

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
August 6, 2012**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on August 6, 2012.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

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

Councilmember Huffman arrived late.

APPROVAL OF AGENDA

MOTION: by Councilmember Wickstrom, seconded by Councilmember Withhart to approve the August 6, 2012 agenda as submitted.

VOTE: Ayes - 4 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

There were none.

CITIZEN COMMENTS

There were none

COUNCIL COMMENTS

Mayor Martin:

Announced that the Jim Tones will perform at the Concert in the Commons at 7:00 p.m. on Wednesday, August 8th at the Haffeman Pavilion.

On Friday, August 10, 2012, there will be Friday Night Flix with a movie in the park for the whole family, The Muppets. On August 24, the movie will be Shrek Forever After. Thank you to the Shoreview Northern Lights Variety Band and the Sister City Association for the wonderful welcome they gave to the Musikcorp Band and visitors

from Einhausen Germany during the Slice. There is a trip to Einhausen next year that is being planned by the Sister City Association.

Councilmember Quigley:

Tuesday, August 7th will be the Night to Unite neighborhood events. There are more than 40 block parties scheduled in Shoreview. Councilmembers will be attending as many as they can.

Councilmember Wickstrom:

Thank you to everyone who helped with the Slice. It was a great event.

The Ramsey County Sheriff's Department will offer CERT (Community Emergency Response Team) training every Wednesday for 9 weeks, beginning September 12th. The training will be in Arden Hills and Vadnais Heights. Anyone interested can call 651-266-7332 or email www.co.ramsey.mn.us.

Councilmember Withhart:

He will not be attending the Night to Unite parties, as he and his wife are hosting the first one for his own neighborhood.

CONSENT AGENDA

Mayor Martin noted the date correction to 2015 in item No. 14, Renewal of Transit Bench License.

Councilmember requested that item No. 1 be pulled for separate consideration.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the Consent Agenda, for August 6, 2012, and all relevant resolutions for all item Nos. 2 through 14:

2. July 16, 2012 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes:
 - Human Rights Commission, June 27, 2012
 - Parks and Recreation Commission, June 28, 2012
 - Bikeways and Trails Committee, July 12, 2012
 - Environmental Quality Committee, July 23, 2012
4. Verified Claims in the Amount of \$994,075.19
5. Purchases
6. Resolution Approving the Decertification of Renewal and Renovation of Tax Increment Financing District No. 3 (TSI, Inc.)
7. Developer Escrow Reduction
8. Declare Cost and Order Preparation of Assessments - Buffalo Lane Reconstruction, CP 11-09
9. Approve Change Order #1 and Authorize Final Payment - Lift Station Improvements, CP 10-02

10. Declaration of Intent to Bond for Project Costs
11. Extension of Review Period for Lakeview Terrace - 3588 Owasso Street
12. Award of Quote - Pool Heater Replacement
13. Resolution Calling for a Public Hearing on the Proposed Modification of Municipal Development District No. 2 and the Establishment of Tax Increment Financing District No. 9 and the Proposed Adoption of a Tax Increment Financing Plan (TSI Incorporated Expansion Project)
14. Renewal of Transit Bench License - U.S. Bench

VOTE: Ayes - 4 Nays - 0

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the July 9, 2012 City Council Workshop Minutes.

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

Councilmember Withhart abstained as he was not present at the July 9th meeting.

PUBLIC HEARINGS

There were none.

GENERAL BUSINESS

AUTHORIZATION TO INITIATE CONDEMNATION ACTION FOR PROPERTY AT 3339 VICTORIA STREET

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

Councilmember Huffman arrived at this time.

The property located at 3339 Victoria Street has been blighted for a long time with property maintenance and public nuisance issues. The purpose of recommending condemnation action is to remove unsafe, hazardous and blighted conditions both to the home and the property.

The City has repeatedly had code enforcement and legal actions against this property for over 20 years. The City has taken three separate abatement actions for cleanup in 1999, 2007 and 2009.

The property owner entered into a Confession of Judgment with Ramsey County to avoid forfeiture of the property. The County executed a payment plan for the property owner to pay for past cleanup costs and property taxes. Payments have been made, but approximately \$20,000 is still owed. The property owner is also delinquent on City utility fees, which have been assessed to his property taxes.

On July 10, 2012, the City inspected the property and found accessory structures with broken windows, deteriorated roofs, doors missing and several structures appear to be

structurally unsound. There is also junk and debris stored outdoors in the side and rear yards. Staff believes these conditions constitute a public nuisance and have a negative impact on adjacent residential properties and the surrounding neighborhood.

The outside of the house was also inspected. The house appears to be hazardous and in violation of numerous housing maintenance and building codes. This includes a deteriorating roof, damaged/rotting siding, decaying fascia and soffits and broken windows. A portion of the house roof has collapsed, and there is water damage.

The City received a CDBG grant from Ramsey County to assist with the purchase of this property for redevelopment with affordable housing. Negotiations have occurred over the past two years. The property owner is in agreement with the general conditions of the purchase agreement, but has not signed the document. Staff believes this action to be warranted to expedite execution of the purchase agreement or to be able to remove conditions of blight. The property owner and legal counsel are aware of the City's action.

Neighbors are very frustrated with the lengthy process and are supportive of this action to resolve the issues on this property.

Councilmember Wickstrom asked the length of time the process will take, as the neighbors have put up with this situation too long. Mr. Simonson stated that it is hoped this action will lead to the purchase agreement being signed. City Attorney Filla added that should condemnation proceedings go forward, he would anticipate 20 to 40 days for the City to take ownership. City Manager Schwerm noted that cleanup of the property would likely take substantially longer than 40 days.

Councilmember Withhart stated that the City has been generous in treatment of Mr. McGuire. Efforts at cleanup have been tried a number of times. Every avenue has been tried to address the situation. He noted that this action is not taken lightly and is being done as a last resort.

Councilmember Huffman asked what affordable housing might be in this situation. Mr. Simonson explained that it could be a median priced home in the \$240,000 range. It could be targeted for first-time homebuyers. There are a number of options. Councilmember Huffman emphasized that an affordable house could well be one similar to any home.

Mayor Martin stated that condemnation is difficult, but safety is a big issue in this instance. Rather than spending more money on court proceedings, it is her hope also that that this action will be the catalyst for execution of the purchase agreement.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Withhart to authorize the commencement of condemnation action for the public purpose of eliminating blight and removal of a public nuisance on property located at 3339 Victoria Street, if a negotiated purchase agreement cannot be reached with the property owner.

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

GRASS/WEED ABATEMENTS: 5870 Ridge Creek Road and 628 Lake Pine Drive

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

Staff is requesting an order to address vegetative growth abatement at 5870 Ridge Creek Road. The request for abatement at 628 Lake Pine Drive is no longer necessary, as the vegetation was cut earlier in the day.

Section 211.060, Property Maintenance, requires that all properties be kept free of noxious weeds, and grass and lawns cannot exceed 9 inches in height. Although vegetation was cut at 5870 Ridge Creek Road, the property is vacant and is in tax forfeiture. The City is recommending proceeding with abatement for future maintenance. This action will enable the City to monitor the property for the remainder of 2012 and for 2013.

MOTION: by Councilmember Quigley, seconded by Councilmember Huffman to adopt Resolution No. 12-66, pursuant to Section 210.020(A), approving the abatement of vegetative growth for the property located at 5870 Ridge Creek Road, and to charge the property owner for the cost of the abatement, including administrative costs. The City Manager is authorized to monitor the property throughout the 2012 and 2013 growing seasons and to abate any vegetative growth on the property that does not comply with City regulations.

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

ADJOURNMENT

MOTION: by Councilmember Quigley, seconded by Councilmember Withhart to adjourn the meeting at 7:33 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 20TH DAY OF AUGUST 2012.

Terry C. Schwerm
City Manager