Item 4A.
BCWMC 7-17-25

Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting & Plan Development Workshop
Wednesday, June 18, 2025
8:30 a.m.
3400 Plymouth Blvd, Plymouth MN

1. CALL TO ORDER and ROLL CALL

On June 18, 2025 at 8:31 a.m. Chair Cesnik called the Bassett Creek Watershed Management Commission (Commission) to order.

Commissioners, city staff, and others present

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Joan Hauer	Terry Schultz (online)*	Jesse Struve
Golden Valley	Paula Pentel	Wendy Weirich	Drew Chirpich
Medicine Lake	*Absent*	Shaun Kennedy	*Absent*
Minneapolis	*Absent*	*Vacant*	Liz Stout
Minnetonka	*Vacant*	Stacy Harwell	*Absent*
New Hope	Jere Gwin-Lenth	*Absent*	Nick Macklem
Plymouth	Catherine Cesnik	*Absent*	Ben Scharenbroich
Robbinsdale	Wayne Sicora (online)*	*Vacant*	Jenna Wolf
St. Louis Park	*Absent*	David Johnston	*Absent*
Administrator	Laura Jester, Keystone Waters, LLC		
Engineers	Stephanie Johnson, Josh Phillips, Jim Herbert, Karen Chandler - Barr Engineering Co.		
Recording Secretary	*Vacant Position*		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Guests/Public	Greg Koch, Winston Wildebush, Brett Emmons, Stu Grubb – Graffiti Mill LLC		

*Commissioners/alternates attending online do not participate in the meeting

2. PUBLIC FORUM ON NON-AGENDA ITEMS

None.

3. APPROVAL OF AGENDA

Administrator Jester requested an additional agenda item as the new 5A: Consider Approval to Increase Budget for Engineering Services for the Bassett Creek Restoration Project, Regent Avenue to Golden Valley Road (CR-M 2024) for Wetland Delineation and Architectural Survey

MOTION: Commissioner Pentel moved to approve the agenda as revised. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion carried 7-0. The cities of Minneapolis and Robbinsdale were absent from the vote.

4. CONSENT AGENDA

Items 4D and 4E were removed from the consent agenda.

MOTION: Commissioner Pentel moved to approve the revised consent agenda. Alternate Commissioner Kennedy seconded the motion. Upon a vote the motion carried 7-0. The cities of Minneapolis and Robbinsdale were absent from the vote.

The following items were approved as part of the consent agenda.

- Approval of Minutes – May 15, 2025 Commission Meeting
- Acceptance of June Financial Report
- Approval of Payment of Invoices
  - Keystone Waters, LLC – May 2025 Administration
  - Keystone Waters, LLC – May 2025 Administrative Expenses
  - Barr Engineering – May 2025 Engineering Services
  - Triple D Espresso – June Meeting Catering
  - City of Plymouth – May 2025 Accounting Services
  - Kennedy & Graven – Legal Services
  - Stantec – WOMP Services
  - Metro Conservation Districts – Children's Water Festival
  - League of Minnesota Cities – Insurance
  - LB Carlson LLP – 2024 Financial Audit
- Approval of Conditional License Agreement with MnDOT for Use of Hydrologic Model

Item 4E: Approval of Resolution of Appreciation for Stacy Harwell

Chair Cesnik read the resolution of appreciation for Alternate Commissioner Harwell noting her 11 years representing the City of Golden Valley and 2 years representing the City of Minnetonka. Alternate Commissioner Harwell reported that after living the watershed her entire life, she is now moving out of the watershed. She indicated she is sad to be leaving and enjoyed her time on the Commission. Multiple commissioners and Chair Cesnik expressed their appreciation for Harwell's time and expertise.

MOTION: Although there was no official motion, Chair Cesnik called for a vote to approve the resolution. Upon a vote the motion carried 7-0. The cities of Minneapolis and Robbinsdale were absent from the vote.

Item 4D: Approval of Commercial Insurance Proposal

Commissioner Hauer noted the expense of the insurance and indicated this might be a good time to seek alternate vendors. She noted that perhaps a higher deductible could result in a lower premium. Commissioner Attorney Anderson reported that, like cities, the BCWMC is insured through the League of MN Cities and that no better rate is likely available. He indicated he could discuss with the broker for next year but the premium payment is due next week for this year.

MOTION: Commissioner Gwin-Lenth moved to approve the commercial insurance proposal for this year and to direct staff to review options for lowering the insurance premium for next year. Commissioner Hauer seconded the motion. Upon a vote the motion carried 7-0. The cities of Minneapolis and Robbinsdale were absent from the vote.

Alternate Commissioner Kennedy noted that potential savings could be used up by staff time reviewing options. He recommended that staff time related to this issue is limited to a reasonable amount.

DRAFT

5. BUSINESS

A. Consider Approval to Increase Budget for Engineering Services for the Bassett Creek Restoration Project, Regent Avenue to Golden Valley Road (CR-M 2024) for Wetland Delineation and Architectural Survey

Commission Engineer Chandler apologized for bringing this item to the Commission at the last minute rather than waiting until the July meeting. She reported that the engineering team for the Bassett Creek Restoration Project was just informed by the U.S. Army Corps of Engineers (ACOE) that the necessary ACOE permit for the project will require a wetland delineation and an architectural survey, neither of which were expected nor budgeted for in the design and engineering scope. She noted the longer timeline now needed for permitting and hoped to get started on these surveys right away. Engineer Chandler walked through the tasks related to these surveys and requested that an additional $31,400 be added to the engineering services budget. She noted that results of the surveys are not expected to impact the project design.

There were some questions related to the architectural survey. Engineer Chandler noted that the project triggered a Section 106 permit which includes this survey in certain cases. She indicated that staff are not recommending a change to the overall project budget at this time (because bids for the project could also have a large impact on the overall projected cost), only an increase to the engineering services budget from $603,000 to $634,400.

MOTION: Alternate Commissioner Harwell moved to approve the scope and budget for the wetland delineation and architectural survey and adding $31,400 to the engineering services budget for the Bassett Creek Restoration Project. Alternate Commissioner Johnston seconded the motion. Upon a vote the motion carried 7-0. The cities of Minneapolis and Robbinsdale were absent from the vote.

Commission Engineer Chandler gave an update on the project noting that a public open house was recently held with positive feedback from residents and that 50% designs are being developed and should be presented at the July Commission meeting. She also noted that a separate permit, one from the MPCA, may have a longer timeline than desired.

B. Receive Presentation on Redevelopment Plans and Potential Future Variance Request at Fruen Mill

The owner of Graffiti Mill LLC, Greg Koch, introduced himself along with engineering consultants Stu Grubb and Brett Emmons with EOR, Inc., and Winston Wildebush with Graffiti Mill. Mr. Koch presented information about the historic and iconic Fruen Mill including a brief history of its use and his plans for redevelopment of the site. He reported that he purchased the property a few years ago and has done considerable work to clean out considerable debris and hazardous materials from the basement and other floors of the mill. He noted the mill basement has been flooded for years but has been temporarily dewatered in recent times as part of the cleanup efforts. His redevelopment plans include using the basement as a spa along with other hospitality businesses in the floors above.

Mr. Koch's presentation included examples of previous redevelopment projects he's spearheaded around the world and awards his developments have received for innovative stormwater practices, among others. He noted his approach to blending natural spaces with industrial elements and creating attractive outdoor environments. He indicated his desire to keep the Fruen Mill's historic character and that the project is supported by the Minneapolis Mayor Frey and the Minneapolis Community Planning and Economic Development department.

Mr. Koch noted the likely need for a variance from BCWMC floodplain standards and welcomed feedback. EOR representatives presented the technical aspects of the project including challenges and opportunities. They noted that groundwater monitoring wells and soil borings have provided good data on conditions at the site and that ongoing dewatering keeps the basement dry by pumping surficial groundwater, likely originating from the creek, back into the creek. They noted they are working with dewatering specialists and currently pumping about 30 gallons per minute. It was noted that the project is expected to meet FEMA floodplain and floodway requirements but would require a variance from BCWMC floodplain standards to allow the lowest floor opening to be below the required 2 feet above floodplain.

Chair Cesnik indicated she's interested in the long-term protection of the site and wondered if the basement should be filled in in order to meet floodplain standards. Alternate Commissioner Harwell noted the FEMA floodplain will likely match the BCWMC floodplain in the future. She also noted that the dewatering practice may be acting as a filtration system for the creek. There was discussion about the parking needed for the hospitality that's planned.

Mr. Koch noted that he is at a point financially where a level of certainty is needed on the question of the variance before he moves to further design. Commission Engineer Herbert noted that the City of Minneapolis will need to provide a signature on any formal variance request application. Alternate Commissioner Harwell recommended building in resiliency and using future conditions projections in analyses.

When asked his opinion, Engineer Herbert indicated that the proposed redevelopment is complicated, involves multiple BCWMC policies, and may also require legal review, but that some flexibility in applying the policies may be available.

Overall, there was general support from commissioners on the project, despite the challenges, with many indicating they liked the redevelopment concept and would like to see the site redevelop.

[Chair Cesnik called for a 5 minute break.]

C. Consider Approval of Double Box Culvert Repair Project Feasibility Study (FCP-1)

Commission Engineer Phillips reminded commissioners about the presentation on many of the findings of the feasibility study presented at the last meeting. He noted that not a lot has changed and he's here to present the final report and estimated project costs. He noted the feasibility study represents about 30% project designs. He reviewed the various repairs that are needed, which includes some improvements for accessing areas within the tunnel which the city agrees are appropriate. There was discussion about dewatering during the project and security on the inlet if the grate is removed. Engineer Phillips reported that the final design would include a requirement for appropriate security and safety and that the contractor would decide on appropriate dewatering techniques.

Engineer Phillips reviewed the breakdown of the total estimated project cost of $1,410,000 which include significant costs with mobilization, lighting, water control, etc.

MOTION: Alternate Commissioner Harwell moved to approve the feasibility study and the $1,410,000 project budget. Commissioner Pentel seconded the motion. Upon a vote the motion carried 7-0. The cities of Minneapolis and Robbinsdale were absent from the vote.

D. Set Maximum 2026 Levy

Administrator Jester reviewed her recommendations for the maximum levy request which is due to Hennepin County later in the month. She indicated that parts of three CIP projects are slated for 2026 levy funds including the Bassett Creek Restoration Project, Regent Ave. to Golden Valley Rd; the Plymouth Creek Restoration Project, Dunkirk Lane to Plymouth Ice Center; and the Double Box Culvert Repair Project as just described in Item 5C.

MOTION: Commissioner Pentel moved to approve a maximum 2026 levy of $2,503,500. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion carried 7-0. The cities of Minneapolis and Robbinsdale were absent from the vote.

[Alternate Commissioner Harwell leaves the meeting.]

E. Review Watershed Plan Development Progress Tracker and Receive Report on Plan TAC Meeting

Plan Steering Committee Chair Kennedy reported on the latest work of the committee which included reviewing input gathered at the May Commission workshop. Administrator Jester reported on feedback provided by state and

local agencies at a recent Plan TAC meeting.

2. COMMUNICATIONS

A. Administrator's Report
   i. Request for Ideas for Website Updates – A request for feedback on the BCWMC website will be sent to all commissioners, alternates, and TAC members to help the Education Committee develop a list of website updates for the website consultants.
   ii. Update on Lost and Northwood Lake TMDLs – A project kick off meeting was held with MPCA, Commission Engineers, and representatives from the MS4s (cities, county, MnDOT). Commission Engineers recently began sediment coring work and will start pollutant modeling soon.
   iii. Update on Sweeney Lake AIS – Report on the good news that a recent vegetation survey of the lake did not find any Eurasian watermilfoil in the lake. An AIS detection training event will be held with lake residents soon.

B. Engineer
   i. Update on Bassett Creek Restoration Project Design and Permitting – 50% designs are underway; public open house held June 5th; city and commission staff engaging with permitting agencies.
   ii. Update on Street Sweeping Prioritization Project – Draft report on the project recently presented to the TAC; a final report is expected in August.

C. Legal Counsel – MN law regarding participation in meetings from remote locations now allows participants to be in non-public spaces. Commission Attorney Anderson still discourages remote participation but could explore options.

D. Chair – Chair Cesnik indicated Alternate Commissioner Harwell expressed concern about the license agreement approved in the consent agenda. Engineer Johnson explained why the changes were necessary for MnDOT's use of the Commission's hydrologic model.

E. Minnesota Watersheds – Resolutions committee is meeting soon to consider multiple resolutions, including the Commission's. It was noted the TAC should have an opportunity to review the resolutions as well. Administrator Jester and Alternate Commissioner Kennedy will attend the Summer Tour in Roseau.

F. Commissioners
   i. Report on St. Louis Park Ecotacular Event – No report.

G. TAC Members
   i. Update on Four Seasons Water Quality Improvement Project – Construction is substantially complete; vegetation establishment will begin soon.
   ii. Update on Plymouth Creek Restoration Project – City of Plymouth is contracting with an engineering firm with 60% designs expected at the September meeting and construction starting this winter.

H. Committees

3. INFORMATION ONLY (Information online only)

A. Administrative Calendar
B. CIP Project Updates www.bassettcreekwmo.org/projects
C. Grant Tracking Summary and Spreadsheet
D. WCA Notices, Minnetonka and Golden Valley

7. **ADJOURNMENT –** The meeting adjourned at 11:10 a.m.

DRAFT