

MOUND CITY COUNCIL MINUTES
June 12, 2018

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, June 12, 2018 at 7:00 p.m. in the council chambers of the Centennial Building.

Members present: Mayor Mark Wegscheid, Council members Kelli Gillispie, Jeff Bergquist, and Ray Salazar, Jennifer Peterson

Members absent: None

Others present: City Manager Eric Hoversten, Director of Finance and Administrative Services Catherine Pausche, City Engineer Brian Simmons, Administrative Assistant Rebecca Kress, Teri Olson, Ron Rheinart, Prudy Rheinart, Greg Orinstein, Merrick Morlan, Jim Deveau, Rita Peterson, John Nelson, Souk Her, Youa Her, Christine Valerius, Monica Strong, Karla Berg, Chuck Berg, Tony Strong, Nancy Bausman, Ellen Gomoll, Suzanne Dolder, and Susan and Tony Thill

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

2. Pledge of Allegiance

3. Approve Agenda, with any amendments

Hoversten added additional exhibits for Item 7 which are pages 1103.1-1103.5. Additional exhibits were presented by a resident just prior to the meeting and those exhibits were added to the record after the fact so they may become part of the packet and the page numbers would be sequential after pages 1103.5.

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

4. Consent Agenda

Bergquist pointed out a typo with the date on Item F should state Saturday, June 30, not the 29th.

MOTION made by Salazar, seconded by Bergquist, to approve the consent agenda with change to item 4F to say June 30, 2018. Upon roll call vote, all voted in favor. Motion carried.

- A. Approve payment of claims in the amount of \$1,451,214.04.
- B. Approve minutes: May 22, 2018 regular meeting
- C. Cancel June 19, 2018 previously scheduled Special Meeting Workshop - Long Term Financial Plan
- D. **RESOLUTION NO. 18-51: RESOLUTION APPROVING LIQUOR LICENSE RENEWALS FOR 2018-2019**
- E. **RESOLUTION NO. 18-52: RESOLUTION APPROVING WAIVER OF PLATTING FOR 1839 SHOREWOOD LANE**

- F. **RESOLUTION NO. 18-53: RESOLUTION APPROVING PUBLIC GATHERING PERMIT FOR USE OF SURFSIDE PARK BEACH AS WEIGH-IN STATION FOR LARGE AND SMALL MOUTH BASS FISHING TOURNAMENT BEING HELD ON SATURDAY, JUNE 30, 2018**
- G. **RESOLUTION NO.18-54: RESOLUTION APPROVING PUBLIC GATHERING PERMIT FOR USE OF TRANSIT DISTRICT PARKING DECK TO PROVIDE PARKING FOR KICKBOXING COMPETITION FUNDRAISING BEING HELD ON SUNDAY, JULY 22, 2018 AT HAROLD POND SPORTS CENTER**
- H. **RESOLUTION NO. 18-55: RESOLUTION AUTHORIZING CITY MANAGER TO EXTEND THE CONTRACT WITH OPUS21 FOR UTILITY BILLING SERVICES**
- I. Approve Pay Request No 10 in the amount of \$61,102.62 to Park Construction for 2017 Street, Utility, & Retaining Wall Project (PW-17-01, 02, 03, 04)
- J. Approve Hennepin County Contract 5052M8 County Road Maintenance Agreement covering snow removal for the 1 mile segment of CSAH 44 from Priest Bridge to CSAH 110 for winter 2018/2019 as a reimbursable service

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

None

6. Steve McDonald, representing Abdo, Eick & Meyers, LLP. presenting the 2017 Comprehensive Annual Financial Report and Management Letter, and requesting action receiving the same

Steve McDonald thanked the Council for the opportunity to present the 2017 audit and said he would be presenting information from the Management Letter. McDonald said that the auditor's issue a qualified opinion in regard to the audit because the city has elected not to adopt some GASB pronouncements. McDonald presented some of the financial highlights. He added that the audit showed consistent trends from last year's budget on the general fund reserves. McDonald stated that positive results in revenue were found mostly in building activity which contributed to a \$214K general fund increase from the prior year. The City has around \$29 million in outstanding bonds in the debt service funds. The Municipal Liquor fund gross profit was 26.3% which is slightly above state averages and it is relative to many surrounding cities liquor operations. McDonald stated that the ratio analysis on liquor operations, which is a comparison over time, showed continued improvement over the past 3 or 4 years. McDonald asked for any questions. Mayor Wegscheid thanked McDonald and stated that the City gets audited every year and the information from the audit is available online for residents to access.

7. Waterbank Commons residents requesting discussion and action to rescind May 22, 2018 changes to City parking map restricting parking on both sides of Waterside Road

Mayor Wegscheid stated that procedures are in place for this type of action. Wegscheid added that a petition was presented to the Council in May in which a considerable number of residents requesting no parking along Waterside Lane. Wegscheid stated that since the May meeting many of those residents that were present on the original petition expressed some concern and requested to be removed from the original petition. Wegscheid asked for a show of hands with regard to who is requesting to be removed from the original petition.

Residents Tony Strong, 5432 Breezy Road, and Greg Orinstein, 2370 Fairview Lane, stated that the No Parking on both sides of Waterside Commons causes undue burden to the property owners directly adjacent to Waterside Road. They further stated that residents on Breezy Road, Spruce Road, and Tonkawood Road are negatively affected by a both sides parking restriction on Waterside Road. Strong presented a letter from the mail carrier stating that she been unable

to deliver mail to the affected area due to the high density of parking on the streets adjacent to Waterside Lane. Strong added that their petition has 38 signatures of the 47 impacted homes which represents an 81% majority of people that live in the area and use that area. Strong requested that the parking restriction be lifted and changed to No Parking on only one side of the street.

Resident Christine Valerius, 5488 Tonkawood Road, stated that she has approached the City multiple times over the past 8 years to get the No Parking signs put back in place. Valerius said Waterside Lane which is on Waterbank Commons had no parking posted for the past 40 years. Valerius stated that the reason for the No Parking request is for safety. Valerius added that she has contacted the LMCD to have them investigate whether there is any illegal renting of boat slips in Breezy channel. Valerius said that when they walked their petition around the neighborhood, she received a majority of the signatures requested by the Council. Valerius said she presented the petition information to the Council which was approved by the Council. Mayor Wegscheid stated that once the parking restriction was put into place many residents came back and expressed their concern with the parking change.

John Jespersen, a lawyer representing Christine Valerius, said there are safety concerns with emergency vehicles not being able to get into the area due to the potential for a high density of cars in the area. Mayor Wegscheid thanked Jespersen for his observation and stated the Council will take the information into consideration.

Rita Peterson, representing Ruth Peterson who resides at 5429 Spruce Road, presented information on the history of Waterbank Commons. Peterson stated sometime around the 1960's, a street was installed on top of Waterbank Commons. Peterson went on to say that there were laws in place which stated no parking on Waterbank Commons. Peterson said that for the past 50 or so years there has been no parking on the Commons. Peterson said that in 2009 when the street was re-done, it was requested at that time to consider returning the area to grass instead of keeping the road in place. It was determined at that time by the City Manager that the hardtop needed to be re-installed for emergency vehicles to have access and for the safety of the neighborhood. Peterson asked the Council to take into consideration the Waterbank Commons rules which state No Parking on Commons. Peterson stated that the issue is with safety and decreasing the value on the properties.

Salazar asked about any historical proof of signage prior to road construction. City Manager Eric Hoversten stated there are neither records nor a previous formal process of placement of signs on Waterside Lane. Peterson asked Hoversten if there is any evidence of no parking sign placements on both sides of Waterside Lane. Hoversten stated that there is no formal City determination to establish the positioning those signs. Hoversten added that if the signage existed on both sides of the street at any point in time, this was done so without formal processes of the City. Hoversten said that the City now has a formal action in the form of a governed City parking map. Hoversten added, the current parking format began when the City started implementing the street improvement program using MSA dollars because these dollars required a parking usage study and certain procedures which began in 2003. Peterson asked if Waterbank Commons will be ruled as a street or as a Commons. Hoversten said that Waterside Lane is a street and will be treated as such in reference to parking. Peterson said she is disappointed that the Waterbank Commons rules are not being considered.

Monica Strong, resident of 5432 Breezy Road, presented information about the ability of the Fire Department to access the properties on Waterside Lane. Strong added that Waterside Lane only has one driveway located on it. Strong said that Breezy Road has 10 driveways, Spruce Road has 8 driveways, Harrison Lane has 5 driveways, Tonkawood Road has 8 driveways. Strong suggested that if needed the Fire Department can come speak to the Council about the ability for the fire trucks to access Waterside Lane with parking on one side. Strong added that

the petition is requesting parking on one side of Waterside Lane to continue as it has been for the past several years.

Jeremy Nelson, representing 2060 Waterside Lane, stated that there are 46 residents of the area and only 16 docks as part of this discussion. Nelson stated that his family has owned the home for many years and they pay lakeshore view property taxes. Nelson asked that if parking is allowed on the street in front of his house does he really have lakeshore views. Mayor Wegscheid stated that any questions in relationship to property taxes would need to be handled by the assessor's office.

Orinstein added that there are only 3 or 4 homes that are pushing this no parking agenda. Orinstein also said that there is only 1 driveway and 1 mailbox effected on Waterside Lane and doesn't see why this topic is up for discussion particularly because of the overwhelming majority of signatures requesting one-sided parking on Waterside Lane.

