

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

4
5 **January 23, 2025**

6 **CALL TO ORDER**

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8 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was
9 called to order by President Sherry White at 7:00 p.m. on January 23, 2025, at the
10 MCWD offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.

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12 **MANAGERS PRESENT**

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14 Sherry White, William Olson, Richard Miller, Jessica Loftus, Arun Hejmadi, Stephen
15 Sando, and Eugene Maxwell.

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17 **MANAGERS ABSENT**

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19 None.

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21 **DISTRICT STAFF AND CONSULTANTS PRESENT**

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23 James Wisker, Administrator; Becky Christopher, Director of Policy Planning; Rebecca
24 Neal, Policy Planning Coordinator; Michael Hayman, Director of Project Planning; Chris
25 Meehan, District Consulting Engineer; Jay Lindgren, Public Finance Counsel; Chuck
26 Lutz, Development Consultant; and Louis Smith, District Counsel.

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28 **APPROVAL OF AGENDA**

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30 President White suggested moving Item 12.1 Board Discussion of 325 Blake Road, to the
31 end of the Agenda. *It was moved by Manager Miller, seconded by Manager Hejmadi, to*
32 *approve the Agenda with this change. Upon vote, the motion carried, 7-0.*

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34 **MATTERS FROM THE FLOOR**

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36 None.

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38 **CONSENT AGENDA**

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40 *It was moved by Manager Hejmadi, seconded by Manager Maxwell, to approve the*
41 *items on the Consent Agenda consisting of approval of the January 9, 2025, Board*
42 *meeting minutes, approval of the General Check Register, including check numbers*
43 *42632 through 42647 in the amount of \$854,809.49, electronic funds withdrawals of*
44 *\$ 207,303.69, credit card charges of \$5,592.30, managers per diems and*
45 *reimbursements of \$2,901.85, employee reimbursements of \$754.56, and payroll*
46 *electronic funds withdrawals and disbursements of \$266,286.54, for a total of*

47 *\$1,337,648.43; the Surety Check Register including payment of \$30.00 in fees to*
48 *Bremer Bank, and check numbers 2241-2243, for a total of \$16,530.00; wire transfer*
49 *of \$151,165.00 for payment of City of Richfield 2020A bond; and the following*
50 *resolution:*

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52 *Resolution 25-011: Authorization to Renew Metro Watershed Partners Membership*

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54 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
55 *Watershed District Board of Managers authorize the District Administrator to*
56 *spend \$6,000 to renew MCWD's Metro Watershed Partners annual*
57 *membership.*

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59 *Upon vote, the motion carried, 7-0.*

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61 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

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63 President's Report: None.

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65 Citizens Advisory Committee Report: Manager Maxwell reported that he attended the
66 most recent CAC meeting where four new members joined the committee. He said that
67 all CAC members had good experience to bring to the discussion. The CAC elected its
68 officers, received a briefing on the ten year planning process, and celebrated Mr.
69 Wisker's award as Watershed Administrator of the Year.

70

71 Metro Watersheds Report: Manager Loftus reported that she attended the quarterly
72 meeting of the Metro Chapter of Minnesota Watersheds, along with President White and
73 Manager Olson. The Metropolitan Mosquito Control District gave a presentation, along
74 with updates from state agencies. The meeting provided a good opportunity for
75 watershed districts and agencies to connect.

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77 President White noted the schedule of upcoming meetings presented in the agenda.

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80 **PERMITS REQUIRING A VARIANCE OR DISCUSSION**

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82 None.

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84 **PUBLIC HEARINGS & PRESENTATIONS**

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ACTION ITEMS

Resolution 25-012: Directing Notice of Public Hearing for Ordering of Morningside Stormwater Improvement Project

Ms. Rebecca Neal appeared before the Board of Managers to review the request for board action. She reviewed the background of the City of Medina’s interest in advancing the Morningside Stormwater Improvement Project for possible support from the MCWD’s Land & Water Partnership program. The project includes constructing a regional stormwater pond to treat approximately 76 acres of land and stabilizing three eroding ravines. Ms. Neal traced a series of revisions to the proposed design for the project. She noted that based on staff’s evaluation of the project, the Board’s feedback at the December PPC meeting, and the City’s work to update its design in line with the District’s feedback, staff’s recommendation is to provide LWP funding support of up to \$200,000 (28.2% of the total project cost).

