

**MOUND CITY COUNCIL MINUTES
JANUARY 10, 2012**

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, January 10, 2012, at 7:00 p.m. in the council chambers of city hall.

Members present: Mayor Mark Hanus; Councilmembers Ray Salazar and Heidi Gesch

Members absent: Councilmembers Kelli Gillispie and Dave Osmek

Others present: City Manager Kandis Hanson, City Clerk Bonnie Ritter, Community Development Director Sarah Smith, Public Works Director Carlton Moore, Assistant City Engineer Sheila Krohse, City Planner Rita Trapp, Clint Bucher, Joseph Nee, Greg LaVere, Michael Wood, Kevin Babler, Ken Perbix, Philip Baumel, Wayne Davis, Blaze Fugina, Ben Bunn, Vallory Schoenecker, Calle Peterson

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. All voted in favor. Motion carried.

4. Consent agenda

Hanus requested the removal of Items 4B and 4Q for discussion.

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

A. Approve minutes of December 13, 2011 regular meeting

B. (removed)

C. RESOLUTION NO. 12-01: RESOLUTION APPOINTING DAVID OSMEK AS ACTING MAYOR FOR 2012

D. RESOLUTION NO. 12-02: RESOLUTION APPOINTING COUNCILMEMBERS AS REPRESENTATIVES OF THE CITY COUNCIL TO COMMISSIONS AND COMMITTEES

E. RESOLUTION NO. 12-03: RESOLUTION APPOINTING FINANCE DIRECTOR CATHERINE PAUSCHE AS ACTING CITY MANAGER FOR 2012

F. RESOLUTION NO. 12-04: RESOLUTION DESIGNATING THE LAKER AS THE OFFICIAL NEWSPAPER FOR 2012

G. RESOLUTION NO. 12-05: RESOLUTION APPROVING THE PURCHASE OF AT LEAST A \$20,000 BOND FOR THE CITY CLERK

H. RESOLUTION NO. 12-06: RESOLUTION APPROVING THE PURCHASE OF AT LEAST A \$20,000 BOND FOR THE CITY TREASURER/FINANCE DIRECTOR

I. RESOLUTION NO. 12-07: RESOLUTION DESIGNATING THE OFFICIAL DEPOSITORIES FOR 2012

J. RESOLUTION NO. 12-08: RESOLUTION APPOINTING PUBLIC WORKS SUPERINTENDENT JIM FACKLER AS ASSISTANT WEED INSPECTOR FOR 2012

K. Action approving request for commercial kennel permit by Mound Police Department

L. RESOLUTION NO. 12-09: RESOLUTION APPROVING AN EXTENSION OF THE LICENSE AGREEMENT WITH HENNEPIN COUNTY REGARDING ELECTRONIC PROPRIETARY GEOGRAPHICAL DIGITIZED DATA BASE (EPDB)

M. RESOLUTION NO. 12-10: RESOLUTION MAKING A SELECTION NOT TO WAIVE THE STATUTORY TORT LIMITS FOR LIABILITY INSURANCE PURPOSES

N. Confirm Open Book meeting by Hennepin County Assessors for May 2, 2012 from 5:00 to 7:00 p.m. at City Hall

O. Approve Application to Conduct Excluded Bingo – Knights of Columbus for 1/14/12, 3/31/12, and 11/17/12.

P. RESOLUTION NO. 12-11: RESOLUTION TO APPROVE THE 2012 CITY OF MOUND PAY EQUITY REPORT

Q. (removed)

R. Approve Commission appointments (all three-year terms):

- A. Parks and Open Space Commission: Todd Peterson and Derek Goddard
- B. Docks & Commons Commission: Rodney Beystrom and Jim Funk
- C. Planning Commission: Jeff Bergquist, Kelvin Retterath, and Cynthia Penner

4B. Approve payment of claims

Hanus indicated that he requested that this be removed from the consent agenda because he has a claim included for dues for the Mayors' Association.

MOTION by Salazar, seconded by Gesch to approve payment of claims in the amount of \$696,651.48. The following voted in favor: Salazar and Gesch. The following voted against: None. Hanus abstained from voting. Motion carried.

4Q. Subdivision Exemption and Variances for properties at 4839 and 4851 Shoreline Drive

Hanus stated that he has suggested amendments for the resolution presented, and would also like to direct staff to offer language that would clean up the grey area in our present code regarding subdivision exemptions with variances.

MOTION by Hanus, seconded by Gesch to adopt the subdivision exemption resolution as amended, and to adopt the variance resolutions for 4839 and 4851 Shoreline Drive as presented. All voted in favor. Motion carried.

RESOLUTION NO. 12-12: RESOLUTION APPROVING SUBDIVISION EXEMPTION FOR PROPERTIES AT 4839 AND 4851 SHORELINE DRIVE

RESOLUTION NO. 12-13: RESOLUTION APPROVING VARIANCES FOR 4839 SHORELINE DRIVE

RESOLUTION NO. 12-14: RESOLUTION APPROVING VARIANCE FOR 4851 SHORELINE DRIVE

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

Clint Bucher, representing the V.F.W. expressed gratitude to the City for allowing them to hold their meetings at the Mound Depot. He stated that it's the Post's 110th anniversary and they are the second oldest post in the Nation. The Post obtained a flag from Congressman Eric Paulsen that flew over the capitol, and would like to give it to the City to hang in the Mound Depot. Kandis Hanson referred him to Public Works Superintendent Jim Fackler in regards to where the flag will be placed.

6. Public Hearing - 2012 Langdon Lane Cul-de-sac Improvement Project

Assistant City Engineer Sheila Krohse reviewed the engineer's report on the proposed project, along with the estimates on construction costs and proposed assessments.

During the 2004 street project, Langdon Lane was improved, but the cul-de-sac was not completed. Instead two driveways were installed to accommodate lots 8 and 6, at the request of the property owners at that time.

It is also being proposed at this time to relocate the storm sewer to the north end of Lot 8.

Mayor Hanus opened the public hearing at 7:18 p.m.

Michael Wood, 2270 Langdon Lane, stated that he owns two of the three lots on the proposed assessment roll, and stated that the cul-de-sac had been a point of discussion for some time. He purchased the lots in 2009 and constructed a home on the lot with a driveway, and when he asked about where he would put the driveway on the other lot and if it would be tied in with the existing street or there would be a cul-de-sac in the future, he was told that it was a point of discussion but no decisions had been made at that time. He never stated that he wanted a cul-de-sac, but just inquired on the topic. He stated that what is there is relatively new pavement and suggested waiting until the next street project for the whole area instead of doing it now.

Hanus stated that the benefit to do it now is because the street doesn't meet the current code regarding emergency vehicle traffic, etc. He stated it's in the best interest of the City to improve it.

Wood stated that he doesn't think his properties will receive benefit that totals \$13,000, and neither did his appraiser. He asked the Council to keep the street the way it is until another street project is done in that area.

Greg Lavere, 2259 Langdon Lane, stated he's the owner of lot 8, and would like to see the storm sewer moved as proposed because he would like to build a garage in that location. As far as the cul-de-sac goes, he doesn't know why he would be responsible for the assessment when he doesn't feel he's receiving that much benefit.

Hanus stated that he has sympathy for the current owners, but the people they bought from created this situation.

Philip Baumel, 2239 Langdon Lane, stated he's the owner of lot 9 and asked if he would be impacted by the cul-de-sac or the storm sewer and Carlton Moore stated that he wouldn't, but there is an issue regarding his garage encroaching onto lot 8, but that issue is between the property owners and not the City. Baumel asked if his chain link fence would be affected and he was told that it would not.

Wayne Davis, 2248 Langdon Lane, owner of lot 5, asked if the power pole would have to be relocated in front of his property, and was told that it would be moved, but would remain in public right of way.

Mayor Hanus asked for further comment and received none.

MOTION by Salazar, seconded by Gesch to continue the public hearing until January 24, 2012, when a full council was expected to be in attendance, and to table action on the proposed resolution to order the improvement and preparation of plans for the Langdon Lane Cul-de-sac and storm sewer. All voted in favor. Motion carried.

7. Table action on Resolution Denying Variance for 3070 Highland Blvd. to January 24, 2012.

MOTION by Gesch, seconded by Salazar to table action on a resolution denying the variance for 3070 Highland Blvd, to January 24, 2012. All voted in favor. Motion carried.

8. Information/Miscellaneous

A. Comments/reports from Councilmembers/City Manager

9. Adjourn

MOTION by Gesch, seconded by Salazar to adjourn at 7:41 p.m. All voted in favor. Motion carried.

Mayor Mark Hanus

Attest: Bonnie Ritter, City Clerk