

MOUND CITY COUNCIL MINUTES
November 13, 2012

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, November 13, 2012, at 7:00 p.m. in the council chambers of city hall.

Members present: Mayor Mark Hanus; Councilmembers Kelli Gillispie, Ray Salazar, Heidi Gesch, and David Osmek.

Others present: City Manager Kandis Hanson, City Clerk Bonnie Ritter, Community Development Director Sarah Smith, Public Works Director Carlton Moore, City Engineer Dan Faulkner, Finance Director Catherine Pausche, Maurice Gunderson, Tim McMillen, Dwight Walgamuth, Shawn & Erin Seiler, Dan Scherven, Brian Lieder, Valerie Maddock, Jamie Cameron, Derrick & Melissa Hentz, Ben Page, Ann Brostom, Valerie Bren, Anna Streich, Rich Hunt, Sue Lynott, Peggy Jones, Steve Solmonson, Caylor Zimmerman, Robert Meyer, Gina & Mark Anderson, Dave Barrett, Gregg & Lori Maloney, Joleen Stadskev, Mark Tighe Crea, Scott Murphy, Collette Roberts, Sam Lungstrom, Allie Brady, Katie Kuhbänder, Brad Zabilla, Blaze Fugina, Juhl Stoesz, Tracy Hrezda, Jamie Fischer, Margo Hopkins, John McKinley, Deborah Debellis, Orv Burma, T&B Dulebohn, Vicki Weber, Todd Schallberg

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 Hanus called the meeting to order at 7:10 p.m.

2. Pledge of Allegiance

3. Approve agenda

Osmek requested the addition of Item 10A, Council resignation and discussion.

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

4. Consent agenda

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

A. Approve payment of claims in the amount of \$352,903.21

B. Approve minutes of the October 23, 2012 regular and November 7, 2012 special meetings.

C. Approve Labor Agreement between the City of Mound and the Minnesota Teamsters Public and Law Enforcement Employees Union, Local 320 (Public Works Union) for 2011-2012

D. ORDINANCE 09-2012 – ORDINANCE AMENDING CHAPTER 78 OF THE MOUND CITY CODE AS IT RELATES TO WATERWAYS

E. Approve Pay Request No. 6 by GMH Asphalt Corporation, in the amount of \$512,419.18, for work on the 2012 Street, Utility, Lift Station and Retaining Wall Improvement Project (PW-12-01, 12-03, 12-04)

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

None were offered.

6. Action on Resolution of Appreciation for the Mound Centennial Celebration

MOTION by Salazar, seconded by Gesch to adopt the following resolution. All voted in favor. Motion carried. Mayor Hanus read the resolution aloud.

RESOLUTION NO. 12-94: RESOLUTION EXPRESSING APPRECIATION TO THOSE VOLUNTEERING IN THE MOUND CENTENNIAL CELEBRATION

7. Public Hearing – 2013 Street, Utility and Retaining Wall Improvement Project – Improvement Hearing

City Engineer Dan Faulkner reviewed the proposed improvements, the proposed schedule, and the engineer's estimate of the unit assessment.

Mayor Hanus opened the public hearing at 7:34 p.m.

Deborah Debellis, 4600 Aberdeen Road, asked about the assessment payment procedure and the terms of the assessment. Mayor Hanus informed her of the process, and stated that the 2011 project was assessed over 15 years at 5% interest.

Gina Anderson, 2873 Essex Lane, stated they've been living in their house for 23 years and continually dealing with horrible drainage problems. Faulkner stated he has met with the Andersons and the engineers are aware of the problem and it will be part of the improvement.

Todd Schallberg, 4746 Richmond Road, stated he has talked to the City several times and is dissatisfied with the butchering of trees along Bradford. He asked if the corner will be straightened out and Carlton Moore stated that the street will not be realigned.

Tom Dulebohn, 4448 Radnor Road, stated there are three trees right against his curb and asked if those would be torn out to make room for construction. If they are taken out, he asked if he is responsible for the cost. He was told that the trees are saved if at all possible, and if they do need to be removed the cost is added to the total project cost.

Joleen Stadskev, 4731 Manchester Road, asked the Council to consider putting speed bumps on Manchester Road because the rate of travel is 45-50 mph. She also suggested a stop sign at Stratford and Manchester. Osmek stated that he will have the Police look into it.

Sue Lynott, 4561 Manchester, feels that people won't stop at stop signs and also expressed concern over the excess speed.

Scott Murphy, 4705 Bedford Rd, asked what they could expect as far as access to their homes. Moore stated that there is typically access every morning and every evening for access. Murphy also stated he has made some repairs to the retaining wall himself and feels it should be evaluated. Moore will contact him.

Steve Solmonson, 4609 Bedford, asked why one street is not done, then move to another rather than have the whole area dug up at once. He was informed that it's cheaper to do the whole area.

Richard Hunt, 4638 Bedford, stated he has drainage problems. He's in the middle of the block, and the lowest of the block, and gets water running down his driveway and out into his back yard. Moore told him his problem would be addressed.

Jamie Cameron, 3037 Drury, stated her biggest question was about quality and asked if the cheapest bid is just accepted. She stated that a retaining wall was replaced before and was only rebuilt to the height at which it had collapsed. When it was backfilled they did it all in rock so nothing will grow. Faulkner explained that his firm is the engineer and inspector of the project and it's their responsibility to see that the contractor is performing to standards.