Resident Charles Berg, who resides at 5420 Breezy Road, expressed concern with the effect of the no parking on Waterside Lane has on the inability of the mail person to deliver the mail. Berg said that his mail has not been able to be delivered on several occasions.

Mayor Wegscheid said that the City has procedures in place already to have one side no parking and that is what would be in place without the original approved no parking petition. Salazar agreed that a formal decision needs to be made by the Council. Salazar recommended the no parking question go to Public Works with staff to determine where no parking signs may be best placed. City Attorney Troy Gilchrist stated that the City and the Council retains authority and ultimately decides what should occur regardless of petitions that may be presented. Gilchrist added the Council passed a resolution to change the parking map and if the Council chooses to revert back to no parking on one side of Waterside Lane that decision should also be done via resolution.

Bergquist stated that there are many streets in Mound with parking only on one side of the street which is normally the side without mailboxes.

Gillispie, Peterson, and Mayor Wegscheid agreed that it's best if Council starts with a clean slate and to make the decision based on City operating procedures already in place. Mayor Wegscheid requested a motion to rescind the previous resolution passed by Council last month.

MOTION made by Salazar, seconded by Gillispie, to rescind the original resolution on page 1091 of the packet which amends the no parking map which designates streets as no parking zones. All voted in favor. Motion carried.

Gillispie asked that now that motion has passed some clarification is needed on how to proceed.

Mayor Wegscheid stated that staff is now directed to draft a resolution to rescind the previous resolution that street will follow City procedures as to how Public Works designates no parking sign locations. Salazar asked that by rescinding the previous resolution it does not negate other No Parking on both sides of other Mound streets. Mayor Wegscheid confirmed this motion does not negate other No Parking locations in town. Hoversten added that essentially a new resolution to update the City parking map will be drafted and presented at a future meeting for approval. Hoversten said that the temporary signs are still in effect until removed and the City will work with the Orono Police to have them removed properly.

8. City Engineer Brian Simmons facilitating Public Meeting on City Municipal Separate Storm Sewer System (MS4) Annual Report

City Engineer Brian Simmons said Mound is an MS4 community which requires the City to review and evaluate the Storm Sewer System in an annual report of the Storm Water Pollution

Prevention Plan (SWPPP) which encompasses six minimum control measures. Simmons stated this is a Public Meeting for residents to provide comments on the SWPPP and to review the annual report and supporting documents.

Simmons stated the first of six minimum controls measures is Public Education and Outreach which includes information put out on the City website as well as newspaper articles and newsletter information. Simmons stated the second control is Public Participation and Involvement which includes City Council meetings in order to give the residents a voice in this process. Simmons said the third control is Illicit Discharge Detection and Elimination which means the City is a self-governing body whereas if there is illicit discharge of storm water the City is responsible for identifying and assisting in the process of eliminating or prosecuting. Simmons added the fourth control is Construction Site Storm Sewer Run Off which includes installation of silt fences and other measure to control run off in areas with exposed soil and the like. Simmons said the fifth control is Post-Construction Storm Water Management means the City ensures that there is established ground cover on top of the soil to control erosion and run off. Simmons added the sixth and final control measure is Pollution Prevention which includes street sweeping and other means of capturing sediment.

Simmons asked for any questions or input from the Council or the public regarding the report. There was no comment from the Council or the public present at the meeting.

9. Information/Miscellaneous

A. Comments/reports from Council members:

Bergquist asked Simmons about the Joe Venglass driveway apron which Simmons said he met Venglass. Simmons said it has been determined the work will be separated and completed at different times. One portion of work is the driveway apron and the second is the reconstruction of the swale between the Venglass property and his neighbor. Mayor Wegscheid added it was decided the process would be done in pieces to evaluate each part before moving forward as to avoid any issues through the process. Bergquist asked to keep things moving forward as much as possible.

Gillispie stated a neighbor expressed gratitude to the City crews for their hard work during the storm cleanup. Hoversten added that City Staff worked diligently and quickly to clean up the town after the storm and added hearing positive feedback from residents is great to hear and is appreciated.

- B. Reports: Finance Department - April 2018
Fire Department - March, April, May 2018
Westonka Library facility Condition and Renewal Report w/ Staff Memo
- C. Minutes:
- D. Correspondence:
Minnetonka Beach Fire Service Contract Termination Notice - May 29, 2018
Staff memorandum regarding May 11, 2018 letter from the Metropolitan
Council regarding 2017 population and household estimates for the City of Mound

12. Adjourn

MOTION made by Bergquist, seconded by Gillispie, to adjourn at 8:17 p.m. All voted in favor. Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk