

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
August 5, 2013**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on August 5, 2013.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

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

APPROVAL OF AGENDA

Mayor Martin requested a brief discussion about emails she has received regarding train horn noise during the *Special Order of Business* portion of the meeting.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Johnson to approve the August 5, 2013 agenda as amended.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

Mayor Martin welcomed Boy Scout members who are working on a citizenship badge.

City Attorney Filla introduced Mr. Kevin Beck, an attorney in his office who was present at the meeting.

CITIZEN COMMENTS

There were none.

COUNCIL COMMENTS

Mayor Martin:

Thank you to the *Slice of Shoreview* Committee who put on another great community event. Except for the weather, it was perhaps one of the best. The Committee begins work on next year about three weeks after this year's is over.

A new sound system has been installed in the Council Chambers to address issues expressed about not being able to hear Councilmembers both in the Chambers and on cable broadcasts of meetings. The new system should correct these issues.

Councilmember Wickstrom:

The Ramsey County League of Local Governments will sponsor the *Build a Burger* Night at the VFW in White Bear Lake at 5:00 p.m. on Monday, August 12, 2013. It is a great way to support military families.

She attended a meeting on organized collection and changes in the law. It is important to correct a letter to the editor expressing the notion that organized collection means that the City will operate garbage collection. That is not true. Organized collection means that the City would contract with existing haulers. Changes in the law allow all haulers to be represented in the same proportion. It is much more efficient using existing haulers and easier on roads.

She also attended a meeting in Arden Hills regarding development of the TCAAP property. The property discussed is approximately one-quarter of the entire property between I-35W, County Road I, Lexington and Highway 96. It is important that Shoreview be represented so that whatever happens does not negatively impact Shoreview.

Councilmember Withhart:

No decisions have been made in Shoreview about organized collection, but several committees and commissions are discussing the idea. All comments from residents are welcome.

Tuesday, August 6, 2013 is *Night to Unite*, and close to a record number of 60 parties will be held in Shoreview. Everyone is urged to attend to get to know neighbors and perhaps organize a Neighborhood Watch program. Law enforcement deputies, Fire Department personnel and Councilmembers try to attend as many parties as possible.

Friday Night Flix returns in August with outdoor movies at the Haffeman Pavilion. Concessions are available. The following movies will be shown: August 9, *Hotel Transylvania*; August 23, *The Rise of the Guardians*; September 6, *Mighty Ducks*; and September 20, *Ghostbusters*.

The Farmers' Market continues and is very popular. It will run every Tuesday from 3:00 to 7:00 p.m. through September and 3:00 to 6:00 p.m. in October. Special events are planned each week.

Councilmember Johnson:

There are three remaining concerts left in the Concert in the Commons Series. August 7th is Jim Tones, an Oldies Band; August 14th is Dirty Shorts Brass Band; and August 21st is Prior Avenue, Funk Soul and R & B. All are encouraged to attend.

She noted how impressive it is that so many residents are out enjoying the parks, playgrounds and trails.

The City is seeking nominations for the Citizen of the Year Award. This is an opportunity to recognize someone who has many accomplishments in the community.

Councilmember Quigley:

Ramsey County is the organizer of the *Night to Unite*, information on the block parties is on the Ramsey County website.

Councilmember Withhart noted that a host kit is sent to all hosts which includes a notice to distribute to neighbors on location of block parties.

CONSENT AGENDA

Councilmember Withhart requested that item No. 1, July 8, 2013 City Council Workshop minutes be voted on separately because he was absent from the meeting and will abstain.

Councilmember Wickstrom noted a correction to the July 8th workshop minutes in regard to her comment regarding commercial development along County Road I. Such development was planned at the northern end that would go to County Road H, not County Road I.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom Consent Agenda for August 5, 2013, and all relevant resolutions for item Nos. 1 through 13:

2. July 15, 2013 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes:
 - Economic Development Commission, June 18, 2013
 - Environmental Quality Committee, July 22, 2013
 - Public Safety Committee, July 18, 2013
4. Verified Claims in the Amount of \$2,019,192.33
5. Purchases
6. Developer Escrow Reduction
7. Declare Cost and Order Preparation of Assessment Rolls - Floral/Demar/Hanska, City Project 12-01
8. Approve Change Order #1 - Red Fox Road, City Project 12-04
9. Approve Final Payment - 2013 Seal Coat, City Project 13-04
10. Accept Quote for Trail Rehabilitation
11. Resolution to Ramsey County Requesting Waiver of Final Payment of Confession of Judgment, Richard McGuire - 3339 Victoria Street
12. Resolution Approving Budget Modification of TIF District No. 8
13. Authorize Request for Advance of Municipal State Aid Funds

VOTE: Ayes - 5 Nays - 0

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the July 8, 2013 workshop minutes as corrected.

VOTE: Ayes - 4 Nays - 0 Abstain - 1 (Withhart)

PUBLIC HEARINGS

There were none.

GENERAL BUSINESS**RESOLUTION EXTENDING TERM OF CABLE TELEVISION FRANCHISE
ORDINANCE AND AGREEMENT - COMCAST OF MINNESOTA, INC.****Presentation by City Manager Terry Schwerm**

In 1998, the City entered into a 15-year franchise agreement with Media One through North Central Communications Corporation for cable television services. That franchise agreement is now held by Comcast of Minnesota, Inc. and expires October 1, 2013. The City belongs to the North Suburban Communications Commission, which is negotiating the new agreement for all 10-member cities. Negotiations will not be complete prior to expiration. There is an agreement to extend the franchise agreement for a 12-month period to allow negotiations to continue. The North Suburban Communications Commission has recommended that all 10-member cities adopt a resolution to extend the franchise ordinance agreement to November 23, 2014. All services will continue through November 23, 2014.

Councilmember Wickstrom noted that the North Suburban Communications Commission only has authority over Basic Cable and not other levels of service.

Councilmember Johnson asked how other communities have been able to transition through a franchise renewal agreement.

Councilmember Wickstrom responded that the negotiations are difficult because the position of Comcast and the Commission are far apart.

Councilmember Withhart asked what is covered under the contract with the cable company. Councilmember Wickstrom answered that it is Basic Service, the over the air stations with the addition of a few other channels. Also, any equipment needed to provide the basic service level in homes is covered. It is a very complex process in determining costs. There is a fee that covers public access channels, and what that fee should be is also a matter of negotiation.

Mr. Schwerm stated that the City cannot regulate the channels offered by the cable company or the rates charged. The purpose of the franchise agreement is to grant the cable company the right to use City right-of-way to install the cable lines and to establish both technical standards and customer service standards for operation.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve Resolution No. 1366 to extend the cable television franchise term until November 23, 2014, while Comcast and North Suburban Communications Commission continue negotiations.

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

SPECIAL ORDER OF BUSINESS

Emails Regarding Train Noise

Mayor Martin reported receiving emails regarding long duration of train horns in the middle of the night. These have occurred at different areas of the City. Vadnais Heights prohibits use of horns under certain circumstances.

Mr. Schwerm stated that quiet zones have been declared in other communities. He would recommend that staff work with the City Attorney to find out the process. Once the process is determined, it can be discussed at an upcoming workshop.

Mayor Martin noted that on Rice Street and on Rustic Place, there have been long delays of traffic with trains stopped on the railroad tracks.

It was the consensus of the Council to direct staff to obtain information on the process to declaring quiet zones as well as changes in scheduling and delays occurring on local roads.

ADJOURNMENT

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to adjourn the meeting at 7:37 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 19TH DAY OF AUGUST 2013.

Terry Schwerm
City Manager