

MOUND CITY COUNCIL MINUTES
September 22, 2015

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, September 22, 2015, at 7:00 p.m. in the council chambers of the Centennial Building.

Members present: Mayor Mark Wegscheid, Council Members Heidi Gesch, Ray Salazar, Kelli Gillispie, Jennifer Peterson

Members absent: none

Others present: Director of Finance and Administrative Services Catherine Pausche, Director of Public Works Eric Hoversten, Fire Chief Greg Pederson, Katie Morford, Shawna Johnson, Joe Burns, Nancy Long, Jackson Long, Brenna Mueller, Wayne Skibicki, Jason Holt, Joseph Koch, Noah Byers, Ryan Reid, Sam Wambold, Sabrina Beres, Sophie Nagel, Lana Fitz

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 Council Member or citizen so requests, in which event it will be removed from the Consent Agenda and considered in normal sequence.

1. Open meeting

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

2. Pledge of Allegiance

3. Approve agenda

Mayor Wegscheid requested the addition of Agenda Item #8: Mayor Wegscheid Requesting Discussion/Action on Hiring an Interim City Manager.

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

4. Consent agenda

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

A. Approve payment of claims in the amount of \$436,608.55

B. Approve minutes: Aug 24 & 28, 2015 special meeting
Sept 8, 2015 regular meeting

C. RESOLUTION NO. 15-102: RESOLUTION APPROVING DRIVEWAY EASEMENT AGREEMENT OVER PID NO. 25-117-24-11-0052

D. Approve Pay Request No. 2 and Final from Schneider Excavating & Grading in the amount of \$13,201.10 for work completed on the 2014 Storm Drainage Improvement Project, City Project No. PW-14-04

E. Approve Payment of Invoice from American Engineering Testing, Inc. in the amount of \$1,405.85 for construction testing services, 2015 Street, Utility and Retaining Wall Improvements - Grandview Boulevard, City Project No. PW-15-01

F. 2014 Street, Utility and Retaining Wall Improvement Project, City Project No. PW-14-01 - Three Points Blvd. East; West Three Points Blvd. Utilities; West Three Points Blvd. Street

1. **RESOLUTION NO. 15-103: RESOLUTION DECLARING COST TO BE ASSESSED, AND ORDERING PREPARATION OF PROPOSED ASSESSMENT ON 2014 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT**
 2. **RESOLUTION NO. 15-104: RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT FOR 2014 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT**
 - G. **RESOLUTION NO. 15-105: RESOLUTION REQUESTING MINNEHAHA CREEK WATERSHED DISTRICT APPROVAL OF COST SHARE GRANT PROGRAM (3130) REQUEST FOR STORM WATER QUALITY IMPROVEMENTS INCLUDED IN THE CITY OF MOUND'S 2015 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT- GRANDVIEW BOULEVARD AND TUXEDO BOULEVARD**
 - H. **RESOLUTION NO. 15-106: RESOLUTION AUTHORIZING A CENTENNIAL BUILDING CARPET REPLACEMENT PROJECT**
 - I. Approve Revised Notice of October 21, 2015 Special Meeting to include additional topic of contract review and potential changes to the City Code
5. Comments and suggestions from citizens present on any item not on the agenda.
Jason Holt, 5114 Jennings Road, distributed copies of his report and expressed concern with a letter he received from the acting city manager regarding his comments at the last city council meeting and the way it was handled. Holt questioned the city manager's authority to assess fines and he interpreted it as a threat of legal action. Holt noted his continued concern with the property at 1653 Eagle Lane and 1652 Dove Lane. Holt noted a reduction in mowing frequency of commons and right of ways and asked when this was decided as he does not feel needs are being met. Holt believes there is non-native vegetation that should be mowed. In addition, Holt stated the height of the weeds obstructs visibility. Holt recommended the city manager hiring process be competitive and the compensation structure be reevaluated. Holt recommended a town hall meeting be held to discuss the issues.
- Joseph Koch, 4639 Bedford Road, stated he continues to have drainage issues with his driveway since it was replaced during the street project. Koch expressed concern with staff turnover and stated that follow-up on letters received from the city has not taken place. Koch described his concerns and stated he does not feel he is responsible for any cost to repair.
- Mayor Wegscheid stated that he remembers the meeting Koch attended and he will work with staff to resolve the matter.
6. Fire Chief Greg Pederson requesting action on a Resolution to approve the City of Mound Mitigation Plan 2015 and the City of Mound Update to the Overall Hennepin County Mitigation Plan

Fire Chief Pederson acknowledged the staff members that have contributed to the updated mitigation plan, including Fire Fighter Bryan Gorman, Public Works Director Eric Hoversten, Field Officer Stewart Simon and Vicki Weber. Pederson noted the plan has many updates, including replacing some of the sirens and that this plan is necessary to be eligible for FEMA assistance in the event of a disaster. Peterson noted FEMA funds were received last year after the rain events.

Mayor Wegscheid noted he met with the Fire Chief and Hennepin County representatives to kick off the process and that he is impressed with the end result. Mayor Wegscheid thanked the staff for their effort.

