

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
March 19, 2012**

**CALL TO ORDER**

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on March 19, 2012.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance.

**ROLL CALL**

The following members were present: Mayor Martin; Councilmembers Huffman, Wickstrom and Withhart.

Councilmember Quigley was absent.

**APPROVAL OF AGENDA**

MOTION: by Councilmember Wickstrom, seconded by Councilmember Huffman to approve the March 19, 2012 agenda as submitted.

VOTE:                   Ayes - 4                   Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

There were none.

**CITIZEN COMMENTS**

There were none.

**COUNCIL COMMENTS**

**Mayor Martin:**

The annual Spring Cleanup Day will be Saturday, May 19, 2012. The reason it is not the first Saturday is to coordinate with Allied Waste. Credit card payment has been added as an option this year.

The Einhausen Sister City Organization will hold its annual dinner at the Gasthaus in Stillwater on April 14, 2012.

In July, Shoreview will host 39 visitors from Einhausen, Germany for the *Slice of Shoreview*. Host families are still needed. Anyone interested should contact the Sister City Organization.

The Shoreview Northern Lights Variety Band will hold its Spring Concert at Bethel Great Hall on April 21, 2012. Tickets are available at City Hall or through the band's website.

**Councilmember Wickstrom:**

The Environmental Quality Committee (EQC) will be continuing the speaker series that will be held Wednesday, March 21, 2012, at 7:00 p.m. The topic is *The Twin Cities Ecosystem Project*, presented by Dr. Larry Baker from the University of Minnesota. The program will also be cablecast and tapes for playback on Channel 16.

The Ramsey County League of Local Governments will be meeting Thursday, March 22, 2012, at the Mounds View Community Center at 7:00 p.m. The meeting will focus on *Beyond the Yellow Ribbon Project*. Anyone interested is welcome to attend.

**Councilmember Huffman:**

Noted that Councilmember Wickstrom is one of the speakers at the Ramsey County League of Local Governments meeting on Thursday evening.

The Shoreview Business Council meeting will be held Thursday morning, March 22, 2012.

**CONSENT AGENDA**

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to approve the Consent Agenda for March 19, 2012, and all relevant resolutions for all item Nos. 1 through 13:

Discussion:

Councilmember Huffman requested that the motion exclude item No. 1, as he was not present at that meeting.

Councilmembers Withhart and Wickstrom accepted that amendment to the motion.

Councilmember Wickstrom requested the following changes to the March 5, 2012 meeting minutes:

Page 7, first paragraph should state that the occupancy rate is in the 90% range, not vacancy rate.

Councilmember Wickstrom noted that the EQC minutes state that the Green Community Awards will continue this year. Anyone who believes his/her yards would qualify is eligible to apply. Applications will be accepted in the near future.

2. Receipt of Committee/Commission Minutes
  - Parks and Recreation Commission, January 26, 2012
  - Environmental Quality Committee, February 27, 2012
3. Monthly Reports:
  - Administration
  - Community Development
  - Finance
  - Public Works
  - Park and Recreation
4. Verified Claims in the Amount of \$640,182.58
5. Purchases
6. License Applications
7. Acceptance of Donations for *Slice of Shoreview*
8. Developer Escrow Reduction
9. Approval of Private Street Sweeping Contracts for 2012
10. Resolution Authorizing the Execution of an Assessment Agreement and a Consent to Assignment Regarding the Development Agreement between the City and Shoreview Senior Living, LLC
11. Declaration of Intent to Bond
12. Approval of Tree Removal and Ash Injection Quotes
13. Approval of Quotes for Community Center Campus and Roadway Directional Signs

VOTE:                   Ayes - 4                   Nays - 0

MOTION:    by Councilmember Wickstrom, seconded by Councilmember Withhart to approve the March 5, 2012 City Council Meeting Minutes, Item No. 1 on the Consent Agenda, as corrected.

VOTE:                   Ayes - 3                   Nays - 0                   Abstain - 1 (Huffman)

## **PUBLIC HEARING**

### **AUTHORIZATION TO PREPARE PLANS AND SPECIFICATIONS--FLORAL DRIVE/COUNTY ROAD F/DEMAR ROAD RECONSTRUCTION, CP 12-01**

#### **Presentation by City Engineer Tom Wesolowski**

On February 21, 2012, the City Council received the Feasibility Study and called for a public hearing on this project. The current condition of the roadways is poor with no curb and gutter. The water main is of old, brittle cast iron. The sanitary sewer is clay pipe that is in good condition. There is a minimum of storm sewer drainage. There are

two inlets on Floral Drive that discharge directly into wetland to the west. Inlets on County Road F and Demar are connected to the drainage pipe from the Hodgson Road ditch and discharge directly into wetland. Existing Xcel streetlights are in poor condition. Floral Drive is 25 feet wide; County Road F and Demar vary from a width of 28 feet to 30 feet.

The proposed improvements would include:

- Removal of old road; new road section with concrete curb and gutter
- Floral Drive would have a 24-foot width with a drive over style curb with parking allowed on one side
- County Road F and Demar would be 28 feet wide with the barrier style curb
- A cul-de-sac would be built on the west side of County Road F and Hodgson Road; City is working with County plans
- Water main replacement with ductile iron pipe; replace water service pipe within right-of-way and curb stops - bored installation will save a number of trees
- Replace sanitary sewer services within right-of-way and main line at a later date
- New storm water collection and infiltration system; only large rain events would have direct discharge to the wetland
- Replace existing street lights

Residents have expressed concerns about storm water drainage. The road widths are supported. Residents on Floral Drive submitted a petition for the drive over style curb. Comments have been positive and supportive.

The estimated costs are:

Street	\$ 602,000
Storm sewer	\$ 317,000
Water Main	\$ 343,000
Sanitary Sewer	\$ 103,000
Street Lights	<u>\$ 40,000</u>
 Total:	 \$1,405,000

Special assessments will be charged for the street at \$1,745 per unit, and storm sewer at \$1,120/maximum per unit. The total estimated assessment per unit is \$2,865 with a pay-back period of 10 years. Assessments total \$139,983, approximately 10% of the total estimated project cost.

Financing to cover the remainder of the project would be from the following City funds:

Street Renewal	\$513,005
Surface Water Fund	\$266,012
Water Fund	\$343,000
Sewer Fund	\$103,000

Street Lights                      \$ 40,000

The schedule of the project is anticipated to be:

Approve plans and specifications	April 2, 2012
Bid Opening	May 10, 2012
Council Award Contract	May 21, 2012
Construction Start	June 2012
Construction Complete	October 2012
Assessment Hearing	October 2013

City Attorney Filla stated that he has reviewed the Affidavit of Publication that indicates the public hearing to be in order at this time.

Mayor Martin opened the public hearing.

**Mr. Perry Hackett**, 4071 Virginia Avenue, stated that he lives on the corner of County Road F and Virginia Avenue. A few years ago City water was installed for Virginia Avenue. He asked why the condition of the water main was not understood five years ago. The only reason for street parking is because of one house that has many people living in it with seven or more cars. His question is why the street should be widened, when there will be no traffic.

**Mr. Tom Dolen**, 4053 Virginia Avenue, stated that residents are skeptical and some opposed to blocking County Road F. Possibly the speed limit on Hodgson in this area should be lowered. Ramsey County is planning a three-lane road on Hodgson with a turn lane at only one-half an intersection, when the west side of County Road F is blocked. With a cul-de-sac, the safety issue of that intersection disappears. He did not receive a notice, even though he lives only two houses off this intersection. Others also were not notified and surprised at the plan. It will be wholesale changes in transportation for the neighborhood. The southern end of Virginia onto Hodgson in the morning is not viable because there is too much traffic. They go back up to County Road F. Now there are three entry points. If County Road F is blocked, the access off Virginia floods when it rains. In winter, it is too icy to stop at that intersection. Neighbors are asking whether a cost-benefit analysis has been done and if there are statistics to show that this is a high accident intersection. The west side of County Road F is on high ground with visibility both directions, but that is not the side being blocked off. That is not the case with the east side, but that is not the side being blocked off. He submitted a letter of questions from residents regarding this issue.

**Mr. Charlie Jirasek**, 328 Floral Drive, thanked staff for changing the curbing on Floral Drive to the drive-over style and for not including street lights in that portion of the project in response to the neighborhood petition.

**Mr. Kent Bergh**, 259 County Road F, stated that there are good things in this project with a good storm water drainage system. However, the problems are the street width,

cul-de-sac and lighting. The street lighting will not be an improvement. There are residents who are out walking every night. There is no problem with not enough light, but there is a problem with too much light. New lights seem an unnecessary expense. The only accident he is aware of at the intersection to be blocked off is a suicide. Traffic from Virginia and Demar use the County Road F intersection for access in and out of the neighborhood to make a left turn,

**Mrs. Carol Hackett**, 4071 Virginia, stated that there is a worry that if County Road F is closed off, the speed of traffic through the neighborhood will be faster and there are many small children. She requested that the street light by her property be reconsidered as it was just recently replaced. Adding street lights will shine into homes. Residents do not want more street lights.

**Ms. April Alfuth**, 259 County Road F, stated that she walks every day. There are so many lights that she does not know what the night sky looks like. Darkness is needed and too many lights interfere with eyesight. She would request that the lights not be replaced. There are already too many.

**Mr. Jirasek** stated that as a former firefighter, he would see a problem getting into the neighborhood with only two access points. He asked if the Fire Department has seen this plan.

**MOTION:** by Councilmember Huffman, seconded by Councilmember Wickstrom to close the public hearing at 7:40 p.m.

**VOTE:**                   Ayes - 4                   Nays - 0

Mayor Martin asked about the placement of street lights and whether the number of lights would be increased. Mr. Wesolowski stated that when a survey was sent out, overwhelmingly residents on Floral Drive did not want street lights. Residents on Demar and County Road F were split with more residents requesting new lights than those not wanting them. The survey included a map of placement of lights. Residents requested placement of a light at the trail head at the public meetings that were held because cars sometimes park there.

He showed a map of the placement of lights currently and where they are proposed. The two new ones are on either end of County Road F, one in the cul-de-sac. Mr. Schwerm added that it is a City standard to have a light at the intersection and at the end of a cul-de-sac.

Councilmember Huffman stated that other residents in other neighborhoods have also raised the issue of not wanting more street lights. He suggested a further policy discussion on placement of street lights.

Mayor Martin stated that the street lighting plan is not final and as plans and specifications are developed, there will be more discussion with the neighborhoods.

That is a more flexible issue than street widths and the cul-de-sac. She asked how the street widths were determined. Mr. Wesolowski stated that the existing street widths are what is proposed. A width of 28 feet is enough to allow parking on both sides of the street and still allow an emergency vehicle to pass. With a narrower width on Floral, many trees will be saved. Feedback from the public meetings and surveys support the proposed road widths.

Mayor Martin asked the reason the County is influencing the City's plan for a cul-de-sac. Mr. Wesolowski stated that coming from the east, there are a lot of curves to approach Hodgson. It does not meet standards for sight distances. It was proposed to curve the road on the east to a 90 degree angle with Hodgson and put in a cul-de-sac on the west.

Councilmember Huffman asked if the decision on the cul-de-sac is from the County or City. Mr. Schwerm responded that the west side of County Road F carries a low volume of traffic compared to the east side, which is why the shift to a 90 degree angle on the east to make that intersection safer for the amount of traffic. If County Road F on the west were not blocked, there would be too many roads coming onto Hodgson that are too close together. The proposal is to fix the portion of road that carries the highest volume of traffic.

Councilmember Wickstrom stated that a number of years ago, there was a Task Force for Hodgson Road. Hodgson is a narrow county road with narrow shoulders. One issue is that there are too many intersections. The idea of the cul-de-sac came from a resident on County Road F.

Councilmember Withhart asked if the Fire Department is in agreement with this plan. Mr. Wesolowski answered, yes.

**Mr. Hackett** stated that access from Virginia is not an option because it is too close to the traffic light on Hodgson and traffic is backed up. This plan effectively reduces access from three to one. Mr. Wesolowski stated that the traffic needs to be observed and further analyzed. Mr. Schwerm stated that the drainage issue on Virginia will be addressed with the County project on Hodgson.

Councilmember Withhart stated that he had contact with eight residents on Demar and County Road F, all of whom were in favor of the cul-de-sac because it will eliminate traffic driving through the neighborhood. He does not believe increased lighting is needed. Mr. Wesolowski stated that at the public meetings and responses to the survey, there was no opposition to a cul-de-sac. The first opposition is what has been presented at this meeting.

Councilmember Huffman stated that he is hesitant to put in a cul-de-sac, but he accepts staff's analysis of the safety issue. This plan will be thoroughly reviewed by the Fire Department. He agreed with Councilmember Withhart and stated he would reconsider placing a street light in the cul-de-sac.

Councilmember Wickstorm asked if there is anything the City can do to drain the water off Virginia. That needs to be addressed. Mr. Wesolowski stated that he will look into it further. Normally, it would be handled by the County when the work on Hodgson is done.

Mayor Martin noted that County plans impact the City and the City makes an effort to work with and coordinate projects with the County. Mr. Schwerm added that if a cul-de-sac is put in on County Road F east of Hodgson Road, that portion of County Road F would be turned back to the jurisdiction of the City.

