

**CITY OF SHOREVIEW  
MINUTES  
CITY COUNCIL WORKSHOP MEETING  
September 9, 2013**

**CALL TO ORDER**

Mayor Martin called the workshop meeting of the Shoreview City Council to order at 7:02 p.m. on September 9, 2013.

**ROLL CALL**

The following attended the meeting:

City Council: Mayor Martin; Councilmembers Quigley, Wickstrom and Withhart

|        |                 |                           |
|--------|-----------------|---------------------------|
| Staff: | Terry Schwerm   | City Manager              |
|        | Kathleen Castle | City Planner              |
|        | Tessia Melvin   | Assistant to City Manager |

**DISCUSSION REGARDING RAILROAD QUIET ZONES**

The Council has been receiving complaints about train noise, especially on Owasso Boulevard where PaR Systems has reported trains sitting at crossings up to 20 and 30 minutes. Residents on Island Lake Road have reported disturbance from train horns in the middle of the night. There are two separate issues: 1) the train horn noise; and 2) the train noise at Cardigan Junction with switching cars. Neighborhoods impacted by horn noise are Lexington, Victoria and County Road E, North Owasso and Jerrold.

City Planner Castle stated that staff has contacted Canadian Pacific Rail (CP Rail) and learned that there has been an increase in rail activity due to the improving economy and the expanding business in North Dakota with sand fracking. In 2006, there were five or less trains. That number has increased. Rail lines are being used more frequently for transport. She suggested that one option would be to pursue quiet zone designations at certain crossings. In order to establish a quiet zone, certain federal guidelines must be met. The first step in that process would be to contact Canadian Pacific Rail. Trains are required to use their horns if someone is on the tracks or if there is an emergency situation. Quiet zones can be established only for at-grade crossings.

Councilmember Withhart asked if a rail overpass at I-694 would be an option. City Manager Schwerm stated that the City would likely have to pay for such a project.

Mayor Martin stated that she would like staff to find out what it would cost to comply with federal guidelines to establish quiet zones, although the fact that quiet zones can only be established at at-grade crossings would not solve the problem. Mr. Schwerm noted that part of the complaints are related to more train traffic at night. He agreed it would be worth meeting

with railroad officials to get the cost of federal compliance for a quiet zone on Victoria. North Owasso will be upgraded in the future.

It was the consensus of the Council to direct staff to find out the cost of federal compliance to establish quiet zones or at least partial quiet zones.

Ms. Castle noted that different regulations apply depending on what the train is doing. The Environmental Protection Agency (EPA) has adopted noise regulations. There are different noise levels for different activities.

Mr. Schwerm stated that if the City has to employ an engineering consultant for design work, the matter will be brought back to the Council. One thing the City will want to know is if hazardous waste is being carried. He further noted that County Commissioner Blake Huffman also received the complaint emails. The county has a working relationship with CP Rail. Commissioner Huffman is looking into the matter. Other political pressure that can be used is through federal authorities. Senator Scalze was contacted by Rustic Place residents, and she wrote a letter to Congresswoman McCollum requesting federal assistance. The City could write its federal legislative delegation to raise the concern. A request can be made that all switching activity not be done at night. A meeting has been scheduled with neighborhood leaders on September 23, 2013. It is hoped that Commissioner Huffman will be able to advise on how to improve the situation by the time of that meeting.

### **REVIEW OF DRAFT COMMITTEE/COMMISSION HANDBOOK**

Mr. Schwerm stated that the handbook is meant to provide guidance to committees and commissions. The plan is for it to be completed and distributed by the end of the year.

Councilmember Quigley noted the disparities among the various vision and mission statements of the committees and commissions. For example, the Park and Recreation Commission is a core City commission that has one sentence as a vision statement. The Economic Development Commission has a whole page. He would like to see each commission and committee review its mission and vision statement regularly to keep it up to date. Ms. Melvin responded that staff is meeting with the chair of each commission and committee and will request updated mission/vision statements that will be submitted to the Council.

Councilmember Withhart stated that he likes the reference to committee and commission members as ambassadors of the City. He noted that when goals are set by the City Council and staff, there is not always consultation with related committees and commissions. There needs to be acknowledgement and a connection between the committees/commissions and the City Council and staff.

Councilmember Wickstrom questioned the dress code required. She agreed that ragged or torn jeans are not acceptable, but some jeans are acceptable. She believes T-shirts are okay as long as there are no graphics on the shirt.

Mayor Martin responded that the dress code is the same as is required of employees. She believes the dress code is particularly important for the Planning Commission whose members are in a position of authority and need to look professional. Mayor Martin asked about the attendance requirements on page 13 that provides that attendance be 50% to 75% of meetings per year. Mr. Schwerm explained that the number is a result of the fact that the Lake Regulations Committee has two meetings a year. If a member of that committee attends one meeting, they would fall below the current requirement. The Public Safety Committee meets six times a year. A member who attends four of the six meetings would attend less than 75% of the time.

Councilmember Withhart stated that the Park and Recreation Commission meets monthly, and he would expect better than 50% attendance. Mr. Schwerm stated that attendance for the Park and Recreation Commission will be required to be 75% of meetings.

Councilmember Johnson asked what would precipitate removing someone from a committee or commission.

Mayor Martin requested that page 8 include a provision that commission/committee members may be removed for violations of standards of conduct. She noted that Planning Commission members must reapply for each additional term they wish to serve and suggested the same process be used for members of all commissions and committees.

Councilmember Withhart expressed concern about someone who would want to serve for life. He would like the Council to have authority to be able to appoint a new person. Mr. Schwerm noted that currently any applications other than the Planning Commission are reviewed by the Committee.

The Council discussed a number of possible changes in the appointment process for committees and commissions:

- Members to reapply for a new term on all committees and commissions or indicate an interest to continue to serve and not send the applications to the individual committees and commissions and the Council interview for all appointments.
- Tighter control on attendance.
- No longer send applications to committees and commissions for review and recommendations but having the Council interview all applicants for all committees and commissions.
- Clarification of reference to the Open Meeting Law on page 10.
- Include the Council policy regarding chair rotation, which is to encourage rotation after three years leaving open the option of rotating more often.
- Request a recommendation for chair from each committee and commission with the Council making three-year appointments.

Mr. Schwerm stated that staff will make revisions and bring the guidelines back to the Council. It was the consensus of the Council to schedule regular joint meetings with each committee and commission and meet with each at least every other year.

## **OTHER ISSUES**

### **City Manager Employment Contract**

Personnel Director Laurie Elliott was present to discuss renewal of the City Manager's employment contract.

### **Volunteer Recognition**

A Volunteer Recognition Dinner will be held on Thursday, November 14, 2013.

### **Levy Error**

Mr. Schwerm reported that when the State created the levy limit an error was made in how the debt levy was to be handled. The state actually allows the debt levy to be added into the levy before the 3% levy limit is applied. This means that Shoreview could have levied \$417,000 more than it did. The Council could amend the levy, but it would require a special meeting this week.

It was the consensus of the Council to not amend the levy. The levy adopted is responsible. The fact that the City is more than \$400,000 under the levy limit will be explained at the truth in taxation hearing.

The meeting adjourned at 9:27 p.m.