

MOUND CITY COUNCIL MINUTES
May 10, 2016

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, May 10, 2016, at 7:00 p.m. in the council chambers of the Centennial Building.

Members present: Mayor Mark Wegscheid, Council Members Heidi Gesch, Ray Salazar, Kelli Gillispie, and Jennifer Peterson

Members absent: None

Others present: City Manager and Public Works Director Eric Hoversten, Community Development Director Sarah Smith, Administrative Assistant Mary Mackres, Field Officer Stewart Simon, Max Teplitski, Alexander Teplitski, Shawn Seiler

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 Council Member or citizen so requests, in which event it will be removed from the Consent Agenda and considered in normal sequence.

1. Open meeting

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

2. Pledge of Allegiance

3. Approve agenda

Hoversten said staff would like to submit a replacement condition, condition S, for the resolution contained in pages 1048-1051. This would be page 1051A. Hoversten added a letter from NPC Robotics to the Council packet which would become page 1082A.

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

4. Consent agenda

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

A. Approve payment of claims in the amount of \$335,386.64

B. Approve minutes: April 26, 2016 Regular Meeting

C. **Approve Pay Request No. 5 and Final from Widmer Construction in the amount of \$6,028.11 for the Bartlett Boulevard Watermain Improvements, City Project No. PW-14-08**

D. **Approve Pay Request No. 3 and Final from Widmer Construction LLC in the amount of \$22,539.66 for the Bartlett Boulevard Watermain Improvements Project, City Project No. PW-15-09**

E. Approve Pay Request No. 8 from Geislinger & Sons, Inc. in the amount of \$666,588.87 for the 2015 Street, Utility and Retaining Wall Improvements - Grandview Boulevard and Tuxedo Boulevard, City Project Nos. PW-15-02 and PW-15-01

F. RESOLUTION NO. 16-59: RESOLUTION ACCEPTING BID FOR THE 2016 CRACK REPAIR PROJECT (PW-16-07)

G. RESOLUTION NO. 16-58: RESOLUTION AUTHORIZING THE WESTONKA HISTORICAL SOCIETY TO SUB-LEASE A PORTION OF THE CENTENNIAL BUILDING

5. Comments and suggestions from citizens present on any item not on the agenda.
None offered.

6. Shawn Seiler presenting and requesting discussion with Council regarding initiating Social Media use for City information sharing.

Shawn Seiler, 4704 Gordon Road. Seiler is on the Parks and Open Spaces Commission (POSC). Seiler is proposing the City start using social media and shared some background information on why he would like this to happen. Seiler has lived in Mound for five years and had not heard of the POSC Adopt a Park program. One of Seiler's ideas was to put the program out on social media. He said that social media connects the City to a larger audience. Seiler says that everyone knows what Facebook is and would be of no cost to the City. It's free marketing. Seiler works with top marketing companies and asked their advice on ideas to promote the City. Their suggestion was utilizing social media. Seiler stated this is a low risk way for the City to get messages out.

Seiler wanted to propose this idea to the City council to solicit feedback and see if there are any other ideas or worries. Seiler says that from a manpower standpoint, Mary Mackres has volunteered to administer the page and could set others up to enable them to also add photos, etc, if need be. Setting up a City Facebook account takes very little time, it is easy to post pictures or PDFs to it. The page could be updated daily or weekly.

Mayor Wegscheid commented that the council has thought about this over time. Wegscheid believes that it does take time to update. Wegscheid asked other cities officials for their input about Facebook pages and found a surprisingly large amounts of issues with other cities Facebook sites. There have been cases where people have copied things from cities' pages and then made their own "City" site. The Mayor said the City already has an outlet; the City's website. The Mayor asks if the City should put effort towards making the website more tangible such as area on the website that is regularly updated.

Seiler stated that this is not intended to be a replacement for the City's website. Facebook is a very popular website. Seiler feels the City's website is antiquated. Mayor responded that the City should put effort into making the City's website better rather than on another area. Wegscheid says that the City is not here to sell a product.

Seiler says there is limited promotion within the City and a lot of people don't know about current events in Mound and a Facebook site is great for community involvement as it pushes events and news out to people. A City Facebook page would be part of the

equation, not a replacement for the City website. Seiler states that upkeep is minimal for Facebook and it won't draw away from website but will push people to the website for further documents and details.

Gillispie feels that the majority of people go to television for news and the City has limited staff resources and there has to be prioritization in what tasks are accomplished at City Hall. Gillispie feels that social media would not be at the top of the list as things for the City staff to take care of and believes there are other things that are more important.

The Mayor added that it is not the City's responsibility to promote events in the area and most events in Mound have their own Facebook pages where the event is promoted.

Peterson feels the City needs to update its website first and the cities of Wayzata and Excelsior have chambers in town which want to bring traffic to their cities. Mound does not have a paid chamber in town.

Seiler is an Attorney and it is his job to mitigate risks in marketing for companies and would volunteer his time to put together a policy and terms and conditions for a City Facebook page. He believes this would help Mound get more tourists. Excelsior and Wayzata are getting all the tourists. Seiler feels that Mound is missing out on a great opportunity and missing out on the 21st century.

Gesch is grateful to Seiler for bringing up the website again as changes still need to be made and nothing has been done. Gesch says Facebook doesn't cost money and could be easily implemented. She added that this could be something beneficial to the City and a way to let the community know the human interest side of Mound. Gesch doesn't feel the council should shut down this idea so quickly.

Hoversten said that the City staff is participating in webinars and are looking at ways to expand social media use. GovDelivery is a one-way push delivery system though the City is dependent on people self-subscribing to GovDelivery to get information. He added that will Facebook really be social media when you lock it down so that no one can comment?

Seiler asked how many people subscribe to GovDelivery. Stewart Simon added that the City has about 7,000 subscribers to the GovDelivery system. Seiler says the City can reach about 30,000 people if there was a Facebook page. Seiler added he thinks the City is missing out on free marketing.

Peterson worries about the City delivering stale content and commented that the website is already stale so why would we promote or have even more stale information being produced?

Salazar asked about the other cities that are using Facebook. What kind of problems are those cities having? Wegscheid responded that some of the cities weren't posting any new information on Facebook or monitoring it at all.

Seiler says that the restrictions on Facebook can be customized. Salazar thinks it would be worth looking at. Gillispie sees both sides of the issue. There is a value in reaching people, but as a City, we have to put things in order of priority.

Mayor Wegscheid suggested looking at a partnership with Westonka Community and Commerce (WCC). Gillispie explained that WCC acts as the chamber in this area and the current President is Colin Charlson. Gillispie can set up a meeting for Seiler and Charlson to discuss social media. Wegscheid says this would fall into the bailiwick of the WCC's focus. Seiler asked if the City would need to approve this. Wegscheid said this doesn't have to be a City condoned thing for the WCC to promote the community. City of Mound is already a member of the WCC so posting events there is a possibility. There is a link to the WCC on the City of Mound's website.

Peterson suggested perhaps the City could partner with schools to enlist the help of an intern who could be the social media person.

Hoversten mentioned that a lot of the communities that use social media have Parks & Rec departments where the City needs to promote their recreation activities. Mound has a partnership with the Westonka Schools Community Education department which promotes their classes.

Seiler stated that there are smaller cities that still have a Facebook page. The reason this Facebook promotion started is that the POSC wants to promote the Adopt A Green Space program and there only 3 or 4 City Parks which have been adopted by residents.

Peterson suggested that Council and community members promote the Adopt A Green Space program on their own Facebook pages.

Peterson thought that this is not a "no" on Facebook altogether, just a pause.

Hoversten reiterated that all Council members and staff should start thinking about content for the website.

7. **Sarah Smith, Community Development Director calling for a Public Hearing to consider amendments to Conditional Use Permit for property at 4831 Shoreline Drive (MainStreet USA)**

Planning Case No. 16-03 Applicant: Maxim Teplitski
Owners: Maxim and Alexander Teplitski

Gillispie recused herself due to potential conflict of interest.

Smith stated that the applicants Maxim and Alexander Teplitski are requesting amendments to the conditional use permit (CUP) that was put into use in 2002. The CUP allows for open sales and display for up to 20 vehicles on the property. This CUP runs with the land and not the owners and was put into place for the former owners of the business. The Teplitskis would like the council to consider two amendments. The first is for a parking plan allowing up to 29 vehicles on premises viewed from the exterior and to allow for three vehicles which could be stored inside.

The current CUP allows vehicles on premises for offering for sale to public. This is the only CUP which is active on the property. The current request is to allow vehicles on the premises. Smith stated that staff believes that an approved parking plan that shows specific parking spaces on site is the simplest way for the City to evaluate the site. The current CUP

allows up to 20 vehicles on site.

Smith added that the CUP amendment would allow staff to be on the property in order to evaluate the number of vehicles on the property. She added that the proposed CUP includes the proposed expansion of existing parking area and the continued parking of vehicles for sale and display along Shoreline Drive and along Bartlett Blvd. Smith stated the property owners are proposing to expand the blacktop on the site for additional parking which would include vehicles displayed for sale, employee cars, snow plows, etc. Smith added the site can accommodate the number of vehicles shown.

Smith said the proposed CUP would allow for expanded activities on site to include getting a car ready for sale, i.e, detailing, minor cleaning, etc. and shouldn't have major repair work on vehicles on the site. Those major repairs will be required to be done off premises.

Smith added that the expectations of this new amendment are that the construction improvements need to take place to the parking area and the green space needs to remain and are meant to soften the site and to provide buffers. She added that sales activity be limited to passenger vehicles only and to not include boats, RVs or other vehicles. Smith stated the Planning Commission reviewed the CUP and have offered recommendation of approval of the amended CUP with their comments. Staff have recommended approval of the CUP with conditions which were included in the Planning Commission report.

Smith stated that the City received a letter this afternoon from NPC Robotics which were included in the Council packet. Smith stated that the amendments to condition S are meant to clarify the language and the intent of the CUP amendment draft resolution. Until such time as the modifications have taken place, the number of vehicles for sale stays at 20 on the property.

Salazar asked what auto repair means and does this include body work such as incidental body work, fender work and light painting. Salazar does not believe this is minor repair. Smith said minor auto repair is allowed and those activities are listed in the amended CUP.

Wegscheid says there is a question of what is delineated in City Code and what is listed in the CUP. The City will need to review what is allowed in code at a later time and first review the CUP.

Gesch asked about the parking lot improvements. Smiths says that the new CUP is contingent upon modification of parking lot improvements taking place. If the parking lot modification doesn't take place the CUP goes back to accommodating 20 cars on the site.

Gesch asked if new CUP is passed and all the new conditions would take effect only when the pavement work is done what would the City do if more than 20 vehicles are for sale/display prior to the improvements? She stated there are regularly more than 20 vehicles on the site after the owners previously agreed to follow the CUP. She stated there are 29 vehicles on the site without the pavement improvement.

Smith stated the City is looking for a plan that works for their business and the proposed amendment removes the ambiguity on repairs and vehicles on the property.

Hoversten felt it would be overstepping staff's bounds to attempt to take away anything that owners presently have in the CUP.

Wegscheid thinks the Council wouldn't be taking away anything but will be giving them more approved activities including other things such as repairs of vehicles.

Gesch does not feel the CUP is resolving any of the issues the City has been addressing in the past. Gesch doesn't see the CUP as changing the appearance of the property at all. She added that the City has been taken to task over the number of vehicles on the site and this issue has been going on for years. She added that the CUP doesn't compel the owners to comply with site improvements if they have already been allowed to have more than 20 vehicles on the site.

Mayor Wegscheid opened the public hearing at 8:05 p.m.,

Max Teplitski, 4831 Shoreline Drive, owner of Main Street USA addressed the Council. Teplitski says that the green space is not usable for parking cars and the CUP they are proposing expands the parking area to the back of the building. He added that the CUP allows it easier to have the vehicles drive through Teplitski's property. Owners are looking to improve the rear area of the property. Teplitski understands the council's concerns and he stated he believed the Council has to approve the project before work starts.

Teplitski says the letter from NPC Robotics has valid points and he stated they are not increasing the number of vehicles for sale and the current number of vehicles for sale is below 20 on the lot. He stated they are trying to address the issue of the number of vehicles on the lot. He added that the new CUP will identify the need for servicing vehicles for sale and also where everyone would be parking. He added that the on street parking can be used by anyone and had nothing to do with his employees. Teplitskis added there isn't RVs, trailers, or boats stored on their property.

Teplitski addressed the issue of minor auto repairs. There is a mechanical shop on-site that can accommodate repairs. This is not a body shop, there is no paint booth nor is there a frame machine. Teplitskis said he outsources body work to a Maaco body shop. Teplitskis also said the business outsources major repairs to other businesses. Teplitskis said he needs to bring in cars for the minor auto repairs they need to put up for sale. He said they need to add touch up paint to some vehicles on the property

Wegscheid said that at the last Council meeting the CUP was discussed with Teplitski the Council went over the CUP regarding parking on the site. Wegscheid stated that the City and Teplitski came to the understanding that 20 vehicles were to be on the site. Mayor Wegscheid asked Teplitski what his understanding is of the current CUP?

Max Teplitski says that the current CUP states they can have up to 20 vehicles for sale on property.

Wegscheid responded to Teplitski that the Council and the Teplitskis agreed to a limit of 20 vehicles on the lot. Wegscheid added that during the CUP amendment process the business owners have not held true to their part of the agreement.

Gesch stated the understanding at the last time the Council met on this CUP the intent was for there to be 20 vehicles total on the lot. Gesch say she heard Teplitski say they need to have more vehicles on the lot when the number that had to be upheld until Council got to the point of approval. She stated the number has to stay at 20 for right now and there has been a breakdown of trust in the Teplitski's following the CUP.

Teplitski was under the impression that he had to abide by CUP which stated 20 vehicles for sale and he feels he hasn't violated this part of the CUP. Wegscheid said the big issue the Council has is that during this CUP process is the Teplitski's not following through on their agreement with the City to limit the number of vehicles.

Wegscheid asked to move on to address the CUP in process.

Max Teplitski wanted to address the letter from NPC Robotics regarding the off-street parking improvement and snow removal. He believes issue is with adjacent neighbors, who dump their snow on the Main Street USA's property. Teplitskis have not had semis or RVs on site since 2011. NPC Robotics suggested putting up a fence between properties. Teplitskis said they are proposing a plan to improve the site and are willing to talk about a fence.

Kelli Gillispie, 5361 Baywood Shores Drive, came forward as a resident (formerly recusing herself) and asked if the proposed site plan meets hardcover and set backs. Smith says they do meet set-backs and hardcover requirements. Smith says owners need to procure approval from the watershed district and the City engineer for parking lot construction. Smith also said owners are required to accommodate for ADA spaces. Gillispie said that Main Street USA has done outside service work for other vehicles. Gillispie believes this site doesn't have the capabilities to do auto body repair.

Wegscheid wants to make sure that the appropriate inspections are done at the location. Smith says that depending on the scope of activities, inspections must be done by a Fire Marshall, building inspector and others, including the State, will need to inspect as well.

Alex Teplitski, 4831 Shoreline Drive, addressed the Council. He stated his was upset because Council and staff keep going around and around on the CUP for now seven years. The CUP says 20 vehicles offered for sale on site. Alex Teplitski says he hears three different explanations. Display for sale is correct because it is in CUP. In addition to the 20 cars for sale, there are cars for employees (about five cars) and three cars for business. Alex Teplitski feels it is his responsibility to make the lot look nice.

Alex Teplitski said that he has had car lots in St. Paul and Hopkins with no obligations and one month ago he opened a car lot in the City of Independence. He said he had a five minute conversation with the staff in Independence. Alex Teplitski says he has 20-25 cars there. He added that no one bothers him there.

Alex Teplitski said he the received letter from their neighbor (NPC Robotics) and he claims the neighbor moves snow from their property to the Main Street USA property.

Alex Teplitski says there is no restriction for cars on street. This is the Police's responsibility.

Alex Teplitski feels there is no problem with his mechanical shop. Inspections are done every year. He added that has invested \$500,000 in his business in the City. Teplitski feels he is being discriminated against and City has double standards. He stated his neighbor has boats, trailers and campers on their property.

Alex Teplitski stated he needs to be able to do minor repairs on the site.

Gesch reconfirmed that Teplitski meant he needs the mechanical shop to get cars ready for sale. Per Teplitski, this is correct. Teplitski says it is not an easy job to have a small car dealership.

Mayor closes public hearing at 8:50pm

Wegscheid knows there is an understanding of what is trying to be accomplished at this property. Wegscheid believes the Council's time will be better spent addressing the CUP and a key part of what needs to be discussed is the criteria in condition "S." He added the Council is giving more without having anything accomplished on the site. Another piece of this is talking about the process where Council enforces code violations in the City. Wegscheid wants the owners to understand that Council is going through a process and is looking at the enforcement of the CUP and other code

Max Teplitski stated that their purpose of this CUP amendment is to improve the lot appearance, eliminate congestion, add hardcover to organize incoming vehicles, identify on new blacktop showing parking spots for easier identification where vehicles are located and will allow customers to identify open parking spots. Teplitski says this issue has been dragging on for too long and his goal is to have these issues addressed.

