

MOUND CITY COUNCIL MINUTES
November 09, 2016

The City Council of the City of Mound, Hennepin County, Minnesota, met in a rescheduled regular session on Wednesday, November 09, 2016, at 7:00 p.m. in the council chambers of the Centennial Building.

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

Members absent: Council Member Heidi Gesch

Others present: City Manager/Public Works Director Eric Hoversten, Fin Dir/Clerk/Treasurer Catherine Pausche, Johanna Baden, David Baden, Lauren Miller, Vince Forystek, Mary Mann, Tommy Clobes, Max Lund, Leo Kreatz, Cody Rolighed, Brendan Dreyer, Parket, Larson, Dylan Roth, Ben Holbert, Hunter Bauer, Oben Howard, Lexi Corbett, Charlie Bailey, Tashiyah Dempsey, Maddie Niederer, Liz Schepers, Quinn Tice, Tim Lembke, Cam & Diane Cross, Grant Sterne, Noah Brammer, Neil Schmalz, Ruth Clark, Alan Beard, Charlie Treat, and Beau Taunton, Bill Jacobwith.

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 7:03 p.m.

Mayor Wegscheid introduced high school students in the audience and asked the group to select a representative to come forward.

Neil Schmalz, 5645 Krammer Road, stated the majority of the students at the meeting tonight are from Mr. Kuehl's Advanced Government class.

Wegscheid pointed out to the students that the Council is also a body that has been selected by the community to represent them.

2. Pledge of Allegiance

3. Approve agenda

Hoversten noted replacement pages 2806, 2810 and 2834 and additional pages 2809.1 and 2833.1 related to the bond sale.

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

4. Consent agenda

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

A. Approve payment of claims in the amount of \$442,774.25.

- B. **RESOLUTION NO. 16-143: RESOLUTION APPROVING AN AGREEMENT FOR LEGAL SERVICES WITH KENNEDY & GRAVEN, CHARTERED**
- C. **RESOLUTION NO. 16-144: RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH HOISINGTON KOEGLER INC.**
- D. **RESOLUTION NO. 16-145: RESOLUTION APPROVING AN AGREEMENT AND CONTRACT FOR PROFESSIONAL CITY ENGINEERING SERVICES WITH BOLTON & MENK, INC.**
- E. **RESOLUTION NO. 16-146: RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH MNSPECT**
- F. **RESOLUTION NO. 16-147: RESOLUTION APPROVING PUBLIC GATHERING PERMIT AND MUSICAL CONCERT PERMIT FOR 2016 ANNUAL MOUND TREE LIGHTING CEREMONY AND WAIVING PERMIT FEES DUE OT PUBLIC PURPOSE OF GATHERING**
- G. Approve Pay Request No. 4 from Ryan Contracting in the amount of \$817,439.00 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
- H. Pay Request No. 1 from Pember Companies, Inc. in the amount of \$37,314.52 for the 2016 Lift Station Improvement Project, City Project No. PW-16-05
- I. **RESOLUTION NO. 16-148: RESOLUTION AUTHORIZING APPLICATION FOR AND EXECUTION OF GRANT AGREEMENT WITH THE METROPOLITAN COUNCIL FOR THE 2014 MUNICIPAL INFLOW AND INFILTRATION GRANT PROGRAM**
- J. **RESOLUTION NO. 16-149: RESOLUTION TO CANVASS RETURNS AND DECLARE THE RESULTS OF THE MUNICIPAL ELECTION OF NOVEMBER 8, 2016**

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

6. **Public Hearing**

Brian Simmons, Assistant City Engineer, presenting the feasibility report for the 2017 Street, Utility and Retaining Wall Improvement Projects and requesting action on resolutions ordering improvements and preparation of plans.

Simmons showed a map of the improvement plan projects and said 2017 projects were split into three areas, including Lynwood Boulevard, Wilshire Boulevard, and Tuxedo Boulevard Phase III. Simmons noted width varies by street and in some areas the changes in width will be smoothed out. Tuxedo water main improvements will be limited to replacement of hydrants. Sanitary sewer will include a flow meter added at the end of Lynwood. Storm sewer improvements will be limited to catch basin replacements and all retaining walls will be

replaced. Simmons noted the addition of new side walk along Maywood Road and existing sidewalk will be repaired or replaced as needed.

Simmons showed a breakdown of estimated costs for each project area, which also separated the cost from the amount eligible for assessment.

Area 1 Lynwood - total project cost estimate is \$1.649M with \$295K assessable portion of street improvements which excludes the extra section for MSA standards, utility street costs and retaining walls. Two-thirds of assessable cost will be split with commercial assessment (combination method) of \$71,270 and remainder to residential (18.5 ERUs) estimated at \$6,792 with a cap of \$6,600 per the amended assessment policy from 2015.

Area 2 Wilshire Blvd - total project cost estimate is \$1.773M with \$534K assessable portion of street improvements which excludes the extra section for MSA standards, utility street costs and retaining walls. Two-thirds of assessable cost will be split with commercial assessment (combination method) of \$218,380 and remainder to residential (9.83 ERUs) estimated at \$14,030 with a cap of \$6,600 per the amended assessment policy from 2015.

Area 3 Tuxedo Phase III - total project cost estimate is \$1.074M with \$581K assessable portion of street improvements which excludes the extra section for MSA standards, utility street costs and retaining walls. Two-thirds of assessable cost to residential (35.66 ERUs) estimated at \$10,856 with a cap of \$6,600 per the amended assessment policy from 2015.

Simmons showed sample schedule with bidding in March 2017, bulk of construction in summer 2017, and assessment hearing in fall of 2018.

Mayor Wegscheid opened the public hearing at 7:16 pm.

Tim Lembke, 5212 Lynwood Blvd rental property, asked if retaining wall will be replaced, what will happen with the sidewalk and asked for clarification of what an ERU is and what will happen to the two vacant lots near the house, 5234 Lynwood and an unassigned lot to the east.

Simmons said Equivalent Residential Unit method (ERU) treats each residential unit as one unit versus linear frontage method. City Manager Eric Hoversten said city does not distinguish between buildable and unbuildable, but rather if there is a separate PID. Wegscheid said the staff and Council have learned a lot during the street improvement process and although it would be difficult to make changes this far along, lessons have been noted for the future. Simmons located the parcels on the map and determined they are being treated as two separate ERUs. Simmons said the streets are not being widened in this area. Hoversten said the retaining walls will be rebuilt and sidewalks will be reconstructed on an as-needed basis.

Bill Jacobwith, 5280 Lynwood, said he lives across from the Balboa building and wondered if the driveways could be widened where the semis come in and out to reduce impact on neighboring properties.

Simmons noted that the detailed design phase has not begun yet and that feedback will be incorporated. Jacob said the people who store trailers there come in a high rate of speed and shake his house.

Vince Forystek, 4600 Tuxedo Blvd owner, said the strip of grass by his property between the sidewalk and road should be eliminated because grass does not survive.

Tim Lembke, 5212 Lynwood, asked if Morton Channel could be dredged during the project. Simmons said that would be a completely different project and the Mayor suggested he talk to staff off-line.

Ruth Clark, 2343 Fairview Lane owner, said her property fronts Fairview Lane and backs up to Hiddenvale and wondered why they would be getting a full assessment. Simmons said orange lots on map are half an assessment. Clark asked about changes to the retaining wall on Hiddenvale. Simmons said the goal is to make the wall shorter and push the wall back from the curb. Clark said it can't get shorter if it is pushed back. Hoversten said in this case, Staff is considering pushing the curb line out to create more room and that the adjacent landowners will be consulted to see if overall pitch can be changed. Simmons said a new fence would be added at the top of the wall. Clark asked when design would happen and Hoversten said December/January.

Mary Moon, 5280 Lynwood Boulevard, congratulated the re-elected officials. Moon asked that if she was assessed a full assessment in the past, although she is on a corner, would she be subject to another assessment. Hoversten said the previous assessment will be researched and if found to be a full assessment, she would not.

The Mayor closed the public hearing at 7:32 pm.

- A. Action on Resolution Ordering Improvement and Preparation of Plans for the 2017 Street, Utility and Retaining Wall Improvement Project – Lynwood Boulevard/Fairview Lane, City Project No. PW-17-01

MOTION by Ray Salazar, seconded by Jennifer Peterson, to adopt the following resolution. All voted in favor. Motion carried.

RESOLUTION NO. 16-150: RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR THE 2017 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT - LYNWOOD BOULEVARD/FAIRVIEW LANE, CITY PROJECT NO. PW-17-01

- B. Action on Resolution Ordering Improvement and Preparation of Plans for the 2017 Street, Utility and Retaining Wall Improvement Project – Wilshire Boulevard/Maywood Road/Hiddenvale Lane, City Project No. PW-17-02

MOTION by Ray Salazar, seconded by Jennifer Peterson, to adopt the following resolution. All voted in favor. Motion carried.

