

CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

Minutes of the Regular Meeting
Held Tuesday, December 1, 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 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 and Vitelli. Councilmember Schneeman notified Council that she would be late. Councilmember Duggan was absent.

PLEDGE OF ALLEGIANCE

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

AGENDA ADOPTION

Councilmember Krebsbach moved adoption of the agenda as presented.

Ayes: 3

Nays: 0

Councilmember Vitelli seconded the motion.

APPROVAL OF MINUTES

Councilmember Vitelli moved approval of the minutes of the regular meeting held on November 17, 2009 as corrected.

Ayes: 3

Nays: 0

Mayor Huber seconded the motion.

Councilmember Schneeman arrived at 7:02 p.m.

CONSENT CALENDAR

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

- a. Acknowledgement of the October 2009 Building Activity Report.
- b. Authorization for Purchase Order to Repair City Hall Boilers.
- c. Approval of Rejecting Bids for Mendota Plaza Sewer Relocation Project.
- d. Adoption of Resolution No. 09-103: "A RESOLUTION APPOINTING ADVISORY BOARD COMMISSIONERS."

- e. Adoption of Resolution No. 09-104: "A RESOLUTION FORMALLY ACKNOWLEDGING THE RECEIPT OF THE GIFT FROM HUGO AND SUE BLACKFELNER TO THE CITY OF MENDOTA HEIGHTS."
- f. Adoption of Resolution No. 09-105: "A RESOLUTION DEFINING FIREMEN'S RELIEF ASSOCIATION BENEFIT PLAN ANNUAL CONTRIBUTION."
- g. Adoption of Resolution No. 09-106: "A RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING GENERAL OBLIGATION IMPROVEMENT BONDS OF 2000."
- h. Adoption of Resolution No. 09-107: "A RESOLUTION REQUESTING THE COMMISSIONER OF TRANSPORTATION TO COMPLETE A SPEED STUDY ON WAGON WHEEL TRAIL FROM LEXINGTON AVENUE TO DODD ROAD."
- i. Adoption of Resolution No. 09-108: "A RESOLUTION ACCEPTING WORK AND APPROVING FINAL PAYMENT FOR JOB #200802, IMPROVEMENT NO. 2008-01 – THE AVENUES KAY/WALSH STREET RECONSTRUCTION."
- j. Adoption of Resolution No. 09-109: "A RESOLUTION CERTIFYING DELINQUENT UTILITY CHARGES TO THE DAKOTA COUNTY AUDITORS FOR COLLECTION WITH REAL ESTATE TAXES" and Resolution No. 09-110: "A RESOLUTION CERTIFYING UNPAID WEED CUTTING CHARGES."
- k. Approval of Tobacco License.
- l. Approval of the list of Contractors Licenses dated November 23, 2009.
- m. Approval of the List of Claims, dated December 1, 2009, totaling \$160,797.90.

Councilmember Krebsbach seconded the motion.

Ayes: 4

Nays: 0

**MENDOTA PLAZA SEWER
RELOCATION PROJECT**

Councilmember Krebsbach asked for a staff report.

Acting Public Works Director/City Engineer Ryan Ruzek explained that as part of the Developers' Agreement for the redevelopment of Mendota Plaza, the City agreed to realign the sanitary sewer trunk line located on the Dakota County CDA property immediately to the east of the Plaza property. This is a city interceptor 30-inch concrete pipe that is 40 feet deep. The engineer's estimate was \$122,000

but the bids came in about twice the estimate because of the high cost of the pump to bypass the system while the new pipe is being installed. Dakota County was to provide \$50,000 for this project and the City will attempt to get another \$50,000. In addition, the increased sewer rates will help to fund the project.

Councilmember Krebsbach asked what caused the high bids. Mr. Ruzek stated the pricing for the bypass pump was the surprise which resulted because a contractor has to be on the site 24/7 to assure the pumps are operating properly and there is no sewer backup into homes, resulting in insurance claims.

Councilmember Schneeman asked if Pastor Enterprise can start its development before this sewer project is completed. Mr. Ruzek stated the project can be constructed independently and Pastor delayed its utility installation until this spring.

Councilmember Schneeman moved to reject the bids for the Mendota Plaza Sewer Relocation Project.

Councilmember Vitelli seconded the motion.

Ayes: 4

Nays: 0

**HEARING:
2010 BUDGET AND LEVY**

Finance Director Kristen Schabacker explained that the hearing is for consideration of the final budget and levy for 2010. Staff began review of its department budgets in June and presented responsible budgets that worked within the State's imposed levy limits. The Council discussed the budget at its August workshop, and the preliminary budget and levy were adopted in September and certified to the County. The County sent out notices in November to residents regarding proposed property tax amounts. Ms. Schabacker stated she had talked to one resident about his property valuation, which is determined by the Dakota County Assessor's office. There have been no changes made to the proposed budget or levy since adopted in September.

Ms. Schabacker explained that 2010 is the second of three years of state imposed levy limits. The 2010 proposed city tax rate is 28.053, up from 26.165 in 2009. The 2010 taxable market value is \$1.9 billion, down 5.62% from 2009. The average home value decrease was 8% so there will be a slight decrease in the City's portion of property

taxes. Ms. Schabacker presented a comparison of anticipated expenses for each department as follows:

<u>Department</u>	<u>2009 Final</u>	<u>2010 Prop.</u>	<u>Percent</u>
Police	\$2,556,000	\$2,655,380	3.89%
Admin/Elections	1,006,080	1,030,130	2.39%
Parks	827,490	763,520	-7.73%
Road and Bridge	820,340	790,540	-3.63%
Fire	386,540	391,570	1.30%
Code Enforcement	229,620	228,320	-0.57%
IT	93,460	106,110	13.54%
Planning/Recycling/ Council/Other	192,330	184,570	-4.03%
Totals	\$6,111,860	\$6,150,140	0.63%

Ms. Schabacker advised of changes to the budget line items: Police budget increased due to personnel costs; Administration/Elections increased with the 2010 election year costs; Parks decreased due to significant capital purchases in 2009 that are not proposed in 2010; Roads and Bridge made greater capital purchases in 2009 that are not proposed in 2010; Fire saw a slight increase; Code Enforcement decreased slightly; IT increased due to a staff promotion; and, Planning/Recycling/ Council/Other decreased due to lower legal and planning fees. The 2010 budget is only \$38,000 greater than the 2009 budget.

Ms. Schabacker presented the anticipated general fund revenues as follows:

	<u>2009 Final</u>	<u>2010 Prop.</u>	<u>Percent</u>
Tax Levy	\$4,785,890	\$4,816,160	0.63%
License & Permits	307,850	264,400	-14.11%
Fines	65,000	80,000	23.08%
Charges for Svcs.	382,350	399,910	4.59%
Fund Transfers	15,500	15,500	0.0 %
Intergovernmental	320,770	319,870	-0.28%
Misc. & Other	234,500	254,300	8.44%
Totals	\$6,111,860	\$6,150,140	0.63%

Ms. Schabacker noted changes to the revenue line items: the Tax Levy is subject to levy limits; License & Permits decreased to reflect current trends; Fines increased to more closely match collections received in the past several years; Charges for Services increased to reflect an increase in the Police Services Contracts; Fund Transfers and Intergovernmental remained the same; and, Miscellaneous

& Other increased because of the City's decision to receive a lump sum distribution from the DCC.

Ms. Schabacker presented the 2009/2010 Tax Levy Comparison as follows:

	<u>2009 Final</u>	<u>2010 Prop.</u>	<u>Percent</u>
General Fund	\$4,785,890	\$4,863,186	1.62%
Legal & Cont.	60,000	50,000	-16.67%
Emergency Prep.	30,000	25,000	-16.67%
Fire Relief	57,200	43,200	-24.48%
Infrastructure	50,000	25,000	-50.00%
Equip. Reserve		20,000	
Special Levies	845,176	903,990	6.96%
Mrkt. Value	265,997	265,157	-0.32%
Referendum			
Gross Levy	\$6,094,263	\$6,195,533	1.66%

Ms. Schabacker explained that Legal & Contingencies decreased to help stay within levy limits. Emergency Preparedness was decreased, however, the Fire Fighter Pension benefit will increase in 2010. Infrastructure decreased to help stay within levy limits. Equipment Reserve is an ongoing escrow for Police and Fire Department radio replacement in 7-10 years. Special Levies includes debt service payments, equipment certificates and a portion of lost aid from 2008-2009, and Market Value Referendum is the debt service payment on the Par 3.

Councilmember Krebsbach asked what Mendota Heights is getting in intergovernmental aid from Lilydale and Mendota. Ms. Schabacker stated the fire contracts, budgeted as Charges for Services, are \$81,540 from Sunfish Lake, Mendota, and Lilydale. The police contract for Lilydale is \$190,000 per year and for Mendota it is \$60,000 per year. Councilmember Krebsbach stated she is pleased to see Lilydale's payment is getting closer to an equitable payment for services rendered.

Mayor Huber opened the public hearing at 7:13 p.m.

No one appeared to speak.

Councilmember Vitelli moved to close the public hearing at 7:13 p.m.

Ayes: 4
Nays: 0

Councilmember Schneeman seconded the motion.

Councilmember Schneeman moved adoption of Resolution No. 09-108, "A RESOLUTION APPROVING FINAL 2009 TAX LEVY COLLECTIBLE IN 2010 AND ADOPTING PROPOSED BUDGET FOR 2010."

Ayes: 4
Nays: 0

Councilmember Vitelli seconded the motion.

POLICE RESERVE UNIT UPDATE

Police Officer Jerry Murphy thanked the Council for the opportunity to present the Reserve Program. He stated this is the first year of the Mendota Heights Police Reserve Program. It began with an organizational meeting in April at which time six citizens were selected to become Reserve Officers. Their first event was in May to assist the West St. Paul Police at its annual parade. Since then, the Reserves have been involved with 15 different events. One of the events was the Citizens' Academy where they volunteered more than 85 hours and enjoyed every minute of it.

Officer Murphy stated this is a volunteer, non-paid position providing support services for the Police Department. Reserve Officers are not Peace Officers by statute and do not share the same authority as Peace Officers. The primary responsibility of the Reserve Unit is to assist the Patrol Officers in the delivery of non-precarious services. All Reserve Officers must be at least 18 years of age, have a high school diploma, possess a valid Minnesota driver's license with a good driving record, and not have any felony, gross misdemeanor, or theft convictions on their criminal record.

Officer Murphy provided an introduction, brief background information, and listed credentials for Reserve Officers Romel Brown, Gino Messina, Randy Pentel, Jennifer Spurr, Jesse Mettner, and Andy Quinlan.

Officer Murphy listed the duties the Reserve Officers have assumed relating to traffic control, events, and special details. They have also had training in first aid, CPR/AED, use of force, and traffic control. He explained that after additional training, other duties and responsibilities will become part of the program.

Officer Murphy described the uniform and equipment provided to Reserve Officers by the Police Department,

noting they also have a specifically marked and fully equipped squad car that they take good care of. He stated the Department is proud of the Reserves, the work they do, time they volunteer, and look forward to expanding the program to utilize their talents to the benefit of the City and Police Department.

Mayor Huber thanked Police Officer Murphy for his presentation and asked if the hours volunteered are tracked and tabulated, noting this is a tremendous benefit to the City to augment the work of the Police Department. Police Chief Aschenbrener stated Becky Pentel and Officer Murphy log all of the hours and he looks forward to adding more training and duties.

Mayor Huber recognized the memorial patch on the officer's uniforms and stated it is unfortunate that four officers were killed in Washington. He commented that putting on a uniform probably "hits home" more now than in the past because of that incident. Mayor Huber stated the City appreciates what its Officers do and wants them to keep coming home safe after every shift.

Councilmember Vitelli stated he is very impressed with the Reserve Officers, their qualifications, background interests, and activities, and is amazed these very talented people volunteered to perform this tremendous service.

Councilmember Vitelli thanked Sergeant Convery for his leadership, noting the Reserve Program would not have happened if the Police Chief had not started it or if Officer Murphy had not taken the time to train the officers. He commented that Becky Pentel spends a lot of time on the administrative end. Councilmember Vitelli stated he is impressed with this group of talented people and their willingness to give of their own time.

Councilmember Krebsbach commended the Officers and stated she is pleased that Mendota Heights provides this opportunity and mentorship to those interested in law enforcement. She noted Mendota Heights has outstanding staff throughout its departments and is grateful for the Officers volunteering their time.

Councilmember Schneeman concurred and commented on how busy the Reserve Officers are and thanked them for contributing their time for the benefit of Mendota Heights.

All present responded with a round of applause.

PILOT KNOB BROCHURE

Councilmember Krebsbach stated she had met a couple traveling from Florida who were playing a GPS game on Pilot Knob and were very respectful of the site.

Gail Lewellan, Co-Chair of the Pilot Knob Preservation Association (PKPA), stated it is important for all people to know what they are seeing when visiting Pilot Knob. She stated they would like to propose taking another step in the restoration and development of this wonderful natural area. Ms. Lewellan described the changes that have occurred since her last visit with the Council: seven stones have been placed at the north end of the hill to remind of the long history and enduring values, well before European settlement; several acres on the east side of Pilot Knob have undergone a prescribed burn to control invasive species and restore natural conditions of Oak Savanna; and, on October 4th, 150 people came to Pilot Knob from as far away as Crow Creek, Nebraska and as near as Mendota Height's Representative Rick Hanson as well as Chief Lookinghorse for a ceremony of thanksgiving for the preservation of this hill, "the hill of all the relatives."

Ms. Lewellan proposed applying for a grant from the Minnesota Arts and Cultural Heritage Fund under their Minnesota Cultural Heritage Grants Program to develop, print, and distribute a pocket guide recounting the historical and cultural significance of Pilot Knob. She proposed a compact pocket guide format to introduce visitors to the significance of this treasure in our midst and fulfill the goal that the generations to come will understand the important role Pilot Knob plays in the history of this region.

Ms. Lewellan explained that while she was looking at the seven stones, she met residents Tom and Lori Evans who had some questions about the site. However, it would have been nice to have brochures in a distribution box to give them additional information.

Councilmember Schneeman asked if this information can be available for school children touring the site. Ms. Lewellan proposed the brochure be provided to the teachers and schools to alert them of this important historical site. She suggested a printing of 10,000 and noted that once the

template is created, additional copies can be printed for a small increment in price. In addition, the brochure can be available in printable format from a website.

Councilmember Vitelli stated his support for this idea and noted the quality of the material is excellent. He added that Ms. Lewellan has been a good guide and he supports her recommendation.

Councilmember Krebsbach asked if the request from Mendota Heights is for \$1,000. Ms. Lewellan stated that is correct and they will prepare a final budget once it is acted on by their Board of Directors. She presented their preliminary budget numbers, showing a total of \$6,425 to develop, print, distribute 10,000 copies as an initial printing, and post it on their website. There will also be in-kind contributions by Dakota County to create the maps and, perhaps, install a distribution box. She advised that \$7,000 is the cap in the small grant category.

Councilmember Krebsbach stated her support, noting it may help with future grant applications if this one is awarded. She suggested the website address be shown on the brochure and distribution box.

Councilmember Schneeman moved to participate in this effort by the Pilot Knob Preservation Association by contributing \$1,000, providing a letter of support, providing ideas for content, distribution, and review of final text and design prior to printing, and directing staff to stock and maintain a distribution box at the Historic Pilot Knob site. Councilmember Vitelli seconded the motion.

Ayes: 4
Nays: 0

MEETING DATE CONFLICT

City Clerk Kathleen Swanson explained that the precinct caucus will take place on February 2, 2010, which coincides with the date of a regularly scheduled City Council meeting. She explained the Council Chambers are scheduled by the school board for its meeting on Monday, February 1, 2010. Ms. Swanson stated the Council can reschedule their meeting date to Wednesday, February 3, 2010 or Thursday, February 4, 2010, or hold the meeting on the afternoon of February 2, 2009.

Following a short discussion, Council consensus was reached to reschedule the Tuesday, February 2, 2010, Council meeting to Wednesday, February 3, 2010.

2010 GOAL SETTING WORKSHOP

City Administrator David McKnight explained that each year the Council schedules a goal setting workshop in January, traditionally in the morning and lasting about three hours. He requested Council direction on the date to schedule the 2010 goal-setting workshop with City staff.

Following a short discussion regarding availability, Council consensus was reached to schedule the 2010 goal setting workshop on January 15, 2010, starting at 7:00 a.m. The Council asked staff to confirm the date with Councilmember Duggan.

COUNCIL COMMENTS

Assistant City Administrator Sedlacek announced the 4th annual Mendota Lights event on December 5, 2009, 2:00-8:00 p.m., and advised of sponsors and activities that will occur as part of that celebration. Mayor Huber noted the community tree lighting ceremony will occur about 6:00-6:30 p.m. and encouraged residents to remember and patronize local vendors during holiday shopping. Councilmember Vitelli commented on the high quality of music that will be part of this holiday event.

Councilmember Vitelli congratulated Councilmember Schneeman on her grandson, Fritz Waldvogel, being named the MVP in the MIAC conference and noted on Saturday he will be playing with St. Thomas University in the Final 8 for the national championship.

Councilmember Schneeman stated she is very proud of her grandson, who has also been named number one in Divisions 1, 2, and 3 in the nation for return of punts and kickoff returns. She noted that Mendota Heights resident Logan Marks is also on the team, and a good athlete. Councilmember Schneeman stated there are many good athletes in Mendota Heights who have come up through District 197 and MHAA.

Mayor Huber congratulated all Mendota Heights student athletes who participate in sports.

Councilmember Krebsbach gave a "hats off" to Cretin Durham Hall for defeating Eden Prairie in the State High

School Football Championship. She stated her high school alma mater, Glencoe, had won three years in a row but did not make it this year. She noted there had been recognition at the championship game of outstanding football players that included one each from Sibley and St. Thomas. In addition, the girls have been doing well in cross-country and swimming.

ADJOURN

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

Ayes: 4

Councilmember Vitelli seconded the motion.

Nays: 0

Time of Adjournment 7:48 p.m.

Kathleen M. Swanson
City Clerk

ATTEST:

John J. Huber
Mayor

Prepared by Carla Wirth, Recording Secretary