Requested Action:

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

RESOLUTION NO. 15-107: RESOLUTION TO APPROVE THE CITY OF MOUND MITIGATION PLAN - 2015 AND THE CITY OF MOUND UPDATE TO SUPPORT THE OVERALL HENNEPIN COUNTY MITIGATION PLAN

7. Catherine Pausche, Director of Finance and Administrative Services, requesting discussion on Resolution No. 03-21 Resolution Authorizing Hennepin County to Begin Process to Release Portion of Tax-Forfeit Parcel #13-117-24-23-0053

Pausche provided background, including information on Resolution No. 03-21 which authorized staff to begin the process to release a portion of a tax-forfeit parcel abutting 5500 Breezy Road. Pausche stated that process never took place and that 5500 Breezy remains an abutting property in the city dock program. Pausche noted Resolution 12-16 was passed in an attempt to deal with the congested conditions in Breezy Channel and is effective until a release/sale takes place or the owner illegally moors a boat to the dock in the channel without permission of the LMCD.

Pausche stated the city now owns the entire parcel outright after a change in state statute allowed certain tax forfeit properties to revert to the City after 30 years. Last year, the current owner requested a release of the portion abutting 5500 Breezy per Resolution No. 03-21. Staff worked with Hennepin County and the city attorney to determine the feasibility, process and assessed value, and is now asking the Council for approval to move forward. Pausche noted that the city attorney has indicated that the Council does not have to honor Resolution No. 03-21 if it does not want to sell the lots and that it would be necessary for the Council to articulate a public purpose for either retaining or selling the public lands.

Pausche showed a sketch of the property lines in question. Discussion ensued. Mayor Wegscheid noted the additional taxes of \$118 per year did not seem to offset the negative impact on the neighbors.

Pausche noted that written comments were received and provided as a handout and that concerned parties were in the audience who wished to speak.

Wayne Stribicki, 5573 Shorewood, said he lives at the end of Breezy Channel, and he asks that the City not sell the lots. He stated the channel is 25 feet wide but the area in the middle is very shallow and he regularly kicks up mud and he has to back his boat out in order to minimize the impact. Stribicki described the congestion issues.

Mayor Wegscheid acknowledged there is a congestion issue. Salazar asked if his dock is parallel to shore and Stribicki said his boat is on the last 25 feet of the channel.

Gesch noted that if the City were to sell, the dock configuration would have to remain the same in order not to create hardship and she doesn't see that being likely. Salazar said he can't see the public benefit of selling. Gillispie said she may have felt differently if she thought the owner wasn't going to sell and didn't think the dock arrangement could stay the same. Mayor Wegscheid said he is hearing a consensus among the Council that this does not meet the criteria to justify selling the lots.

MOTION by Wegscheid, seconded by Salazar, to direct staff to send a letter to the property owner of 5500 Breezy Road stating that the Council is not interested in selling the lots in question at this time and that the City will refund the \$1,000 escrow fee. All voted in favor. Motion carried.

8. (Added) Mayor Wegscheid Requesting Discussion/Action on Hiring an Interim City Manager

Mayor Wegscheid said he is looking for consensus as to whether or not the Council is willing to hire an interim city manager in order to allow more time to pick the new city manager.

Salazar said he believes it is a good idea and noted the City did the same in 2012 with the interim police chief that was extremely helpful with the transition.

Gesch said it is done by other cities and it allows the City to do a very good job with the hiring decision.

Gillispie agreed that the 2012 interim police chief was extremely helpful and was able to provide valuable insights.

Peterson asked about the evaluation process for the position.

Salazar asked about if there is a pool of candidates and Wegscheid noted the League of Minnesota Cities maintains a list of potential candidates, including retired city managers that have a lot of experience.

MOTION by Wegscheid, seconded by Salazar, to direct staff to identify three interim city manager candidates for the City Council to review and approve. Gesch asked if three candidates were sufficient, and Wegscheid said he thought so as they could always go back if one did not work out. Gesch agreed. All voted in favor. Motion carried.

Secondly, Wegscheid said he wanted to discuss the process of hiring a full-time city manager. Wegscheid said Council Member Peterson has volunteered to help lead the process for hiring a full-time city manager as she has experience in the search field and could save the city money as she would donate her time. Wegscheid said the Council could always hire a firm if it felt it was needed. Salazar asked about Peterson's experience in the public sector. Peterson said her background is in corporate, but she is willing to start it off and that there are many resources available. Peterson asked if firms in the past worked on a contingency basis as she would be happy to work concurrently and Pausche said she will need to look into it.

Salazar asked if anyone else would be involved and Mayor Wegscheid recommended one of the members of the personnel committee participate, which is either the Mayor or Council Member Gesch.

MOTION by Wegscheid, seconded by Salazar, to direct staff to work with Council Member Peterson and one of the personnel committee members on the effort to fill the city manager position. All voted in favor. Motion carried.

9. Information/Miscellaneous

Mayor Wegscheid mentioned the wine sale happening at Harbor Wine and Spirits from Thursday, September 24th through Saturday, October 10th.

Salazar asked how the Taste of Tonka event went. Gillispie said it went really well, beautiful evening, good attendance, and great food. Gesch asked if it will be an annual event and Gillispie said the committee will regroup to decide.

- A. Comments/reports from Council Members/City Manager
- B. Minutes: POSC - May 14, 2015
- C. Reports:
- D. Correspondence: Staff Memorandum - Mission Woods Update

10. Adjourn

MOTION by Gesch, seconded by Gillispie, to adjourn at 7:55 p.m. All voted in favor. Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk