

**MOUND CITY COUNCIL MINUTES**  
**April 23, 2019**

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, April 23, 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, Phil Velsor and Paula Larson

Members absent: None

Others present: City Manager Eric Hoversten, Director of Finance & Admin Services Catherine Pausche, City Engineer Brian Simmons, Orono Police Chief Correy Farniok, Angela Savstrom, Chad Penner, Lance Frigard, Kenneth Putt, Carl Hanson, Scott Gates, Mark Jorland, Bart Halling

*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 7:03 p.m.

**2. Pledge of Allegiance**

**3. Approve agenda, with any amendments**

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

**4. Consent agenda**

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

A. Approve payment of claims \$130,403.23

B. Approve minutes: 04-09-19 Regular Meeting

C. Approve a 1-4 day temporary liquor license for Northwest Tonka Lions May 16, 2016 WeCAN Open House Wine Tasting Fundraiser

**D. RESOLUTION NO. 19-27: RESOLUTION APPROVING PERMITS FOR 2019 MOUND FIRE DEPARTMENT RELIEF ASSOCIATION FISH FRY AND DANCE ON JUNE 1, 2019 AND WAIVING FEES DUE TO PUBLIC PURPOSE OF GATHERING**

**E. RESOLUTION NO. 19-28: RESOLUTION APPROVING MUSICAL CONCERT PERMIT FOR GRADUATION PARTY AT 1665 BLUEBIRD LANE ON JUNE 1, 2019**

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

None offered.

**6. Orono Police Dept. Chief Correy Farniok delivering 2018 OPD Annual Report**

Chief Farniok reviewed the information contained in the Orono Police Department 2018 Annual Report noting many highlights, including the 2018 drug take back's success with over 200 lbs collected. Farniok said the next take back event is Saturday, April 27<sup>th</sup> from 10 am to 2 pm at the Orono Public Works facility and noted that donations are completely private and the drugs are incinerated. Other events in 2018 included Coffee with a Cop and Xerxes, the department's canine officer, received an award of excellence and innovation from the MN Chiefs of Police Association, one of two given each year. The department participates in Westonka DARE programs and held a forensics day for 90 Orono High School students who spent a day at the police department after a semester of study on related topics. Farniok said Part 1 Crimes, which are more serious, were up 3% in 2018 and noted 2019 is already exceeding that. Farniok listed the stats of the drug task force, which follows sources and can travel outside the community to target people who sell drugs in our community. Farniok said burglaries and thefts continue and he reminded residents "if you see something say something." Farniok reminded the audience to lock vehicles and garage doors at all times and to not leave keys in the vehicle even when parked inside. Farniok said the police continue to work hard patrolling and keeping our community safe.

The Council thanked Chief Farniok and said to keep up the good work.

**7. Public Hearing from February 26, 2019 – RE-OPENED**

**Brian Simmons, City Engineer, presenting the feasibility report for the 2019 Street, Utility, and Retaining Wall Improvement Projects and requesting action on resolutions ordering improvements and preparations of plans**

Simmons presented a slide show giving an update to where the discussion and Sherwood improvement project is at. Simmons noted that there is still time to get the project done this year and that the retaining wall increased slightly, but that it does not affect the estimated assessments, which have not changed at \$2,159 per ERU. Simmons said there are 12 ERUS and 13 actual properties, two of which are corner lots that will only get ½ an ERU according to the City's assessment policy.

Simmons showed slides of the water main-only project including a map of the disturbance areas that was sent to residents to notify them about the reopening of the hearing. Simmons said he was asked what the assessment would be if the street was done at a later date, and the estimate is \$5,327 per ERU in today's dollars. Simmons said the original street was constructed in 1997 and although there may be remaining life some maintenance would be required. Simmons noted the Council was concerned with the duplication of costs if there were two separate projects which is why they chose to reopen the hearing. Simmons showed the amortization schedule for each of the assessments, \$2,159 for doing a project now or \$5,327 if done separately later.

Mayor Salazar emphasized a combined project now would be \$2,150 per household, or if delayed up to a maximum of 9 years, it would be \$5327 not adjusted for inflation. Salazar said if separated, there will be a patchwork quilt remaining. Simmons clarified the water main absorbs some of the pavement

costs which also makes a combined project more affordable for residents. Salazar asked to see the patchwork exhibit again and noted he thinks that it is a better investment to do it now.

Velsor noted that during the 9 years, there is going to be more damage as patches would be more susceptible to freeze/thaw expansion cycles. Simmons agreed and said it mainly impacts the ride. Simmons said cul-de-sacs are stressed more because of the nature of how they are used for turning around.

Mayor Salazar reopened the public hearing at 7:28 pm.

Angela Savstrom, 5525 Sherwood Drive, thanked Simmons for the additional information including the financials. Savstrom said she is in favor of redoing the street this year and that \$2,160 is like the cost of ½ of an asphalt driveway. Simmons agreed and noted that the most recent projects had special assessments capped at \$6,600 per ERU. Savstrom said she respects the expertise of the engineers and she thinks the City has an obligation to maintain our streets and that it is better to combine projects than do a one-off later on. Savstrom said she also feels one project is more friendly to the environment.

Mark Jorland, 5549 Sherwood Drive, said he was originally in favor of separate projects but now prefers it is done this year. Jorland showed the location of his property and said he and some neighbors are impacted by water run-off and flooding and hopes that it can be addressed as part of the project.