**Mr. Warren Baskowitz**, 304 Demar, suggested a sign for “No Through Way” on Demar. He believes a cul-de-sac will cause significantly more traffic. There is a lot of concern by residents on Virginia, and there are many children in the area. A traffic study should be done before County Road F is cut off. Mr. Schwerm stated that the reason for the cul-de-sac is that the County is trying to improve the safety of the intersection of County Road F and Hodgson on the east side of the intersection.

**Mr. Henry Wisnewski**, 4040 Virginia, agreed with the traffic increase because there will be only two access points. Over half the residents of this project are on County Road F. He asked about the survey and how the decision to put in a cul-de-sac was made. Councilmember Withhart stated that a survey was received by residents from the City requesting feedback and to mail the survey back to the City. Until tonight, there has been overall support for the project.

One resident stated that the county road has driveways all along it. County Road F serves approximately 40 families. He asked what the alternative would be to a cul-de-sac that was not originally in the County plan. The east side is being shifted and he suggested shifting the west side to the north to make it a safer intersection.

**Mr. Dolen** stated that all neighbors were not contacted and did not know about this. Mr. Wesolowski stated that all properties to be assessed were noticed. Two public meetings were held in addition to the information letter that was sent. Properties not being assessed were not noticed.

Councilmember Wickstrom noted that when Ramsey County does the improvements on Hodgson Road, medians will be included, which is another reason to limit access points.

**Ms. April Alfuth**, 259 County Road F West, stated that residents wanted a give-and-take meeting between the Council and residents. Councilmember Withhart responded that the previous meetings were give-and-take free discussions. The process tonight is prescribed by law for the Council.

Mayor Martin stated that the water problem and sewer service raised by Mr. Hackett at the corner of Virginia will be looked into. The Council tries to plan for the future. Since the Council did not know of the opposition to the cul-de-sac, she would like to look into

the County's response to what has been stated at this meeting. Mr. Schwerm stated that the project could be ordered and preparation of plans and specifications could move forward, and staff could still get input from the County prior to final approval of the plans and specifications.

Councilmember Huffman requested an analysis of how traffic will shift with the proposed plan or any altered plan.

Councilmember Withhart agreed with the need for further study of traffic patterns.

**MOTION:** by Councilmember Huffman, seconded by Councilmember Withhart to adopt Resolution No. 12-18 directing the preparation of plans and specifications and ordering the improvements for the Floral, County Road F, Demar Road Reconstruction, City Project 12-01.

**ROLL CALL:** Ayes: Huffman, Wickstrom, Withhart, Martin  
Nays: None

Councilmember Withhart noted that the assessment portion covers only 10 percent of the cost. This is because part of City taxes are used to maintain a Street Renewal Fund to cover replacement road costs.

## **GENERAL BUSINESS**

### **APPROVAL OF RESOLUTION REVISING AND RE-ESTABLISHING NEW CITY VOTING PRECINCTS**

#### **Presentation by Asst. City Manager/Community Development Director Tom Simonson**

Election districts are redrawn after each U.S. census. The redistricting recently completed by the legislature in February requires the City to revise local precinct boundaries. New precinct boundaries must be set by April 3, 2012. Key changes in Shoreview are:

- Shoreview will have one Senate District instead of three.
- All of Shoreview will be in new Senate District 42.
- Shoreview will have two House Districts instead of three.
- Shoreview will be divided into House Districts 42A and 42B.

Redistricting must comply with State law, as well as take into account the boundaries of two legislative districts and two school districts. Rules require that polling places within the precinct be less than one mile from the precinct boundary. The number of precincts (7) and polling places would remain the same with the new plan. Two changes are proposed:

1. Move a portion of Precinct 3 south of County Road 96 and east of Hodgson Road to new District 42A, which requires relocation of Precinct 4.
2. Move a portion of Precinct 2, north of I-694 into Precinct 3 to create a more logical geographic border and population balance between precincts.

Staff is recommending adoption of the new precinct boundaries to be submitted to Ramsey County.

Mayor Martin requested the explanation of why Precinct 5 cannot include both sides of Turtle Lake up to County Road I. Mr. Simonson explained that it has to do with the fact that polling places must be within a mile of precinct boundaries. He further stated that all voters will receive notification of the new districts and precincts.

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember Huffman to approve Resolution No. 12-15 re-establishing and revising city election precincts as necessitated by the legislative redistricting plan, which was actually the court's redistricting plan.

**ROLL CALL:** Ayes: Wickstrom, Withhart, Huffman, Martin  
Nays: None

### **TEXT AMENDMENT - ENVIRONMENTAL STANDARDS**

#### **Presentation by Environmental Officer Jessica Schaum**

The proposed amendments would address water quality and shade tree management. Ordinance No. 890 would revise Chapter 200 and Ordinance No. 891 would add Section 612 to address coal tar-based sealants.

Shade tree management would move beyond treatment of oak wilt and Dutch elm disease. The City's policy of prevention and control would be maintained and expanded to treat Emerald Ash Borer and future diseases and plant pests, as regulated by the Department of Agriculture and the Department of Natural Resources.

Water quality would give the City authority to regulate pollutants to the City's storm drainage system. The proposed amendments comply with the Clean Water Act and the City's NPDES permit. The Shoreview Storm Water Management Plan includes requirements of Best Management Practices (BMPs) for six minimum control measures. Illicit discharge is one.

Another water quality amendment addresses erosion control and establishes a 14-day period after completion of work to establish permanent vegetation. Work done during the winter will be required to have permanent vegetation established by May 15th. The new section 612 prohibits the use of coal tar resurfacing products on driveways and parking lots because they cause pond contamination.

Some of these requirements have been incorporated into the City's nuisance standards to strengthen enforcement options. For example, the City will be able to remove any living or dead standing trees, firewood or stumps that are infected to any degree by a shade tree disease or plant pest. Illicit discharges will also be considered a nuisance.

The Planning Commission held a public hearing on these text amendments on February 28, 2012. There were no comments or questions. Staff is recommending approval.

Planning Commission Chair Solomonson stated that the Planning Commission reviewed the amendments twice. Staff has done an excellent job.

Councilmember Withhart noted that cleaning storm water ponds is a huge cost and the sediment is hazardous waste pollution from coal tar sealants.

**MOTION:** by Councilmember Withhart, seconded by Councilmember Wickstrom to adopt Ordinance No. 890, revising Chapter 200 of the Municipal Code, specifically Section 202, Definitions; 209, Environmental Standards; Section 210, Nuisances; Section 211, Property Maintenance and Ordinance Number 891, adding Section 612 to the Municipal Code, Coal Tar-based Sealant Requirements, and including the Ordinance Summary for publication.

**ROLL CALL:** Ayes: Withhart, Huffman, Wickstrom, Martin  
Nays: None

### **ADOPTION OF EMERALD ASH BORER MANAGEMENT PLAN**

#### **Presentation by Environmental Officer Jessica Schaum**

Although the Emerald Ash Borer (EAB) was not discovered in Shoreview until last summer, it is estimated that it has been present for the past three or four years. The proposed management plan implements practices to manage the impacts of EAB proactively and balances treatments, removals and replacement. The plan includes education and community outreach.

Mitigation policies include pre-emptive removal of declining ash trees on public property; removal of infested trees; adherence to the state quarantine requirements for ash trees, selected chemical treatment when it can be effective, reforestation with a diversity of trees, and continued monitoring and tracking.

Mayor Martin asked if the City's licensing process will protect residents from contractors who are not qualified to carry out the treatment. Mr. Schwerm responded that the City requires that all tree contractors who either treat trees or remove trees be licensed with the City. The trunk injection method is encouraged, as there is evidence that treatment is effective. Residents will be able to treat their trees through the City contractor at an agreed upon rate.

Councilmember Withhart requested that the City website include educational information on treatment and removal of trees. Mr. Schwerm stated that there will be public meetings to inform residents. Experts from the Department of Agriculture and Department of Natural Resources will be invited to speak to residents.

Councilmember Wickstrom noted that residents can order trees from Friends of the Parks. There is a tree sale at this time. The website is [www.friendsofthepark.org](http://www.friendsofthepark.org). Also, there is another pest coming, the Asian Long-Horned Beetle that will impact other trees. It is in Chicago now and is expected within five years. Ms. Schaum added that if the Asian Long-Horned Beetle becomes established, one in three trees will have to be replaced.

MOTION: by Councilmember Huffman, seconded by Councilmember Wickstrom to adopt the Shoreview Emerald Ash Borer Management Plan dated March 20, 2012.

ROLL CALL: Ayes: Huffman, Wickstrom, Withhart, Martin  
Nays: None

### **ADJOURNMENT**

MOTION: by Councilmember Huffman to adjourn the meeting at 9:10 p.m.

VOTE: Ayes - 4 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 2<sup>nd</sup> DAY OF APRIL 2012.

---

Terry C. Schwerm  
City Manager