The Council discussed the number of vehicles allowed in the CUP and what they would like to see on the site while the new CUP is being readied. Wegscheid says that everyone on the Council understands that the Teplitskis want their business to be better. The Mayor added that the Council has heard what owners have said before and an improvement on the site hasn't happened.

The Council agreed to allow Main Street USA to be at 25 total cars until the construction on the property is complete.

Wegscheid says that once lot is ready and inspected the new CUP would take effect. Minor repairs will be allowed after remodel is done and Wegscheid feels this is motivation for the Teplitski's to get the work done. Alex Teplitski says he has a mechanical shop in Minnetonka and Hopkins and said it is ridiculous that he cannot use his own shop and it costs him money to bring their cars to their other shops.

Mayor stated he is not saying owners can't do same prep and repairs as they have been doing and the Mayor added the owners will be able to do more when site is improved. Wegscheid says the business is not going to change at all.

Wegscheid asked the Council if there were any point in the CUP that warranted other discussion. Gesch asked if the criteria on page 1050C if the car total is 29 on the property outside the building? Wegscheid said that this is correct. Gesch also questioned condition

H, where it refers to no open sales of other types of vehicles. Wegscheid says this should be reworded to remove all other vehicles than cars than on the lot. He added that Item G reiterates that there is no exterior storage of any kind and the Council feels that the allowed number of vehicles on-site no matter what type they are will be limited to 29.

Smith said the timeline on the CUP extension allows for the amendment process to be done on or before June 20.

Wegscheid says Item H needs to be reworked and Gesch feels that items I and L are redundant and staff will need to rework those.

Smith was asked to address item N which refers to a common condition when use changes. Smith says this is catch-all if Council has to come back to look at the CUP.

Wegscheid says item S needs to be reworded to reflect 25 vehicles as a carryover number until lot improvements have been made to accommodate 29 vehicles.

Gesch asked what the response will be if the Teplitski's do not keep the number of vehicles on the lot increases beyond 25 vehicles? Mayor Wegscheid said there would need to be a serious conversation on how to address this potential issue.

Mayor Wegscheid suggests the Council move to table the Resolution for the Amended CUP for staff's corrections/adjustments. Wegscheid would also like staff to bring back administrative changes as well.

Smith says a public hearing would be needed beyond today as the public hearing requirement has been satisfied.

MOTION by Salazar, seconded by Peterson, to table resolution and direct staff to make described changes and notations and bring back to May 24, 2016, Council meeting.

Discussion from Gesch reaffirming that while this Resolution is tabled Main Street USA will be able to have 25 cars on the lot.

Salazar and Wegscheid urged the Teplitski's to move forward on the lot improvement project.

All voted in favor. Motion carried.

8. Information/Miscellaneous

A. Comments/reports from Council Members

Hoversten gave an update on the Tuxedo from Brighton to Sulgrove project, specifically the Piper intersection at Al & Alma's. Hoversten says City has been able to keep contractor on site with additional crews and the In-street utility excavation is complete with service connections to the water lines made. The process of building the road is being completed and the most significant interruptions are past with the first course of roadway nearly ready to be laid. He stated the project is four weeks ahead of schedule. Hoversten asks residents for their continued patience and adherence to traffic controls that are in place. Hoversten

asked residents to call the City if there are extreme safety issues present and the City appreciates the community support and patience during this project.

Gillispie stated the monthly WCC meeting is scheduled for May 12 at A-1 Rental. She added that Minnetrista is having Trista Days on May 21 and on Friday, June 3 is the DARE open golf tourney.

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| B. Reports: | Finance: | March 31, 2016 YTD |
| | Liquor Store: | April 2016 |
| | Fire Services: | April 2016 |
| C. Minutes: | Planning Commission: | April 5, 2016 Regular Meeting |
| D. Correspondence: | | |

9. Adjourn

MOTION by Gillispie, seconded by Gesch, to adjourn at 9:36 p.m. All voted in favor. Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk