

MOUND CITY COUNCIL MINUTES
January 22, 2019

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, January 22, 2019 at 7:00 p.m. in the council chambers of the Centennial Building.

Members present: Mayor Ray Salazar, Council Member Jeff Bergquist, Sherrie Pugh and Phil Velsor.

Members absent: None

Others present: City Manager Eric Hoversten, Director of Finance & Administrative Services Catherine Pausche, City Engineer Brian Simmons, Scott Gates, Kim Blievernicht, Andrew Heal, Jake Mazurek, Paula Larson, Mark Thostenson, Cindy Penner, Chad Penner, Kristi Doshan, Jeff Anderson, Sharon Thaler, Bruce Sohn (10), Karla Frigard, Lance Frigard, David Montgomery, Russ Nettle, Gina Nettle, Eric Vail, Jake Savstrom, Kristin Hewitt, Greg Flom, Barton Haly, Mark Jorland, Michele Hanson and Allissa Lively.

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

2. Pledge of Allegiance

3. Approve agenda, with any amendments

Hoversten added pages 184.1 & 184.2 and added 7B.1 Paula Larson as the 7th City Council candidate.

MOTION made by Bergquist, seconded by Velsor, to approve the agenda. All voted in favor. Motion carried.

4. Consent agenda

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

- A. Approve payment of claims \$323,465.09
- B. Approve minutes: 01-08-19 Regular Meeting
- C. Pay Request 6 & Final in the amount of \$31,538.77 to Widmer Construction for 2017 Lift Station and Forcemain Improvements PW 17-05
- D. Pay Request 2 & Final in the amount of \$5,368.79 to Schneider Excavating and Grading for 2016 Storm Sewer Improvements Project PW 16-09.
- E. Approve the following special meetings in 2019:

1. Tues, March 19, 2019 6:00 pm Concurrent Special Meeting Workshop with City Council and Planning Commission
2. Tues, April 16, 2019 6:30 pm Special Meeting Workshop Supervisor's Annual Reports to City Council and Long Term Financial Plan
3. Tues, October 15, 2019 6:30 pm - Special Meeting Workshop- 2020 Budget and Long Term Financial Plan

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

None

6. Public Hearing

Brian Simmons, City Engineer, presenting the feasibility report for the 2019 Street, Utility, and Retaining Wall Improvement Projects and requested action on resolutions ordering improvements and preparations of plans. Simmons summarized the costs related to each of the project areas and what the proposed assessment would be.

Mayor Salazar opened the Sherwood Drive Public Hearing at 7:12 PM

Chad Penner, 5510 Sherwood Drive, asked to clarify if it was just watermain, not sewer to be replaced, and Simmons clarified yes. Penner said he is against resurfacing. Kristie Doshan, 5501 Sherwood Drive, stated she is opposed to resurfacing. Bart Howling 5513 Sherwood Drive, stated he and his wife are opposed to the resurfacing. Michelle Hanson, 5598 Sherwood Drive, said she and her husband Carl are opposed to the resurfacing and asked Simmons to clarify where the retaining wall will be. Hanson asked if the sewer will need to be done at a later date and Simmons said that can be done with trenching and not resurfacing. Lance & Karla Frigard, 5580 Sherwood Drive, said they are opposed to resurfacing the road.

Phil Velsor asked if the watermain can be repaired without surfacing. Simmons said there would be a hole by each residence which would be patchwork. Simmons said, in his opinion, the pavement is in need of replacement. Salazar asked is the road going to be a mess if the road is not replaced. Simmons said the road is nearing the end of its lifecycle, will be deteriorating rapidly and there have been multiple watermain repairs. Hoversten said there is an issue with the variation in sizes of the watermain in the area (4-6-8 inches) as well as the need to eliminate the aged cast iron. Simmons said the minimum municipal size is 8 inch.

Karla Frigard said she was only familiar with two watermain breaks and the patching was done very well. Frigard said she does not see the need to completely replace the road.

Eric Vail, 4848 Island View Drive, asked if it would be an option to just do the watermain and evaluate the road later. Simmons said that means the City would replace the pavement above the watermain twice which is why it is proposed to replace the pavement only once after the repair is done. Mark Jorland, 5549 Sherwood Drive, said he has lived there for 30 years and the road was redone approximately 20 years ago and the patches look fine so he agrees with his neighbors that replacement is not needed at this time. Jake Sandstrom, 5525 Sherwood Drive, asked to clarify that he is hearing options and he is wondering the costs associated with each of those options.

