Grove. Their portfolio consists exclusively of Hilton and Marriott products, which are considered to be premier brands.

Mr. Gundrum said the brand they are proposing for this particular site is the Homewood Suites, which is a Hilton product. Mr. Gundrum said the Homewood Suites is an extended stay hotel, and explained some of the amenities and showed pictures of some of the projects they have done.

Councilmember Krebsbach asked Mr. Gundrum what he envisions this to look like if approved. Mr. Gundrum said he would pick the 4-story wood frame structure, with a pitched roof, with 124 guest rooms.

Councilmember Krebsbach said one of the things the Council is interested in is the growth of the industrial park in the next ten years, to serve the regional corporate headquarters. Councilmember Krebsbach said she believes this would be a good product.

Councilmember Duggan expressed his preferences in the style of the three examples, and said he is pleased with this concept and not having a service station, and supports what the applicant is trying to do.

Councilmember Krebsbach said the height restriction has nothing to do with the airport, but is the City's own restriction. Mr. Danielson said the ordinance allows four stories, but if going to five, the applicant may want to check with the airport's restrictions. Mr. Gundrum said the proposal would be for four stories. Mr. Gundrum said the current zoning allows for 45 feet, they asking for 50 feet because United Properties prefers the pitched roof and the height is measured to the mid-point of the roof. The airport zoning allows for 110 feet.

Councilmember Krebsbach said she prefers a concrete construction over wood frame.

Councilmember Schneeman said she supports the whole thing and has great confidence in Mr. Burkhardts. She does not care one way or the other about the height.

Mayor Huber said he looks forward to having Staff bring something forward and feels good about the quality that United Properties has brought to the City.

Mr. Gundrum said he appreciates the feedback.

DOG PARK

Mr. Sedlacek said at the last meeting, a group of citizens living near Marie Park came forward with a request to consider using the rink area in the park for an off-leash area for their dogs to run, placing a gate in the opening of the rink. The Council at that time asked Staff to have the Parks Commission take up this matter. The Parks Commission did speak about this last week at their meeting, and there were some residents in attendance in favor of this project, and the Parks Commission decided it might be reasonable to consider a trial of this on a temporary basis.

Mr. Sedlacek said notification was sent out to residents within 100 feet from the borders of the park.

Mr. Sedlacek said the request tonight is to allow dogs to be off leash in the hockey rink area and in

order to do that, the City would need to change the current ordinance relating to dogs. Right now, the ordinance says that any dog that is off the owners' property must be restrained by a 6 foot leash. Staff is asking for what might be a reasonable change to the ordinance if this were to be done, and how would and to what level would this be enforced.

Staff said a lot of feedback was received and there are people very passionate about this situation both for and against it.

Mr. Sedlacek said regarding the use of the rink itself, he received some responses that brought concerns about the safety of the children who currently use that space for soccer. Questions came about who would receive priority, the children or the dogs. Questions on bringing the pets to and from the rink, as well as noise issues, were brought up. Residents also wanted to know if people outside the city would bring their pets into the park. Mr. Sedlacek said people are asking what time this use would be allowed.

Mr. Sedlacek said responses in favor of this request included residents looking for a secured area to allow the dogs to be social with each other, and this does serve residents in the neighborhood, going on without any complaints from the neighbors for some time already.

Mr. Sedlacek said it is also important to know of the concerns for dogs in the park generally. There is a lot of concern over irresponsible dog owners, multiple stories of dogs on back patios of homes, and concern about the youth not being able to roam the park as freely with the fear of encounters with a large and/or unfriendly dog.

Mr. Sedlacek said if residents have a dog-at-large on their property, the city cannot do anything about it unless they are aware of it, and Staff is encouraging residents to call 911 if there is a problem as this is the only way the City has to record if there are issues.

Mr. Sedlacek said if there is to be a trial period, there needs to be a timeline and evaluation process established, and how to enforce it, along with having the appropriate language.