It was moved by Manager Miller, seconded by Manager Olson, to adopt Resolution 25-012: Directing Notice of Public Hearing for Ordering of Morningside Stormwater Improvement Project as follows:

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator to notice a public hearing for the Board’s consideration of ordering the Morningside Stormwater Improvement Project, in accordance with Minnesota Statutes §103B.251; and

BE IT FURTHER RESOLVED that Board ordering of the Project and approval of LWP funding remains subject to conditions including finalizing certain design elements, amendment of the 2025 budget, and a Project funding agreement between the City and the District.

Manager Miller asked if the staff recommendation includes sufficient funding for a quality project. Ms. Neal stated that she felt the recommended funding is adequate, and that the primary cost factor is the extent of sheet piling; MCWD and the City have discussed value engineering to determine a cost-effective solution. In response to a question from Manager Loftus, Mr. Meehan addressed the technical considerations with sheet piling in addressing erosion. In response to a question from Manager Hejmadi, Mr. Meehan stated that the source of phosphorus upstream is untreated development from before MCWD had water quality rules in place.

Manager Maxwell asked about plans for the City to replace the trees to be removed to construct the stormwater pond. Mr. Dusty Finke from the City of Medina appeared

133 before the Board of Managers and stated that while there are limited locations to replace
134 trees, the City will do what is possible. Manager Hejmadi asked if there is any opposition
135 to the project, and Mr. Finke noted that there is some opposition to subdividing the
136 property for development. Manager Loftus noted that this subdivision would proceed
137 regardless of MCWD involvement, and the project provides water quality treatment and
138 ravine stabilization that appears to be greatly needed.

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140 *There being no further discussion, upon vote, the motion carried 7-0.*

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143 **BOARD INQUIRIES, ISSUES, AND IDEAS**

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145 Manager Hejmadi asked if the staff could provide an update on the MCWD's Diversity,
146 Equity and Inclusion efforts. Manager Loftus asked for an update on the City of
147 Richfield alum project. Mr. Wisker said that staff would provide both updates at the next
148 meeting.

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150 **STAFF UPDATES**

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152 Administrator's Report

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154 Mr. Wisker reported on the following items:

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156 1. Representatives of MCWD, MCWD's consultant SRF, City of St. Louis Park,
157 and JTS Construction met on January 13 to debrief on the field testing of
158 remedial measures to repair the Minnehaha Preserve Boardwalk. Next steps
159 include preparation of a change order to address these remedial measures and
160 the contractor's commitment to a timeline for the repairs. Managers discussed
161 the need for a post-action debrief on lessons learned.

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163 2. Consideration of driveway and parking lot improvements for the MCWD
164 office continues, and Mr. Wisker has had recent discussions with land owner
165 representatives for parcels to the east of the MCWD office. He will plan to
166 have a discussion with the Board on a recommended path forward in
167 February.

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169 3. The Minneapolis Park & Recreation Board is holding an open house for the
170 Hiawatha master plan.

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172 4. Staff has addressed concerns regarding work in the floodplain at 60 Crabapple
173 Lane in Tonka Bay and found no evidence of remaining fill in the floodplain
174 at this site.

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176 5. James McDermond has joined the MCWD staff as Project Maintenance and
177 Land Management Manager.

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179 **BOARD DISCUSSION ITEMS**

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181 325 Blake Road Restoration and Redevelopment

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183 Mr. Michael Hayman appeared before the Board of Managers to provide an update on
184 negotiations with Alatus and the City of Hopkins concerning redevelopment and the
185 MCWD project at 325 Blake Road in Hopkins. He noted the presence of advisors Jay
186 Lindgren and Chuck Lutz.

187

188 He recommended that the Board of Managers ask counsel to guide them into closed
189 session to consider the ongoing negotiations, and the potential termination of the
190 Agreement. *Pursuant to legal counsel's recommendation, it was moved by Manager*
191 *Miller, seconded by Manager Sando for the Board to go into a closed session for the*
192 *purpose of discussing the potential expiration or revision of terms of the Purchase and*
193 *Sale Agreement of 325 Blake Road in Hopkins. Upon vote, the motion carried 7-0.*

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195 The Board of Managers went into closed session.

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197 The Board of Managers returned to open session.

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199 **Adjournment**

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201 There being no further business, President White declared the meeting of the Board of
202 Managers adjourned at 9:15 p.m.

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204 Respectfully submitted,

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208 Eugene Maxwell, Secretary