

MOUND CITY COUNCIL MINUTES
October 11, 2011

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, October 11, 2011, at 7:00 p.m. in the council chambers of city hall.

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

Members absent: Councilmember Heidi Gesch

Others present: City Manager Kandis Hanson, City Clerk Bonnie Ritter, Community Development Director Sarah Smith, Public Works Director Carlton Moore, City Engineer Dan Faulkner, Amanda Schwarze, Jeff Schoenwetter, Susan Chambers, Tim Hartman

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

Mayor Hanus acknowledged the two students present from Mr. Kuehl's Advanced American Government class. Hanus thanked them for attending.

3. Approve agenda

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

4. Consent agenda

Osmek requested the removal of Item 4C from the consent agenda.

MOTION by Osmek, seconded by Salazar to approve the consent agenda as amended. All voted in favor. Motion carried.

- A. Approve minutes of the September 27, 2011 regular meeting
- B. Approve payment of claims in the amount of \$453,867.44.
- C. (removed)
- D. Approve meeting time change for November 8, 2011 from 7:00 p.m. to 8:00 p.m.
- E. Approve Final Payment to Allied Blacktop Company in the amount of \$3,000.00 for the 2011 Seal Coat Project
- F. Approve Pay Request No. 4 from GMH Asphalt Corp. in the amount of \$885,766.96 for work completed on the 2011 Street, Utility and Retaining Wall Improvement Project, City Project No. PW-11-01 and PW 11-02.
- G. Approve Temporary Sign Permit for Our Lady of the Lake 2011 Holiday Boutique
- H. **RESOLUTION NO. 11-72: RESOLUTION APPROVING THE THIRD AMENDMENT TO THE DEVELOPMENT AGREEMENT (WOODLYN RIDGE)**

I. RESOLUTION NO. 11-73: RESOLUTION ADOPTING 2011 CENTRAL BUSINESS DISTRICT (CBD) PARKING MAINTENANCE ASSESSMENT ROLL TO BE CERTIFIED TO THE COUNTY AUDITOR AT 6% INTEREST

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

Susan Chambers, 4840 Bedford, appeared before the Council asking for hardship relief for her utility bill. She had a house fire on January 17th and her home was unlivable. She continued to be charged the \$149/quarter minimum bill even though there was no use of water and her house was not livable. She was not able to attend the hearing for delinquent sewer and water bills that was held on September 27.

Hanus stated that the city policy really can't be debated at this time, and this utility charge was made according to current policy. Osmek stated that if action is taken to reduce this bill, then it opens the gates for snowbirds to request reductions, as well as others that perceive a hardship.

After discussion it was the consensus to remand this to staff to come up with a policy for hardship due only to fire making a home inhabitable, not other perceived causes.

MOTION b y Salazar, seconded by Gillispie to direct staff to investigate the potential for a hardship policy for utility bills, only when a house fire makes the home inhabitable. Osmek stated he would not vote for this motion because he feels that a policy like this would just open it up for others to come forward with requests for illness, deployment, snowbirds, etc. The following voted in favor: Gillispie, Salazar and Hanus. The following voted against: Osmek. Motion carries.

6. Public Hearings

A. Continuation of public hearing for delinquent sewer and water bills for PID 23-117-24-34-0059

At 7:33 p.m., Mayor Hanus stated that this public hearing is continued from September 27th, and asked for any public comment, and upon hearing none, closed the public hearing. Carlton Moore stated that the owner of the property in question was in to visit with him and the issues have been resolved and he accepts that he owes this delinquent sewer and water bill.

MOTION by Hanus, seconded by Salazar to adopt the following resolution. All voted in favor. Motion carried.

RESOLUTION NO. 11-74: RESOLUTION ADOPTING ASSESSMENT FOR DELINQUENT SEWER AND WATER BILL FOR PID #23-117-24-34-0059 AND CERTIFYING TO THE COUNTY AUDITOR AT 6% INTEREST

B. Review/Action on Ordinance Amending Chapter 129 as it relates to variances

Sarah Smith reviewed the proposed ordinance, stating that this ordinance reflects legislative changes that were enacted in May.

Mayor Hanus opened the public hearing at 7:37 and upon receiving no public comment, closed the hearing.

MOTION by Hanus, seconded by Salazar to pass the following ordinance. All voted in favor. Motion carried.

ORDINANCE NO. 03-2001: AN ORDINANCE AMENDING CHAPTER 129 OF THE MOUND CITY CODE AS IT RELATES TO THE ZONING ORDINANCE (VARIANCES)

7. 2012 Street, Utility and Retaining Wall Improvement Project

Dan Faulkner of Bolton & Menk presented the feasibility study as printed in the agenda packet.

MOTION by Salazar, seconded by Gillispie to adopt the following resolution. All voted in favor. Motion carried.

RESOLUTION NO. 11-75: RESOLUTION RECEIVING FEASIBILITY REPORT AND CALLING FOR HEARING ON THE 2012 STREET, UTILITY, AND RETAINING WALL IMPROVEMENT PROJECT

8. Information/Miscellaneous

- A. Comments/reports from Councilmembers/City Manager
- B. Reports: Finance: Sept. 2011
Liquor: Sept. 2011
- C. Minutes: None
- D. Correspondence: Letter of resignation from Police Chief Jim Kurtz
Gillespie Gazette excerpt
Letter from MCWD
Email from MCWD on Zebra Mussels

9. Adjourn

MOTION by Salazar, seconded by Gillispie to adjourn at 7:57 p.m. All voted in favor. Motion carried.

Mayor Mark Hanus

Attest: Bonnie Ritter, City Clerk