Councilmember Schneeman asked to be excused at this time (9:00 pm) as she had a prior commitment. Before she left, she said she thinks this is a great idea and putting up a gate and having just a few hours a day is not such a big issue, but it seems people are making a much bigger thing out of it than it is. Councilmember Schneeman said she would vote for this if she could stay at the meeting at this time.

Mayor Huber asked if there is any type of formal use to this field at this time. Mr. Sedlacek said there is not during the summer months.

Councilmember Krebsbach asked about the liability, and Councilmember Duggan asked who would assume liability should a child or dog is attacked in a city approved area. City Attorney Tami Diehm said the liability would fall upon the dog owner based on the language of the ordinance.

Councilmember Duggan asked if the only locations that would work for this type of use, with a grassy area, is Marie Park and Wentworth Park. Mr. Sedlacek said that was correct.

Councilmember Duggan referred to item C of the existing requirements and restrictions involving dogs, "no owner shall permit his/her dog to attack or bite a person outside the owner's premises", and said there were some recent situations where dogs were attacking and biting other dogs, and is not so sure that the Council shouldn't include that separate from any discussion here.

Mayor Huber invited residents in the audience to speak on this issue.

Tony Ruiz, 1775 South Victoria Road, said he questions how the city staff will enforce this

ordinance in keeping people from outside the city coming to this park. Mr. Ruiz asked how the city will monitor the use. Mr. Ruiz said people usually let their dogs run a lot in the park, especially Saturdays and Sundays. Mr. Ruiz said he has had dogs on his deck three times this spring. Mr. Ruiz said he was a dog owner, losing his dog a few years ago. Mr. Ruiz said he does not want to use the 911 emergency systems for this type of situation; the responders have much more important things to do than come see the dog on his deck. Mr. Ruiz said he is concerned about the level of noise. Mr. Ruiz said Marie Park has more homes around it than Wentworth, and he is not saying he would put that use in Wentworth; he just does not want to see it at all.

Lynette Steuck, 1795 Victoria Road South said she lives directly behind the rink and talked about the nice off-leash parks in the metro area. This proposal would most likely increase the use of the park by other residents in the city, and would not just be used by the closest residents. Ms. Steuck expressed her concerns about the dogs running around the park, and this is a park for kids. This rink is a very small area, as opposed to the off-leash areas that are acres and acres in size, with trees.

Kim Smith, 1783 Lovett Lane, said this park use may offer a resolution to the complaints for loose dogs. Ms. Smith said she goes to off-leash dog parks, and this proposal would not be such a park. This is just a pen, and it would be unlikely that someone will drive from Eagan into the center of Mendota Heights to go to this tiny little area.

Betty Johnson, 1755 Victoria Road South, said she and her husband have been dog owners in the past, and she grew up living on corner of Douglas and Victoria by the park. Ms. Johnson said her and her husband recently purchased their grandfather's home at 1755 Victoria Road South, and lived there for about six years. Ms. Johnson said any memory she has growing up on that corner is not of problems with neighbors respecting properties or dogs coming into yards as they have in the past

three years. Ms. Johnson referred to some items that were in the Southwest Review and Sun Current and said there is a lot of barking, and a lot of dogs are not leashed from the cars to the rink. In addition, the dogs have jumped in tennis players' cars and are allowed by their owners to proceed to walk around the pond and in the park without a leash, running into neighboring yards at free will. Ms. Johnson said she has had damage to her garden, and on one occasion, a dog charged into her yard frightening their children. Repeated requests to keep dogs leashed and under control have been refused. Ms. Johnson went on to say that dog park advocates do not recommend children share parks with dogs as children are the first to get harmed. Ms. Johnson asked the Council to not turn Marie Park into a dog park.

Nancy Gruber, 1081 Douglas Road, said she considers herself a responsible dog owner and was hoping this would be a proposal to alleviate some of the problems. Ms. Gruber said there are certainly some valid concerns, but she would like to use the park for her dog as well, and she keeps her dogs on leashes at all time. Ms. Gruber said she has never had an encounter with an angry resident and is surprised to hear that this is a common occurrence. Ms. Gruber said she believes that if the dogs were enclosed within hockey rink, this would eliminate problems as opposed to create more. There could be some kinds of regulations to limit access. Ms. Gruber said she would like to be able to throw a Frisbee to her dog and be able to enjoy the park as well. She does not believe this is a big deal.

