

MOUND CITY COUNCIL MINUTES
November 13, 2018

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, November 13, 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, and Ray Salazar.

Members absent: Jennifer Peterson

Others present: City Manager Eric Hoversten, Community Development Director Sarah Smith, Director of Finance and Administrative Services Catherine Pausche, City Engineer Brian Simmons, City Consultant Planner Rita Trapp, Building Official Scott Qualle.

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

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 Bergquist, to approve the consent agenda. Upon roll call vote, all voted in favor. Motion carried.

- A. Approve payment of claims \$359,730.18
- B. Approve minutes: 10-23-18 Regular Meeting
- C. Approve 1-4 Day Temporary Liquor Licenses for the Knights of Columbus Shrimp Fry Fundraisers on 03-08-19 and 04-12-19
- D. Approve pay request #2 (and final) in the amount of \$1,365.98 to Minger Construction for the 2018 emergency storm sewer repairs on Island View Drive
- E. Approve pay request #3 (and final) in the amount of \$13,553.23 to Barber Construction for the 2017 Commerce Blvd Retaining Wall Repair Project PW-17-04
- F. Approve project-related pay requests in the total amount of \$1,172 for the 2017 Street, Utility, and Retaining Wall Improvement Projects PW-17-01, 02, 03

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

None were offered.

6. City Manager Eric Hoversten requesting discussion and action on an Ordinance Amending Appendix B of the Mound City Code as it relates to street renaming (Rename Brighton Commons to Julia Way)

Hoversten noted the proposed change was a result of a petition received from residents on Brighton Commons due to confusion with abutting Brighton Boulevard, both for area visitors and for postage deliveries. Hoversten said Julia Way was selected in honor of Mound's only victim in the 1965 tornado who was part of one of the long established families in the area.

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

ORDINANCE NO. 04-2018: ORDINANCE AMENDING APPENDIX B OF THE MOUND CITY CODE AS IT RELATES TO STREET RENAMING

7. City Engineer Brian Simmons of Bolton and Menk presenting discussion and requesting action on a resolution ordering preparation of feasibility report for the 2019 Street and Utility Improvement Project (Kildare Road, Windsor Road, and Sherwood Drive)

Simmons said this is the last planned 429 assessment project and will address streets that were not reconstructed when projects went through their area because they were newer than the surrounding streets. Simmons said he is calling this "fix the Cul-de-sacs project" and includes Sherwood Drive for which the entire length of the street will be evaluated because it has the last of the 4" cast iron watermain, and the standard is to upgrade to at least 6". Simmons said Kildare residents petitioned not to have street redone during the original project but noted it has since deteriorated and will need to be reclaimed and paved at a minimum. Gillispie asked why if the development is only 18 years old, is it in need of replacement so soon. Gillispie asked for a thorough evaluation so that the City is just not putting a bandaid on. Simmons said the necessity for replacement may be due to insufficient subgrade. Simmons said that Windsor Road was extended east to a Cul-de-sac and that portion is in need of a reclaim and pave at a minimum.

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

RESOLUTION NO. 18-122: RESOLUTION ORDERING PREPARTION OF FEASIBILITY REPORT FOR THE 2019 STREET AND UTILITY IMPROVEMENT PROJECT (KILDARE ROAD, WINDSOR ROAD, SHERWOOD DRIVE)

8. Planning Commission Recommendation:

A. Consideration/action - 2040 Comprehensive Plan

Rita Trapp said all Twin Cities metro area cities are required to complete an update to their comprehensive plan every 10 years. The planning process began in 2017, including public engagement events in the spring and fall of 2017, public hearings earlier this year, as well as feedback from surrounding governmental units in the past 6 months. Trapp added that there have been revised forecasts by the Met Council added to adjust the information in regards to population per household, which is estimated to reach 9600 individuals in 4600 households by 2040. Trapp stated that market analysis was done to determine if there is still an interest in

residential development options but there are limited tracks of land available for this purpose and redevelopment will likely be the route to accomplish that. Trapp stated that the market analysis also found that the commercial and industrial capacity in Mound exceeds current demand based on the rents and condition of the properties a trend that is expected to continue. Trapp noted the limited land available for industrial growth and noted commercial and retail renewal should be the focus going forward. Trapp said that the 2040 plan maintains the 2030 land use plan direction, with no significant changes made but noted there were some land use adjustments. Trapp stated that the mixed-use is where some changes will be made over the next 20 years and that mixed-use has been expanded to increase flexibility for property owners based on feedback.

