

**MOUND CITY COUNCIL MINUTES  
MAY 10, 2011**

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, May 10, 2011, at 7:00 p.m. in the council chambers of city hall.

Members present: Mayor Mark Hanus; Councilmembers Kelli Gillispie, Dave Osmek, Ray Salazar, and Heidi Gesch.

Others present: City Attorney John Dean, City Manager Kandis Hanson, Community Development Director Sarah Smith, Community Service Officer Mike Wocken, Administrative Assistant Jill Norlander, Amanda Schwarze, Alexander and Alexandra Teplitski, Max Teplitski, Karly Curtis.

*Consent agenda: All items listed under the Consent Agenda are considered to be routine in nature by the Council. There will be no separate discussion on these items unless a Councilmember or citizen so requests, in which event it will be removed from the Consent Agenda and considered in normal sequence.*

**1. Open meeting**

Mayor Hanus called the meeting to order at 7:00 p.m.

**2. Pledge of Allegiance**

**3. Approve agenda**

MOTION by Gesch, seconded by Salazar to approve the agenda as presented. All voted in favor. Motion carried.

**4. Consent agenda**

Gillispie requested the removal of item 4H for discussion.

MOTION by Gesch, seconded by Salazar to approve the consent agenda as amended. Upon roll call vote, all voted in favor. MOTION carried.

- A. Approve payment of claims in the amount of \$228,128.73
- B. Approve banner for 2011 Mound Farmers' Market and More
- C. **RESOLUTION NO. 11-30 : RESOLUTION AUTHORIZING A WRITTEN AGREEMENT WITH THE WESTONKA SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER**
- D. **RESOLUTION NO. 11-31: RESOLUTION OF SPONSORSHIP AS RELATES TO THE SOUTHWEST TRAILS SNOWMOBILE ASSOCIATION**
- E. **RESOLUTION NO. 11-32: RESOLUTION AUTHORIZING GRANT AGREEMENT WITH THE METROPOLITAN COUNCIL FOR INFLOW/INFILTRATION REDUCTION**
- F. **ORDINANCE NO. 01-2011: ORDINANCE AMENDING ORDINANCE NO. 05-2003 IMPLEMENTING A GAS FRNACHISE FEE ON CENTERPOINT ENERGY MINNEGASCO FOR PROVIDING GAS SERVICE WITH THE CITY OF MOUND.**
- G. **ORDINANCE NO. 02-2011: ORDINANCE AMENDING ORDINANCE NO. 08-2003 IMPLEMENTING AN ELECTRIC FRANCHISE FEE ON NORTHERN STATES POWER D/B/A XCEL ENERGY FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MOUND**

H. (removed)

**4H. Approve permits for 2011 Fire Department Fish Fry**

Gillispie questioned the end time for the dance, noting that the time on the application states 12:30 p.m., and should be 12:30 a.m.

MOTION by Salazar, seconded by Gillispie to approve the permits for the 2011 Fire Department Fish Fry as follows:

1. Dance permit
2. Temporary one-day consumption & display permit (set-ups)
3. Temporary one-day liquor license (June 4)
4. Temporary sign permit

**5. Comments and suggestions from citizens present on any item not on the agenda**

None were offered.

**6. Discussion/action related to 4/26/2011 revocation of conditional use permit which allows display and sales of 20 vehicles at 4831 Shoreline Drive**

Sarah Smith summarized the Council's action at the April 26, 2011 meeting. She indicated that the property owner was provided a copy of the agenda materials that were both hand delivered and mailed on May 5, 2011. The packet information also included a breakdown of the costs incurred related to the action of the Council related to the CUP violations and revocation. Smith stated that Max Teplitski paid part of the fees on May 9, 2011 but requested more information on the legal fees charged. That information was provided today. Community Service Officer Mike Wocken reported that the required cleanup was accomplished last week. Chief Kurtz stopped by on Saturday to investigate the open garage door. The owners indicated they were doing paperwork and a vehicle battery was being charged. Observations by the CSO on May 10, 2011 were very similar to the inspection conducted on May 5, 2011.

Osmek had a concern about the unscreened dumpster and Smith said this issue would be reviewed by Staff.

Hanson asked the Council if they were concerned about the number of vehicles on the lot that were not for sale. Hanus stated that we cannot get more restrictive unless the owner agrees. We are not here to rework the CUP at this time.

Max Teplitski, owner's representative, indicated that they will address the dumpster code. He requests additional time to review and pay the fees. Hanus said that the only garage work would be to condition the vehicles for sale; not for general public car repair.

Alexandra Teplitski briefly explained the Saturday site visit by the Police Chief to the Council who did not have issues related to this matter. He stated he has been in business 50 years and assured the Council he wants things right.

Max Teplitski requested 30 days to pay the remaining fees. It was suggested that, if not paid within 30 days, the City could use the 2009 CUP fees that were submitted to the City and Teplitski agreed with this.

Smith commented that there would be additional costs, not included in the breakdown, related to preparation for the May 10, 2011 Council meeting.

A draft resolution was distributed to the Council for consideration by Staff and was also provided to the owners and operators of MainStreet USA.

The following requirements will be made part of the resolution: Continue revocation and stay for 6 months; City may draw on money currently held for the 2009 CUP and use of these funds to cover fees incurred not paid by June 10, 2011; If use of that escrow does not cover the current charges, the balance will be assessed to the property; In the event that all conditions are complied with, this revocation shall be automatically terminate 6 months from this date.

Mayor Hanus stated that new CUP could be initiated by the applicant during the revocation stay period.

MOTION by Osmek, seconded by Gesch to approve the following resolution as amended. All voted in favor. Motion carried.

**RESOLUTION NO. 11-33: RESOLUTION EXTENDING THE STAY OF REVOCATION OF THE CONDITIONAL USE PERMIT FOR PROPERTY AT 4831 SHORELINE DRIVE FOR OPEN LOT SALES AND DISPLAY OF VEHICLES**

**6. Approve minutes of the April 26, 2011 regular meeting**

MOTION by Gesch, seconded by Salazar to approve the minutes of the April 26, 2011 regular meeting. All voted in favor. Osmek abstained from voting because he was absent from that meeting. Motion carried.

**7. Information/Miscellaneous**

- A. Comments/reports from Councilmembers/City Manager
- B. Reports: Finance: April 2011  
Bolton and Menk: March 2011
- C. Minutes: Planning Commission: April 5, 2011 and April 9, 2011
- D. Correspondence: Letters from Dr. Craig and Dr. Jackie Piepkorn and Wayne and Linda Ehlebracht withdrawing rezoning applications and comprehensive plan amendment requests for properties at 4867/4873 Shoreline Drive  
4/19/2011 letter from P&J Investments, LLC delivered on 4/26/2011 related to Mound Manufactured Home Park, 6639 Bartlett Boulevard, and copy of 4/18/2011 notice

**8. Adjourn**

MOTION by Osmek, seconded by Salazar to adjourn at 7:58 p.m. All voted in favor. Motion carried.

---

Mayor Mark Hanus

---

Attest: Jill Norlander, Adm. Asst.