Carl Hanson, 5598 Sherwood, said he looked at the dates for opening bids and construction and questioned whether enough contractors will participate. Simmons said bid requests are advertised for two weeks and usually get at least two responses. Simmons said in the past if only one bid was received, the engineers could justify whether it was reasonable or not. Simmons noted the other 2019 project plans and specs are in process and that there will be incentive for the awarded contractor to bid on Sherwood. Hanson said the patchwork quality seems a lot better these days and he wonders what other advances will be made in 9 years. Hanson also noted this is not a well-traveled street which is why he questioned a complete rebuild that was suggested at one point.

Salazar suggested he consider the numbers and consider what the condition and appearance will be after the patches. Salazar said oil is pretty cheap right now and labor continues to sky rocket, so a future project will certainly be more than 2.5 times today's rate. Salazar said it will be done the right way. Simmons said some base will be kept but that the final ware course is done the following year to respond to any settlements. Hanson recommended at least three bids be required.

Bart Halling, 5513 Sherwood, thanked the Council for pausing at the last hearing, listening to concerns, and doing the extra analysis. Halling asked about the properties that did not appear to be disturbed during the water main only project. Simmons said all properties will get new service connections and that not all curb stops are directly in front of each home.

Halling asked about the project cost comparison. Simmons said when it was shifted to a water main only project, there is no justification to attribute any of the expense to the tax base. Simmons said in recent years, a portion of the street cost was attributed to the water main replacement and excluded from the assessable amount. If there are separate projects, no amount could be excluded. Halling once again thanked council for the additional info.

Chad Penner, 5510 Sherwood, thanked the council for the pause and the additional information. Chad said the retaining wall is his and he is curious what the plan for it is. Simmons said block face is discontinued, and that options will be developed if the council proceeds with the project. Chad asked if curb is in question. Simmons said places cracked, broken or sunken will be targeted.

Mark Jorland, 5549 Sherwood, asked to confirm apron won't be replaced if not bad. Hoversten said since he has an apron in good condition, he won't be charged even if it has to be replaced.

Mayor Salazar closed the public hearing at 7:50 pm.

Velsor said he is glad the issue was brought back because the project makes sense. Salazar thanked Simmons for the extra effort in bringing the concept of a combined project back.

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

**RESOLUTION 19-29: RESOLUTION RECEIVING REVISED ENGINEERING REPORT, ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR SHERWOOD DRIVE STREET AND UTILITY IMPROVEMENT PROJECT CITY PROJECT NO. PW-19-01**

**8. Councilmember Sherrie Pugh requesting discussion on the Harbor District development, including past Council priorities and potential future issues with development, and requesting action on setting a Special Meeting Workshop on the topic**

Pugh said she is a new member and she is concerned that all members are well informed as to how to manage the future of the Harbor District. Pugh wants to know what are the challenges, like knowing that retail has changed and the housing market has changed, and understanding the Council's role in recruiting and development. Pugh said she wants it to be a livable community that reflects the values of the community.

Bergquist agreed and said Velsor is up to speed because he was on the Planning Commission. Bergquist suggested referring it back to the Development Committee for assessment of next steps and then bring it back to the Council. Velsor asked what the role of the Development Committee is as he felt the Comprehensive Plan is to guide development. Salazar said he felt the Development Committee could explore the area of possible development, soil issues and what the level of cost participation should be, if any. Salazar said the Development Committee fields concepts from developers in coordination with staff prior to bringing concepts before the Council.

Hoversten said Velsor is correct that the Comp Plan defines values that reflect feedback from the community and viability of proposals from developers. Hoversten said the prior Development Committee of Wegscheid and Gillispie influenced the Comp Plan update and that is what Pugh is questioning. Hoversten said brainstorming and lesson learning at the committee level allows the developers to maintain their competitive advantage and bargaining power vs. in open forum. Hoversten noted closed meetings are only allowed in certain circumstances.

Larson asked who serves on the Development Committee. Salazar said himself, Velsor, City Manager Hoversten, Community Development Director Smith and Finance Director Pausche.

MOTION by Bergquist, seconded by Larson, to recommend the topic be referred back to Development Committee to come up with an approach and bring back to the Council. All voted in favor. Motion carried.

**9. Information/Miscellaneous**

A. Comments/reports from Council members/City Manager:

Hoversten thanked the Council and members of Fire Department for participating in the Emergency Management training earlier this evening and encouraged them to follow-up with any questions.

Hoversten highlighted the following dates:

Summer hours resume Monday, April 29<sup>th</sup>. City Hall is open Mon – Thurs 7:30-5 and Fridays 7:30-11:30 in order to better match hours of builders and contractors in the community during construction season.

May 11 Clean-up day at/with City of Minnetrista. Hoversten encouraged coordination between neighbors to boost the success.

May 22 – Westonka Food Shelf 50<sup>th</sup> Anniversary Open House

May 30- rescheduled WeCAN Community Breakfast

June 1 – Fish Fry

Velsor mentioned May 5<sup>th</sup> Mound Westonka football waffle breakfast fundraiser at Grandview Middle School

B. Reports: Fire Dept – March 2019

C. Minutes:

D. Correspondence: Lake Minnetonka Communications Commission Memo on changes to streaming services

**10. Adjourn**

MOTION made by Velsor, seconded by Larson, to adjourn at 8:08 p.m. All voted in favor. Motion carried.

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Mayor Raymond J. Salazar

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Attest: Catherine Pausche, Clerk