

MOUND CITY COUNCIL MINUTES
October 23, 2018

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, October 23, 2018 at 7:00 p.m. in the council chambers of the Centennial Building.

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

Members absent: None

Others present: City Manager Eric Hoversten, Community Development Director Sarah Smith, Administrative Assistant Rebecca Kress, Greg Powell, Ed Ring, Karen King, Montana Witczek, Caitlin Ahlberg, Leandra O'Connell, Dave Allen, Iris Marohn, Isabel Speakman, Breanna Reyes, Zoe Peterson, Thomas Miller, Darby Miller, Dalton Munoz, Matthew Olson, Jessica Ukatz

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

City Manager Eric Hoversten commented that per discussion at the budget meeting, the engineering invoices for the ALTA survey were removed from the claims packet for this meeting and they will be held until the concerns about that activity and task are resolved.

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

4. Consent agenda

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

- A. Approve payment of claims \$810,810.51
- B. **RESOLUTION NO. 18-117: RESOLUTION AUTHORIZING SUBMITTAL OF COMMENTS TO THE CITY OF SPRING PARK FOR THE 2040 SPRING PARK COMPREHENSIVE PLAN**
- C. **RESOLUTION NO. 18-118: RESOLUTION APPROVING PUBLIC GATHERING PERMIT AND OUTDOOR MUSIC PERMIT FOR 2018 TREE LIGHTING ON SATURDAY, NOVEMBER 17, 2018 WITH WAIVED FEES DUE TO PUBLIC PURPOSE IN GATHERING**

D. RESOLUTION NO. 18-119: RESOLUTION RESCINDING RESOLUTION NO. 18-106 ORDERING PREPARATIONS OF REPORT ON LIFT STATION IMPROVEMENT PROJECT FOR 2019 AND REPLACING IT WITH ORDERING PREPARATION OF REPORT ON FORCEMAIN IMPROVMENT PROJECT FOR 2019 (NORTHERN RD AND FERNSIDE LANE)

E. Approve re-appointment of Heidi Peterson to three-year term on the Docks and Commons Commission - 1 Jan 2019 - 31 Dec 2021

F. Approve re-appointments of Linda Cordie and Mark Stehlik to three-year terms on the Mound Parks and Open Spaces Commission - 1 Jan 2019 - 31 Dec 2021

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

6. Action to approve minutes: 10-09-18 Regular Meeting
(Note: even members who were absent can vote to approve the minutes)

Mayor Wegscheid asked Bergquist why he was voting against to approve the minutes from the 10-09-18 regular meeting. Bergquist stated that he didn't feel that the minutes accurately reflected what he had stated about agreeing with the replacement of the tennis courts. Wegscheid stated that the minutes are no longer done verbatim but rather summary minutes and if he desires, the minutes can be remanded back to staff for editing. Bergquist stated that would not be necessary since the meeting and his statements are also on video.

MOTION made by Peterson, seconded by Gillispie, to approve the 10-09-18 regular meeting minutes. The following voted in favor: Gillispie, Salazar, Wegscheid, and Peterson. The following voted against: Bergquist. Motion carried.

7. Action approve minutes: 10-16-18 Special Meeting Workshop
(Note: even members who were absent can vote to approve the minutes)

MOTION made by Peterson, seconded by Bergquist, to approve the 10-16-18 Special Meeting Workshop. All voted in favor. Motion carried.

8. Planning Commission Recommendation:
Public Hearing - Review of Conditional Use Permit Amendment for Property at 5293 Shoreline Drive
Owner: Ed Ring, EGR Premier Properties, LLC
Applicants: Dave Allen and Greg Powell, Wheels to Waves
Planning Case No. 18-16

Community Development Director, Sarah Smith, presented an overview of a CUP amendment for 5293 Shoreline Drive. The owner, Ed Ring and applicants, Dave Allen and Greg Powell, from Wheels to Waves, are requesting the Council to consider an amendment to the existing 1987 Conditional Use Permit that allows for operation of an oil, lubrication and transmission fluid change facility under the land use category of "Automotive repair/minor" approved by Resolution No. 87-32. They owner and applicants are requesting an amendment that would allow for additional activities specific to sales and installation of electronic equipment on cars, trucks, boats, and recreational vehicles. They would also like to retain the existing CUP that allows the quick lube and transmission fluid activities on the property. A CUP amendment is administered in the same manner as a new CUP according to the regulations in the City Code which require a

Public Hearing. Smith stated that the Planning Commission did review the CUP amendment at an earlier meeting this month and discussion did take place in regards to the intensity at this location, storage on site, and the appearance to the community. The Planning Commission recommended approval of the amendment to the CUP with a revised condition that clarified how material could be stored on the site and a limitation imposed about the length of time operable vehicles can remain on site. Smith said that Hennepin County had provided comment that it would like to consider access removal for the property along Shoreline Drive as part of the CUP. Smith added approval of the sign setback variance for the freestanding sign/pylon at the intersection of Wilshire Blvd and Shoreline Drive is also included and noted the existing sign location is considered lawful, non-conforming.

Bergquist asked about the existing trash location on the property. Smith added that she believe it to be located on the south side of the building. Smith also added that there is some desire to incorporate some new landscaping next year.

Gillispie asked about the existing definition of minor auto repair and if that definition ever were to be updated would it override previous definitions in any CUP's that would be under the old definition. Smith stated that to the best of her knowledge the new definition would replace any old verbiage in current CUP's but that could be more of a legal question to be answered by the City Attorney to be sure. Smith noted that CUP's run with the property and do not change or nullify with change of ownership. Gillispie also asked about marine repair and if we have a specific definition pertaining to that activity. Smith stated that historically marine repair and auto repair have been used interchangeably. Hoversten also confirmed that to be true. Gillispie said that may be something to look into changing in the future at some point to add clarification to the two different activities. Gillispie also pointed out that the 3rd "Where As" in the Resolution needs to be changed to "Wheels to Waves".

Mayor Wegscheid opened the public hearing at 7:19 p.m.

Property owner Ed Ring, resident of 12393 James Road, Minnetonka, stated that he has worked hard to get Wheels to Waves into the property. Ring stated that there is a desire to install a privacy fence around the current garbage area to help with curb appeal and also to help guard against public dumping which seems to be a current problem. Ring asked for questions from the Council. Wegscheid stated that it is highly important to keep the property neat and orderly going forward. Tenants Greg Powell, resident of 5010 Woodland Road, and Dave Allen, resident of 6619 Bartlett Blvd, stated that they have been in this type of business for about 10 years. Allen added that their intention is to improve the property and make it a highly respectable business in town. Bergquist added that he thinks this will be a great asset to the community. Wegscheid asked the public for any other questions or comments. None were offered by the public.

Mayor Wegscheid closed the public hearing at 7:24 p.m.

Wegscheid asked the Council for any comments or questions. Gillispie said that the privacy fence around the garbage is a good idea and that it area really does help from a sightline perspective. Gillispie also said that Wheels to Waves has been around for a while and she has heard nothing but good things as the business thrives on referrals.

Requested Action:

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

A. RESOLUTION NO. 18-120: RESOLUTION AMENDING AND RESTATING RESOLUTION NO. 87-32 THAT AUTHORIZED A CONDITIONAL USE PERMIT FOR QUICK LUBE, OIL, AND LUBRICATION AND TRANSMISSION FLUID CHANGE FACILITY AND SIGN VARIANCE AT 5293 SHORELINE BOULEVARD TO INCLUDE ADDITIONAL MINOR AUTOMOTIVE REPAIR ACTIVITIES AND TO REPEAL PREVIOUS SPECIAL USE AND CONITIONAL USE PERMITS

9. City Manager and Director of Public Works Eric Hoversten requesting discussion and action to approve a Resolution approving Hennepin County Public Works Mutual Aid Agreement

Eric Hoversten, City Manager and Public Works Director, presented information about the Public Works Mutual Aid Agreement. Hoversten stated that the Public Works Directors and Superintendants in Hennepin County have been working with Hennepin County and other emergency response activities to fill a gap that is perceived to exist in creating a formal structure for requesting emergency type assistance from other communities during natural or man-made disasters. Hennepin County has offered to provide some level of management in a request and response coordination across the county through the Hennepin County Emergency Operations Center. Any community that requires or feels the need for assistance would make a request to Hennepin County, who has visibility of those involved in the mutual aid agreement and would then coordinate the requested services for the community in need.

Hoversten noted the City of Mound, as a signee of the agreement, would be able to consider requests from other communities for our assistance. Hennepin County would help broker when the requesting communities are not directly bordering Mound. The Resolution prepared does include some specific conditions that require coordination during an event between the City Manager and the Mayor or Acting Mayor when practical for instances where Mound is requesting or providing assistance. Hoversten added there is no upfront costs involved in signing on to the agreement, however the cost of providing assistance under the agreement is recoverable at the discretion of the providing community.

Wegscheid asked if this agreement allows for the City to recall its resources should the need arise. Hoversten confirmed that the City could recall our resources at any time at the City's discretion or for no reason at all. Gillispie asked as a city receiving support, does the agreement automatically require the city to reimburse the city providing support or is it discretionary. Hoversten stated that the invoicing of services provided is at the discretion of the providing City. Peterson asked if this is a new program and Hoversten said yes. Salazar added that he thinks this is a good program to have in place. Wegscheid added that this is a great resource to have with Hennepin County in order to tap into their resources in the event they are needed.

MOTION made by Salazar, seconded by Gillispie, to approve the following resolution. All voted in favor. Motion carried.

RESOLUTION NO. 18-121: RESOLUTION APPROVING HENNEPIN COUNTY PUBLIC WORKS MUTUAL AID AGREEMENT

10. Information/Miscellaneous

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

City Manager announced the following dates:

October 28th (Sunday) Harrison Bay Senior Living Open House

November 5 City Hall winter hours resume

November 6 General Election and noted absentee voting available now

November 15 from 5:00 - 6:30 p.m. Follow up Shaffer Richardson Open House - Hoversten added that the City is not in receipt of any formal applications or sketches and noted this is not a City meeting.

November 17 WCC Tree Lighting

Jan 26, 2019 – Special Olympics Polar Plunge at Surfside Beach sponsored by Surfside Bar and Grill

B. Reports: Finance – September 2018 YTD
Bolton & Menk – 09/30/18 YTD

C. Minutes: 7-11-18 Parks and Open Spaces Commission Minutes

D. Correspondence:

10. Adjourn

MOTION made by Peterson, seconded by Bergquist, to adjourn at 7:37 p.m. All voted in favor. Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk