

MOUND CITY COUNCIL MINUTES
June 13, 2017

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, June 13, 2017, at 7:00 p.m. in the Council Chambers of the Centennial Building.

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

Members absent: Council Member Kelli Gillispie

Others present: City Manager and Director of Public Works Eric Hoversten, Community Development Director Sarah Smith, Administrative Assistant Mary Mackres, City Engineer Dan Faulkner of Bolton & Menk, Troy Swanson, Kimberly Noonan, and Pam Dahm

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 7:02 p.m.

2. Pledge of Allegiance

3. Approve agenda

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

4. Consent agenda

MOTION by Salazar, seconded by Bergquist, to approve the consent agenda.

Upon roll call vote, all voted in favor. Motion carried.

A. Approve payment of claims in the amount of \$635,003.67

B. Approve Minutes: 05-23-17 Regular Meeting

C. RESOLUTION NO. 17-76: RESOLUTION APPROVING LIQUOR LICENSE RENEWALS FOR 2017 - 2018

D. RESOLUTION NO. 17-77: RESOLUTION ACCEPTING BID FOR THE 2017 CRACK REPAIR PROJECT (PW-17-07)

E. RESOLUTION NO. 17-78: RESOLUTION AWARDED CONTRACT FOR 2017 BITUMINOUS SEAL COAT IMPROVEMENT PROJECT

F. Approve Pay Request No. 7 from Ryan Contracting in the amount of \$10,302.28 for the 2016 Street, Utility and Retaining Wall Improvement Project; City Project Nos. PW-16-01, PW-16-02, PW-16-03, PW-16-04

G. Approve Pay Request No. 1 from Park Construction in the amount of \$138,913.28 for the 2017 Street, Utility and Retaining Wall Improvement Project; City Project Nos. PW-17-01, PW-17-02, PW-17-03, PW-17-04

H. RESOLUTION NO. 17-79: RESOLUTION APROVING PUBLIC GATHERING PERMIT FOR ASI FAMILY DAY OUT/COMPANY PICNIC ON JULY 30, 2017 AT SURFSIDE PARK AND BEACH

I. RESOLUTION NO. 17-80: RESOLUTION APPROVING PUBLIC GATHERING PERMIT FOR 2017 FISHERS OF MEN WEST FISHING TOURNAMENT ON JUNE 24, 2017 AT CENTERVIEW BEACH

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

Pam Dahm, 5108 Edgewater, requesting the need for ordinance on short term rentals on lakeshore lots less than 50' wide.

Dahm is at the meeting on behalf of Jane Anderson, who lives next door to a weekly rental property which is pretty disruptive to the neighborhood. Dahm is concerned because the people renting are there on vacation and every night is a party. Dahm's concern is that these are 40-ft wide lots, making the rental property very close and it is so noisy that the full-time residents can't keep their windows open. There is constant activity at this rental property. Dahm says the garbage cans are overflowing with the raccoons getting into the garbage. Residents are left to pick up the garbage from the street. There are an excessive number of cars and trailers that these rental people bring to the neighborhood. The renters infringe on the residents' lakeshore with their watercraft. Renters don't understand the rules and it's the neighbors that suffer.

Dahm is asking for a recommendation that lots with less than 50-ft have a minimum rental length of monthly, not weekly, and restrict the number of guests and vehicles allowed. Dahm wants to ensure that these renters are paying taxes on rentals and added that in light of the Super Bowl coming next year, Minneapolis and St. Paul are putting a rental ordinance in effect. Other cities have these ordinances as well.

Salazar asked why Dahm mentioned lots less than 50-ft in width or less. Dahm said that the houses are so close together and the residents are trying to be reasonable in saying 50-ft or less. Salazar stated that Mound is no longer a resort community, but a residential community. Mayor Wegscheid thanked Dahm for attending and said he is sure additional consideration will be brought forward.

6. Planning Commission Recommendation

A. Public Hearing - Review of application to rezone property at 2875 Tuxedo Boulevard from R-1 Single Family Residential to R-2 Two Family Residential
Applicant: Troy Swanson/MHCS Investments LLC

Sarah Smith, presenting application for Troy Swanson to rezone parcel of property at 2875 Tuxedo from R1 to R2. Proposed plans include the construction of a duplex on this property. There was previously a single family home on the property which was removed. This parcel abuts the R2 designation. Current zoning is R1 and the proposal is for it to go R2. Both of those zonings are consistent with low density

guiding of the comprehensive plan. This zoning request does not trigger an amendment to the comprehensive plan.

Smith said the Planning Commission reviewed the application in May and it was favorably received. Planning Commission felt that the rezoning allows for similar use that currently exists to the north. It should be noted that the unimproved right-of-way won't be developed. R2 allows for single or two family, giving the property owner some options.

Smith said the publication and notification requirements in City Code Section 129-34 to hold the public hearing to consider the rezoning request have been satisfied. No concerns or objections were received.

Smith notes that there are two actions requested this evening, based on Staff's recommendation that was accepted by the Planning Commission. The first is an action on an ordinance amending the city code as it relates to the zoning map to rezone the property. The second action is on a resolution authorizing publication of the ordinance by title and summary.

Mayor Wegscheid opened the public hearing at 7:18 p.m., and upon receiving no comments, closed the public hearing.

Salazar says he lives near this property and is glad to see something will be done with this property. Salazar says it will fit nicely in the area.

Requested Actions

- i. Adopt Ordinance No. XX-2017 Amending City Code Chapter 129 (*Zoning Ordinance*) as it relates to the zoning Map to Rezone Property at 2875 Tuxedo Boulevard

MOTION by Salazar, seconded by Peterson, to approve ordinance. All voted in favor. Motion carried.

ORDINANCE NO. 04-2017: ORDINANCE AMENDING CITY CODE CHAPTER 129 (ZONING ORDINANCE) AS IT RELATES TO THE ZONING MAP TO REZONE PROPERTY AT 2875 TUXEDO BOULEVARD

- ii. Adopt Resolution Authorizing Publication of Ordinance No. 04-2017 by Title & Summary

MOTION by Salazar, seconded by Peterson, to approve resolution. All voted in favor. Motion carried.

RESOLUTION NO. 17-81: RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 04-2017 BY TITLE & SUMMARY

- 7. Dan Faulkner, City Engineer with Bolton & Menk, presenting the 2016 Storm Water Pollution Prevention Program (SWPPP) Annual Report to meet the public meeting requirement

Dan Faulkner, Bolton & Menk, introduced the annual public meeting for the City's Storm Water Pollution Prevention Program (SWPPP), saying it is an annual requirement and important. Faulkner said the program was published in the Laker newspaper and that the main purpose is to give the opportunity for public input.

Faulkner said this system is managed by the Minnesota Pollution Control Agency (MPCA) and that Mound has had a plan since 2003. The plan contains a lot more than the six minimum control measures listed below:

1. Public Education & Outreach – Some examples of this include the City's quarterly newsletter where articles are posted as well as the City website. According to Faulkner, the bottom line is to improve water quality. Faulkner mentioned that the Carlson Park improvement is out for bid now. The Minnehaha Creek Watershed District (MCWD) is participating in the Carlson Park project at 75%. The signage expected to be at Carlson Park is part of the public education and outreach.
2. Public Participation & Involvement – Tonight's meeting and notice are part of that. Faulkner suggests that the SWPPP could be referenced on the City website as well.
3. Illicit Discharge Detection and Elimination – Faulkner said that last year, the Council passed an ordinance explaining what they are and what can be done.
4. Construction Site Storm Water Runoff – Faulkner says there is a separate SWPPP just for this and that the plan directs the contractor what to do, one of which is the storm water inlet detection devices to filter the storm water.
5. Post Construction Storm Water Management – A storm water plan needs to be in place for after the work is done requiring turf establishment to be complete.
6. Pollution Prevention Good Housekeeping for Municipal Operations – Faulkner says there is a requirement that the City inspect 20% of all outflow structures each year and must certify it is being done.

Faulkner says this meeting fulfills the requirement and allows the City to fill out the report and submit it by the end of the month.

Hoversten says this is not a hearing as notification and agenda item fulfills the need for public notification.

8. Information/Miscellaneous

A. Comments/reports from Council Members

Hoversten reminded all of the Music in the Park series on Thursdays in June and July, said the Spirit of the Lakes Festival is July 21-22 and said 'thanks' to all for Fish Fry success. Hoversten said proceeds go to the Fire Dept Relief Assn, which supports municipal operations and donations to Fire Dept.

B. Reports: Finance Department - April 2016
Fire Department - May 2016

C. Minutes: Planning Commission - May 2, 2017

D. Correspondence:

9. **Adjourn**

MOTION by Peterson, seconded by Bergquist, to adjourn at 7:29 p.m. All voted in favor.
Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk