

APPROVED

**PROCEEDINGS OF THE MOUNDS VIEW CITY COUNCIL
CITY OF MOUNDS VIEW
RAMSEY COUNTY, MINNESOTA**

**Regular Meeting
June 8, 2020
Mounds View City Hall
2401 Mounds View Boulevard, Mounds View, MN 55112
6:41 P.M.**

1. MEETING IS CALLED TO ORDER

Mayor Mueller stated due to the COVID-19 pandemic this meeting would be held virtually.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL: Bergeron, Gunn, Hull, Meehlhause, Mueller

NOT PRESENT: None.

4. APPROVAL OF AGENDA

A. Monday, June 8, 2020, City Council Agenda.

MOTION/SECOND: Meehlhause/Bergeron. To Approve the Monday, June 8, 2020, agenda as presented.

A roll call vote was taken.

Ayes – 5

Nays – 0

Motion carried.

5. CONSENT AGENDA

Council Member Gunn asked to remove Item 5E.

A. Approval of Minutes: May 26, 2020.

B. Just and Correct Claims.

C. Resolution 9279, Adopting and Reporting Performance Measures.

D. ~~Resolution 9283, Approving Maintenance Agreements for Municipal Water and Sanitary Sewer Equipment~~ – Moved to future agenda.

E. ~~Resolution 9284, Approving Revisions and title of the Housing/Code/Fire Inspector Job Description to Firefighter/Housing/Code/Fire Inspector.~~

MOTION/SECOND: Meehlhause/Gunn. To Approve the Consent Agenda as amended removing Items 5D and 5E.

A roll call vote was taken.

Ayes – 5

Nays – 0

Motion carried.

E. Resolution 9284, Approving Revisions and title of the Housing/Code/Fire Inspector Job Description to Firefighter/Housing/Code/Fire Inspector.

Council Member Gunn stated this was a very unique position and she was very pleased with the individual the City of Mounds View would be hiring to fill this position. Human Resources Coordinator Ewald discussed the proposed revisions to the job title noting the individual that would be hired was an active member of the SBM Fire Department along with work history in the Community Development Department. She reported the proposed change would allow the candidate to be eligible for PERA Police and Fire benefits.

Council Member Meehlhause indicated another benefit of hiring this candidate was that Isaiah Shoeman would be able to respond to day time fire calls. Finance Director Beer commented this minor revision to the job description would help the City with retaining this employee.

MOTION/SECOND: Gunn/Hull. To Waive the Reading and Adopt Resolution 9284, Approving Revisions and title of the Housing/Code/Fire Inspector Job Description to Firefighter/Housing/Code/Fire Inspector.

A roll call vote was taken.

Ayes – 5

Nays – 0

Motion carried.

6. PUBLIC COMMENT

None.

7. SPECIAL ORDER OF BUSINESS

A. Annual Public Information Meeting for Stormwater Pollution Prevention Program (SWPPP).

Public Works Director Peterson reported the City was required to hold an informational meeting each year to discuss the City's Stormwater Pollution Prevention Program (SWPPP). He noted the goals of this meeting were to inform and educate citizens. He commented on the importance of the Clean Water Act. He reviewed the City's six minimum control measures which were to educate the public, for there to be public participation, to address illicit discharge, to provide construction site storm water runoff control, to address post-construction storm water management and pollution prevention.

Public Works Director Peterson stated 2019 had a record breaking 44.05” of rain, noting the Twin Cities average annual precipitation was 30.6”. He described how all this rain impacted groundwater levels and explained sump pumps were running more frequently. He reviewed the MS4 Stormwater Do’s and Don’ts and encouraged homeowners to report illicit discharge, to pickup their grass clippings, litter and pet waste, and to recycle household chemicals. He encouraged residents to not block infiltration basins, to not blow leaves or grass clippings into the street or infiltration basins and to not overuse lawn maintenance chemicals. He provided further comment on how the City encouraged public participation in successful stormwater management. He reviewed the City’s pollution prevention activities noting this included proper municipal lawn care and aggressive street sweeping. He discussed the City’s street deicing program noting the City was working to minimize the use of chemicals while still ensuring safe driving conditions. Further discussion ensued regarding the City’s good housekeeping measures. He reported pet waste was a growing concern for communities in the metro area. He reported further information regarding the City’s stormwater management practices was available on the City’s website. He then asked for comments or questions from the Council.