RESOLUTION NO. 16-151: RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR THE 2017 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT - WILSHIRE BOULEVARD/MAYWOOD ROAD/HIDDENVALE LANE, CITY PROJECT NO. PW-17-02

- C. Action on Resolution Ordering Improvement and Preparation of Plans for the 2017 Street, Utility and Retaining Wall Improvement Project – Tuxedo Boulevard, Phase III, City Project No. PW-17-03

MOTION by Ray Salazar, seconded by Jennifer Peterson, to adopt the following resolution. All voted in favor. Motion carried.

RESOLUTION NO. 16-152: RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR THE 2017 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT - TUXEDO BOULEVARD, PHASE III, CITY PROJECT NO. PW-17-03

7. Stacie Kvilvang, Senior Municipal Advisor/Director, Ehlers, Inc, reporting on the results of the 2016 bond sale and requesting action on:

Stacie Kvilvang stated that S&P renewed the AA Rating with Stable outlook over the next two years, highlighting the positive factors, both economic and managerial, that they based the rating on. Kvilvang said even with the uncertainty caused by the presidential election, there was a favorable response to both issues, with 7 and 8 bidders respectively, and both with lower rates than projected.

- A. **Resolution Accepting Proposal on the Sale of \$5,950,000 General Obligation Bonds, Series 2016A, Providing for their Issuance and Pledging for the Security Thereof Special Assessments and Net Revenues and Levying a Tax for the Payment Thereof**

MOTION by Ray Salazar, seconded by Kelli Gillispie, to adopt the following resolution. All voted in favor. Motion carried.

RESOLUTION NO. 16-153: RESOLUTION ACCEPTING PROPOSAL ON THE SALE OF \$5,950,000 GENERAL OBLIGATION BONDS, SERIES 2016A, PROVIDING FOR THEIR ISSUANCE AND PLEDGING FOR THE SECURITY THEREOF SPECIAL ASSESSMENTS AND NET REVENUES AND LEVYING A TAX FOR THE PAYMENT THEREOF

- B. **Resolution Accepting Proposal on the Sale of \$2,845,000 General Obligation Refunding Bonds, Series 2016B, Providing for their Issuance and Pledging for the Security Thereof Special Assessments and Net Revenues and Levying a Tax for the Payment Thereof**

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

RESOLUTION NO. 16-154: RESOLUTION ACCEPTING PROPOSAL ON THE SALE OF \$2,845,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016B, PROVIDING FOR THEIR ISSUANCE AND PLEDGING FOR THE SECURITY THEREOF SPECIAL

ASSESSMENTS AND NET REVENUES AND LEVYING A TAX FOR THE PAYMENT THEREOF

8. Catherine Pausche, Director of Finance and Administrative Services, requesting action on Resolution Approving Documents Related to the Local Housing Incentives Account Program (LHIA) Loan and Environmental Response Fund (ERF) Loan Related to the Indian Knoll Manor Project

Pausche said this is another grant where the City will serve as fiscal agent on this grant, but the loan will allow for the funds to be used in the Indian Knoll Manor redevelopment project.

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

RESOLUTION NO. 16-155: RESOLUTION APPROVING DOCUMENTS RELATED TO THE LOCAL HOUSING INCENTIVES ACCOUNT PROGRAM (LHIA) LOAN AND ENVIRONMENTAL RESPONSE FUND (ERF) LOAN RELATED TO THE INDIAN KNOLL MANOR PROJECT

9. Information/Miscellaneous

- A. Comments/reports from Council Members
- B. Reports: Fire Dept - October 2016
- C. Minutes:
- D. Correspondence: MN DNR - October 21, 2016

City Council Hoversten thanked everyone for their participation in the election and announced the results including Mayor Wegscheid as Mayor and Ray Salazar and Jeff Bergquist as Council Members. Hoversten said the election process went well and thanked Staff and the election judges that made it happen.

Mayor Wegscheid thanked staff for the efforts involved to accommodate early voting and the extra work involved. Mayor Wegscheid noted newly elected officials participate in the League of MN Cities training for networking and education on the legalities as well as an orientation with each of the department heads.

Hoversten noted the next HRA/CC meeting will take place on Nov. 22nd, the same night as the Mound Westonka Tree Lighting, and said that although there will be a meeting, an effort will be made to keep the agenda light. Hoversten noted the City Newsletter had the wrong date of Nov. 17th for the tree lighting as it had to be rescheduled due to a conflict. Hoversten also noted one council meeting will be held in December on the 13th, as the 27th was cancelled.

10. Adjourn

MOTION by Peterson, seconded by Gillispie, to adjourn at 7:47 p.m. All voted in favor. Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk