

MOUND CITY COUNCIL MINUTES
October 10, 2017

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, October 10, 2017, 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 Jennifer Peterson. Ray Salazar arrived at 7:02 p.m.

Members absent: none

Others present: City Manager and Director of Public Works Eric Hoversten, Administrative Assistant Mary Mackres, Director of Community Development Sarah Smith, Director of Finance and Administrative Services Catherine Pausche, City Engineer Brian Simmons, City Attorney Troy Gilchrist, Consultant Sr. Project Engineer Dan Faulkner, Field Officer Stewart Simon, City Building Official Scott Qualle, John Koch, Ryan Hanratty, Cory Hultgren, Nate Schultze, Alex Erickson, Jim Bedell, Doug & Lois Dion, Joe Venglass, Bev Beno, Aubrie Gould, Jack Kraay, Kristin & John Beise, Tom & Heidi Knox, Heidi Tobler, Olivia & Katherine Turpin, Audrey Woychick, Joelle Hoernemann, Dianna Hoernemann, Aaron Morrison, Jaime Morell, Andrew Wolf, and Pat & Karen Buffington

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

Mayor recognized students in the audience and asked one to come forward and represent the group. Ryan Hanratty, 5000 Shady Island Point, Shorewood, stated his teacher is Mr. Kiehl at MWHS and he was present to learn what government meetings are like. Mayor asked the students to see if Mr. Kiehl would like to come to a meeting.

3. Approve agenda

Hoversten added page 2824a to item 4C, which was missed in the packet production. Hoversten said the missing page is the first page of Chapter 70 of the City Code, which relates to Stopping, Standing, and Parking, which will be discussed tonight.

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

4. Consent agenda

Mayor Wegscheid pulled items 4C and 4D from the consent agenda for further discussion at the end of the meeting.

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

A. Approve payment of claims in the amount of \$326,792.61

B. Approve Minutes: 9/26/17 Regular Meeting

C. Pulled for discussion

D. Pulled for discussion

E. RESOLUTION NO. 17-145: RESOLUTION ADOPTING THE REVISED FEASIBILITY REPORT FOR THE 2018 STREET, UTILITY, AND RETAINING WALL IMPROVEMENT PROJECT - WESTEDGE BOULEVARD, CITY PROJECT NO. PW-18-01

F. RESOLUTION NO. 17-146: RESOLUTION APPROVING SIGN VARIATION/MODIFICATION FOR 2020 COMMERCE BOULEVARD

G. RESOLUTION NO. 17-147: RESOLUTION AUTHORIZING THE CALL OF GENERAL OBLIGATION EQUIPMENT CERTIFICATES, SERIES 2009C

H. Approve Pay Request No. 6 from Park Construction in the amount of \$509,178.64 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

I. Approve Pay Request No. 1 from Barber Construction, Inc. in the amount of \$106,683.10 for the 2017 Retaining Wall Improvement Project; City Project No. PW-17-04

J. Approve the following project related pay requests:

1. Braun Intertec - 2017 Street Reconstruction project: \$9,663.52 for construction materials testing (Lynwood/Fairview PW-17-01 = \$327.25; Maywood/Wilshire/Hiddenvale PW-17-02 = \$9,336.27), per approved Agreement
2. Norling Landscapes - 2017 Street Reconstruction project, Tuxedo Blvd., Phase III: \$1,600.00, per approved proposal
3. American Engineering Testing - 2018 Street Reconstruction project: \$3,900.00 for geotechnical exploration services, per approved Agreement

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

Mayor Wegscheid explained prior to the public comments the public only gets three minutes to speak as this time is for general discussions and not the forum for larger

topics. Wegscheid stated an individual with a larger topic for discussion should contact City Staff ahead of the meeting to get the topic on the agenda. The Mayor stated this will give the Council time to prepare for a topic and have staff provide the Council information in advance of the meeting so that the Council can be more engaged and educated on the topic.

Joseph Venglass, 4925 Bartlett, asked to continue discussing drainage through his property that was brought up at a previous meeting. Venglass showed pictures to the Council of the dirt, grass seed, and fertilizer which were put on his property after the street project and have been washed away by the recent storms.

Venglass provided a history of the drainage situation at his property since 1991, saying he called the City every year for eight years until the drainage problem was fixed and for the last 18 years there has been no water running through his property until now.

Venglass said after the drainage improvements were installed, he has had water flowing through his property four times. Venglass said there was a 24" pipe put in, which has an area of 452.4 square inches and that during a storm, water was 8-10" deep and 8-13' across or more. Venglass said there is more water going across his property than through the City's pipe. Venglass said the old system didn't work very well and has a tape which shows the effects after a storm in July of 1988 and February of 2003, when the sewage line ruptured on Norwood Lane. Venglass said if he hadn't cleaned out the drain, the sewage would have ended up in his property.

Venglass said the damage to his property is quite extensive after the construction and that he is not satisfied with the work done to restore his property back to where it was prior to construction.

Venglass believes his property value has been reduced, saying that he has to clean up everything from the street that flows through, and has possible home damage. Venglass said the first storm brought water into his garage, but the construction diverters in the catch basin could have caused it. Venglass noted the recent storms did not last very long but he is worried when they do. Venglass said he has lost the use of more than 30' of property in his backyard and he asked the Council if this was their property, would they accept it?

Wegscheid asked Staff to put this as a discussion item on the next Council meeting agenda, so the City Engineers can a presentation and the Council can line up the facts and have more information to make a decision.

Heidi Tobler, 2045 Commerce, wanted to know about the utility assessments and when was the time to speak about them. Wegscheid says the public can speak during the public hearings related to those assessments.

6. Public Hearings

A. Action on Resolution Adopting Assessment for 2016 Street, Utility, and Retaining Wall Improvement Project - Tuxedo Boulevard Phase II PW-16-02, Levy #19673

Brian Simmons, City Engineer, presented an overview of the information for assessment of the Tuxedo Blvd street project. Simmons said, according to MN Statute 429, the City is required to hold preliminary hearings and go through the process which is this final public hearing on the project. Simmons says the costs are now known and notices were mailed to homeowners and a notice was posted in the Laker newspaper.

Simmons explained that an ERU is an equivalent residential unit. He stated this is the method by which the City calculates and divides the assessments for projects. Simmons noted that commercial properties are calculated differently than residential properties. Simmons reminded residents that assessments can be paid in part or in full by November 15th at City Hall. Simmons stated that after the 15th assessments are certified to the County Auditor and are put on residents' property taxes with 5% interest to be paid back over 15 years. Simmons said payments begin with the 2018 property taxes.

Simmons showed the schedule of the street project and stated that this assessment hearing is the penultimate step in the process.

Mayor Wegscheid opens public hearing at 7:20 p.m.

Salazar wanted to know what the actual dollar amount was for the project. Salazar said the Council voted to cap the ERU at \$6,600 and that the work which was completed actually cost more than \$6,600. Wegscheid gave a bit of history of the charges noting when all the street projects started 15 years ago; costs were lower and have since gone up due to inflation and other factors. Wegscheid stated the actual amount of this project before the cap would have been \$7,420 per ERU.

Mayor Wegscheid closes public hearing at 7:22 p.m.

Hoversten received a letter from a concerned resident about work quality noticed last fall. Hoversten noted that there were some issues with the first asphalt lift which broke up over winter and this is the reason the City does the split season for road construction as doing this "teases out" potential problems. Hoversten added that all of that rework is built into the contract and repaired at the contractor's expense with no additional expense to the City.

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

RESOLUTION NO. 17-148: RESOLUTION ADOPTING ASSESSMENT FOR 2016 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT - TUXEDO BOULEVARD PHASE II; CITY PROJECT NO. PW-16-02, LEVY #19673

- B. Action on Resolution Adopting Assessment for 2016 Street, Utility, and Retaining Wall Improvement Project - Cypress Lane/Maywood Road PW-16-03, Levy #19674

Brian Simmons noted that the same schedule applies to this street project with the difference being that the Cypress/Maywood project had watermain replacement under the entirety of the project. Simmons says the reconstruction of Cypress/Maywood was in a very similar fashion to Tuxedo with the final assessment amount of \$6,549.23 per E.R.U.

Mayor Wegscheid opens public hearing at 7:26 p.m. and with no comments, closes public hearing.

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

RESOLUTION NO. 17-149: RESOLUTION ADOPTING ASSESSMENT FOR 2016 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT - CYPRESS LANE/MAYWOOD ROAD; CITY PROJECT NO. PW-16-03 LEVY #19674

- C. Action on Resolution Adopting Assessment for Delinquent Municipal Utility Bills and Certifying to the County Auditor at 5% Interest - Levy #19675

Catherine Pausche said that on an annual basis, the City takes a look at the outstanding utility billing balances as of the July billing. Pausche said letters are sent to the property owners and renters, if applicable, and a notice was published in the Laker newspaper on Sept. 23. She said a decision was made last year to keep any rental properties in the property owners' name as the primary which has helped to get old balances from former renters paid.

Pausche shared a letter which the City received from an LLC (Limited Liability Company) which had an outstanding balance from the prior owner. Pausche said, typically when there is a change of property ownership, the property goes through a title search and any special assessments and outstanding utility bills are identified. Pausche suspects this transfer did not go through a title company.

Wegscheid asked if commercial properties go through the same process and Pausche said that there isn't as much turnover in commercial properties.

Pausche said that the City monitors residential properties quarterly meter reading and looks for high meter reads. If found, the property is tagged suggesting the resident set up an appointment for the City to help diagnose the reason for the high water usage. Pausche said leaky toilets and water softeners are the most common cause for high water usage and noted the City is not responsible, but will try to help

detect even if it can't forgive the debt. Pausche said the property owner is ultimately responsible and needs to be aware of what is going on with their usage.

Wegscheid asked Hoversten to share the formula for water usage with the example of a leaky toilet. Hoversten says that a running toilet can use up to six gallons per minute or 8,000 gallons in 24 hours. Hoversten reminds residents that it is important to be in tune with how things are performing in their house as leaks can add up to \$100 per day of additional cost on a water bill.

Mayor Wegscheid opens public hearing at 7:33 p.m.

Heidi Tobler, 2045 Commerce, said her family experienced some hardship and had a baby and found it hard to stay afloat and always seemed to be one step behind. Tobler commented that her water usage is expensive and she is interested in the City doing an audit. Tobler asked if there is any way of reducing her bill and coming to some sort of agreement, noting she is not trying to make excuses but wondered if there were any options available.

Pausche said that unfortunately, this is not an uncommon story. Pausche said she refers people to emergency assistance programs such as WeCAN as the City is not a social services agency and can't stop the assessment process at this time. Pausche said she can look at late fees and will be requesting more time be given before late fees are assessed, but that the City can't do it for one and not for all.

Wegscheid suggested Tobler call Pausche during business hours to discuss.

Jim Bedell, 2627 Wilshire, has rental property at 2221 Chateau Lane and that the utility bill was \$1,609.24 for one quarter with 40K gallons used. Bedell said this home is only 1-bedroom with 1100 square feet and that upon the tenant's request, the City sent someone out to check for leaks and nothing was found. Bedell said he checks his properties every 2-3 months for leak issues. Bedell said his tenant moved out because of this and that he thinks there is something wrong with the meter because he believes that meters can skip. Bedell cited a case in Collier County, Florida where there is a \$1,000,000 lawsuit against a meter company. Bedell says he has run rental properties for about 50 years and that before the internet age, Bedell just paid the high bills when they came up, but now he thinks the City should look into faulty meters.

Wegscheid asked Hoversten what it takes to swap out a meter. Hoversten said that any resident can ask for their meter to be pulled and calibrated for a fee and if it comes back out of calibration that benefitted the City, the City will readjust the bill back to the last quarter where it was at a consistent rate and forgive the rest. If the meter comes back where the meter is accurate at a stated accuracy range, the bill would stand.

Bedell said that the meter is now accurate and that it was only off for that one quarter.

Mayor Wegscheid closes public hearing at 7:41 p.m.

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

RESOLUTION NO. 17-150: RESOLUTION ADOPTING ASSESSMENT FOR DELINQUENT MUNICIPAL UTILITY BILLS AND CERTIFYING TO THE COUNTY AUDITOR AT 5% INTEREST - LEVY #19675

D. Action on Resolution Adopting Assessment for Miscellaneous Expenses and Certifying to the County Auditor at 5% Interest - Levy #19676

Pausche says this is an annual process for abatements, particularly for properties which are mowed.

Mayor Wegscheid opens public hearing at 7:43 p.m. and with no comments, closes public hearing.

Salazar asked what the miscellaneous expenses are? Pausche says the majority are for properties where the grass is too long in which the City had to have mowed.

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

RESOLUTION NO. 17-151: RESOLUTION ADOPTING ASSESSMENT FOR MISCELLANEOUS EXPENSES AND CERTIFYING TO THE COUNTY AUDITOR AT 5% INTEREST - LEVY #19676

7. Community Development Director Sarah Smith requesting discussion and action on professional services contract for building inspection services from MNSpect.

Sarah Smith presented an overview of the proposed contract for services from MNSpect which includes inspection services for building, plumbing, electrical, and fire. Smith said MNSpect is currently operating under a one-year contract and the proposed new contract is for a three-year period that would go into effect January 1, 2018 and end Dec. 31, 2020.

Smith said the proposed contract includes an increase in permit and plan inspection fees. Smith noted the packet provides Staff memos which outline the specific details about the contract, as well as Staff's recommendation which is for approval. Smith said there is value in the contract being continued as this is the best option for Mound. Smith says MNSpect has qualified staff and maintains a regular office

schedule with inspections that can be done within a 24-hour period. Smith added that MNSpect has the ability to do commercial plan reviews in-house as well as electrical permitting. Smith stated permit fees are being increased beginning in 2019 and the portion of fees which MNSpect will receive from permits and plan reviews will also increase. Smith said that MNSpect gets 50% of the fees collected on permits and plan reviews. The permit fee split is proposed to stay at 50% in 2018 but the contract proposes the plan review fees to increase to 65% to MNSpect starting in 2018 when the contract is extended if approved by the Council.

Smith brought forth a correction to the packet saying the resolution was omitted inadvertently in the agenda packets.

Gillispie asked how this contract would impact the budget. Smith noted that the valuation schedule that is currently being used is the 1997 rate schedule plus 10% and has been in effect since 2007.

Salazar asked how long the split of fees has been at 50%. Smith said since 2007. Salazar asked what is the industry norm for fees. Smith said the overall increase since then is about 28% from the original contract in 2007 and about 2-3% per year on a valuation. Salazar asked if everyone (other competitors) was at 50% in 2007. Smith says she doesn't know as contracts vary from city to city.

Scott Qualle, owner and building inspector for MNSpect, wanted to discuss electronic permitting. Qualle mentioned that at last year's workshop, MNSpect was looking at new software for permits and he shared a schedule for implementation of the new software with milestones for implementation. Qualle said that he expected it to be ready in first quarter of 2017, but has been delayed until the first quarter of 2018 as ninety-five percent of the customization is done and the software will be tested at the MNSpect office.

Qualle said that MNSpect will be able to issue electrical permits online on their website within the next 20 days. MNSpect will go through training protocols during that time and the public will soon be able to apply online for a permit. Qualle explained the different capabilities of the software including tying pictures of a property to the Hennepin County PID# (Property Identification Number). Qualle said MNSpect will start testing tablet based inspections which will allow for the instant failure or passing of an inspection to be posted.

Mayor Wegscheid stated his software implementation was discussed at the workshop last year which included a dialogue about the proposal of a three-year agreement. Wegscheid stated that due to the software rollout and to allow for the evaluation of that software, the City entered into a one-year contract with MNSpect with the understanding that the contract would be reevaluated at the end of the year. Wegscheid said he is excited to be able to see the online software work which should create a fast turnaround time for permits for Mound residents and is happy to see there is a path to get there. Wegscheid said he is not comfortable putting a

three-year agreement out there yet and proposes a one-year agreement with quarterly updates on where the process stands and, ideally, an online demonstration.

Salazar reminded Qualle that the plan was to do the software implementation last year asked why it was not completed? Qualle said he doesn't know all the technical nuances, but the company MNSpect contracted with has never provided the software to an inspection company which does work with multiple cities. The platform was set-up for single city use, so the software company had to modify to accommodate this request. The software company also had three developers turn over within the year which delayed implementation. Qualle said it has been frustrating.

Wegscheid asked Qualle what his comfort level is going forward that the software company can overcome their challenges. Qualle said 80-85% as some things are not working fully on the checklist for inspections, but Qualle will move forward with what they have and continue to work on the other pieces.

Salazar asked why MNSpect does electrical permits when the State can do them. Qualle said that Mound asked MNSpect to provide electrical permits in order to give residents a "one stop shop." Qualle said the City saw this as a value for their residents and MNSpect is less expensive than the State's fees. Qualle said MNSpect has an electrical contractor on staff.

Salazar asked why MNSpect wanted a 30% increase. Qualle said that inflation has been 2-3% per year and MNSpect has not increased their rates while other costs incurred by MNSpect have increased over time.

Gillispie wanted to know how it will affect the City if residents pay for permits directly online to MNSpect. Hoversten says that if MNSpect collects all the fees, MNSpect would cut a check and send residuals to the City. Qualle said that it is highly unlikely that larger projects will be done online as there is a credit card fee that must be passed on to the permit holders. Salazar asked whether or not MNSpect had the capability of drafting fees from contractors' bank account for large projects. Qualle said this is not something this new software will do at this time.

Qualle informed the Council that MNSpect made an investment in high level computers in order to do electronic plan reviews on a large screen. Qualle added these capabilities include measurements, comments, notes, etc. and allows MNSpect to bring an electronic copy of plans instead of storing large rolls of plans.

Peterson asked about the \$75.00 monthly charge to the City for one City staff to access the permitting software provided by MNSpect. Qualle said that charge would not start until the software goes live.

Mayor Wegscheid said that he would like to see MNSpect redraft the proposed agreement to be a one-year agreement and give an update every two months. Wegscheid asked that Staff do a cost comparison with other cities inspection rates prior to next year's renewal discussion.

Peterson said that usually the longer you go with a contract, the better the rates are. Qualle said there is more risk with a shorter term deal. Wegscheid said the reason the City is doing the one-year contract is there are guidelines the City wants MNSpect to meet.

Qualle wanted some clarification as to what the rates would be for the one-year contract. Hoversten says the City would use the 2018 increment as proposed, which is 50% for permit fees and 65% for plan review fees and Staff will redraft the agreement and present the revised agreement to the Council.

MOTION by Wegscheid, seconded by Salazar, to approve a one-year agreement. All voted in favor. Motion carried.

8. City Manager/Public Works Director Eric Hoversten requesting discussion and action on a report of findings and recommendations regarding private driveway repair, Harrison Shores Townhomes

Hoversten reminded the Council of the August 22, 2017 Council meeting request by the residents of Harrison Shores townhome community at corner of Commerce and Three Points, for the City to participate in or fully reconstruct the driveway leading to the townhomes and treating this as a public road in the future. Hoversten said the City did a significant land use study on this and found the City has a well house in this area and the access to that well house is provided in an easement that is dated 1963. Hoversten said the access road at that time was a gravel loop along the parent parcel.

Hoversten stated the Harrison Shores townhomes are built on the Alexander Park subdivision, which includes the single family house at 5545 Three Points Blvd.; the three townhomes on the townhome parcels; and an outlot. Hoversten added the townhomes were built in 1989 and the gravel driveway was paved as part of the townhome build. Hoversten said that at that time the driveway was paved as a 3" asphalt driveway over 6" of granular base. Hoversten showed pictures of the area in 1980 when it was still part of Lafayette Park, which is the parent plat of everything in Three Points. Hoversten also showed pictures of the condition of the driveway and noted that there is continued use of the driveway by garbage services.

Hoversten said that there is no necessity for the City to access the well house with a paved road and that the original gravel road was adequate and the driveway was originally paved for the benefit of the townhomes. Hoversten added the townhome owners claim that the City's use of the driveway with their trucks has contributed to

the failure of the driveway, but while noting the presence of garbage trucks and recycling trucks, Hoversten says it would be difficult to pinpoint one user or another being at fault for what conditions might prevail presently. Hoversten said the City has not seen any sustainment investment, i.e., seal coating, top surfacing, or rejuvenation for the maintenance of the driveway. Hoversten concluded that the driveway is at full end-of-life failure, with the age being somewhere between 25-30 years.

Hoversten also said there is no justification to make this a public road as it only services the three townhomes and the one single-family home. Hoversten added that if the City were to adopt this road as a public road, the City's standard for new development and new construction areas is that the owner or developers make the improvements to public standards before the City adopts the road. Hoversten said to bring the road up to City's standards would be a much more expensive option for the townhome owners and leaving it as a private drive would be more appropriate. Hoversten would not recommend bringing this road into the public inventory to keep consistency across the community and he would not recommend that the City participate in the repairs.

Bergquist asked how often the City uses the road. Hoversten says that the well site has been out of service since 2007 so the City only does structure checks and the State does a dip test of the well for data collection purposes once per year.

Salazar commented that the driveway was most likely built by the builder of the townhomes and those driveways are usually built to passing grades only and not to support the use of heavy vehicles. Salazar added that with little or no maintenance, this driveway has lasted 28 years, which is a pretty good investment for the townhome owners. Salazar suggested the townhome owners just build it again as was done in 1989 and it could last another 28 years.

MOTION by Wegscheid, seconded by Salazar, to accept the City's findings and recommendations on the public participation in the Harrison Shores driveway repairs/reconstruction. All voted in favor. Motion carried.

4C. (Pulled) Approve an Ordinance Amending Chapter 70 of the Mound City Code as it relates to Stopping, Standing and Parking

4D. (Pulled) Approve a Resolution authorizing Publication of Ordinance XX-2017 by Title and Summary

Stewart Simon presented an amendment to Chapter 70-32 of the City Code as it relates to parking. Simon noted the proposed ordinance regulates stopping, standing, parking, etc. and the proposed amendment adds language that prohibits unhitched trailers on the street.

Simon said the amendment stems from an increased number of boats on trailers (without a vehicle attached) being stored on City streets, some of which sit on streets all summer long which caused problems such as public works employees not being able to do maintenance on streets, be it street sweeping or snow plowing. Simon noted the City code does not address this specific problem though the City Code does address cars which are parked on the street for more than 24 hours and can be ticketed and/or towed. Simon said the amendment looks to add trailers to the City Code which will make unhitched trailers subject to be moved every 24 hours.

Mayor Wegscheid said that whenever the Council goes through the process of changing codes, he asks what the purpose of the alteration and what is the enforceability. Wegscheid said Mound runs this type of enforcement on a complaint-based system.

Wegscheid sees three things to discuss regarding this proposed ordinance change:

1. Boat trailer

Wegscheid said Mound is a boating community and the purpose of the code is to try to limit or address the concern of the City streets becoming a storage area, so he asked what is considered storage? Wegscheid said the timeline should be more reflective of an individual's weekend of boating activity which would be for a little while more than 24 hours.

2. Vehicles

Wegscheid would like the Council to look at the timeline and ask; is 24 hours for vehicle parking appropriate?

3. No parking signs

When the City indicates a no parking area and if it is on public property the City is responsible for the expense of putting up the no parking sign. Wegscheid stated if a no parking sign is on private property the individual homeowner is responsible. Mayor Wegscheid disagrees with this policy and said if the City is going to dictate certain street rules, the City should be responsible for the expense of putting up the sign, not the homeowner.