Trapp stated that during the adjacent jurisdiction review process there was some comments from Minnetrista, Hennepin County, the DNR, Minnehaha Creek Watershed District, and Three Rivers Park District. Planning commission held a public hearing at the October 30th meeting and the recommendation from the commission was to submit the plan to the Met Council by the deadline of December 31, 2018. Trapp stated that they have 120 days after it has been submitted to respond and let us know if there are any additional changes that need to be made. Trapp said the plan should be in place by late Spring 2019. Trapp asked for any questions.

Bergquist asked how many acres Commerce Place is and Trapp stated that it is 3.82 acres. That would allow for 25-30 units per acre. Mayor Wegscheid asked to return to the slide that summarized the time and effort that went into asking for public input, noting public input activities in the spring and fall of 2017 and in March and October of 2018. Mayor Wegscheid congratulated and thanked Trapp, Smith and the Planning Commission for their efforts.

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

RESOLUTION NO. 18-123: RESOLUTION AUTHORIZING THE SUBMITTAL OF THE 2040 COMPREHENSIVE PLAN TO METROPOLITAN COUNCIL AS REQUIRED BY MINNESOTA STATE LAW (Metropolitan Land Planning Act)

9. Discussion/action on contract for professional services from MnSpect and request to approve a resolution approving agreement and contract for inspection services

Sarah Smith said the proposed contract is for three years. The current contract was for one year with the plan review fee raised to 65% and the rest flat. Smith said the proposed contract is for permit fees to increase from 50% to 57% in 2019 and 65% for 2020 and 2021 and includes a conversion to electronic permitting.

Qualle gave an update on the e-permits stating that the electrical permitting went live in March and said the new website has been live over a year. Qualle said they have moved to all electronic plan review that has increased efficiency and consistency, including during inspections. Qualle said the permitting software is almost ready to be rolled-out to Mound.

Mayor Wegscheid thanked Qualle for the progress on the e-permits and said he is pleased and is in support of the new agreement. Gillispie asked about item 5I and asked Qualle to clarify what fees are being proposed. Qualle said the permit fee increases will occur over two years. Gillispie said she was referring to hourly rates and Qualle said those rarely come into play, but that they would be charged for services outside permitting and plan review, such as with abatements.

Salazar asked what was the cost per seat referred to and Qualle said it was a pass through for the software license fee. Salazar asked what the average fee share percentage is for the industry and Qualle said recent proposals in northeastern Minnesota have 75% of plan review and 65 – 80% of permit fees.

Bergquist asked if it is a fee schedule or value based. Qualle said plan review and permit fees are value driven and MNSpect gets a percentage of that so if volume is up, so is there share and vice versa. Hoversten said the professional fees have to do with the nuisance abatement enforcement issues – not related to the planning fees. Qualle noted having to get an administrative search warrant with a 2-hour walk-through with a police officer and follow-up with the prosecutor. Hoversten noted the work on Aspen allowed the city to recover these types of costs.

Gillispie asked when all of the permits including commercial will be live on the site. Qualle said they won't necessarily be completely paperless, it may be forms to fill out online, print and submit with the plans. Bergquist said he pulled a permit and estimated the value and MNSpect calculated it at less. Qualle said the fee schedule dictates to use the estimate provided on the permit application or the calculated value if that is more than the estimated. Gillispie said it is very confusing on what permits are needed. Qualle said he will look at both issues, but noted the flat fee roofing and siding permits are cheaper and it is worth breaking out the specialty work above and beyond.

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

RESOLUTION NO. 18-124: RESOLUTION APPROVING AGREEMENT AND CONTRACT FOR INSPECTION SERVICES WITH MNSPECT

10. Stacie Kvilvang, Senior Municipal Advisor/Director, Ehlers, Inc, reporting on the results of the 2018 bond sale and requesting action on:

A. Resolution providing for the issuance and sale of \$7,520,000 General Obligation Refunding Bonds, Series 2018A, pledging for the security thereof special assessments, tax increments and net revenues and levying a tax for the payment thereof

Pausche introduced the topic in Kvilvang's absence. Pausche noted the bond issue was to refund 4 existing issues with no new money and that 6 bids reflect a good response. Pausche said Standard & Poors upheld the AA Stable rating and that the bond sale results were better than the initial assumptions with a true interest cost 2.884% after taking into consideration the premium. Pausche noted a portion of the bonds will be paid-down as previously discussed, which is not included in the \$435,000 in savings.

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

RESOLUTION NO. 18-125: RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$7,520,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2018A, PLEDGING FOR THE SECURITY THEREOF SPECIAL ASSESSMENTS, TAX INCREMENTS AND NET REVENUES AND LEVYING A TAX FOR THE PAYMENT THEREOF

11. Catherine Pausche, City Clerk, with an update on the 2018 General Election and requesting action on a resolution to canvass returns and declare the results of the municipal election of November 6, 2018

Pausche said canvassing the results of the election is required by state statute and noted that the City Council race was within the margin for a publically funded recount which has been requested by Nicole Pomije, the third place candidate. Pausche said the absentee ballots will be obtained from the County and the recount will be scheduled for the week after Thanksgiving. Pausche noted all ballots have been counted and that she was told the County election official has never seen the outcome changed after a recount. Pausche noted that 3 of the 4 races in Hennepin County that qualified for a publically funded recount were for races that allowed voters to vote for 2 or more candidates. Pausche noted the write-ins have also been tabulated as required.

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

RESOLUTION NO. 18-126: RESOLUTION TO CANVASS RETURNS AND DECLARE THE RESULTS OF THE MUNICIPAL ELECTION OF NOVEMBER 6, 2018

Mayor (2-year term):

Candidate	Pct 1	Pct 2	Pct 3	Pct 4	Total
Ray Salazar	858	855	815	804	3332
Write-ins	104	109	105	109	427
<u>Overvotes</u>	1	1	0	0	2
<u>Undervotes</u>	292	301	330	277	1200

Council Member (4-year term):

Candidate	Pct 1	Pct 2	Pct 3	Pct 4	Total
Michael Fitzgerald Schlaerth	215	309	208	209	941
Jameson Smieja	139	199	180	165	683
Phil Velsor	344	326	392	388	1450
Nicole Pomije	368	350	364	349	1431
Sherrie Pugh	612	582	546	613	2353
Write-ins	34	19	27	12	92
<u>Overvotes</u>	4	4	2	4	14
<u>Undervotes</u>	794	743	781	640	2958

12. Evaluation of the performance of the City Manager Eric Hoversten (This portion of the meeting may be closed to the public)

Mayor Wegscheid announced the meeting is being closed under Minnesota Statutes, Section 13d.05, to evaluate the performance of Eric Hoversten, an individual subject to the Council's authority at 8:20 p.m.

MOTION by Wegscheid, seconded by Salazar, to reopen the meeting at 8:50 p.m.

13. Discussion and possible action on City Manager Employment Agreement

Mayor Wegscheid summarized the closed meeting by saying it was a good discussion covering accomplishments and some areas for improvement.

14. Information/Miscellaneous

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

City Manager announced the following:

Candidates are being sought for Planning Commission, LMCD Board and City Council

Nov 15 winter parking restrictions

Nov 17 WCC Tree Lighting

Dec 25th meeting cancelled for Christmas holiday.

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

Gillispie asked to clarify if the current LMCD Rep is stepping down and Hoversten said yes. Salazar wished everyone a happy Thanksgiving and all concurred.

B. Reports: Fire Dept-October, 2018

C. Minutes:

D. Correspondence: LMCD-Board Member Appointments-10-11-18
Mound Vacancies Flyer

10. Adjourn

MOTION made by Salazar, seconded by Gillispie, to adjourn at 8:56 p.m. All voted in favor. Motion carried.

Mayor Mark Wegscheid

Attest: Catherine Pausche, Clerk