

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
July 21, 2014**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on July 21, 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 Wickstrom, seconded by Councilmember Withhart to approve the July 21, 2014 agenda as submitted.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

Mayor Martin read the Proclamation for the Night to Unite 2014 on Tuesday, August 5, 2014.

Councilmember Withhart asked for clarification about who to contact to get street barricades for block parties. Mr. Schwerm stated that the City should be called so staff can make sure barricades are put up at requested locations.

CITIZEN COMMENTS

Mr. John Andreozzi, 157 Bridge Street, stated that he is President of Festa Italiana Minnesota. A celebration of Italian heritage and culture will be held the weekend of August 1-3. Entry and parking are free. Festivities will take place in several locations with shuttle transportation available. All are invited. Mayor Martin will lead the ribbon cutting ceremony at 2:30 p.m., Friday, August 1, 2014.

Mayor Martin noted that detailed information about this event is online at festaitalianamn.org.

COUNCIL COMMENTS**Mayor Martin:**

The quiet zones for Canadian Pacific on Lexington and Victoria will be in effect beginning August 6, 2014. The quiet zones on Owasso and Jerrold Streets will take longer to establish due to the extensive construction work that needs to occur before they can be implemented.

The Shoreview Northern Lights Variety Band will be featured at the Concert in the Commons Series on Wednesday, July 23, 2014, at 7:00 p.m.

Councilmember Quigley:

A reminder to everyone of the *Slice of Shoreview* on July 25 through July 27. Everyone is welcome.

Councilmember Johnson:

As part of *Night to Unite* this year, Ramsey County will be conducting a school drive collection of supplies for children in Ramsey County. Items can be dropped off at the Sheriff's Department August 4 through August 8. Supplies needed are listed on the Sheriff's website.

Councilmember Wickstrom:

All are encouraged to participate in the Tour de Trails on Sunday, July 27th, as part of the *Slice*. There are two routes--one is 8 miles; one is 22 miles. The *Tour* begins at 7:30 a.m. Those not registered in advance can register that day.

Councilmember Withhart:

The Economic Development Authority (EDA) and Economic Development Commission (EDC) are both seeking to fill vacancies. Information and applications can be obtained at City Hall. The deadline for applications is August 15, 2014.

The Shoreview Community Foundation had a successful evening distributing free ice cream at the Concert in the Commons.

CONSENT AGENDA

Item Nos. 1 and 2 were pulled for separate consideration.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Johnson to adopt the Consent Agenda for July 21, 2014, and all relevant resolutions for item Nos. 3 through 8:

3. Receipt of Committee/Commission Minutes:
 - Economic Development Authority, May 5, 2014
 - Economic Development Commission, May 20, 2014
 - Parks and Recreation Commission, May 22, 2014
 - Human Rights Commission, May 28, 2014
 - Economic Development Authority, June 16, 2014
 - Economic Development Commission, June 25, 2014
 - Planning Commission, June 24, 2014

5. **Post-construction Stormwater Management in New Development and Redevelopment:** In 2013, the City installed:
- a stormwater pond for the Target/Red Fox Road area with a sand filter to treat runoff from 17 acres--this replaced an existing undersized pond. This meets all Rice Creek Watershed standards.
 - Sand filters were installed for County Road and Cottage Place.
 - A stormceptor was installed to prevent direct discharge into Shoreview Lake for the Owasso Street Realignment project.
6. **Pollution Prevention/Good Housekeeping for Municipal Operations:** The City regularly inspects, maintains and repairs the City's existing stormwater infrastructure.

A new permit was issued in 2013, and the City has applied for reauthorization.

Mayor Martin noted that the control measures are for less than a 100-year event. She asked if there is a penalty for system failure with mega storms. Mr. Maloney responded that it is a matter of using Best Management Practices to meet standards. There is no penalty if there is a good faith effort to meet the standards.

City Attorney Kelly stated that he has reviewed the Affidavit of Publication and the Notice of Public Hearing has been properly given.

Mayor Martin opened the public hearing. There were no comments or questions.

MOTION: by Councilmember Quigley, seconded by Councilmember Withhart to close the public hearing at 7:30 p.m.

VOTE: Ayes - 5 Nays - 0

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to direct the Public Works Director to submit the final MS4 Annual Report for 2013 to the Minnesota Pollution Control Agency reflecting the receipt of any comments from the Public Hearing held on July 21, 2014.

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

GENERAL BUSINESS

AUTHORIZE VEGETATION REMOVAL ON SNAIL LAKE

Presentation by Public Works Director Mark Maloney

The City has received a recommendation (adopted unanimously) from the Snail Lake Improvement District (SLID) Board to assist with vegetation removal on Snail Lake. It is an emergency request. The Ramsey County Sheriff has requested vegetation removal for any emergency access needed to the lake. The high water level has created floating mats of vegetation. The beach is closed due to vegetation. These vegetative mats are damaging docks and shoreline landscaping. The lake level is approximately one foot above the Ordinary High Water (OHW) level.

The estimated cost is \$50,000, which would be included in the annual operating and management budget for SLID. Under the budget formula for SLID, the City would be responsible for 40.8% of the cost; SLID property owners would pay 45.5%, collected through utility bills; and Ramsey County Parks would pay 13.8%. Ramsey County Parks is in favor of the vegetation removal, and the DNR has granted a permit.

Councilmember Withhart asked if the \$50,000 is only to remove vegetation at the boat launch and beach. Mr. Maloney stated that as much vegetation as possible will be removed beyond the boat launch and beach locations.

Councilmember Quigley asked what is done with the vegetation removed. Mr. Maloney stated that most of what is removed is water. He would like to see it piled in one location until all the water is drained out and then see if it can be taken to the compost site.

Councilmember Johnson noted the safety concern also for residents on the lake. Mr. Schwerm added that one of the charges to SLID is navigability of the lake, which is why an emergency meeting was held.

Noting that the County has already taken steps to clear the boat launch, Councilmember Wickstrom asked if the County's cost participation would only be for the boat launch. Mr. Maloney stated that the County will pay its share under the SLID budget formula.

Councilmember Withhart asked how the City would fund its share of the cost. Mr. Schwerm stated that this would be paid from the Surface Water Fund.

Mayor Martin opened the discussion to the public.

Mr. Tom Olmscheid, 4262 Snail Lake Boulevard, stated that he owns lakeshore property at 4250 and 4259. This is a safety issue. One bog is approximately 130 feet long. Residents know where these vegetative mats are on the lake, but not the general public.

Mr. Bob Sawyer, 4387 Snail Lake Boulevard, stated that he has lived on Snail Lake for 31 years. The bogs are dangerous enough to kill waterskiers. One that is 120 feet long took out his dock and broke his pontoon loose. There are cattails that run 30 feet out from shore. When removal takes place, he would appreciate notification to residents so these vegetative mats can be brought to the beach for removal.

Mayor Martin noted that the cattails now in the lake are not indigenous to the lake and are invasive. She agreed with Mr. Maloney that it would be better to let the vegetation drain and then haul it a short distance rather than having it hauled a long way, which is very expensive.

MOTION: by Councilmember Quigley, seconded by Councilmember Johnson to authorize vegetation removal from Snail Lake on behalf of the Snail Lake Improvement District.

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

ABATEMENT OF PUBLIC NUISANCE - 5435 ST. ALBANS STREET**Presentation by City Planner Kathleen Castle**

The property conditions that represent a public nuisance at this property include outside storage, refuse not removed and an unsecured pool that is not maintained. The property owner of record is J. Gregory Murphy who has entered into a Contract for Deed with Jesse Owens, the resident of the property. Both parties have been notified of the compliance requirements and this abatement hearing.

The Development Code, Section 211.060 stipulates property maintenance compliance requirements. Section 210.010 defines Public Nuisance as a public health issue, which includes refuse, outside storage and accumulation of stagnant water in pools. Mr. Owens has been working to correct the problems. Refuse has been placed in a dumpster. Outside storage has been brought into compliance. Gates have been locked to restrict access to the pool which has been drained. The fence still needs repair. As additional work is needed to address all the issues, staff is seeking an order for abatement. Should the problems not be resolved, the City then has recourse to seek compliance through the District Court without another public hearing.

Councilmember Withhart asked the reason for an alternate motion that takes out the reference to refuse and outside storage issues. Although these issues have been addressed, including them in the motion allows the City to address any recurrence without having to repeat the public hearing process.

Mayor Martin opened the public hearing.

Mr. Jesse Owens, 5435 St. Albans Street, apologized to the Council for the condition of his property and not taking care of the problems due to an excessive work load. He told Mr. Murphy that he would clean up the property and agreed that it is his responsibility. He is taking measures to address all of the issues. He understands why this happened and it will not happen again.

Mayor Martin explained that even though the Council will probably order the abatement, the City will not come in if he is making a good faith effort to clean up his property.

Councilmember Withhart cautioned that if the City does do the cleanup, it is expensive because the City contracts for the work to be done and adds administrative costs.

MOTION: by Councilmember Withhart, seconded by Councilmember Withhart, to adopt Resolution 14-50 ordering abatement of the public nuisance (pertaining to the unsecured pool, fence enclosure and accumulation of refuse and debris) for the property at 5435 St. Albans Street North.

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

WEED ABATEMENT--4414 GALTIER STREET AND 5435 ST. ALBANS STREET**Presentation by City Planner Kathleen Castle**

The weed abatement request is for two properties at 4414 Galtier Street and 5435 St. Albans Street North. Section 211.060 requires that properties be kept free of noxious weeds and that grass not exceed 9 inches in height. Property owners have been notified of the required corrections needed for compliance and about this hearing.

She noted that the property at 4414 Galtier Street is an unlicensed rental property that may be vacated. There is a history of property maintenance violations, including refuse, parking, outside storage and an accessory structure that does not have a permit. The property on St. Albans is now in compliance.

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to adopt Resolution No. 14-49, pursuant to Section 210.020(A), approving the abatement of vegetative growth for the properties located at 4414 Galtier Street and 5435 St. Albans Street N. and to charge the property owners for the cost of the abatement, including administrative costs. The City Manager is authorized to monitor the property throughout the 2014 and 2015 growing seasons and to abate any vegetative growth on the property that does not comply with City regulations.

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

ADJOURNMENT

MOTION: by Councilmember Johnson, seconded by Councilmember Quigley to adjourn the meeting at 8:10 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 4th DAY OF AUGUST 2014.

Terry Schwerm
City Manager