Diane Levine, 1057 Overlook Road, said she started coming to the park about 2 years ago, and has enjoyed the friendships that have been created by going to the park. Ms. Levine said the 8:00 to 9:00 am timeframe is a reasonable time to have dogs in the park as there are not lot of people in the park at that time. This proposal would also alleviate the potential problems of dogs running into neighboring yards. Ms. Levine said she does not like the idea of using 911 and perhaps there is another avenue to allow people to voice their opinion during a trial

basis. Ms. Levine encouraged the council members to come to the park and see what it's like.

Jean West, 1833 Eagle Ridge Drive, said she has difficulty in properly exercising her one year old collie, and finds this rink to be a better solution for her. Ms. West said she goes to the park when there are other residents there in case her dog gets away from her and she can't go after him. Ms. West said her dog has never been in anyone else's yard so far, and she has a very long leash that she can step on to stop him from going out the door. Ms. West said a gate is a very simple solution to keep the dogs out of trouble and out of neighbor's yards.

Sue Washenberger, 1773 South Victoria Road, said people are letting their dogs loose and they are running in to her yard. Ms. Washenberger said she has noticed that when the dogs are on the leash, they are quiet, when they are loose, they bark a lot more. This barking starts at 8:00 am and goes until 9:00 am. The dogs are in the yard and up on the deck. Ms. Washenberger said she was a dog owner for many years, and her dog was always in the yard on chain, giving the dog ample room to exercise. Ms. Washenberger said the barking is tremendous.

Mary Jo Skaar, 1869 Eagle Ridge Drive, said she has a 10 pound dog that does not bark too much, and understands the concerns of the neighbors, not wanting to be an irresponsible neighbor to them. Ms. Skaar said at the same time, she thinks they must recognized that within the last three weeks, this group has tried very hard to keep the dogs in the rink and not allow them to run. The barking has gotten much better. Ms. Skaar said she would like to know if this is a problem all day long, and can something be worked out. A trial period would be nice to have.

Mayor Huber thanked everyone who came to the meeting. Mayor Huber said he is a huge believer that when somebody has an idea, it should be talked about, and sometimes talked about as a city. That is not always comfortable and sometimes, as a community, the answers are not always what

everyone wants to hear. Mayor Huber said he appreciates everyone's thoughts on both sides of this issue.

Mayor Huber said it is his personal feeling that he is a believer in all things in moderation, and it depends on what the activity is and when one does it. Mayor Huber said he has wonderful neighbors that may occasionally have a party that goes too late into the evening, and Mayor Huber said he could care less because they are having fun. Mayor Huber said he would be concerned if the neighbor turned into the neighborhood karaoke bar every Friday and Saturday night.

Mayor Huber said relative to the dog situation, he would think that 99% of the neighborhood could care less if one dog was running around, getting into a yard or onto a deck. Mayor Huber said it concerns him when there is a clustering of dogs. One dog running around inside the hockey boards on an occasional basis is not an issue, but if there is a situation where the community is invited to come in and have a lot of dogs running around, that is not a good situation.

Mayor Huber said this is then imposing something on the neighbors around the park that these neighbors would not have a reasonable expectation of what would be going on. Mayor Huber said he does not believe that the residents living next to and around the park should have a reasonable expectation of the City encouraging having dogs from the community as well as the potential of outside the community. Mayor Huber said this community is fairly low service, and the city is not staffed well enough to spend time permitting and monitoring. The City does not have the resources to start staffing dog parks. Mayor Huber said he would also have a hard time calling 911 for a problem.

Mayor Huber said he is happy that these residents had a chance to bring forth the idea, and thinks that something that encourages the clustering of dogs in a particular area is not a path the City wants to take.

Mayor Huber said there are also a lot of residents that, because they have to work during the day, would not be able to use the park.

Mayor Huber said he does not want to impose on residents something that is not necessary to do.

Councilmember Krebsbach said she had talked previously about going through a permitting process, and looking into the possibility of a dog park may be something the City should look at in a more appropriate area.

Councilmember Krebsbach said it is very hard to have something on a trial basis because it tends to get locked in and it's hard to change.

Councilmember Duggan said of the five 911 centers that handled all the emergency calls coming in, there is now one center, Dakota Communications Center in Empire Township, that does hear all the calls. Councilmember Duggan encouraged residents to feel free to call 911 to handle even minor issues, and that the call center can handle them.

Councilmember Duggan said he suspects that the police department would not want to address and monitor issues and concerns of residents regarding complaints about dogs. The big area the police is concerned about is domestics, which are one of their more unwelcome challenges.

Councilmember Duggan said there is no right or wrong here, as there are people supporting dogs and those that don't. Councilmember Duggan said when this community was constructed, the emphasis was to provide parks for children and adults, and not excluding animals, but the primary consideration was for people, for people to enjoy, and for providing trails for people to enjoy.

Councilmember Duggan said the situation with dogs is something that had not been thought out even though Mendota Heights has been one of the first communities to plan ahead before any other

community in the State of Minnesota in relation to having plans for the city.

Councilmember Duggan said he believes that the dog park advocacy suggested that a park should be built away from children and that makes sense. Councilmember Duggan said he received mostly negative comments on this and he is the one who asked staff to draft a letter, unfortunately on short notice, to the homes around or near these parks, who should know what is happening and should have the opportunity to respond. Councilmember Duggan said it seems to be 50-50 split for those in favor and those who oppose.

Councilmember Duggan said he would suggest leaving the situation the way it is and despite the protests from people who say they can take care of their dog, he hears many complaints that people walking dogs on trails do not pick up after their dogs, and this impacts everyone. And right now, since the City does not have a constructed off-leash area for dogs, he does not support the idea of having that here in this area or even at Wentworth Park at this time. Councilmember Duggan said there is a great spot by St. Peter's Church, but wonders how one would construct a fence around it to make it work, and suggested that residents who want this amenity do some research and see if an appropriate location can be found.

Councilmember Krebsbach said she believes the City should look at where a dog park could be located, and what the cost would be. Councilmember Krebsbach said there is one by Lake of the Isles which seems to function just fine.

Councilmember Krebsbach asked if Councilmember Vitelli submitted his thoughts on this. Mr. Danielson said he did and that he is opposed to this. Councilmember Duggan said, according to the minutes, Councilmember Vitelli stated that he would not support a permit process as that would place another task on the police department or staff.

SALE OF CITY LOT

Mayor Huber said there will be no motion to pass any direct ordinance with this in. Mayor Huber thanked everyone for coming in this evening. Mayor opened the discussion on the city owned lot located at 2144 Dodd Road.

Councilmember Duggan suggested swapping the land with the Lilydale for the lot that is for sale as it is surrounded with Mendota Heights land.

Mayor Huber asked what would Lilydale do with the lot on Dodd Road. Councilmember Duggan said they could sell it.

Mayor Huber said there have been no offers coming in for a residential use and he feels that the City is getting to the point that City gave it a fair shot to sell as residential. It was noted that Dr. Wild submitted a proposal in December, 2007.

Mayor Huber said Councilmember Schneeman brought forth an idea to have two council members work with the neighbors on possibly having a commercial use on this property. Mayor Huber said with the help of the neighbors, it's possible that a commercial idea may work.

Councilmember Krebsbach said she believes that the neighbors had not all been contacted in the past about zoning on this area, and commercial buildings can have residential look to them. Councilmember Krebsbach said she is fine with this.

Mayor Huber suggested waiting another 4 to 6 weeks before starting this process.

Councilmember Duggan said he does not believe the City of Lilydale would be interested in swapping either as they would lose money on the deal.

