

**MINUTES OF THE REGULAR MEETING OF
THE MINNEHAHA CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

September 26, 2024

CALL TO ORDER

The regular meeting of the Minnehaha Creek Watershed District Board of Managers was called to order by President Sherry White at 7:15 p.m. on September 26, 2024, at the MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

ROLL CALL FOR ATTENDANCE

President White called the roll to note attendance:

William Olson:	Present
Richard Miller:	Present
Jessica Loftus:	Present
Stephen Sando:	Present
Eugene Maxwell:	Present
Arun Hejmadi:	Present, participating remotely using interactive technology as duly noticed at Minnehaha United Methodist Church, 3701 E 50th St, Minneapolis, MN
Sherry White:	Present

DISTRICT STAFF AND CONSULTANTS PRESENT

James Wisker, Administrator; Kailey Cermak, Planner - Project Manager; Michael Hayman, Director of Project Planning; Gabe Sherman, Planner - Project Manager; Chris Meehan, District Consulting Engineer; and Louis Smith, District Counsel.

APPROVAL OF AGENDA

It was moved by Manager Miller, seconded by Manager Sando, to approve the Agenda as distributed. Upon roll call vote, the motion carried, 7-0 as follows:

Olson:	Aye
Miller:	Aye
Loftus:	Aye
Hejmadi:	Aye
Maxwell:	Aye
Sando:	Aye
White:	Aye

MATTERS FROM THE FLOOR

None.

CONSENT AGENDA

It was moved by Manager Olson, seconded by Manager Maxwell, to approve the items on the Consent Agenda consisting of approval of the September 12, 2024, Board meeting minutes, approval of the General Check Register, including check numbers 42594 through 42606 in the amount of \$81,712.40, electronic funds withdrawals of \$241,822.34, credit card charges of \$4,522.71, managers per diems and reimbursements of \$1,508.46, employee reimbursements of \$550.67, and payroll electronic funds withdrawals and disbursements of \$150,368.62, for a total of \$480,485.20; the Surety Check Register including payment of \$30.00 in fees to Bremer Bank, and check numbers 2221 - 2225, for a total of \$38,113.00; wire transfers of \$0, and the following resolution:

Resolution 24-053: Authorization to Reschedule the December 5 Committee and Board Meetings to December 3

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby directs staff to update and publish notice indicating the December 5, 2024 MCWD committee and board meetings have been rescheduled to Tuesday, December 3, 2024.

Upon roll call vote, the motion carried, 7-0 as follows:

Olson: Aye
Miller: Aye
Loftus: Aye
Hejmadi: Aye
Maxwell: Aye
Sando: Aye
White: Aye

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: President White reported that along with Managers Maxwell and Hejmadi she recently joined a liaison meeting with Hopkins officials to discuss the 325 Blake Road project. She also met recently with Hennepin County Commissioner Heather Edelson and Mr. Wisker at the Minnehaha Preserve Boardwalk to discuss District projects and its climate action framework.

President White noted the upcoming meeting schedule presented in the agenda.

Projects and Planning Committee Report: Manager Miller noted that the Committee met earlier in the evening and heard introductions of three new staff members, and a preliminary overview of the process for the District's 2027 water resources management plan.

PUBLIC HEARINGS & PRESENTATIONS

Greenway to Cedar Trail Connection and Streambank Restoration Public Hearing

Mr. Gabe Sherman appeared before the Board of Managers to provide background information and explained that the purpose of the public hearing is to obtain public input on the Greenway to Cedar Trail Connection and Streambank Restoration Project in the city of St. Louis Park. Mr. Sherman explained that the trail connection will bring the Greenway trail under the newly constructed SWLRT corridor, creating the final trail connection between the Minnehaha Creek Preserve and the Cedar Lake LRT Regional Trail near 325 Blake Road, providing uninterrupted pedestrian infrastructure along Minnehaha Creek between Methodist Hospital in St. Louis Park and Cottageville Park in Hopkins. This project also provides an opportunity to stabilize the streambanks and enhance the riparian zone of the stretch of Minnehaha Creek between 325 Blake Road and the Minnehaha Creek Preserve.

Mr. Sherman reviewed the feasibility study work performed initially in 2015-16 and then updated with more detail recently. He reviewed the alignment options for the trail and further design considerations to be addressed in the next phase of the project. Mr. Sherman noted the other partners involved in the project, including St. Louis Park, the Metropolitan Council, Hennepin County, and several private property owners.

President White invited public comments. Mr. Sherman described an anonymous comment received by the District expressing concerns for public safety in the area. Ms. Margaret Sullivan appeared and noted that her residence had a retaining wall along the trail, and she was concerned with the potential of erosion or flooding from the project. Mr. Sherman reviewed the site and how the design process would address replacement of all or part of the retaining wall/embankment, and that Ms. Sullivan would be informed about this process in the coming months. President White thanked Ms. Sullivan for her comment.

There being no further comments, President White closed the public hearing.

PERMITS REQUIRING A VARIANCE OR DISCUSSION

None.

ACTION ITEMS

Resolution 24-054: Ordering the Greenway to Cedar Trail Connection and Streambank Restoration Project

Mr. Sherman reviewed the proposed action to order the project, noting that the St. Louis Park City Council had adopted a resolution expressing the City’s support for the project. He noted the general timetable for the project and the outline of cooperative agreements involved in the project.

It was moved by Manager Miller, seconded by Manager Sando, to adopt Resolution 24-054: Ordering the Greenway to Cedar Trail Connection and Streambank Restoration Project as follows:

NOW, THEREFORE, BE IT RESOLVED that pursuant to Minnesota Statutes §103B.251 and the WMP, the Minnehaha Creek Watershed District Board of Managers orders the Greenway to Cedar Trail Connection and Streambank Restoration Project.

