

MOUND CITY COUNCIL MINUTES
July 23, 2013

The City Council of the City of Mound, Hennepin County, Minnesota, met in regular session on Tuesday, July 23, 2013, at 7:00 p.m. in the council chambers of City Hall.

Members present: Mayor Mark Hanus; Council members Mark Wegscheid, Heidi Gesch, Kelli Gillispie and Ray Salazar
Members absent: None.

Others present: City Manager Kandis Hanson, Fin Dir/Clerk/Treasurer Catherine Pausche, Community Development Director Sarah Smith, Theresa Malloy, Larry Beno, Wayne Kenney, Phil Atteberry, Fred Hanley, Connie Hanley.

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 7:00 p.m.

2. Pledge of Allegiance

The Mayor invited Theresa Malloy, the new editor for The Laker Newspaper, to introduce herself. Malloy stated she was formerly at the Apple Valley paper for ECM newspapers and graduated in May from the University of St. Thomas. Malloy stated she was pleased to return to the western suburbs after growing up in Minnetonka. The City Council and City Manager introduced themselves as well.

3. Approve agenda

MOTION by Salazar, seconded by Gillispie to approve the agenda. 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 \$539,826.97.
- B. Approve minutes of the July 9, 2013 regular meeting.
- C. **RESOLUTION NO. 13-77: RESOLUTION AWARDING CONTRACT FOR 2013 BITUMINOUS SEAL COAT IMPROVEMENT PROJECT, (PW-13-08)**
- D. Approve pay request from American Engineering Testing, Inc., in the amount of \$1,286.23, for geotechnical engineering services for the 2013 Street, Utility, Lift Station and Retaining Wall Project, City Project No. PW-13-08.
- E. Approve Live Music Permit for Tonka Alano Society at Surfside Park on August 3, 2013, with fees waived.
- F. Approve Public Gathering Permit for full Throttle Fishing for Fishing Tournament Weigh-In at Centerview Park on August 10, 2013, with fees paid.

- G. Set Special Meeting Workshop for the purpose of discussing the Budget and Levy, 5-Year Capital Improvement Plans, and other related information.
- H. **RESOLUTION NO. 13-78: RESOLUTION APPROVING SIDE YARD SET-BACK VARIANCE FOR PROPERTY WITH PID #24-117-24-21-0021 AT 2511 LAKEWOOD - LANE: PLANNING CASE NO 13-19**
- I. **RESOLUTION NO. 13-79: RESOLUTION APPROVING FRONT YARD SET-BACK VARIANCE FOR PROPERTY WITH PID #19-117-23-31-0073 AT 3001 ISLAND VIEW DRIVE: PLANNING CASE NO 13-20**

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

Larry Beno, 2885 Highland Boulevard, stated he was on the 2011 Street Project and the sod did not take. He stated he was promised it would be taken care of in 2012. Last year he was promised it would be taken care of. Mayor Hanus said Staff will take a look but he hopes Beno will help maintain after 30 days. Hanus asked if Beno was the only one with the issue, and Beno stated the park did not take either. Beno stated he does not water his lawn and does not want to have to pay to water it. Hanus assured Beno Staff will take a look at it and determine if something can be done, but is concerned if Beno is not willing to maintain it after 30 days. Beno stated that the subgrade installed is too soft and makes it difficult to mow using a rider mower. Beno stated damage was done to historical steps by the bobcat, and the repairs that were made were not great. Beno questions why they had to go back 8 feet into yard.

Hanus asked if the sod has been laid more than one time and Beno said no. Hanson stated the Public Works supervisors are out this week, but they will take a look next week.

6. County Commissioner Jeff Johnson

Jeff Johnson stated work has begun on the new 9-1-1 dispatch facility. The budget process is beginning and the final levy will be passed in December. Johnson stated the County is on the same budget schedule as cities and expects a similar budget to 2013. Wheelage tax passed which will add \$10.00 per vehicle to each license tab which will produce \$9M on transportation projects and debt service. Johnson voted no on that. David Hoff was hired as the new County Administrator. He was formerly the Deputy Administrator.

Mayor Hanus asked if a person gets their license renewal outside of Hennepin County would the \$10 wheelage tax apply. Johnson stated he believed most counties apply the tax. Johnson was unsure if that was a way to circumvent the tax.

Hanus asked about County efforts to consolidate water regulatory agencies. Johnson said he supports it, but most colleagues are not so it did not move forward. Hanus stated the duplication, confusion, and overlap is very inefficient. Johnson concurred.

Salazar asked if the wheelage tax has a sunset date. Johnson said no and that it is expected to raise \$9 million.

7. Catherine Pausche, Finance Director, requesting action on a Resolution to Approve a Lease Agreement between the City of Mound and the Lake Minnetonka Conservation District (LMCD)

Pausche gave background on the decision to move City Hall operations to the existing Public Safety building. When the LMCD came to the May City Council meeting to review their 2014 proposed budget, they were invited to explore lease options at the current City Hall.

Mayor Hanus asked if the renewal would require agreement by both parties and Pausche said yes. Gesch asked if the same pricing was used as the Westonka Historical Society. Pausche stated no and that the terms were similar but the price was not. Concessions were made for the Westonka Historical Society. Pausche stated other agencies had turned this lease down and that she felt it was a fair price. There is a 2.5% inflation factor built into years 2 through 5.

MOTION by Salazar, seconded by Gesch, to adopt the following resolution. Discussion ensued. Hanus asked if a language in the resolution was necessary to grant authority to the Mayor and City Clerk to enter into the lease agreement. Pausche indicated the lease and resolution were reviewed by the attorney and that was not mentioned. All voted in favor. Motion carried.

RESOLUTION NO. 13-80: RESOLUTION TO APPROVE A LEASE AGREEMENT BETWEEN THE CITY OF MOUND AND THE LAKE MINNETONKA CONSERVATION DISTRICT (LMCD)

8. Action Approving Consent and Joinder to the First Amendment to Declaration of Mound Marketplace

Sarah Smith stated Mound Marketplace owners would like to sell the free standing building to its current lease occupant, Westonka Animal Hospital. The City, as an owner in the Mound Marketplace, must approve a Common Interest Community (CIC) amendment, versus a plat change. Currently there are two units in the CIC and this amendment would create three units as well as reapportioning the maintenance areas/responsibilities. The amendment as proposed can be acted upon with a motion to approve and that the city attorney said that a resolution was not necessary. The Mayor asked for clarification on what is being approved. Smith clarified that only the Consent and Joinder by Owner on page 1795 needs to be approved, similar to a mortgage. Discussion ensued.

MOTION by Hanus to approve the Consent and Joinder on page 1795 and its attachment which is the first amendment to the declaration. Seconded by Gesch. All voted in favor. Motion carried.

9. Information/Miscellaneous

A. Comments/reports from Councilmembers/City Manager:

Hanson stated the 2013 Spirit of the Lakes Festival was the best festival ever, including best weather, best attendance, and best food and that the food vendors ran out. Hanson clarified it is not a City festival, but run by a non-profit organization in which she was a founding member. The City's contribution is basically in-kind. The Spirit of the Lakes Festival is always looking for new board members and volunteers.

Hanson wants to invite the public to a grand opening and ribbon cutting on Saturday, July 27th at Westonka Animal Hospital. She credited the owners with reinvesting in Mound. The ribbon cutting will be on Saturday beginning with a Doggie 4K walk at 8:00am. Refreshments and tours will follow the 9:00am ribbon cutting.

Mayor Hanus added that the Surfside Lager is going fast and is only available at the Harbor Wine and Spirits Liquor Store. Hanus encouraged people to pick some up before it is gone.

- B. Minutes: Planning Commission – June 4, 2013
- C. Reports: Finance Department – June 2013
- D. Correspondence: Westonka Animal Hospital Grand Opening
Mound-Westonka Rotary Club Golf Scramble
Spirit of the Lakes Festival Openings
WeCAB Board Openings
Parks and Open Space Commission Opening
Night To Unite – August 6, 2013

10. Adjourn

MOTION by Salazar, seconded by Gesch to adjourn at 8:43 p.m. All voted in favor. Motion carried.


Attest: Catherine Pausche, Clerk



Mayor Mark Hanus