Mayor Mueller thanked staff for the detailed presentation and requested staff post this presentation onto the City’s website.

8. COUNCIL BUSINESS

A. Public Hearing: Resolution 9280, Approving a Chicken/Duck License for Pa Houa Shasky, 2256 Lois Drive.

City Administrator Zikmund requested the Council approve a chicken/duck license for Pa Houa Shasky at 2256 Lois Drive. He reported this was the City’s fifth request for a chicken/duck license request in the City. He noted staff received three comments from neighbors, two were in support and one opposed. He noted the applicants have met all City requirements and staff recommended approval of the request.

Mayor Mueller opened the public hearing at 7:17 p.m.

Hearing no public input, Mayor Mueller closed the public hearing at 7:18 p.m.

Pa Shasky, 2256 Lois Drive, stated she and her husband had three young children and have been residents of Mounds View for the past nine years. She explained she has been working from home during the COVID-19 crisis while also helping to educate her children. She indicated she would like to have backyard chickens in order to better educate her children on the farm to table concept. She reported she has fed her family through the plants she grows in her garden and appreciated the fact she would now be able to also provide her family with fresh eggs from three egg laying hens. She reviewed the breeds of hens her family would have and thanked the Council for considering her request.

MOTION/SECOND: Gunn/Hull. To Waive the Reading and Adopt Resolution 9280, Approving a Chicken/Duck License for Pa Houa Shasky, 2256 Lois Drive.

A roll call vote was taken.

Ayes – 5

Nays – 0

Motion carried.

B. ~~Consideration of Resolution 9281, Approving the Renewal of Mounds View Liquor Licenses – Moved to June 22, 2020 Meeting.~~

This item was moved to the June 22, 2020 City Council meeting.

C. ~~Consideration of Resolution 9282, Approving the Renewal of Mounds View Business Licenses (Non-Liquor) – Moved to June 22, 2020 Meeting.~~

This item was moved to the June 22, 2020 City Council meeting.

D. Resolution 9285, Approving or Denying Property Owner’s Appeals related to the Quincy Street Reconstruction Project.

Community Development Director Sevald requested the Council consider approving or denying a property owners appeal related to the Quincy Street reconstruction project. He explained there were 12 driveways along Quincy Street that were non-conforming and four property owners were appealing. He explained one request was made after the deadline.

Mayor Mueller asked if the Council had all received the late submittal of the request from Tanya Battista. The Council confirmed they had received this information.

Mayor Mueller reviewed the addresses of the properties appealing their non-conforming driveway as being 5386 Quincy Street, 5425 Quincy Street and 5453 Quincy Street.

Community Development Director Sevald stated the driveway at 5386 Quincy Street currently has a zero side yard setback. He explained staff was proposing to put the driveway opening at 5 feet on the east side of Quincy Street. He reported the resident would like to keep the driveway opening as is. In addition, the resident had concerns about the new driveway color matching the existing driveway.

Mayor Mueller asked if there was any way the City could guarantee the new driveway would match the existing driveway. Community Development Director Sevald stated this would be impossible because concrete changes color as it ages.

Mayor Mueller questioned if the driveway at 5386 Quincy Street was permitted. Community Development Director Sevald reported the City had no permit on record, but noted the City had installed the curb and gutter in the 1980’s.

Community Development Director Sevald discussed the appeal from the property owners at 5425 Quincy Street and 5433 Quincy Street. He explained these two properties shared the same driveway opening and have a zero foot setback. He noted the property at 5433 Quincy Street received a variance to allow this. He reported the City would be installing the driveway per what the variance allows. He indicated because the property owner at 5425 Quincy Street does not have

a variance staff was recommending the driveway entrance on this property have a five foot setback. He commented the property owner was requesting the driveway be installed at zero feet as well as creating a bump between the two properties.

Public Works Director Peterson discussed the reason the bump was installed between the two driveways.

Mayor Mueller questioned if there was an additional cost that gets passed onto the property owner for having an extra wide driveway. Community Development Director Sevald stated the extra cost was not usually passed onto the property owner.

Mayor Mueller stated the last property under consideration was at 5453 Quincy Street.

Community Development Director Sevald explained with this property the driveway has a less than five foot setback and when the City issued a permit for the driveway it was specific for a one foot setback. However, when the driveway was installed the driveway had a two or three foot setback. He indicated the driveway was installed by the previous property owner. He commented the new property owner believed the fence line was the property line which was about five feet from the driveway. However, the fence was not on the property line. He explained staff was proposing to install the driveway with a five foot setback which would shift the driveway by two or three feet. The owners object to this for aesthetic purposes and they would like to have a straight driveway in order to back up their trailer.

Tanya Battista, 5307 Quincy Street, requested a variance in order to maintain the existing two curb cuts. She explained she would like her elderly parents to be able to have easy access to her front door. She noted her parents would like to maintain their independence and she would like the driveway to remain as is. She indicated her mom recently had knee surgery on both knees and was now complaining of hip pain. She reported she was predisposed to the same condition as her mother. She explained the second curb cut allows her mother to have easy access the front door. She stated if she was allowed to keep both curb cuts she would be replacing both driveways. She understood she had more curb and gutter than other neighbors. She indicated her lot was large enough that she could split the lot to have the house on one and the garage on the other, therefore allowing her to have two driveways. She commented her neighbors supported her driveways remaining as is. She did not understand why the driveways were not grandfathered in. She respectfully requested the City allow her to keep the two curb cuts in place.

Council Member Bergeron reminded the Council that in the past the Planning Commission and the Council has made accommodations for elderly parents and disabled individuals when it comes to access to homes. He believed this request fell into this category.

Council Member Meehlhause agreed stating the Council approved a similar request in recent years to allow an elderly parent better access to a home. He questioned if the property owner could subdivide the property and have just a garage on one lot. Community Development Director Sevald explained the lot with the garage would have to have sewer and water hook ups. He noted the property with the garage would be required to have a home built on it within one year of the subdivision.

Council Member Hull explained he could support this request.

Council Member Gunn agreed.

MOTION/SECOND: Gunn/Meehlhause. To Approve the Property Owner's Appeal for the property at 5307 Quincy Street related to the Quincy Street Reconstruction Project.

A roll call vote was taken.

Ayes – 5

Nays – 0

Motion carried.

MOTION/SECOND: Gunn/Meehlhause. To Deny the Property Owner's Appeal for the property at 5386 Quincy Street related to the Quincy Street Reconstruction Project.

Mayor Mueller commented this driveway has been in place for the past 30 years. She believed it would be quite a disruption if the property owner were required to realign this driveway. For this reason, she would not be supporting the denial of this appeal.

Council Member Bergeron indicated changing the curb cut to 24 feet would have a minimal effect on the driveway.

Council Member Gunn agreed with Council Member Bergeron. She stated she would like to amend her motion.

AMENDMENT TO THE MOTION/SECOND: Gunn/Meehlhause. To allow for the zero foot setback and to narrow the curb cut to 24 feet.

Council Member Meehlhause asked if the sidewalk along Quincy Street was being widened. Public Works Director Peterson reported this was the case, noting the sidewalk would be six feet wide. He explained the reason for narrowing the driveway was to allow the curbing "wing" to not be placed on the neighbor's property. He suggested the 24 foot driveway width include the "wings".

Council Member Gunn questioned if the Council should table action on this item.

Mayor Mueller stated she had one more question. She asked if the property had a catch basin. Public Works Director Peterson indicated this property did not have a catch basin.

MOTION/SECOND: Gunn/Meehlhause. To Table Action on this Item to the June 22, 2020 City Council Meeting to allow Public Works Director Peterson to further investigate the driveway situation at 5386 Quincy Street.

A roll call vote was taken.

Ayes – 5

Nays – 0

Motion carried.

Mayor Mueller reported the next appeal was from the property owners at 5425 Quincy Street.

Council Member Gunn asked how staff addressed properties where adjoining driveways had one from asphalt and the other from concrete. Public Works Director Peterson explained the City replaces driveways with their existing material, noting the aprons were always concrete.

Council Member Meehlhause stated he was inclined to support this appeal noting there was a similar situation along County Road H.

Council Member Bergeron questioned if the two driveways were in compliance individually so long as the bump remains. Community Development Director Sevald explained the driveway at 5433 was in compliance because of the variance and the driveway at 5425 was not.

Council Member Bergeron stated as long as the bump was in place, he could support the driveway appeal.

MOTION/SECOND: Bergeron/Mueller. To Deny the Curb Cut and Approve the Property Owner's Side Yard Setback Appeal for the property at 5425 Quincy Street related to the Quincy Street Reconstruction Project.

A roll call vote was taken.

Ayes – 5

Nays – 0

Motion carried.

Mayor Mueller stated the last appeal was for the property at 5453 Quincy Street.

Council Member Meehlhause requested further information regarding this appeal. Community Development Director Sevald explained the current driveway was somewhere between two and three feet from the property line. He indicated the City was proposing to install the driveway five feet from the property line.

Council Member Meehlhause stated he was inclined to deny this request.

Mayor Mueller questioned how the property owner would be able to sneak a car out while the trailer is parked in the driveway. Community Development Director Sevald explained the trailer could remain as is. He noted the driveway would remain the width of the garage, not the garage door. He commented the property owners would lose roughly two or three feet of driveway width at the street.

Mayor Mueller stated the property owners had a very large trailer that they were backing in and out of the driveway.

Council Member Meehlhause commented this property owner may not always reside in the home.

Council Member Bergeron explained the width of the driveway would only be narrowed at the street. He indicated he had no problem changing the curb cuts but he did have an issue messing with the driveway.

Council Member Gunn anticipated the reason this appeal was before the City Council was because the property owner had a very large trailer.

Council Member Bergeron supported this driveway being grandfathered in given the fact the property owner had followed the rules when the driveway was installed and the rules have since changed.

Council Member Hull agreed with Council Member Bergeron. He stated changing the driveway alignment could be a hardship for this property owner.

MOTION/SECOND: Bergeron/Hull. To Approve the Property Owner's Appeal for the property at 5453 Quincy Street related to the Quincy Street Reconstruction Project.

A roll call vote was taken.

Ayes – 5 Nays – 0 Motion carried.

MOTION/SECOND: Gunn/Bergeron. To Waive the Reading and Adopt Resolution 9285, Approving or Denying Property Owner's Appeals related to the Quincy Street Reconstruction Project with the exception of the property at 5386 Quincy Street.

A roll call vote was taken.

Ayes – 5 Nays – 0 Motion carried.

E. Resolution 9286, Approving the Cost for the Administration Secured Entrance Phase 2 Remodel of City Hall/Police.

Public Works Director Peterson requested the Council approve the cost for the Administration Secured Entrance Phase 2 portion of the remodeling project taking place at City Hall/Police Department. He discussed the work that had been taking place at City Hall. He indicated the only delay that had occurred was with the bullet proof glass at the Police Department. He reported the project was coming in under budget at this time. He explained staff had reviewed how the new entry way should be designed and the project was bid separately. The City received two bids for the project and the low bid was submitted by DPG for \$23,446.78 with an allowance for additional electrical work. The total project cost for the new administration entrance would be \$36,496.78.

MOTION/SECOND: Hull/Bergeron. To Waive the Reading and Adopt Resolution 9286, Approving the Cost for the Administration Secured Entrance Phase 2 Remodel of City Hall/Police.

A roll call vote was taken.

Ayes – 5

Nays – 0

Motion carried.

9. REPORTS

A. Reports of Mayor and Council.

Council Member Hull thanked the Mounds View Police Department and all of its officers for putting in extra hours during these trying times.

Council Member Meehlhause reported he would be attending the Ramsey County League of Local Government meeting on Friday, June 12th.

Council Member Meehlhause noted NYFS would be holding Finance Committee and Executive Committee Board meetings next week to discuss the 2021 budget.

Mayor Mueller stated on Wednesday, June 10th she would be attending a Ramsey County Virtual Town Hall meeting.

Mayor Mueller indicated she would be attending a Town Hall meeting on Friday, June 19th with Senator Isaacson and Representative Kelly Moller.

Mayor Mueller commented on Thursday, June 25th she would be attending a virtual LMC Annual Meeting.

Mayor Mueller explained on Friday, June 26th she would be attending the Minnesota Women in City Government virtual meeting.

Mayor Mueller reported a prayer vigil was held in the parking lot of Bethlehem Baptist Church last Wednesday night. She hoped this prayer vigil would be held again in the coming weeks.

Mayor Mueller commended the Mounds View Police Department for keeping the community safe.

Council Member Bergeron indicated he was in attendance at the prayer vigil, along with Council Member Meehlhause. He noted this event offered prayer for the city and community. He stated over 150 people were in attendance. He indicated it was quite humbling to have them praying for Mounds Views leaders.

B. Reports of Staff.

Community Development Director Sevald updated the Council on the Comprehensive Plan noting work on this document continues.

1. Long Lake Woods – Developer Request.

Community Development Director Sevald provided the Council with an update on the Long Lake Woods development. He reported the developer, Marty Harstad, has requested the City to reconsider assessing the costs for storm sewer to the 14 benefiting property owners. He explained

this project would require the extension of Greenwood Drive. He indicated 12 properties were willing participants in this project and two were not.

City Administrator Zikmund stated this was being driven by a change from the original proposal. He explained the change was the ditch running through the existing property was being proposed to be piped. However, the watershed district has denied this request. This denial would require the developer to run all stormwater into a pond for treatment, which will expand the ponding by 40%. He explained after speaking with the City Attorney regarding this matter he argued there was a legitimate reason to have all 14 properties participating in these improvements. He indicated it would cost more for the City to install the storm water but the City would then control this utility, while also being able to assess across all 14 property owners.

Council Member Gunn requested further information regarding the term “treated”. Public Works Director Peterson explained treated stormwater meant rain water was running into a pond to eliminate some of the sediment while also holding it back before running downstream.

Council Member Meehlhause stated the City would have the responsibility for maintaining this pond. Public Works Director Peterson reported this would be the case.

Council Member Bergeron commented he was concerned with the fact this project was proposed one way and now that was changing and the City would have to pick up more of the burden. He indicated water was a huge issue for this project. He feared that the developer had not done his due diligence and this burden was now falling on the City. He stated he tremendously opposed this request.

City Administrator Zikmund reported Mr. Harstad had a wetland delineation completed prior to moving forward this project and no wetland was reported. However, after further review a small wetland was found. He indicated the Rice Creek Watershed also denied the proposal from the City with Stantec to put the ditch into a pipe. He explained Mr. Harstad was not requesting additional money from the City but rather was asking the City to have the City complete the stormwater management with all 14 properties participating in the cost.

Mayor Mueller inquired what the cost would be for the 14 properties.

Council Member Bergeron stated at present the property was in compliance with watershed requirements. He indicated if the development were to be constructed the property would be out of compliance. City Administrative Zikmund reported this was the case, the changes were being driven by the development.

Mayor Mueller asked if the lots on the east would have a water feature in their backyard. Community Development Director Sevald explained the stormwater pond would be located in their backyard but this pond would only have standing water after large rain events for 48 hours.

Further discussion ensued regarding how to proceed with this matter.

Council Member Bergeron stated just because this project will pay for itself in a few years does not mean it is the right thing to do.

Council Member Meehlhause reiterated that it was 12 of the property owners that were driving this project. He noted this development could not be built on a wetland. City Administrator Zikmund stated a small wetland was found, but noted this was in the ditch area. He explained Mr. Harstad had no way of knowing the contractor had not done the wetland delineation properly. He indicated there was frustration with the Rice Creek Watershed District and noted the City may take over permitting in the future.

Council Member Hull asked what staff's recommendation was. City Administrator Zikmund stated staff does not have a recommendation at this time. He understood this was a difficult situation.

Council Member Gunn reported this property was always slated for residential development. She anticipated if the City were to install the road and utilities, including the stormwater pond, this would make the area more inviting for future development. She stated if this project were to move forward only 12 properties should be assessed and not 14.

Council Member Bergeron requested staff repeat the statement regarding the likelihood of another developer picking this project up if the present developer were to back out. Community Development Director Sevald stated it would be difficult to find another developer. He indicated this project has been in the works for the past 20 years and if any one property owner were to back out the entire project would fail.

Council Member Bergeron recalled staff stating something to the effect that "no other developer would touch it" and this could be correct. He stated this may indicate this was not a good place to build. Community Development Director Sevald explained the more property owners that were involved the more challenging it was to get a project through.

Council Member Meehlhause questioned if the City would build the stormwater pond. City Administrator Zikmund reported the City would have a choice, and staff would recommend the City build the pond.

Mayor Mueller estimated if the expense of the pond would be \$250,000 or \$21,000 per lot for 12 properties or \$18,000 if 14 lots were included. She asked if the 12 property owners supported paying this expense. City Administrator Zikmund commented this did not need to be discussed or clarified. He reported Mr. Harstad would do the math and get the estimates for the project. He explained the Council needed to make a determination if this project would be assessed to 12 lots or 14 lots.

Council Member Bergeron commented if the City were to move forward with the 12 lots there was only a \$3,000 difference in the price, versus an \$18,000 liability for the two lots that do not want to be a part of this project.

Mayor Mueller agreed with this statement and stated she supported only assessing the 12 properties participating in this development.

The Council was in agreement.

City Administrator Zikmund stated he would pass this information along to Mr. Harstad.

2. City Administrator – Update on In-Person Meetings.

City Administrator Zikmund provided the Council with an update regarding in-person meetings. He stated after speaking with neighboring communities the vast majority was not meeting in-person. He indicated the only city meeting in-person was Coon Rapids and they had fitted their Council Chambers with plexi-glass barriers to the left, right and in front of all Councilmembers. He explained staff had reached out to Dana Healy at CTV to discuss social distancing. He indicated nine people could fit into the Council Chambers which would allow for the City Council and staff members to be present. He stated CTV would be drafting a memo for staff and this information would be forwarded onto the Council for further discussion on June 22nd. He commented the Council would have to consider how to hold meetings in the future and noted a hybrid model may encourage further resident involvement.

City Administrator Zikmund commented on the peaceful demonstrations that have been held in Mounds View over the past two weeks. He discussed how other communities were addressing policing and indicated this was another topic the Council would have to consider in the future. He explained he would be forwarding additional information regarding this topic to the Council.

Mayor Mueller recalled the Council had recently reviewed the Mounds View Police Department's policies and procedures. She stated she looked forward to reviewing the additional information from staff.

Council Member Bergeron explained he appreciated how the Mounds View Police Department was in step with the 21st Century policing guidelines.

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| 10. Next Council Work Session: | Monday, July 6, 2020, at 6:30 p.m. |
| Next EDA Meeting: | Monday, June 22, 2020, at 6:00 p.m. |
| Next Council Meeting: | Monday, June 22, 2020, at 6:30 p.m. |

11. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Transcribed by:

Heidi Guenther
Minute Maker Secretarial