Simmons noted that the \$98,832 was the cost of the street replacement. Sandstrom asked how the assessment billing works. Simmons said the assessed hearing will take place in the fall of 2020. Residents can pay in full by November 15th of that year and the balance is spread over 15 years at 5% on the property taxes. Sandstrom asked about the process for the watermain replacement and Simmons said it is replaced at the curbstop near the road. Sandstrom asked about the retaining wall and Simmons said it has to do with the watermain repairs. Sandstrom

asked about what happens if the road reconstruction was deferred. Simmons said it could be stopped, but if the City could opt to go through this process again to replace the pavement. Salazar asked Sandstrom if he was for or against this replacement and Sandstrom stated that he abstains. Keith Puck, 5562 Sherwood Drive, said that since the last time the road was renovated the stormwater pools in his driveway (up to 3.5 – 4 feet wide and 40 feet long) until it evaporates. Puck asked if that was addressed in the study and Simmons said that it was. Bergquist asked what is the estimated remaining life of the existing road. Simmons said he did not know.

Mark Jorland, 5549 Sherwood Drive, said he is sure it was less than 20 years. Hoversten said that per Hennepin County website, the subdivision /majority of houses went in the early 1970's. Bergquist asked the crowd is the opposition because of the money or just because it is seen as not needed and the audience said both.

Chad Penner, 5510 Sherwood, said the road is good and the cracks are expanding because they were never filled in. Hoversten noted the two written objections and Mayor Salazar noted that makes 11 of the 12 neighbors objecting to the project.

Mayor Salazar closed the public hearing at 7:42 pm.

Simmons noted that this is similar to Kildare which was petitioned out of a previous project. Simmons noted that the Council plans to move away from 429 projects in the future and that should be a consideration. Bergquist said with the level of opposition, he feels it needs another look. Velsor agreed. Pugh said she drove the street and although she feels it could be replaced, she agrees with her colleagues to listen to the will of the residents. Bergquist suggested tabling the motion and discussion ensued. Hoversten suggested rejecting the motion and redirecting staff to bring back a watermain replacement project only.

MOTION made by Pugh, seconded by Bergquist, to have the staff prepare a new resolution that is only a watermain replacement project and patching of the street. All voted in favor. Motion carried.

A. RESOLUTION NO. 19-XX: RESOLUTION ORDERING IMPROVEMENTS AND PREPARATION OF PLANS FOR 2019 STREET AND UTILITY IMPROVEMENT PROJECT - SHERWOOD DRIVE, CITY PROJECT NO. PW-19-01

Mayor Salazar opened the Kildare Road Public Hearing at 7:50 PM

Gina & Russ Nettle, 4658 Kildare Road, said their portion of the road was built in 2006 and was excluded from the a previous road project and the only deterioration was where they parked the fire truck during road construction and the cul-de-sac was never fully completed. Nettle does not think those repairs should be part of the assessment. Simmons said he can't speak to the utilities installed by the builder, but he confirmed the fire apparatus was parked in that area. Simmons noted the assessment is based on a 28-foot wide street only and he thought neighbors asked for this project. Russ Nettle said over the years they were told the puddle would be taken care of as part of the pavement management plan. Russ Nettle asked if it is an option to have the driveways replaced and Simmons said they can put them in touch with the contractors to have that done privately.

Allison Levily, 4642 Kildare, asked about the 40-year life since the oldest home is 1999. Levily said she has been there 2 years and she thinks the only issue is where the fire truck was placed. Velsor said the 40-year plan is based on regular maintenance and he does not think

that occurred in the past but it is part of the future plans. Levily said the traffic is so limited and it is in good condition. Jeff Anderson, 4654 Kildare, said he came to the last meeting and it was stated that the road was built to standards and this is not like Tuxedo so he does not support the project. Anderson also read an email from a neighbor to the Council which said he agrees that if it ain't broke, don't fix it.

Velsor asked why it was rejected years ago and Gina Nettle said the neighbors asked for it to be excluded since everything was new. Simmons stated the project is a reclaim and pave project. Salazar said 4 neighbors are in opposition and asked if they are OK with the patch of the swale where the fire truck was located. Nettle said he is fine with that.

Mayor Salazar closed the public hearing at 8:06 pm.

Bergquist asked to clarify that this is just a reclaim. Hoversten and Simmons confirmed. Simmons said in terms of the street improvement program, the goal is to fix the things that are hanging out there so that everything is brought to 100% so the maintenance program can be applied across the board. Velsor asked about the City's participation and whether the City will need to pay more in the future. Simmons confirmed. Pugh said she believes in the program across the board and does not believe it is the best choice to opt out but that it is our job to listen to the residents. Bergquist said it is a tough one. Christine Hewitt, 4849 Island View Drive, said their portion was concrete and was replaced a few years ago and there are issues already. Hewitt asked who is to say these projects will be better.

Velsor said it is a tough decision and he would like to get to the point where we are not discussing street projects and this was already deferred once. Velsor said his assessment was in the \$4,000 range. Salazar said he lives on Island View Drive and it was expensive and messy but that he is happy with it. Salazar said 4 of the 7.5 residents are against. Salazar said he agrees with the other Council members that this would allow the City to take ownership and have a thorough accounting of what has been done, but given the opposition, he is not in favor of doing the road at this time.

MOTION made by Bergquist, seconded by Pugh, to **reject** the following resolution. All voted in favor. Motion carried.

B. RESOLUTION NO. 19-XX: RESOLUTION ORDERING IMPROVEMENTS AND PREPARATIONS OF PLANS FOR 2019 STREET AND UTILITY IMPROVEMENT PROJECT - KILDARE ROAD, CITY PROJECT NO. PW-19-02

Mayor Salazar opened the Windsor Road Public Hearing at 8:21 PM

Paul Wood, 5060 Windsor Road, said the neighborhood was built around 1997 and it seems in good shape and does not seem to need to be replaced. Derek Flom, 5080 Windsor Road, said he opposes the road replacement and that it only needs a few patches.

Mayor Salazar closed the public hearing at 8:22 pm.

Velsor said he felt this was in the best shape of the three roads and noted that it was much more clear his road needed to be done at the time.

Pugh said she drove the road and it appeared in good condition but she couldn't see what the drainage issues were. Velsor asked how the work will be contracted and Hoversten said the utility work will be bundled for economies of scale. Bergquist said the last time he was on the

road it seemed good so he is against it. Salazar repeated he wished we had a complete inventory when the City takes ownership, but he isn't in favor of it.

MOTION made by Velsor, seconded by Bergquist, to *reject* the following resolution. All voted in favor. Motion carried.

C. **RESOLUTION NO. 19-XX: RESOLUTION ORDERING IMPROVEMENTS AND PREPARATION OF PLANS FOR 2019 STREET AND UTILITY IMPROVEMENT PROJECT - WINDSOR ROAD, CITY PROJECT NO. PW-19-03**

7. Interviews for vacant City Council seat to fill remainder of term expiring December 31, 2020

City Manager Hoversten described the interview process: candidates will be brought in one at a time to take questions for up to 20 minutes each, each submitted a written application that has been provided to each of the Council Members and that members will take turns asking questions of their choosing, which do not have to be the exact same questions of each candidate. City Manager will give a two-minute warning when the twenty minutes are up. At the end, a tally sheet will be used to vote for three people each, with #3 being the favorite choice, #2 second favorite, and #1 third favorite. City Manager will tally and announce and then the next step will be decided upon.

The candidates were interviewed from the podium in the following order:

- A. Applicant Kim Blievernicht
- B. Applicant Andrew Heal
- B.1. (added) Applicant Paula Larson
- C. Applicant Jake Mazurek
- D. Applicant David Montgomery
- E. Applicant Mark Thostenson
- F. Applicant Eric Vail

A silent ballot was used to determine the top 3 finalists. There was a tie, so a second ballot was taken to determine the top 3, which were: Blievernicht, Heal, and Larson. All agreed to continue the vote instead of holding a special meeting on January 29th. Upon the final vote, Mayor Salazar announced Paula Larson was the top vote getter and will be appointed to fill the vacant council seat.

8. Information/Miscellaneous

- A. Comments/reports from Council members/City Manager:
- B. Reports: Fire Dept. - December 2018
- C. Minutes: Planning Commission - December 4, 2018
Parks & Open Space Commission - December 13, 2018
- D. Correspondence: Notice of Potential Quorum-Feb 25 Volunteer Recognition Event

9. Adjourn

MOTION made by Bergquist, seconded by Pugh, to adjourn at 11:01 p.m. All voted in favor. Motion carried.

Mayor Raymond J. Salazar

Attest: Catherine Pausche, Clerk