In response to questions from Manager Maxwell, Mr. Sherman noted that the three parcels with retaining walls would be addressed in a uniform manner, and that St. Louis Park and Three Rivers Park District would be responsible for trail maintenance. In response to questions from Manager Olson, Mr. Sherman noted that encroachment into the creek would be minimized, and the trail would be constructed on solid ground; he reviewed the concept design for the guardrail, explained that the creek access was for construction and not a canoe landing, and explained that the vegetation for stabilization of the creek bank would be addressed in detailed design. In response to questions from Manager Sando, Mr. Sherman noted that the trail section is not in walkable condition presently, and that the project is targeted for completion in 2026.

Upon roll call vote, the motion to adopt Resolution 24-054 carried, 7-0 as follows:

Maxwell: Aye
Olson: Aye
Miller: Aye
Sando: Aye
Loftus: Aye
Hejmadi: Aye
White: Aye

BOARD DISCUSSION ITEMS

County Road 6 Pond Retrofit: 60% Design Briefing

Ms. Kailey Cermak appeared before the Board of Managers to review the 60% design of the County Road 6 pond project. She noted that in 1998, MCWD constructed the County Road 6 Stormwater Pond to capture and treat 3,370 acres of runoff, reducing sediment and nutrient loading to impaired Long Lake, which sits just downstream of the pond. The 2.5-acre pond was designed to remove approximately 50% of the total phosphorus load, when considered in conjunction with Deerhill Pond, which was constructed upstream of the CR-6 pond in 1996. An easement, encompassing the pond and maintenance trail, was obtained from the private landowner to ensure that long-term maintenance, monitoring, and retrofits to the pond could occur.

Ms. Cermak reviewed the Long Lake Creek Roadmap planning process, which identified retrofit of the County Road 6 Pond as a priority opportunity. She reviewed the initial 30% design phase, which reflected some key decisions, including (1) selecting a sand-only unvegetated filter media, (2) confirming the feasibility and benefits of the earthen berm, and (3) identifying the general position of the filter bench to maintain a maintenance corridor off the county road. Ms. Cermak reviewed the updates with the 60% design and components that will require further refinement for the 90% design. She noted ongoing discussions with the landowner about access alternatives, cost estimates, and the deferral of the project construction for one year, targeting January 2026.

In response to a question from Manager Miller, Ms. Cermak noted the 60% removal efficiency target for the project. Manager Olson requested that the design consider ways to use boulders to obscure the weir and provide a more natural appearance, and Ms. Cermak noted the presence of a carp barrier and expressed that site aesthetics would be considered in the final design for the project. The managers thanked Ms. Cermak for her presentation.

President White requested that Mr. Wisker provide the Administrator's report before turning to discuss 325 Blake Road in closed session.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. The District just received the sad news that Larry Blackstad, a former Three Rivers Park District Commissioner and advisor to the MCWD, recently

- passed away. Mr. Wisker noted that staff would bring forward a resolution of appreciation for Mr. Blackstad to an upcoming meeting.
2. With continued warm and dry weather, the area has experienced the driest September on record. Lake Minnetonka elevation is now at 928.86. The Gray's Bay Dam will be closed in October in anticipation of bringing the Lake Minnetonka level to 928.6 for the winter. Minnehaha Creek is flowing at 25 cubic feet per second at Hiawatha.
 3. Staff and legal counsel are continuing to meet and work with the City of St. Louis Park and JTS Construction to address necessary repairs to the Minnehaha Preserve Boardwalk. The City is nearing approval of the proposed remedial methods, and the parties will be addressing the logistics of uncovering and correcting the number problems with the Boardwalk. JTS has expressed concern with the costs of repair and claims it is a shared responsibility but has provided no evidence to support this claim.
 4. The MCWD staff and legal counsel are nearing agreement with Campbell-Sevey on parking lot improvements and a revised easement. Mr. Wisker is hoping that an agreement can be reached in time to clarify the 2025 budget's inclusion of this work.
 5. As noted by President White, she and Mr. Wisker met with Commissioner Edelson to discuss the MCWD's work in the Minnehaha Greenway and 325 Blake Road.
 6. MCWD staff will be presenting at the upcoming Water Resources conference convened by the University of Minnesota.
 7. Minnesota Watersheds executive director Jan Voit has asked MCWD to consider hosting the summer tour in 2027.
 8. Minnehaha Creek was recently profiled in an article in Big River magazine.

BOARD INQUIRIES, ISSUES, AND IDEAS

None.

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Board of Managers
9/26/24

BOARD DISCUSSION ITEMS, continued

Mr. Michael Hayman appeared before the Board of Managers to provide an update on redevelopment and the MCWD project at 325 Blake Road in Hopkins. He noted recent meetings with the Hopkins liaisons in which the Board's concerns identified at the September 12 meeting were discussed.

Pursuant to legal counsel's recommendation, it was moved by Manager Maxwell, seconded by Manager Sando for the Board to go into a closed session for the purpose of discussing the potential expiration or revision of terms of the Purchase and Sale Agreement of 325 Blake Road in Hopkins. Upon roll call vote, the motion carried 7-0 as follows:

Maxwell: Aye
Olson: Aye
Miller: Aye
Sando: Aye
Loftus: Aye
Hejmadi: Aye
White: Aye

The Board of Managers went into closed session.

The Board of Managers returned to open session.

Adjournment

There being no further business, President White declared the meeting of the Board of Managers adjourned at 9:24 p.m.

Respectfully submitted,



Eugene Maxwell, Secretary