

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

4
5 **July 24, 2025**

6
7 **CALL TO ORDER**
8

9 The regular meeting of the Minnehaha Creek Watershed District Board of Managers was
10 called to order by President Sherry White at 7:00 p.m. on July 24, 2025, at the MCWD
11 offices, 15320 Minnetonka Boulevard, Minnetonka, Minnesota.
12

13 **ROLL CALL FOR ATTENDANCE**
14

15 President White called the roll to note attendance:

16
17 William Olson: Present
18 Richard Miller: Present
19 Jessica Loftus: Present
20 Stephen Sando: Present
21 Eugene Maxwell: Present, participating remotely
22 Arun Hejmadi: Present
23 Sherry White: Present
24
25

26 **DISTRICT STAFF AND CONSULTANTS PRESENT**
27

28 James Wisker, Administrator; Becky Christopher, Director of Policy Planning; Michael
29 Hayman, Director of Project Planning; Gabe Sherman, Planner – Project Manager; Chris
30 Meehan, District Consulting Engineer; and Louis Smith, District Counsel.
31

32 **MATTERS FROM THE FLOOR**
33

34 Ms. Rosalind Loomis, 50 Crabapple Lane, Tonka Bay, appeared before the Board of
35 Managers to express concern about filling in the floodplain by their neighbor on their
36 easterly property line. Ms. Loomis noted the presence of her husband Stuart Loomis and
37 read from a letter to the MCWD dated July 24, 2025, and she stated that she objected to
38 the MCWD's conclusion that any violation at the site had been resolved. She asked that
39 this matter be placed on the Board's agenda for August 14, 2025. President White
40 thanked Ms. Loomis for her comments.
41

42 Mayor Patrick Hanlon of the City of Hopkins appeared before the Board of Managers to
43 urge the MCWD to move forward with Alatus and the City at the 325 Blake Road site.
44 He stated that the City and Alatus had a good solution to move forward and wished to
45 collaborate with MCWD. He stated that it felt disheartening to see previous comments
46 not responded to and felt that it was worth sitting down and listening to options.

President White thanked Mayor Hanlon for his comments. Manager Miller asked Mr. Wisker to respond to the Mayor's remarks. Mr. Wisker noted Alatus' repeated failure to meet the terms of a purchase and sale agreement with MCWD, promises by Alatus that were not fulfilled, and MCWD's resulting termination of the agreement. Alatus then sued MCWD, and accordingly it was the recommendation of legal counsel and MCWD's development advisors that any discussion with Alatus should be within the litigation process, which includes scheduled mediation.

Manager Loftus thanked Mayor Hanlon for coming to the meeting. She stated that the mayor could be assured that the Board of Managers was very familiar with the details of this matter, and that it could be helpful for the City to consider purchasing the property and working on the site infrastructure.

APPROVAL OF AGENDA

President White suggested moving Item 14.1, Staff Updates, ahead of the Board Discussion Items, and inserting a new item, 325 Blake Road Inspection Report, after Item 12.1. *It was moved by Manager Miller, seconded by Manager Olson, to approve the Agenda with these changes. 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*

CONSENT AGENDA

It was moved by Manager Miller, seconded by Manager Lofuts, to approve the items on the Consent Agenda consisting of approval of the June 26, 2025, Board meeting minutes, approval of the General Check Register, including check numbers 42687 through 42692 in the amount of \$17,853.52, electronic funds withdrawals of \$265,225.97, credit card charges of \$3,913.27, managers per diems and reimbursements of \$5,466.75, employee reimbursements of \$501.09, and payroll electronic funds withdrawals and disbursements of \$182,540.65, for a total of \$475,501.25; the Surety Check Register with payment of \$55.00 in fees to Bremer Bank and check number 2245 to K. Humphries for a surety return for Permit 24-555 in the amount of \$10,000 for a total of \$10,055; and a wire transfer of \$9,765.00 to the City of

Richfield for 2020A interest only payment. Upon roll call vote, the motion carried, 6-0 as follows:

Olson: Aye
Miller: Aye
Loftus: Aye
Hejmadi: Aye
Maxwell: Absent for vote
Sando: Aye
White: Aye

BOARD, COMMITTEE AND TASK FORCE REPORTS

President's Report: President White noted that along with Managers Miller and Hejmadi, she attended the Policy Steering Committee for the collaboration with the City of Minneapolis and the Minneapolis Park & Recreation Board on July 14. She asked Managers Miller and Hejmadi to offer comments on that meeting. Manager Miller noted that it was a productive meeting, with strong presentations by MCWD staff and good support for the initial creek projects. He noted that Council Member Koski provided helpful leadership for this group. Manager Hejmadi agreed and noted that he was encouraged to see concrete projects underway.

Policy and Planning Committee Report: Manager Miller reported that the Committee met earlier in the evening and received a staff briefing on the permitting program, and an update on the western growth area in the City of Victoria.

Operations and Programs Committee Report: Manager Loftus reported that the Committee met on July 10 and discussed the refinement of the 2026 budget and levy. The latest version of the budget reflects a 0.9% increase in expenses and a zero increase in the levy.

Citizens Advisory Committee Report: Manager Loftus reported that she attended the CAC meeting which focused on the 2026 budget and levy. The staff presentation on the budget was very well received and the CAC members were very engaged with insightful questions and helpful suggestions.

Metro Watersheds Quarterly Meeting: Manager Maxwell reported that he attended the meeting which included reflections on the summer tour in Roseau and updates from eight agencies.

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

PERMITS REQUIRING A VARIANCE OR DISCUSSION

None.

PUBLIC HEARINGS AND PRESENTATIONS

None.

ACTION ITEMS

None.