Salazar noted that on page 2824, the definition of a trailer is defined according to State statute and he thinks this language is confusing and that on page 2825 item (e) states the prohibition of storage or parking of trailers on public or private streets or roads. Salazar said that is not right as the City cannot tell people what they can or cannot store on their private property. Simon said that this ordinance is similar to what the neighboring communities have and that most private streets in Mound are owned by condo or townhome associations which have their own set of rules. Salazar said he understands that the spirit of this ordinance is to clean up the City, but thinks as a boating community, there should be some leeway with the time line for parking on street. Salazar sees 24 hours as too punitive.

Wegscheid feels that the five areas for discussion are:

1. trailer time parking
2. vehicle time parking

3. signage paid for by residents
4. trailer description
5. private property storage

Wegscheid agrees that the trailer description is confusing and it reads like fifth-wheel trailers are ok. Wegscheid asked Staff to double check verbiage about trailers. Hoversten says Staff will take the Council's advice and bring back ordinance language in a clearer form.

Gillispie suggested noting that there is additional language in zoning regarding trailers. Hoversten pointed out that the Staff summary memo is not included in the ordinance and the definition of a trailer is not included in the ordinance but only in the summary memo.

Wegscheid moved on to discuss the time a trailer is to be on road. Hoversten said the ordinance says that there is no acceptable time limit for an unhitched trailer. Discussion ensued about the time limit for unhitched trailers on the streets, especially trailers with boats and whether forty-eight hours is too long or not long enough. Gillispie doesn't want the streets to be the trailer storage for the summer. Wegscheid asked if there was anything to identify repeat offenders.

Simon looked at other cities around Mound and said 24-hour parking is typical. Council talked about various concerns with parking on the street with Council members holding differing views on the amount of time for parking a trailer on the street. Peterson said she thought the City should be the same as neighboring cities.

Wegscheid moved on to the issue of vehicle parking times. Salazar said he does not agree with 24 hours. Simon says the traffic code is enforced by the Orono Police, not the City.

Hoversten said Staff will remove private streets from section (e) as directed by the Council.

Meeting breaks at 9:00 p.m. to change video tape.

Meeting resumes at 9:05 p.m.

Salazar brought item (h) of the ordinance to the Council's attention and said he has a problem with this section particularly if a person has a "for sale" sign in their car, as it means they can't park in a public parking lot. Simon said that this is part of the ordinance that is currently in place. Other Council Members questioned why they are looking at these sections of the ordinance if they are not changing. Hoversten explained that because one paragraph was inserted into the first part of the ordinance, every other paragraph moved down and the strikeout and underline process in editing the ordinance makes it look like every paragraph is new.

Smith asked City Attorney Gilchrist if the new statute of posting ordinance changes has been satisfied as City already posted this change. Gilchrist said that the City has satisfied the requirement with its initial posting.

9. Information/Miscellaneous

A. Comments/reports from Council Members

Wegscheid wanted to reiterate the consent agenda and public hearing items have been in front of the Council multiple times and there have been several conversations on the items. Wegscheid does not want anyone to think that the Council goes through these items light heartedly and by the time these items come to the public hearings and the consent agenda the Council is very familiar with the items.

Hoversten reminded all of the following:

Oct. 17 - Special Meeting Workshop to discuss 2018 budget, levy, and utility rates at 6:30 p.m.

Oct. 24 - Regular City Council meeting to include Bartlett Blvd. street improvements final assessment hearing, Comp Plan update, Planning Projects including Vacation Home Rentals and Park Dedication policies.

Nov. 18 - Tree Lighting. The lighting is on a Saturday this year and not during week as previously done. This year, City will have the tree in the circle in front of parking deck at Veteran’s Plaza, making it a bit more prominent in the community.

Oct. 29 - City Hall Winter hours resume, 8:00 a.m. - 4:30 p.m., M-F

- B. Reports: Bolton & Menk - Engineering 6-30-17 YTD
Fire Department - September 2017
- C. Minutes: Planning Commission - Sept 5, 2017
- D. Correspondence:

10. Adjourn

MOTION by Peterson seconded by Bergquist, to adjourn at 9:18 p.m. All voted in favor. Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk