

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
February 18, 2014**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on February 18, 2014.

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

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to approve the February 18, 2014 agenda as submitted.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

Human Rights Commission Poster Contest

Commissioner Julie Williams introduced Bob Minton and Cory Springhorn (Co-Chairs), Richard Bokovoy, Elaine Carnahan and Mary Johnson who were in attendance.

When the Shoreview Human Rights Commission was re-established in 1993, the following mission statement, which remains unchanged, was adopted: The Shoreview Human Rights Commission advises and aids the city of Shoreview by establishing and promoting a community standard of equal opportunity and free from discrimination. We envision a community where all people are welcomed, valued and respected where each person feels at home.

Since 1994, the Commission has sponsored the "One Community of Many Colors" art contest for fourth graders in recognition of Martin Luther King Day. This is the 21st consecutive art contest. The contest is open to all local elementary schools serving Shoreview. This year, five schools participated: Emmet D. Williams, Turtle Lake, Island Lake, Pinewood and St. Odilia. Over 350 posters were received and reviewed. Posters are judged on the theme, clarity of message, quality of art and use of paper area.

Mayor Martin presented certificates and Shoreview pins to the 10 honorable mentions and 10 place winners:

Honorable Mention

Name	School	Teacher
Olivia Rutledge	Pinewood	Mrs. Kettleson
Maggie Walsh	St. Odilia	Mrs. Fox
Tristan Ray Chapin	Emmet D. Williams	Mrs. Foerster
Julia Morikawa	Pinewood	Ms. Helmbrecht
Julia Pomerleau	St. Odilia	Mrs. Fox
Anish Saraf	Turtle Lake	Mrs. Leiser
Joseph Swallen	Island Lake	Mrs. Rode
Lauren Dolton	Island Lake	Mrs. Harren
Nina Roufs	Turtle Lake	Mrs. Milow
Chinmay Jugade	Island Lake	Mrs. Anderson/Eidem

Place Winners

	Name	School	Teacher
10th	Melanie Soe	Emmet D. Williams	Mrs. Foerster
9th	Ella Voorhees	St. Odilia	Mrs. Fox
8th	David Loahr	Pinewood	Mrs. Johnson
7th	Isabel Castilleja	St. Odilia	Mrs. Fox
6th	Emma Bouzguenda	Island Lake	Mrs. Dahl
5th	Gavin Chang	Island Lake	Mrs. Harren
4th	Griffin O'Connor	Island Lake	Mrs. Harren
3rd	Max Larson	St. Odilia	Mrs. Fox
2nd	Cynthia Dong	Turtle Lake	Mrs. Pallansch
1st	Jasmine Anderson	Island Lake	Mrs. Dahl

Mayor Martin thanked the teachers for their efforts and parents and grandparents who support these young people.

CITIZEN COMMENTS

Ms. Darlene Lund, 1643 Lois Drive, stated that she submitted a letter to the Planning Commission that was disregarded and requested to read it to the City Council. The letter was included in the packet received by the Council. Her letter related to Mike Morse's application for variances he applied for to keep a garage he began building on his property, which is not in compliance. She stated that there are inconsistencies in granting variances regarding practical difficulty and believes Mr. Morse is being singled out, and that this action is being dragged out and is creating animosity in the neighborhood.

Mr. Mike Morse, 1648 Lois Drive, read a letter from his attorney addressed to Mayor Martin and City Manager Schwerm. The letter is a notification to the City regarding many code violations throughout the City. Mr. Morse's application is enclosed with the letter and includes Exhibit Nos. 1 through 9, which describe in detail unenforced violations of City Code which he

believes show that he is being mistreated by the City with his application. He submitted the letter to the Council.

Mayor Martin stated that as this matter is under litigation and before the Planning Commission, the Council is unable to respond to either Mr. Morse or Ms. Lund.

Mr. Steve Gallop, 435 Walnut Lane, stated that he is a volunteer working on the *Slice of Shoreview* and he would like to encourage everyone to attend the *Taste of Shoreview*, a fundraiser for the *Slice*. The *Taste* will be Thursday, February 20, 2014, at the Community Center from 5:00 to 9:30 p.m.

COUNCIL COMMENTS

Mayor Martin:

Many people are experiencing frozen water pipes this year due to the extreme cold weather. Residents experiencing this trouble are encouraged to let faucets run at a very small stream to keep pipes from freezing, especially if water use is seldom or the house is not being used. If water is in the 35 degree temperature range, residents should have pipes checked.

Councilmember Wickstrom:

A reminder to residents to attend the Environmental Quality Committee Speaker Series on Wednesday, February 19, 2014, at 7:00 p.m. City Engineer Tom Wesolowski will give the presentation on *A Behind the Scenes Look at Stormwater*.

Councilmember Johnson:

Registration for Summer Discovery has started. Space is limited so those interested are encouraged to sign up early.

On March 1, 2014, there will be a Birthday for Dr. Seuss. Children ages 3 to 5 are invited to attend.

Councilmember Quigley:

Asked about the announcement in the newspaper regarding the I-694 highway project. Public Works Director Maloney responded that Mn/DOT notified the City that I-694 through Shoreview has been changed to a full reconstruction and addition of a third through lane.

CONSENT AGENDA

Item Nos. 1, 7 and 8 were pulled for separate discussion:

8. Award of Quote - Community Center Door Replacement

**RECEIVE FEASIBILITY REPORT AND CALL FOR PUBLIC HEARING -
HANSON/OAKRIDGE RECONSTRUCTION, CP 14-01**

Presentation by City Engineer Tom Wesolowski

The feasibility report shows that existing conditions consist of rural roadways with no curb and gutter. The streets vary in width from 19 to 28 feet. There is a limited stormwater collection system and limited number of street lights. The proposed improvements include:

- New road section with concrete curb and gutter
- Replace cast iron water main and services
- Replace/repair sanitary sewer as needed
- Add the number of and replace existing street lights
- Install stormwater system using underground filtration chambers and permeable pavement

Two neighborhood information meetings have been held with a positive reaction to the proposed improvements.

The estimated project cost is \$1,622,000. Funding for the project would be from the following:

Assessments: Street	\$98,500 at \$1,317/unit
Surface Water	\$60,890 at \$1,120/unit
Street Renewal Fund	
Utility Funds	

Staff is recommending acceptance of the feasibility report and public hearing to be scheduled at the City Council's regular meeting on March 17, 2014.

MOTION: by Councilmember Quigley, seconded by Councilmember Withhart to approve Resolution No. 14-11, receiving the Feasibility Report for the Hanson/Oakridge Neighborhood Road Reconstruction, City Project 14-01, and calling for a Public Hearing to be held on March 17, 2014 at 7:00 p.m., on the proposed improvements.

Discussion:

Councilmember Wickstrom asked if there will be an education process for residents on Woodbridge to make sure they understand not to rake leaves and debris into the street. Mr. Wesolowski stated that signs are already posted and letters will be sent annually as a reminder.

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

Mayor Martin noted that residents are only paying approximately \$150,000 of the total project because of the way Shoreview budgets for these projects.

TEXT AMENDMENT - SUBSURFACE SEWAGE TREATMENT SYSTEMS**Presentation by City Planner Kathleen Castle**

Section 209.090 is proposed to be amended to comply with state statutes requiring counties and local governments to enforce and administer state requirements regarding subsurface sewage treatment systems (septic systems). In Ramsey County local governments are responsible. In Shoreview, this means 11 individual systems with capacity of less than 2500 gallons per day. Any increase in number of septic systems is not likely because of subdivision standards that require connection to City water.

The amendment does not change requirements regarding maintenance of existing systems. The amendment does provide for administrative procedures for permits, enforcing regulations and maintaining existing systems. A new section is added for mid-size systems for multi-unit dwellings. It is not anticipated that Shoreview will have a mid-size system, but adopting the regulations is prudent.

State law requires disclosure to a property buyer of a septic system on the property. However, a Certificate of Compliance on the system is not required. Staff is presenting two options: 1) to not require a Certificate of Compliance; and 2) to require a Certificate of Compliance. While there is benefit to including a required Certificate of Compliance, staff has concerns about enforcement.

Administration and enforcement would be handled by the City's Building Official. The Planning Commission held a public hearing and reviewed the amendment at its meeting on January 25, 2014. The Planning Commission recommends approval without the requirement of a Certificate of Compliance when a property is sold.

Councilmember Quigley asked for further information on the pros and cons of whether or not to require a Certificate of Compliance.

Planning Commission Chair Solomonson stated that the Planning Commission did not discuss pros and cons. After a brief discussion there was consensus not to adopt the more restrictive requirement.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to adopt Ordinance No. 917, revising Chapter 200 of the Municipal Code Section 209.090, pertaining to Subsurface Sewage Treatment Systems, and authorize publication of an Ordinance Summary.

The text amendment is adopted without draft Section 209.080 (N)(1-8) and does not include provisions requiring property owners to provide a Certificate of Compliance at the point of sale.

The approval is based on the following finding of fact:

1. The amendment brings City Code into consistency with Minnesota Statutes and Administrative Rules regulating Subsurface Sewage Treatment Systems.

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

FINAL PLAT/PUD - UNITED PROPERTIES, 4785 HODGSON ROAD

Presentation by City Planner Kathleen Castle

The Final Plat/Final Planned Unit Development application is for a senior housing residential cooperative with 77 units at 4785 Hodgson Road. The existing improvements will be demolished to construct a three-story senior housing building. Access is off Hodgson Road and Tanglewood Drive. Underground parking will be provided as well as a surface parking lot. Mature oak trees on the site will be retained. Added landscaping is proposed along the south and west property lines to screen the development from the adjacent single-family neighborhoods.

The Final Plat combines two properties into one. Additional right-of-way for Hodgson and Tanglewood is provided along with drainage and utility easements. The Final Plat is consistent with the approved preliminary plat.

The Final PUD application is consistent with preliminary plans that have been approved. Parking stalls have been reduced from the required 157 to 149. The parking ratio per unit is 1.93, which exceeds other senior housing complexes in the City. Staff recommends approval with the conditions listed in the staff report.

Councilmember Withhart asked if replacement trees for the lost landmark trees are included in the new landscaping. Ms. Castle explained that what is proposed meets minimum requirements for screening from single-family homes and goes beyond with the added landscaping.

Councilmember Withhart also asked if parking would be sufficient if the building were repurposed to an apartment building. Ms. Castle explained that because the development is a PUD, any change in use would require review and approval through the Planning Commission and City Council.

Councilmember Johnson echoed Councilmember Withhart's concern and stated she would not want to see overflow parking spill into the neighborhood.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the Final Plat and Final PUD applications, including the Site Development Agreements, submitted by United Properties Residential, LLC to plat and develop the properties at 4785 Hodgson Road and 506 Tanglewood Drive with a Senior Residential development, subject to the following:

1. A public use dedication fee shall be submitted as required by ordinance prior to the release of the Final Plat by the City.

2. The Final Plat shall include drainage and utility easements along the property lines and over infrastructure as required. Drainage and utility easements along the roadways shall be 10 feet wide and along the side lot lines these easements shall be 5 feet wide or as required by the Public Works Director.
3. The applicant is required to enter into a Site Development Agreement and Erosion Control Agreement with the City, including the submittal of the financial securities. Said agreements shall be executed prior to the release of the Final Plat.
4. The items identified in the City Engineer's memo shall be addressed prior to the issuance of any City permits.

This approval is based on the following findings of fact:

1. The proposal supports the policies in the City's Comprehensive Plan relating to land use and housing.
2. The subdivision complies with the City's development code standards for plats and residential redevelopment.
3. The proposed residential use will not adversely impact the planned land use of the surrounding property.
4. Final Plat and Final PUD are consistent with the previous City approvals.

Discussion:

Councilmember Withhart asked the schedule of construction. **Mr. Mark Nelson**, United Properties, responded that construction is anticipated to begin this summer.

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

FINAL PLAT - PULTE HOMES, 5878 LEXINGTON AVENUE

Presentation by City Planner Kathleen Castle

The Final Plat is for 25 parcels for single-family development at 5878 Lexington Avenue, which consists of approximately 10 acres. The density proposed is 2.67 units per acre. Right-of-way is dedicated for the extension of Woodcrest and Bucher Avenues. Drainage and utility easements are provided as required.

This project includes expansion of the trail along Lexington Avenue and provision of a neighborhood trail to connect to the Lexington trail. The Homeowners Association will manage all green space.

Storm water management will be an underground storage and infiltration system on Outlot A. Modifications to the system are needed as outlined by the City Engineer in his memo. The plan complies with City zoning and subdivision standards. However, the Final Plat will not be released until the design is approved by the Public Works Director. Staff recommends approval with the conditions listed in the staff report.

Councilmember Quigley asked the reason for not including Homeowner Association responsibilities in the motion pertaining to green space and the trail. Ms. Castle stated that those responsibilities are stipulated in the Development Agreement. Mr. Schwerm added that the trail will become public and be maintained by the City.

Councilmember Withhart asked if the neighborhood trail will be paved and meet City standards. Mr. Schwerm answered that it will.

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to approve the Final Plat, Autumn Meadows, submitted by Pulte Homes - MN Division to subdivide the property at 5878 Lexington Avenue into 25 single-family residential lots, subject to the following:

1. A public use dedication fee shall be submitted as required by ordinance prior to the release of the Final Plat by the City.
2. The Final Plat shall include drainage and utility easements along the property lines and over infrastructure as required. Drainage and utility easements along the roadways shall be 10 feet wide and along the side lot lines these easements shall be 5 feet wide or as required by the Public Works Director.
3. The applicant is required to enter into a Site Development Agreement and Erosion Control Agreement with the City, including the submittal of the financial sureties. Said agreements shall be executed prior to the release of the Final Plat.
4. The Final Plat will not be released by the City until the items identified in the City Engineer's memo are addressed and the stormwater management system is approved by the Public Works Director.

This approval is based on the following findings of fact:

1. The proposal supports the policies in the City's Comprehensive Plan relating to land use and housing.
2. The subdivision complies with the City's development code standards for plats and single-family residential development.
3. The proposed low density residential use will not adversely impact the planned use of the surrounding property.
4. The Final Plat is consistent with the previous Preliminary Plat approval.

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

ADJOURNMENT

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to adjourn the meeting at 8:22 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 3rd DAY OF MARCH 2014.

Terry Schwerm
City Manager