Wayne Olson, 3006 Inverness, asked how corner lots were assessed and Moore explained the policy on corner lots to him.

Tracy Lehtola, 4684 Bedford, asked what is involved when a fire hydrant is replaced and Moore explained the process to her.

Vince Forystek, 3131 Inverness, presented a handout to the Council showing his concern about drainage and water pressure buildup at the dead end of Paisley Road. He has numerous lots in the area and expressed that it doesn't seem right to be assessed for a street that doesn't have sanitary sewer or water running through it. Moore informed him that the assessment is not for the utilities, only the street. He also stated that one of the lots is 6,000 sq. ft, which is less than the 10,000 foot minimum for a buildable lot. Forystek stated he will meet with Moore and show him what he is concerned with.

Derrick Hentz, 4655 Cumberland Rd, stated that a 4-way stop sign at Cumberland and Stratford would be a good idea. He then asked for clarification of what is meant by an assessment unit and that was explained to him.

Dave Ostvig, 4718 Hampton, stated that the apron on his driveway is higher than most of the garage, so he gets water running over the apron and down the driveway. Moore will take a look at this issue. Ostvig also asked if the second phase is the overlay and was told that it was, and the overlay will be applied in 2014.

Brian Lieder, 4711 Manchester, stated he plans on selling his house at the end of next year, and asked when the assessment will be applied. He was informed of the process and that this is a legal pending assessment after it is ordered this evening.

Anna Streich, 3120 Devon, asked about the water main as many in the neighborhood have bad water pressure. Moore informed her of the watermain improvements and that is the best thing that can be done to improve water pressure.

Brad Zabilla, 4441 Lamberton Rd, is on a double lot and was asked if he will get two assessments. He was told that he will receive one because it's all one PID number. Zabilla also stated that his driveway is in bad shape and he was told that he can work directly with the contractor on that issue.

Valerie Maddock, 3212 Devon, asked how far back the curb work goes into the boulevard because she was thinking about doing some landscaping there. Moore stated that he hesitates to tell her to go ahead with landscaping and that it may be best to wait until after the construction.

Richard Hunt, 4638 Bedford, asked how many assessments he has and was told he has one.

Upon no further comment, Mayor Hanus closed the public hearing at 8:28 p.m.

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

RESOLUTION NO. 12-95: RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR 2013 STREET, UTILITY AND RETAINING WALL IMPROVEMENT PROJECT – SE ISLAND AREA

8. 2013 Budget-Related Topics

Catherine Pausche presented three items to the Council, with no action asked for at this time:

A. Discussion on proposed utility rates for 2013 – there is a \$5.20 increase proposed, making the monthly average based on water use of 15,000 gallons per quarter, to \$73.62.

B. Discussion on proposed changes to Administrative Code – there were four areas targeted for proposed change; employer contribution to Post Retirement Health Care Savings Plan, payout of sick hours over a specified amount on an annual basis, severance pay on sick accruals; and educational incentives.

C. Discussion on responses to the RFP for Prosecution Legal Services – with staff recommending Kenneth Potts.

9. Discussion on 2013 Stop-Gap Measures for aquatic invasive species, as requested by Minnehaha Creek Watershed District

The Council expressed concern over whose role it is to control invasive species. It is the feeling that it should be a state-wide program, probably from the DNR, rather than spread over various agencies. It was the consensus of the Council that the Mayor respond to the MCWD expressing their concerns.

10. Canvass Returns of November 6, 2012 Election

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

RESOLUTION NO. 12-96: RESOLUTION TO CANVASS RETURNS AND DECLARE THE RESULTS OF THE MUNICIPAL ELECTION OF NOVEMBER 6, 2012

10A. Council Resignation

Osmek read his letter of resignation from his seat on the Mound City Council due to his election to the State Senate, effective at midnight on January 7, 2013.

MOTION by Hanus, seconded by Gesch to accept the resignation of Councilmember Osmek, effective at midnight on January 7, 2013. All voted in favor. Motion carried.

MOTION by Hanus, seconded by Gesch to declare a vacancy on the Mound City Council effective January 7, 2013. The following voted in favor: Gillispie, Salazar, Hanus, and Gesch. The following voted against: None. Osmek abstained from voting. Motion carried.

Hanus reviewed the three options available to fill the Council vacancy; hold a special election, take applicants and Council name replacement until next regular election; or leave the position vacant. He stated in the past applications were taken and the Council appointed a replacement.

MOTION by Hanus, seconded by Salazar to take applications for the vacant Council seat with interviews and selection to be held at a future date. The following voted in favor: Gillispie,

Salazar, Hanus, and Gesch. The following voted against: None. Osmek abstained from voting. Motion carried.

11. Information/Miscellaneous

- A. Comments/reports from Councilmembers/City Manager
- B. Minutes: None
- C. Reports: Finance Dept – Oct. 2012
Liquor Store – Oct 2012
- D. Correspondence: None

12. Adjourn

MOTION by Osmek, seconded by Gesch to adjourn at 9:03 p.m. All voted in favor. Motion carried.

Mayor Mark Hanus

Attest: Bonnie Ritter, City Clerk