

**MOUND CITY COUNCIL MINUTES
FEBRUARY 26, 2013**

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, February 26, 2013, at 7:00 p.m. in the council chambers of city hall.

Members present: Mayor Mark Hanus; Councilmembers Kelli Gillispie, Mark Wegscheid, Ray Salazar, and Heidi Gesch.

Others present: Finance Director/Clerk/Treasurer Catherine Pausche, Community Development Director Sarah Smith, City Attorney Melissa Manderschied, Mark Wegscheid, Blaze Fugina, City Engineer Dan Faulkner, Dick Osgood, Mike Mason, Public Works Director Carlton Moore, Steven Bona.

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 7:01 p.m.

2. Pledge of Allegiance

3. Approve agenda

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

4. Consent agenda

Mayor Hanus requested the removal of Item 4D from the consent agenda.

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

- A. Approve payment of claims in the amount of \$451,401.62.
- B. Approve minutes of February 26, 2013 regular meeting.
- C. Approve application and permit for Temporary On-Sale 3.2 Malt Liquor for the Knights of Columbus March 1, 2013 fund raising event.
- D. (removed)

E1. RESOLUTION NO. 13-21: RESOLUTION AMENDING RESOLUTION NO. 10-38 FOR THE WOODLYN RIDGE SUBDIVISION AT 6301 LYNWOOD BOULEVARD TO CORRECT TYPOGRAPHICAL ERRORS IN LEGAL DESCRIPTIONS.

E2. RESOLUTION NO. 13-22: RESOLUTION RESCINDING RESOLUTION NO. 08-16 AND ADOPTING A NEW RESOLUTION APPROVING THE PLANNED DEVELOPMENT AREA-CONDITIONAL USE PERMIT FOR WOODLYN RIDGE THE PROPERTY AT 6301 LYNWOOD BOULEVARD.

E3. RESOLUTION NO. 13-23: RESOLUTION RESCINDING RESOLUTION NO. 10-33 AND ADOPTING A NEW RESOLUTION APPROVING MODIFIED FINAL PLAT FOR WOODLYN RIDGE FOR THE PROPERTY AT 6301 LYNWOOD BOULEVARD.

E4. RESOLUTION NO. 13-24: RESOLUTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH WOODLYN, LLC FOR THE WOODLYN RIDGE SUBDIVISION LOCATED AT 6301 LYNWOOD BOULEVARD.

F – H. (not used)

I. RESOLUTION NO. 13-25: RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE 2013 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT - SOUTHEAST ISLAND AREA (PW-13-01), AND WOODLYN RIDGE (PW-13-05)

4D. Approve Resolution Approving Second Amendment To Water Structure Space Lease Agreement with T-Mobile Central LLC to Premises Located at 6125 Evergreen Lane

Mayor Hanus questioned if a CPI adjustment or other escalator was built into the lease amount and how does the rate compare with other leases. Carlton Moore stated Bob Vose from Kennedy and Graven did the negotiation and he believes it is a flat rate. Moore stated the lease rate is high in comparison to others. Hanus asked how long the agreement is for. Moore stated he would have to research but he thought it was 5 to 10 years with a certain notification requirement of cancellation.

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

RESOLUTION NO. 13-20: RESOLUTION AUTHORIZING EXECUTION OF THE SECOND AMENDMENT TO WATER STRUCTURE SPACE LEASE AGREEMENT WITH T-MOBILE CENTRAL

Councilmember Gesch arrived at 7:09pm.

5 – 6 (not used)

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

None were offered.

8. 2013 Lift Station Reconstruction Project

Dan Faulkner of Bolton & Menk presented the engineering report as printed in the agenda packet and stated that this will be the 15th of 30 total lift stations improved to date. Total estimated project cost for Three Points Boulevard Lift Station C1 is \$461,000. The Mayor asked the condition of the remaining lift stations and whether the City is on the proper schedule to avoid problems in the future. Faulkner stated it is a matter of managing the pace of utility rate increases. He added that some of the remaining lift stations to be improved are smaller and should not cost as much.

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

RESOLUTION NO. 13-26: RESOLUTION RECEIVING REPORT AND AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS AND ORDERING THE

ADVERTISEMENT OF BIDS FOR THE 2013 LIFT STATION RECONSTRUCTION PROJECT.

9. Lake Minnetonka Milfoil Treatment Program

Dick Osgood, Executive Director of the Lake Minnetonka Association, presented a summary of the five-year demonstration project to control milfoil in select bays (2008 – 2012) and stated that based on the results, the LMA is looking to expand treatment areas going forward. Osgood requested additional funding for 2013 to help fund a pretreatment study/plant inventory of a larger area of Phelps Bay, referred to as “Big Phelps.”

Mayor Hanus stated when the City first contributed it was with the intention to support the test and ultimately, if the project was successful, wean off the public subsidy. The Mayor stated he supports the project is open to providing additional funding. Mike Mason, 4909 Island View Drive, gave testimony that in his experience, the program has been very effective. Gesch and Gillispie stated they would want to know where the additional funds would come from before approving an increase.

MOTION by Hanus, seconded by Gesch, to direct staff to look at finding a funding source for an additional \$1,500 contribution to the LMA and bring it back to the next Council meeting for further evaluation. All voted in favor. Motion carried.

10. Information/Miscellaneous

- A. Comments/reports from Councilmembers/City Manager
Gillispie stated Walgreens is scheduled to open early to mid-April and plan a special open house for area business owners.
- B. Minutes: DCC Meeting 01/17/13
- C. Reports: BMI 12/31/12 YTD Billable Hours
BMI comments on Minnehaha Creek Watershed District’s (MCWD) draft Rules: Appropriations Rule; Illicit Discharge Detection & Elimination Rule.
- D. Correspondence: Notice of proposed Xcel Energy rate increase

Mayor Hanus requested discussion on item 10C. Hanus expressed concerns that the MCWD may be reaching beyond their authority in this case and wanted to ensure Bolton & Menk’s comments properly represent the City’s position. The Council agreed that in the interest of time, Mayor Hanus should assist in preparation of the comments on behalf of the City or prepare them himself.

10. Adjourn

MOTION by Salazar, seconded by Gillispie to adjourn at 8:04 p.m. All voted in favor. Motion carried.

Mayor Mark Hanus

Attest: Catherine Pausche, Clerk