Councilmember Duggan said the Council knew that the lot doesn't meet the standards for commercial, but was told by the legal staff that a change can be made to accept the fact that 18,000 sq. ft. is fine, which is less than the 20,000 sq. ft. minimum.

Councilmember Duggan said it should be recognized that, in 2002, the Council put in the comprehensive plan that this was one of those lots that should be residential.

Councilmember Krebsbach said it also depends on if the neighborhood objects to this.

Mayor Huber said his feeling is that this is a lot that the City needs to find the right structure to put on there. Mayor Huber recommends sending a letter to the residents around this lot sometime during the second week in August telling them that this topic will come up on the agenda.

Councilmember Duggan said it makes more sense to list this as commercial, and believes the City could get \$155,000 to \$160,000 easily for that lot.

Mayor Huber asked if the current price should be changed now. Councilmember Krebsbach said she believes the City should wait and allow people to make an offer.

RECEPTIONIST/CLERK

City Clerk Kathleen Swanson said in the process of interviewing candidates for the Utility position, comments were received from the two city receptionists about the level of work on the receptionist job. Ms. Swanson said she looked at the League of Minnesota Cities salaries for comparable work performed and found that the City of Mendota Heights is paying considerably less than other cities of the same size. In addition, Mary and Jake could both use some clerical support and the existing receptionist is excellent for this type of support as well as doing the receptionist duties.

Ms. Swanson said it seems this is the appropriate time to raise the level of pay for this position and pay classification plan. Ms. Swanson said several years ago, the police receptionist position was upgraded to secretary but this request is not raising to that level.

Councilmember Duggan moved to reclassify the Receptionist / Clerk position to Grade 10 in the Position Placement and Pay Classification Plan, to adopt the proposed position description and to grant full-time status to Pam Deeb as Receptionist / Clerk effective June 23, 2008.

Councilmember Krebsbach seconded the motion.

Ayes: 3

Nays: 0

COUNCIL COMMENTS

Mayor Huber reminded everyone that the next meeting begins at 7:00 pm.

Mayor Huber thanked everyone again for helping out with the Celebrate Mendota Heights Parks days. Councilmember Krebsbach said the Shrek movie was not played. Councilmember Duggan said that the band did not play either, both being cancelled because of the upcoming storm.

Councilmember Krebsbach said the park celebration events were great, and looks forward to the July 4th fireworks event.

Councilmember Krebsbach commended Ms. McDermott for her work. Ms. McDermott's last day in Friday, June 20th. Councilmember Krebsbach said Ms. McDermott's work was outstanding.

Mayor Huber told Ms. McDermott that she will be missed very much, and the City was blessed by having her. Mayor Huber wished her and her family the best. Ms. McDermott thanked everyone for their good wishes.

Councilmember Duggan said Ms. McDermott will be only about six miles from his place in "the old people section of Arizona".

Mayor Huber said he noted last week the temperature in Arizona was a very pleasant 102°.

Councilmember Krebsbach told Ms. McDermott to call when she is ready to come back!

Councilmember Duggan shared photos of the southwest corner of Ireland (Kerry and Dingle), and said that former Planning Commissioner Bernie Friel, and one of the most talented photographers in the city was impressed.

Councilmember Duggan said he and Mr. Danielson tried to meet with Bruce White regarding Pilot Knob language but he had received a bad tick bite and is having some challenges with that.

Councilmember Duggan said with the challenges with gas prices, he was wondering if the City could provide the Police Department with scooters or bicycles to be used only in residential areas to save some money in the budget.

Councilmember Duggan asked about some houses being torn down on Highway 110, halfway between Dodd and Delaware. Mr. Danielson said the Dodge Nature Center used to rent these homes out, but recently have not been successful, and decided to tear them down.

ADJOURN

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

Councilmember Krebsbach seconded the motion.

Ayes: 3

Nays: 0

Time of Adjournment 9:50 p.m.

Rebecca Shaffer
Recording Secretary

ATTEST:

John J. Huber
Mayor