

**MOUND CITY COUNCIL MINUTES
APRIL 30, 2013**

The City Council of the City of Mound, Hennepin County, Minnesota, met in special session on Tuesday, April 30, 2013, at 8:30 p.m. in the council chambers of City Hall.

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

Members absent: None.

Others present: City Manager Kandis Hanson, Community Development Director Sarah Smith, City Attorney Melissa Manderschied, Finance Director/Clerk/Treasurer Catherine Pausche, Blaze Fugina, Mark Saliterman and Beth Saliterman.

1. Open meeting

Mayor Hanus called the meeting to order at 8:45 p.m.

2. Action on Resolution approving Subdivision Agreement for the Landings on Lost Lake.

Community Development Director Sarah Smith provided background on previous approvals and topics that were under review in the Subdivision Agreement.

Mayor Hanus asked when fees are collected. Smith said it varies and that the Subdivision or Development Agreement specifies timing. Generally, preference is to collect it with the Development Agreement but this agreement calls for collection as the building permits are issued, which is less restrictive.

Manderschied stated the cure period in paragraph 17 was changed from 3 to 5 days per the Developer's request.

Hanus stated it appears that there are mixed opinions for what to do with the fees. Salazar stated his opinion has not changed and that the fees are the same as a homeowner or builder pays and should be charged. The fees alleviate rate increases and represented 10% of the cost of a new lift station. Salazar stated the fees are a cost of doing business.

Saliterman expressed disappointment that this issue was not discussed earlier as he assumed obligations of the former developer that he did not have to.

Gillispie stated there were other benefits in place that the new developer received and that she is not going to vote for waiving the fees. Salazar stated the developer had the obligation to be aware of the fees and factor them in to decisions. Saliterman reiterated he was not aware. Hanson stated because staff shared the former developer's documents to jumpstart the project, but would not have implied

that the fees would necessarily be waived. Hanson regrets that was not discussed specifically.

Pausche stated the City wrote-off over \$80K+ that was due from the former developer and did not receive any tax increment from this district in 2012 due to the fact that the bank filed a tax appeal and won. Pausche also stated the sooner the units are built, the sooner the tax increment will be generated, so there is an incentive to restart development as soon as possible.

Hanus stated he wants to get the project on-line as quickly as possible. Saliterman asked if the charges stay with the City. Pausche replied yes. Saliterman stated he removes his request to waive the fees as the City has been good to him.

Hanson asked for clarification on 12C in the event of possible damage. Manderschied offered the following language change for 12C, first sentence: The Subdivider shall restore any damage caused to those portions of the private streets and curbs on or adjacent to the Subject Property and shall restore any damage to those private streets that had an existing second lift of bituminous within outlot A.

MOTION by Salazar, seconded by Wegscheid, to approve the following resolution as amended under 12C and using the 1st option for 15 that requires the developer to pay all of the fees. All voted in favor. Motion carried.

RESOLUTION NO. 13-56: RESOLUTION TO APPROVE THE SUBDIVISION AGREEMENT FOR THE LANDINGS ON LOST LAKE.

3. Adjourn

MOTION by Salazar, seconded by Gesch to adjourn at 9:20 p.m. All voted in favor. Motion carried.


Attest: Catherine Pausche, Clerk



Mayor Mark Hanus