STAFF UPDATES

Administrator's Report

Mr. Wisker reported on the following items:

1. Lake Minnetonka is currently at an elevation of 929.5. Minnehaha Creek is flowing at 175 cubic feet per second, and nearing bank full conditions but now receding.
2. The City of St. Louis Park has requested a letter of support as it seeks funding for stormwater and street upgrade at Oxford Lane near the Southwest Light Rail Transit project. Staff will provide a letter of support and note a budget allocation in the capital improvement program.
3. Chris Meehan stated that his last day at Stantec will be July 25. He thanked the Board of Managers and staff for an amazing ten years of work together. He said that the MCWD would be in good hands with Nick Wyers. Manager Sando thanked Mr. Meehan for being a gentleman and always providing helpful explanations. Manager Miller said that Mr. Meehan not only served MCWD well but also our partners; his advice is understandable and helps the MCWD pursue the common good. Manager Loftus said that she appreciated that Mr. Meehan shares a deep well of history, knowledge, and expertise and that she can trust and rely on his advice. She said that he has a rare talent and brings a great deal of heart to the team. Manager Olson noted the significance of the District Engineer relationship for MCWD and said that Mr. Meehan's hydrological knowledge is a priceless gift. Manager Hejmadi said that Mr. Meehan has a special combination of technical and human insights that is rarely seen. He said that it is clear and Mr. Meehan engages in this work with his heart in it, and MCWD's effectiveness is enhanced by his work. Manager Maxwell said that it has been a pleasure working with Mr. Meehan, and that he appreciated that Mr. Meehan speaks *to*, and not *at* us. President White said that she always has absolute trust in Mr. Meehan's analysis and recommendations. She appreciated that his work touches on so many aspects of the MCWD's mission. She also appreciated his good humor and unique laugh. Mr. Wisker

said that Mr. Meehan has been an extremely valuable advisor for MCWD and a great team member.

The managers thanked Mr. Wisker for this report.

BOARD INQUIRIES, ISSUES, AND IDEAS

None.

BOARD DISCUSSION ITEMS

Minnesota Watersheds Resolutions Meeting and Delegate Appointment

Ms. Becky Christopher appeared before the Board of Managers to provide the analysis of staff and counsel of the proposed resolutions to be considered by Minnesota Watersheds on August 25. She reviewed each resolution and the staff recommendation as follows:

Resolution 1 – Expand WCA Exemption for Public Drainage System Repairs: staff and counsel advise against supporting this resolution;

Resolution 2 – Add Watershed Management Organizations to Minn. Stat. 383B.79: staff and counsel have no concerns with this resolution; and

Resolution 3 – Reform to Increase MDNR and MPCA Efficiency and Define Permit Application Completeness: while MCWD staff have generally not experienced these issues directly, legal counsel acknowledges the issue has been widely experienced by other watershed districts and merits some type of action.

The managers thanked Ms. Christopher for this report.

It was moved by Manager Miller, seconded by Manager Hejmadi to designate Managers Olson and Sando as delegates and President White as alternate for the Minnesota Watersheds Resolutions Meeting on August 25. 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*

Inspection Report on 325 Blake Road

Mr. Michael Hayman appeared before the Board of Managers to provide an update on the inspection of the parking situation at 325 Blake Road. MCWD tasked a civil site and municipal specialist at HDR to inspect the site and provide analysis of the parking situation which has existed at the site for two years since the Chorus apartments were constructed. Mr. Hayman noted that the City staff have confirmed in communications that the City allows parking within the City right of way and accepts liability accordingly. He noted that the key findings of the HDR report are:

- * vehicles and construction trailers are parked in various locations, both within and outside of the City's public right of way;
- * the site conditions are generally unsafe due to lack of sufficient grading, drainage, and maintenance, and further lack clearly marked and striped parking stalls, identified pedestrian crossings, and safe lighting systems required by Section 102-960 of the City of Hopkins Development Code; and
- * there are several locations where vehicles are traversing from the right of way onto private property and accordingly installation of fencing along the gravel surface is recommended.

Mr. Hayman said that staff would plan to share this report with the City of Hopkins. Manager Loftus thanked Mr. Hayman and staff for obtaining this report. Manager Miller noted that MCWD has paid a stormwater utility fee since acquiring the property and he questioned what value has been obtained from this utility. He stated that perhaps the MCWD should consider cancelling further payment of this fee. Manager Hejmadi stated that it is important to keep the bigger picture in mind in our overall approach and relationship with the City.

Land Acquisition along Minnehaha Creek, St. Louis Park

Mr. Gabe Sherman appeared before the Board of Managers and asked that counsel guide the Board into closed session. ***Pursuant to legal counsel's recommendation, it was moved by Manager Miller, seconded by Manager Maxwell that the Board of Managers go into closed session for the purpose of developing or considering potential terms for the purchase of the following properties:***

7831 Edgebrook Drive, St. Louis Park
7837 Edgebrook Drive, St. Louis Park

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

Olson: Aye
Miller: Aye

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Loftus: *Aye*
Hejmadi: *Aye*
Maxwell: *Aye*
Sando: *Aye*
White: *Aye*

The Board of Managers went into closed session.

The Board of Managers returned to open session.

325 Blake Road Restoration and Redevelopment

Mr. Smith recommended that the Board of Managers go into closed session for the purpose of receiving confidential legal advice on litigation strategy to respond to the lawsuit of Alatus v. MCWD, City of Hopkins. *Pursuant to legal counsel's recommendation, it was moved by Manager Olson, seconded by Manager Hejmadi for the Board to go into closed session for the purpose of receiving confidential legal advice on litigation strategy to respond to the Alatus lawsuit. 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*

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 9:48 p.m.

Respectfully submitted,

Eugene Maxwell, Secretary