

MOUND CITY COUNCIL MINUTES
November 10, 2015

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, November 10, 2015, at 7:00 p.m. in the council chambers of the Centennial Building.

Members present: Mayor Mark Wegscheid, Council Members Heidi Gesch, Ray Salazar, Jennifer Peterson

Members absent: Kelli Gillispie

Others present: Director of Finance and Administrative Services Catherine Pausche, Director of Public Works Eric Hoversten, Community Development Director Sarah Smith, Assistant City Engineer Brian Simmons, Katie Morford, Steve Johnson, Dale Copeman, Noah Byers

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

3. Approve agenda

Mayor Wegscheid requested to add item 5.5: Dale Copeman and members of the Westonka Soccer Club presenting a \$1,000 donation to the City of Mound for parks/turf improvements.

Mayor Wegscheid noted missing pages were inserted, including 2802.5 and 2803.5 and revised pages were given for pages 2833, 2856 & 2860.

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

4. Consent agenda

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

A. Approve payment of claims in the amount of \$244,318.93

B. Approve minutes: Sept 15, 2015 special meeting
 Oct 27, 2015 regular meeting

**C. RESOLUTION NO. 15-127: RESOLUTION TO AUTHORIZE ACTING CITY
MANAGER TO ENTER INTO A CONTRACT WITH PRIME ADVERTISING & DESIGN
FOR RESPONSIVE WEB SERVICES**

**D. RESOLUTION NO. 15-128: RESOLUTION DENYING PUBLIC LANDS PERMIT FOR
INSTALLATION OF BOOK EXCHANGE LIBRARY ON ROAD RIGHT OF WAY,
ADJACENT 4924 THREE POINTS BLVD**

- E. ORDINANCE NO. 03-2015: ORDINANCE AMENDING CHAPTER 42 OF THE MOUND CITY CODE AS IT RELATES TO NUISANCES**
- F. RESOLUTION NO. 15-129: RESOLUTION AUTHORIZING PUBLICATION OF AN ORDINANCE BY TITLE AND SUMMARY, AS IT RELATES TO NUISANCES**
- G. ORDINANCE NO. 04-2015: ORDINANCE AMENDING CHAPTER 62 OF THE MOUND CITY CODE AS IT RELATES TO STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES**
- H. ORDINANCE NO. 05-2015: ORDINANCE AMENDING CHAPTER 46 OF THE MOUND CITY CODE AS IT RELATES TO OFFENCES AND MISCELLANEOUS PROVISIONS**
- I. RESOLUTION NO. 15-130: RESOLUTION AUTHORIZING PUBLICATION OF AN ORDINANCE BY TITLE AND SUMMARY, AS IT RELATES TO OFFENSES AND MISCELLANEOUS PROVISIONS**
- J. ORDINANCE NO. 06-2015: ORDINANCE AMENDING CHAPTER 70 OF THE MOUND CITY CODE AS IT RELATES TO TRAFFIC AND VEHICLES**
- K. ORDINANCE NO. 07-2015: ORDINANCE AMENDING CHAPTER 2 OF THE MOUND CITY CODE AS IT RELATES TO ADMINISTRATION**
- L. ORDINANCE NO. 08-2015: ORDINANCE AMENDING CHAPTER 18 OF THE MOUND CITY CODE AS IT RELATES TO CEMETERIES**
- M. RESOLUTION NO. 15-131: RESOLUTION AUTHORIZING PUBLICATION OF AN ORDINANCE BY TITLE AND SUMMARY, AS IT RELATES TO CEMETERIES**
- N. ORDINANCE NO. 09-2015: ORDINANCE AMENDING CHAPTER 26 OF THE MOUND CITY CODE AS IT RELATES TO EMERGENCY MANAGEMENT SERVICES.**
- O. ORDINANCE NO. 10-2015: ORDINANCE AMENDING CHAPTER 14 OF THE MOUND CITY CODE AS IT RELATEDS TO ANIMALS.**
- P. RESOLUTION NO. 15-132: RESOLUTION AUTHORIZING PUBLICATION OF AN ORDINANCE BY TITLE AND SUMMARY, AS IT RELATES TO ANIMALS**
- Q. Approve a special meeting on Tuesday, November 17, 2015 6:30 pm - Town Hall Meeting with presentations and Q&A**
- R. RESOLUTION NO. 15-133: RESOLUTION TO AUTHORIZE ACTING CITY MANAGER TO ENTER INTO A CONTRACT WITH MNSPECT**
- S. RESOLUTION NO. 15-134: RESOLUTION APPROVING LANDSCAPTING SECURITY RELEASE FOR WOODLAND RIDGE**
- T. Approve Pay Request No. 4 from Midwest Asphalt Corporation in the amount of \$32,996.25 for the 2014 Street, Utility and Retaining Wall Improvements - West Three Points Blvd. Street, City Project No. PW-14-01**

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

5.5 (Added) Dale Copeman and members of the Westonka Soccer Club presenting a \$1,000 donation to the City of Mound for parks/turf improvements

Dale Copeman, 2453 Lost Lake Road, said the Westonka Soccer Club worked with the Parks and Open Spaces Commission (POSC) to identify parks in the area the soccer club could practice on and that they would like to continue the conversation. Mr. Copeman presented Council Member Heidi Gesch, POSC Council Rep, with a check for \$1,000 for park and turf improvements and Gesch thanked the club.

6. Brian Simmons, Bolton & Menk Inc., presenting a Sewer Infrastructure and I/I reduction program update

Simmons said this discussion is a continuation of the discussion that took place in December of 2014 in response to the high water events in the spring and summer of 2014. Simmons said the intent of this discussion is to get direction on how the Council would like to proceed on possible code amendments and topics to be covered at the December 15th special meeting workshop.

Simmons described the Met Council Sewer surcharge program and stated that Mound was assessed a surcharge every year since 2007 because sewage flow from Mound to the Met Council treatment plant exceeded allowable levels. The formula for these charges have changed every year, and a proposed formula change for 2015 and beyond is forecasted to increase Mound's surcharge significantly. There are two options to pay for the surcharge: (1) Met Council levies the surcharge directly to the City, or (2) Met Council gives credits for dollars invested in projects that reduce exceedences (ie., pipe lining). The City has chosen the projects and credits option but the annualized amount (rolling) is expected to increase significantly, particularly if there is another significant rain event. The standard allocation of the Met Council operating fund is based on flows from the City which is then apportioned based on what other cities flows are at. Mayor Wegscheid asked if the monthly allocation is impacted by volume and Simmons said it is variable based on the year to year use in the City. Simmons noted that while the City is paying for these projects, the Met Council is also investing in projects in the City as well.

Average flow leaving Mound is 1.26 million gallons a day. The exceedence threshold which results in a surcharge is 3.77 million gallons/day. Simmons said the metrics show that Mound is should be using around 1 million gallons a day. Since the amount Mound is sending is significantly higher than the models indicate, Simons said a significant amount of clear water must be flowing to the Met Council. Wegscheid asked if inflow and infiltration (I/I) mitigation has resulted in less flow and Simmons said yes, but rainfall events are increasing. Simmons noted that over 50% of the sewer lines are private service lines and those lines have not been mitigated.

Simons added the Met Council is going to change from measuring peaks from a daily to an hourly basis, which will make the measurement more granular and increase the propensity of excess.

Wegscheid asked if the City flow meters have been installed. Simmons said they are being installed as lift station and other infrastructure projects are completed. Simmons said incoming flows are measured from Shorewood and Minnetrista and that those flows are being measured by magnetic meters which are more accurate. Simmons said Mound will target metering every lift station eventually, but only 3 of 30 have meters at this point. Hoversten said not all lift stations will need to be metered as many of them feed into a central lift station (i.e., Baywood

Shores for Three Points). These meters should help the City better understand where I/I is occurring.

Hoversten said Met Council does not allow City meters at the Met Council intercepts. Wegscheid asked how much mag meters cost and Simmons said about \$30K including the man hole. Peterson asked about how we compare to other cities. Simmons said Mound is unique for shoreline, number of lift stations and proximity to water table and the fact that municipal sewers were turned over to the Met Council and many of our lines feed directly into them. Simons stated that Staff has questioned the meter accuracy and the Met Council did replace the meter on Tuxedo Blvd. Simmons said the collaboration over the last 18 months has lead to more transparency and sharing of data between the Met Council and the City.

Wegscheid stated his concern is the movement toward making citizens pay for replacing their private sewer lines will not equate to a reduction in fines the City will have to pay. The Mayor would like more assurance that requiring citizens to do this work will be worth the investment. Simmons noted that Staff has floated some ideas on how to increase the accuracy of measurement but it is not clear the Met Council would be interested in this activity due to the cost. He also stated the City has a better idea of flows due to the work done since June of 2014.

Simmons said the focus is to prevent repeat of June 2014, but that it will take years to mitigate, so hopefully the high rain events will not occur in the meantime. Change from daily to hourly measurement appears to be intended to motivate the cities to mitigate I/I in the City. Simmons noted even after all street projects are complete, there could still be I/I either within the city owned lines and the private lines. Simons stated that it will take a long time for the City to reline the sewer system even at an increased investment of \$233K per year. Wegscheid noted a concern of just avoiding a fine instead of the Met Council incentivizing remediation.

Gesch asked if the hourly peak measurement will result in more cities getting a surcharge fine, and Simmons said yes. Simmons then showed a map of lift station collection areas and noted which areas are Met council metered areas and which are City metered areas. The Met Council analyzed I/I in 2007 and is sharing that data with the City. Simmons showed a map of what pipes have been relined at an average investment of \$100K per year. Simmons showed a diagram of the typical private sewer infrastructure.

Simmons noted sump pump inspections were conducted 20 years ago by the City which puts Mound ahead of other cities. Simons noted that Golden Valley (pre 60's housing stock similar to Mound) have older neighborhoods which are contributing more to I/I than have newer subdivisions. West St. Paul, which also has an older housing stock similar to Mound, has been experiencing similar I/I problems. Eagan with a 1980's housing stock has discovered sump pumps and drain tile which were connected to sewer line and I/I has been reduced when those systems were disconnected from the sewer system. These three cities have been added to the list of cities that the Met Council has required to mediate I/I.

Waconia is currently televising private lines and inspections find homes with illegal cross connections and foundation drains connected to the sewer. A solution to this problem is to create a sump pump system where the sump should be run above ground to disperse to natural absorption or onto the street.

Simons noted circumstances which make Mound unique compared to other cities. Those are the miles of shoreline and many miles of sewer lines which are under the water table. These situations can affect I/I significantly.

Simons noted the collaborative work plan with the Met Council is to continue sewer main lining and adding meters as lift stations are upgraded.

Simons offered a map showing where City recommends placing flow meters. Simons worked on the 2007 study done to help focus on areas where I/I is thought to be much higher. Simmons offered options for programs designed to detect and reduce I/I, including: (1) Staff is doing wet weather televising to show areas where issues are suspected, such as rain water flowing from a private service line into the system, (2) smoke testing which detects cross connections with roof drains, but Simmons noted the test is a significant use of manpower as the Fire Department is required to provide back-up support and (3) point of sale inspections where a certificate would be required to show the home has been tested for I/I in order for a home sale to be completed.

Peterson said it should be tied to age of home, but Simmons said knock downs may or may not have been mitigated. Simmons stated the inspection cost is not too high but remediation can be costly. Golden Valley's inspection program is now perceived as an asset if a home has a certificate. Golden Valley increased their inspections by implementing both a Point of Sale program and a neighborhood based inspections program to increase the pace of remediation. Salazar mentioned it is a two pronged attack. Simmons said incentivizing self reporting can be beneficial. Simons noted if a homeowner gets their lines cleaned and detects I/I, the homeowner could be incentivized to remediate by a matching grant program.

Simmons noted the Met Council is seeking funds from the State for two grant programs, one which offers funds for work on municipal lines and the other which helps to fund work on private service lines. Wegscheid noted some insurance companies do insure home owners' private lines. Wegscheid said further public education should take place.

Simmons said the City does not have ability to do lateral televising currently so this work would need to be contracted out or the equipment would need to be leased.

Simmons showed a map of lift station areas and the amount of flow that is metered. He showed two areas which were rated RED and had greater than 100 gallons per foot of incoming storm water. The map only shows City metered areas as the flow readings excludes lift stations that gravitate to a Met Council lift station. Simons added that portable flow meters can be leased and used to collect data. He stated that the time to put in the meter would be January to get a measured base line due to the lack of precipitation and meter again in June, July and August to detect I/I. Simmons said City efforts to eliminate I/I to date have focused on manhole rehabilitation and pipe lining.

Simmons noted options for reducing I/I for private connections include: (1) lateral lining which is costly but less invasive because it is achieved by entering from a manhole or floor drain, (2) lateral replacement which is an open dig and used to replace drain tile and foundation drains, (3) spot repairs or lateral grouting, and (4) top hat liner which repairs the private connection to the main line.

Simmons said the City Code needs to be strengthened to clarify who is responsible for illegal connections.

Simmons asked questions for the Council to consider prior to the December 15 workshop, including: (1) What role does the City want to take in responding to illegal connections? (2) What are other cities doing if an illegal connection is found? Simmons stated homeowners are fined in other cities until the connection is corrected. (3) Are there, or should there be, grants

available for repairs? (4) Should the ordinance be updated to be more compelling and define financial responsibility of compliance.

Simmons said the solution to responding to I/I is probably some combination of the following (1) Programs to discover I/I: point of sale, reinstate sump pump inspections, neighborhood inspections and (2) update the ordinance, including determining the extent of City led projects for repairs/inspections.

Salazar said his concern that at one point the code allowed for these violations so it is hard to consider a fine. Simmons said Chapter 429 is an option to assess taxes particularly for so many fixed income homeowners.

Peterson asked for information to be provided on how other cities respond to I/I at the December 15th meeting. Salazar said he would like a short, medium and long-term plan for resolution. Simmons noted a map which indicates all the areas in the City which need the most immediate attention.

Simmons noted that the cost for an open dig private line replacement would be \$3,000 - \$9,000 and that lateral lining costs about \$3,000 - \$5,000, with an average of \$4,000. Each of the two options have an estimated useful life of 50 years.

7. Information/Miscellaneous

- A. Comments/reports from Council Members/Interim City Manager
- B. Minutes: Planning Commission - October 6, 2015
- C. Reports: Finance Department - September, 2015 YTD
Harbor Wine & Spirits - October, 2015
- D. Correspondence: Mound City Manager Position Posting

8. Adjourn

MOTION by Gesch, seconded by Salazar, to adjourn at 8:30 p.m. All voted in favor. Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk