

MOUND CITY COUNCIL MINUTES
January 14, 2014

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, January 14, 2014, at 7:00 p.m. in the council chambers of the Centennial Building.

Members present: Mayor Mark Hanus; Council members Mark Wegscheid, Heidi Gesch, and Ray Salazar

Members absent: Kelli Gillispie

Others present: Acting City Manager/Fin Dir/Clerk/Treasurer Catherine Pausche, Community Development Director Sarah Smith, City Planner Rita Trapp, Jay Green, Jameson Smieja, Jeanne Brustad, Tim Palm, Carter Palm, Jack Evans, Julie Evans, Chris Tienter, Mitchel Monforten, Steve Hosmer, Dakota Helingsworth, Kayla Clemut

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

Mayor Hanus requested the removal of item 8 from the regular agenda because the City was not selected for the grant. Wegscheid requested the removal of Consent Agenda Item 4B for discussion.

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

4. Consent agenda

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

- A. Approve minutes of the December 10, 2013 regular meeting.
- B. Removed.
- C. **RESOLUTION NO. 14-01: RESOLUTION APPOINTING MARK WEGSCHEID AS ACTING MAYOR FOR 2014**
- D. **RESOLUTION NO. 14-02: RESOLUTION APPOINTING CITY COUNCIL MEMBERS AS REPRESENTATIVES OF THE CITY COUNCIL TO COMMISSIONS AND COMMITTEES FOR 2014**

- E. **RESOLUTION NO. 14-03: RESOLUTION APPOINTING FINANCE DIRECTOR/ CLERK/TREASURER CATHERINE PAUSCHE AS ACTING CITY MANAGER FOR 2014**
- F. **RESOLUTION NO. 14-04: RESOLUTION APPOINTING COMMUNITY SERVICE OFFICER MICHAEL WOCKEN AS ASSISTANT WEED INSPECTOR FOR 2014**
- G. **RESOLUTION NO. 14-05: RESOLUTION APPROVING THE PURCHASE OF AT LEAST A \$20,000 BOND FOR THE CITY FINANCE DIRECTOR/CLERK/TREASURER**
- H. **RESOLUTION NO. 14-06: RESOLUTION DESIGNATING THE OFFICIAL DEPOSITORIES FOR 2014**
- I. **RESOLUTION NO. 14-07: RESOLUTION DESIGNATING THE LAKER AS THE OFFICIAL NEWSPAPER FOR 2014**
- J. Approve request for commercial kennel license for Mound Emergency Management Division waiving the fee.
- K. **RESOLUTION NO. 14-08: RESOLUTION MAKING A SELECTION NOT TO WAIVE THE STATUTORY TORT LIMITS FOR LIABILITY INSURANCE PURPOSES**
- L. Open Book meeting by Hennepin County Assessors set for May 7, 2014, 5:00-7:00 p.m.
- M. Approve Public Gathering Permit for Westonka Community and Commerce for the Moonlight Walk on Saturday, February 15, 2014 with fee paid.
- N. **RESOLUTION NO. 14-09: RESOLUTION APPROVING SIDE YARD SETBACK VARIANCE FOR 3233 TUXEDO BOULEVARD PID NO. 25-117-24-21-0141**
- O. Approve Pay Request No. 8 from GMH Asphalt Corporation in the amount of \$126,982.51 for the 2013 Street, Utility, and Retaining Wall Improvement Project, City Project Nos. PW-13-01, PW-13-02, PW-13-05.
- P. Approve Pay Request No. 13 and Final from GMH Asphalt Corporation in the amount of \$19,582.77 for the 2012 Street, Utility, Lift Station, and Retaining Wall Improvement Project, City Project Nos. PW-12-01, PW-12-03, PW-12-04.
- Q. **RESOLUTION NO. 14-10: RESOLUTION APPROVING EXTENSION OF PARKING PLAN FOR TEMPORARY USE OF PROPERTY AT 2529 COMMERCE BOULEVARD BY NEW MORNING CHURCH**

4B. Approve payment of claims

Wegscheid asked if the Hanco invoice was for one wheel balancer or multiple. Pausche stated it was one balancer allocated to the public works departments and that she would send a copy of the invoice to Wegscheid via email.

MOTION by Hanus, seconded by Gesch, to approve payment of the bills in the amount of \$713,114.06. Upon roll call vote all voted in favor. Motion carried.

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

None were offered.

6. Public hearing to consider amendments to City Code Chapter 129 (Zoning Ordinance) related to definitions and regulations for parking.

Rita Trapp summarized work by Staff and Planning Commission to date on regulations for parking and noted the publication of the resolution will require a 4/5ths vote. Trapp outlined changes including the clarification of how square footage and gross floor area would be calculated. Gesch questioned the wording on gross floor area on page 128 and requested a comma be added between the words use and times.

Trapp explained the need for changing the parking code and that the goal was to streamline the requirements and allow tenants to change more easily. It would only be for the B1 and B2 districts and if an occupant changes but use is similar, parking requirements would not have to be recalculated. It addresses what authorizations could be made by Staff and what the appeals process would be if the applicant did not agree with the Staff decision. Hanus requested that if Staff makes an administrative decision a notice be given as information to the Planning Commission and City Council. Trapp summarized a space required comparison chart that compared Mound's current code to other cities, the ITE Parking Rates, the Walker Parking study completed for Mound in 2005, and the proposed changes to Mound's code.

Mayor Hanus said a few years ago he tried to loosen up the standards because it seems that every case requires a variance. Hanus does not feel by observation that lots are overflowing and parking requirements are insufficient so he is open to subtle changes. Gesch asked if there was commonality in the variances granted. Hanus stated not to his recollection because the variables differ in each case. Trapp said the shopping centers were evaluated to come up with an average space requirement that would work for Stone Gate, Mound Marketplace, and presumably, any future development. Trapp reviewed the new categories being added.

6A. Mayor Hanus opened the public hearing at 7:27 p.m. and upon receiving no comments closed the public hearing.

6Ai. MOTION by Gesch, seconded by Wegscheid, to adopt the following ordinance as amended. Mayor Hanus suggested additional wording that any determinations made by the Community Development Director that were not previously identified through Council action shall be forwarded to the Planning Commission and City Council as information and Wegscheid accepted the change in wording as a friendly amendment. All voted in favor. Motion carried.

ORDINANCE NO. 01-2014: AN ORDINANCE AMENDING CHAPTER 129 OF THE MOUND CITY CODE AS IT RELATES TO THE ZONING ORDINANCE

6Aii. MOTION by Gesch, seconded by Wegscheid, to adopt the following resolution. All voted in favor. Motion carried.

RESOLUTION NO. 14-11: RESOLUTION AUTHORIZING PUBLICATION OF AN ORDINANCE BY TITLE AND SUMMARY

7. Approve appointments for:

A. Lake Minnetonka Conservation District Board (1 year term) for Jay Green

Mayor Hanus expressed satisfaction with Jay Green's representation of the Mound City Council. Jay Green, 5966 Lynwood Boulevard, summarized the work of the LMCD in 2013 and stated in 2014 commercial marina language will be reviewed. In May of 2013, Green reported to the City Council on the AIS inspections process and that Green is still evaluating the data from 2013 inspections. Green is working on what educational materials will be incorporated into the process and hopefully leveraged with existing literature. Green stated the LMCD move to Centennial Building in Mound is expected to save approximately \$25,000 annually. The Save the Lake recognition banquet will be held at the Lafayette Club on Wednesday, February 5, 2014. Green will do a state-wide AIS update at the event. The LMCD is considering the Mound Fire Department for a grant for ice suits and Green commented on the high quality of the application. Green noted the Lake Minnetonka Communications Commission has requested the LMCD pay to have the board meetings available on the web and on cable T.V. Green noted the Wayzata Lake Effect Development will be discussed in 2014 as well.

Mayor Hanus said Lake Minnetonka marina prices were studied and were found to be higher than anywhere in the US. Green said he has met many marina owners over the past year and has gained an appreciation of the capital expenditures involved in running a marina.

MOTION by Salazar, seconded by Wegscheid, to reappoint Jay Green as the City of Mound Representative to the Lake Minnetonka Conservation District Board. All voted in favor. Motion carried.

B. Planning Commission (3 year terms)

MOTION by Salazar, seconded by Wegscheid, to adopt the following resolution appointing Douglas Gawtry, Jameson Smieja and William Stone to the Planning Commission for three year terms expiring December 31, 2016. All voted in favor. Motion carried.

RESOLUTION NO. 14-12: RESOLUTION APPROVING THE APPOINTMENT OF PLANNING COMMISSIONERS

C. Parks and Open Space Commission (3 year terms)

Mayor Hanus stated Staff is recommending that the Parks and Open Space Commission (POSC) be reduced from 7 to 5 commissioners. Gesch, council representative on POSC, stated that she is fine with the change based on the type of issues the commission deals with, just not because of the difficulty of filling vacancies.

MOTION by Salazar, seconded by Gesch, to direct staff to prepare an Ordinance to change the Parks and Open Space Commission from a 7 member board to a 5 member board. All voted in favor. Motion carried.

8. Removed.

9. Information/Miscellaneous

- A. Comments/reports from Council members
- B. Minutes: Parks & Open Space Commission – September 12, 2013
Planning Commission – December 3, 2013
- C. Reports: Metropolitan Council Final Housing Score
WeCAB through November 30, 2013

D. Correspondence: Adam Flaherty's Resignation Letter

10. Adjourn

MOTION by Gesch, seconded by Wegscheid, to adjourn at 7:47 p.m. All voted in favor. Motion carried.



Attest: Catherine Pausche, Clerk



Mayor Mark Hanus