

**CITY OF SHOREVIEW  
AGENDA  
REGULAR CITY COUNCIL MEETING  
June 1, 2015  
7:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF AGENDA**

**PROCLAMATIONS AND RECOGNITIONS**

**CITIZENS COMMENTS** - *Individuals may address the City Council about any item not included on the regular agenda. Specific procedures that are used for Citizens Comments are available on notecards located in the rack near the entrance to the Council Chambers. Speakers are requested to come to the podium, state their name and address for the clerk's record, and limit their remarks to three minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

**COUNCIL COMMENTS**

**CONSENT AGENDA** - *These items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and placed elsewhere on the agenda.*

1. May 11, 2015 City Council Workshop Meeting Minutes
2. May 18, 2015 City Council Meeting Minutes
3. May 18, 2015 City Council Workshop Meeting Minutes
4. Receipt of Committee/Commission Minutes
  - Public Safety Committee, March 19, 2015
  - Economic Development Commission, April 21, 2015
  - Human Rights Commission, April 22, 2015
  - Parks and Recreation Commission, April 23, 2015
  - Planning Commission, April 28, 2015
  - Economic Development Commission, May 17, 2015

5. Verified Claims
6. Purchases
7. Change Order #2—Hanson Road/Oakridge Reconstruction, CP 14-01
8. Cooperative Agreement with City of North Oaks for Hodgson Trail
9. Authorize Execution of Construction Phase Services for Water System Improvements—Water Treatment Plant, CP 14-02
10. Conditional Use Permit—Weaver, 4344 Snail Lake Boulevard
11. Authorization to Hire Morris Leatherman Company for Community Survey

## **PUBLIC HEARING**

### **GENERAL BUSINESS**

12. Major Subdivision—Donald F. Zibell, 3422 Chandler Road
13. Accept Bids and Authorize Construction Contract for Water System Improvements—Water Treatment Plan, CP 14-02
14. Approval of Liquor License Renewals

## **STAFF AND CONSULTANT REPORTS AND RECOMMENDATIONS**

### **SPECIAL ORDER OF BUSINESS**

### **ADJOURNMENT**

**\* Denotes items that require four votes of the City Council.**

**CITY OF SHOREVIEW  
MINUTES  
CITY COUNCIL WORKSHOP MEETING  
May 11, 2015**

**CALL TO ORDER**

Mayor Martin called the workshop meeting of the Shoreview City Council to order at 7:00 p.m. on May 11, 2015.

**ROLL CALL**

The following attended the meeting:

City Council: Mayor Martin; Councilmembers Johnson, Quigley, Springhorn and Wickstrom

Staff: Terry Schwerm, City Manager  
Rebecca Olson, Assistant to City Manager  
Mark Maloney, Public Works Director

Bikeways and  
Trails Committee: Keith Severson, Chairperson  
Ted Haaf  
Craig Francisco  
Craig Mullenbach  
Mark Stange

CenturyLink: Kirstin Sersland, Director Local Government Affairs

**MEET WITH BIKEWAYS AND TRAILS COMMITTEE**

The Council met with the Bikeways and Trails Committee to be updated on the work plan and goals of that committee.

One initiative the Committee is working on is to formally establish an Adopt-A-Trail program in Shoreview for major trail segments. The County has discontinued this program. However, it is a good activity to involve the community. Mr. Maloney stated that the better Adopt-A-Trail programs involve commitment. The City would facilitate the program by providing bags, safety vests and bag pickup.

Previously, the Committee has discussed more involvement in the *Slice of Shoreview*. The Tour de Trails has become an annual event for the last 15 years. The Tour is specifically for Shoreview residents, which is the reason it is not more widely advertised. The Tour provides maps and has been a good activity for residents to learn the trails. The Committee receives good support from the *Slice* and has had a booth the past two years.

The Committee focuses on infrastructure and facilitation for a walk-friendly community. Although Shoreview has good bike trails and has applied for the designation as a bike-friendly community, the criteria is narrowly focused and the City has not attained that designation.

Mayor Martin stated that she has good feedback on her “Walk and Talk with the Mayor” opportunity each Tuesday afternoon. She plans to promote walking clubs in the community as part of a new community health initiative.

Chair Severson noted the Committee’s recommendations for new trail connections on a map provided to the Council. One emphasis is the need to complete a one-block long gap in the County Road J trail segment between Grotto Street and St. Albans because of the danger for westbound cyclists riding “into traffic” along the south shoulder of County Road J. While there is no liability to the City, it is a safety issue. This trail would also provide a good connection for Bucher Park, which was recently renovated.

Another area that needs a trail is Hamline/County Road I. It would be good to have a trail from Shamrock Park.

Councilmember Wickstrom noted that parents are afraid to send children to school on bikes because of the narrow road on County Road I. One committee member noted cutting through a townhouse association, but there is no trail into the townhouse neighborhood. The City has no jurisdiction to add a small trail through the townhouse development.

Other opportunities include the Master Plan for Snail Lake Marsh area that the County is currently updating. The Committee is fully supportive of the Master Plan, along with the future link to Reiland Lane.

Mayor Martin asked about the potential trail connection to Reiland Lane on the County’s Master Plan. Her concern is that Reiland Lane is so narrow she would not want to encourage bike and pedestrian traffic. Also, this trail is not currently in the City budget.

Councilmember Wickstrom stated that she would like to see an asphalt trail as far west as possible with a lookout/turn-around at the end until there is funding for a boardwalk/bridge across the wetland. If that trail is first gravel, there will be another resident issue when it is paved.

One committee member stated that people so enjoy loops that he would like to see the connection to Reiland Lane.

Councilmember Johnson asked what funding would be needed for a trail to Reiland Lane. Mr. Maloney estimated at least \$100,000 since a boardwalk will need to be part of the trail.

Mr. Schwerm stated that although a City initiative, the trail to Reiland Lane is shown in the County Plan because it is a Regional Trail Master Plan. The County Plan now shows asphalt into the park a couple hundred feet and then natural surface trails into the woods. Previous to public input, the County planned asphalt trails throughout the area. The public meeting in the

City was very well attended with close to 50 people, and the County modified the plans after listening to resident concerns. The County is looking for a resolution of support from the City.

Councilmember Quigley asked if the trend is for hard surface trails instead of natural trails. The problems he has heard about pets, trash, and blue tooth. Earphones can prevent people from hearing beeps from bikes or others. There is a problem of protocol on trails.

Mayor Martin raised the issue of Soo Street and walking around Lake Wabasso. A trail there would be a high priority for her. It is one of the most dangerous areas in the City. Also, there are not enough connections along Victoria Street in southern Shoreview.

Councilmember Wickstrom suggested developing two priority lists--one with trails that have to be based on a road project and a second list of individual trail projects. Mr. Schwerm stated that the next step would be to program some of these projects into the City's CIP.

Mayor Martin commended the Committee for their work and asked that they continue to provide input for the Ramsey County Master Plan for Snail Lake Regional Park and for the City's CIP Program.

### **PRESENTATION FROM CENTURY LINK REGARDING PRISM TV AND CABLE FRANCHISE**

#### **Presentation by Kirstin Sersland, Director Local Government Affairs, CenturyLink**

CenturyLink currently serves local markets in 37 states and has local networks in almost all top U.S. markets as the third largest telecommunications company in the U.S. CenturyLink is a Fortune 158 company with over 3,000 employees. CenturyLink provides data, voice and management technology services in local, national and international markets and is the second or third largest cloud provider in the world. There are data centers from Hong Kong to Shakopee. CenturyLink provides services to more than 80% of Fortune 500 businesses. In Minnesota, there are over 3,000 employees with 500 network techs and 200 trained for PRISM, the CenturyLink cable network product. PRISM TV, an IP (internet protocol) TV service, is not brought by cable but by the home phone whether the connection is copper or fiber.

Mayor Martin asked the difference between a state franchise and local franchise. Ms. Sersland explained that statewide franchising is applied for through the state. Once granted, PRISM TV is available statewide the next day. The local franchise involves meeting with individual cities and commissions for approval.

Mayor Martin clarified that it is the local CenturyLink that has won the right from national CenturyLink to promote PRISM TV in the Twin Cities. She asked what resources are anticipated for the Twin Cities. Ms. Sersland responded that for the Phase 1 deployment, there is a commitment of \$125 million.

Councilmember Wickstrom asked about pricing and if more infrastructure is needed for PRISM. Ms. Sersland stated that pricing does not necessarily compare to Comcast. CenturyLink is value based and won't line up directly with Comcast features. PRISM is an extremely competitive all

digital platform. There is no link to cable. It all comes through the cloud, which means instant access to updates and viewer interaction. There are options to provide certain viewing on individual terms. PRISM provides more HD TV than any other provider. PEG channels can be broadcast in HD. The app center is a unique feature with instantaneous speed channel change.

Mayor Martin asked if discarded home phone lines could be used. Ms. Sersland stated that CenturyLink would have the right to use those lines to install PRISM. In order to support PRISM, there must be a capacity for at least 25 megabit of data per minute and higher through the internet. She gave a brief description of how CenturyLink can use both fiber and copper connections. The Mosaic on the TV screen highlights all PEG channels in an area. All PEG channels within a franchise will be supported, including HD and SD. Customers navigate with the remote control and tune in from the Mosaic. Browsing is easy and categorized by franchise. CenturyLink can support multiple mosaics by franchise within a state.

Councilmember Wickstrom asked what percentage of the City would be covered on day one with CenturyLink. Ms. Sersland estimated about 30%.

Benefits to consumers are through competition because prices go down and customer service generally improves. The FCC has stated that cable prices decrease substantially when there is a second cable operator in the market--by 10% in 2008. PRISM will drive high speed broadband into communities.

Benefits to cities are increased investment and broader deployment of high speed internet on the part of CenturyLink, which contributes to economic development. There are also increased revenues from franchise fees. For every 1000 satellite or "cord cutter" subscribers won by CenturyLink, franchise fee revenues increase by \$45,000.

A franchise agreement with CenturyLink will keep cities whole in parity with their current provider. The same terms will be met. She noted the Minnesota Cable Act that dates to the 1970's and poses what CenturyLink believes to be a barrier with the imposition of a five-year buildout requirement. The FCC issued Order 621 that states, "Because a second provider realistically cannot count on acquiring a share of the market similar to the incumbent's share, the second entrant cannot justify a large initial deployment. Rather a new entrant must begin offering service within a smaller area to determine whether it can reasonably insure a return on its investment before expanding." The order further states, "A commitment to an initial build with further buildout requirements being determined by success in the market."

Councilmember Quigley asked if the City can see another franchise. Ms. Sersland answered yes. CenturyLink is anticipating a franchise with Minneapolis, and then she would be able to show it to the Council.

Mayor Martin asked the next step for CenturyLink. Ms. Sersland stated that if interested, the City would issue a Notice of Intent. CenturyLink would then submit an application with a fee to the City to show financial, fiscal and technical ability to service the community. A public hearing would be held to determine that CenturyLink has the resources to service the community. Once that is determined, staff would be directed to negotiate the franchise. There would then be another public hearing.

Councilmember Johnson asked the percentage of customers in Shoreview who are CenturyLink customers. Ms. Sersland stated that she would get that information for the Council.

Councilmember Wickstrom asked how the City can deal with a five-year buildout as established by the legislature if the FCC believes that to be unreasonable. Mr. Schwerm noted that CenturyLink would include an indemnification clause to protect the City from any legal challenges that may arise from the difference in the franchise agreement with Comcast. The only difference discussed at this time is the buildout requirement.

Ms. Sersland stated that CenturyLink has every incentive to increase buildout. In Minneapolis, CenturyLink will meet quarterly to release deployment numbers. If the buildout commitment is 15%, but in the first year there is 32% buildout, that 32% becomes the new base line. New buildout requirements then build on the new baseline number.

Councilmember Wickstrom asked what buildouts have been achieved in other cities. Ms. Sersland agreed to send the Council numbers from other cities.

Mayor Martin thanked Ms. Sersland for attending this meeting and presenting information on CenturyLink.

Councilmember Wickstrom expressed concern about the buildout provision and the possibility of Comcast suing. Mr. Schwerm stated that the City cable franchise attorney Bob Vose will meet with the Council at a special workshop to discuss the Comcast franchise agreement. There is a competitive equity clause, but it does not speak to buildout. Mr. Vose can provide information on this issue.

It was the consensus of the Council to further discuss this issue with Mr. Vose at the special workshop meeting on May 18, 2015.

### **REVIEW OF CITY COUNCIL GOALS AND PRIORITIES**

The Council reviewed the 2015 goals and priorities that resulted from the April 13, 2015 strategic planning and goal-setting session.

City Manager Schwerm stated that he outlined the four identified categories from the meeting and set priorities within those categories. The four categories are the same as those identified in a similar session in 2013. They are listed below with the major goals for each:

1. **Financial Stability:** Continue to maintain long-term financial stability of the City.
  - Continue City's commitment to long-range financial planning;
  - Maintain the City's AAA bond rating through sound long-range financial planning;
  - Explore revenue enhancement opportunities that may be available through grants and legislative initiatives.

Councilmember Quigley noted that there are few opportunities to increase revenue, which is going to make budgeting tighter and tighter.

2. **Community Facilities:** Continue to update and expand public facilities such as the Community Center, parks and trails to enhance the quality of life in the City.
  - Develop updated Master Plan for Shoreview Commons to reflect planned changes with the library expansion and continue to promote the Commons as the central gathering place;
  - Move forward with expansion of Community Center;
  - Monitor potential changes for Ramsey County Ice Arena located within Shoreview Commons area;
  - Continue schedule for park upgrades in CIP and insure upgrades are consistent with changing uses/demand for park facilities; and
  - Construct water treatment plant to improve consistency and quality of City drinking water.

Councilmember Quigley stated that the Community Center annual report showing revenue and how money is spent is very helpful in seeing the need for expansion of the Community Center.

3. **Economic Development:** Continue to focus on business retention and expansion, housing opportunities and programs, and redevelopment through outreach efforts, planning and selected financial participation.
  - Stay actively involved in redevelopment of Rainbow Foods site;
  - Continue to develop and implement goals of Economic Development Authority work plan;
  - Continue to monitor and explore redevelopment opportunities at Shoreview Mall, Shoreview Corporate Center, I-694/Rice Street area, and selected housing areas;
  - Develop a process and begin update of City's Comprehensive Plan incorporating elements from the Highway Corridor Transition Study where appropriate; and
  - Monitor Rice Creek Commons (TCAAP property) development in Arden Hills for potential impact to Shoreview.
4. **Community Vitality:** Continue to maintain Shoreview as one of the premier communities in the metropolitan area through the provision of quality services, state of the art facilities and public amenities, and a variety of housing choices.
  - Review and update current mission statement and core values for the City;
  - Implement a Citizen's Academy for residents interested in learning more about how the city operates and as a leadership development program;
  - Conduct biennial community surveys to monitor demographic changes and to receive citizen input on key performance indicators;
  - Continue to explore innovative programs and recreation facilities that support health and wellness and serve all ages; and
  - Support public transit improvements to the area that would better serve Shoreview residents.

Councilmember Johnson requested that the priority of succession planning be included in the goals.

Mayor Martin stated that there is not much that can be done regarding succession, but it is about finding leaders in the community to do what the Council is doing.

Mr. Schwerm explained that staff does plan for vacancies and certain positions are created so people have the skills to move into higher positions that become vacant. Positions are also modified to incorporate new technology that the City needs to have but he will add a section on succession planning in the goals.

Councilmember Quigley stated that he would like to see steps of implementation for the strategic plan with results from certain actions or systems.

### **OTHER ISSUES**

Councilmember Wickstrom requested that the City develop further water usage reduction policies. Mr. Schwerm stated that issue will be discussed at a future workshop.

Mayor Martin reported that she became aware of a study that shows increased poverty in the suburbs. This emphasizes the importance of social services and transportation services. She will send the report to the Council when she gets it.

The Community Group Coalition met again last week and will come to the Council with more information about their space needs.

The meeting adjourned at 9:30 p.m.

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
May 18, 2015**

**CALL TO ORDER**

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on May 18, 2015.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance.

**ROLL CALL**

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

Councilmember Springhorn was absent.

Staff Present:           City Manager Terry Schwerm  
                              Assistant to City Manager Rebecca Olson  
                              City Planner Kathleen Castle  
                              Public Works Director Mark Maloney

Others Present:        City Attorney Joe Kelly  
                              Scott Yanke, Planning and Development Director, Ramsey County Parks  
                              Rita Trapp, Consultant to Ramsey County Parks

**APPROVAL OF AGENDA**

MOTION:        by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the May 18, 2015 agenda as submitted.

VOTE:                    Ayes - 5                    Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

There were none.

**CITIZEN COMMENTS**

There were none.

## **COUNCIL COMMENTS**

### **Mayor Martin:**

Mayor Martin welcomed Girl Scout Troop No. 54195 from Chippewa Middle School, who were in attendance to learn about local government.

### **Councilmember Wickstrom:**

Last call for Green Community Award applications. The application is available on the City's website. The deadline is May 31, 2015.

There were 60 photos submitted for the City of Shoreview Photo Contest. The photos are on the City's Facebook page. Residents can vote for the one they think best represents Shoreview.

### **Councilmember Johnson:**

A reminder that the Shoreview Business Exchange will be June 4, 2015, at the Hilton Garden Inn from 5:00 to 7:00 p.m. It is a great opportunity for Shoreview businesses to meet each other as well as staff and Councilmembers.

The spring edition of *Business Matters* is now available. The publication focuses on activities at Shoreview businesses. More information is posted on the City website.

## **CONSENT AGENDA**

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to adopt the Consent Agenda for May 18, 2015, and all relevant resolutions for item Nos. 1 through 12:

1. May 4, 2015 City Council Meeting Minutes
2. Monthly Reports:
  - Administration
  - Community Development
  - Finance
  - Public Works
  - Park and Recreation
3. Verified Claims in the Amount of \$877,606.72
4. Purchases
5. License Applications
6. Developer Escrow Reduction
7. Authorize Advertisement for Bids - 2015 Seal Coat Program, CP 15-05
8. Approval of Street Sweeping Agreement - Hill Court
9. Maintenance of Agreement between City and Rice Creek Watershed District for Stormwater Infrastructure - Turtle Lane and Schifsky Road, CP 15-01
10. Award of Long-Term Disability Insurance
11. Approval of Application to Conduct Excluded Bingo - *Slice of Shoreview*
12. Approval of Application for Exempt Permit - Greyhound Pets of America

VOTE:                   Ayes - 4                   Nays - 0

## **PUBLIC HEARING**

### **VACATE PORTION OF DRAINAGE AND UTILITY EASEMENT - 5550/5560 LEXINGTON AVENUE, SHAUGHNESSY/GAYLOR**

#### **Presentation by City Planner Kathleen Castle**

The Shaughnessys at 5550 Lexington Avenue are planning a porch addition to their home. The existing home is 5 feet from the utility easement. Vacation of the easement is needed in order to proceed with the new porch.

The easement was dedicated with the Shoreview Park Place Plat in 1986. It was intended to preserve the adjacent natural pond area for storm water management. The easement boundary does not correspond with the 100-year high water elevation (at 889.1) as identified in the City's Stormwater Management Plan. The vacation area requested is upland from the elevation of 889.1 and will not impact storm water drainage.

Notice of the public hearing was published and mailed to affected property owners. One resident responded with no concern about the proposed vacation but did express concern about the maintenance of the ponding area.

Staff finds that vacation will not impact storm water management. The remaining easement does encompass the 100-year high water elevation for the pond. Staff is recommending the public hearing and approval of the vacation.

City Attorney Kelly stated that he has reviewed the affidavits and proper notice has been given for the public hearing.

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

MOTION:    by Councilmember Quigley, seconded by Councilmember Wickstrom to close the public hearing at 7:12 p.m.

VOTE:                   Ayes - 4                   Nays - 0

Mayor Martin stated that she did meet with a neighbor who is concerned about the maintenance of the area. The matter has been referred to Rice Creek Watershed District to look at the drainage pattern for the area and determine the reasons for drainage issues.

MOTION:    by Councilmember Johnson, seconded by Councilmember Wickstrom to approve the vacation request and adopt Resolution 15-28 vacating a portion of the Drainage and Utility Easement located at 5550 and 5560 Lexington Avenue, subject to the applicants conveying to the public an easement over the south portion of Lot 13, Block 3, Shoreview Park Place.

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

**CONSIDERATION OF PARKING RESTRICTIONS FOR ALAMEDA STREET  
BETWEEN BIRCH LANE NORTH AND SOUTH**

**Presentation by Public Works Director Mark Maloney**

Residents have requested that the City reconsider existing parking restrictions on Alameda Street between Birch Lane South and Birch Lane North. Currently, permanent parking restrictions exist on the north side of Birch Lane South, the south side of Birch Lane North, the east side of Alameda and both sides of Alameda at the intersection of what used to be Dohm's Alley. These restrictions were imposed in 2001. In 2004, a request was received to post additional parking restrictions, when the remaining portion of Alameda was posted no parking on both sides as well as a short piece of Birch Lane South that goes to the pump house.

The current request is to reconsider No Parking along the west side of Alameda Street. A petition was forwarded to the City. Notices were sent to neighborhood residents. The City received two emails and three phone calls requesting that no changes be made to the existing parking regulations. Three residents met with staff--one supports the change and two spoke against any change. The Fire Chief also made a strong recommendation to not change existing parking restrictions due to access issues.

Due to the public safety concerns expressed by the Fire Chief and the fact that the roadway width and clearances are unchanged from 2004, staff recommends that no changes be made.

**Mr. Jerry Weiskopf**, 5100 Alameda Street, distributed photos for the Council to look at that show the street prior to the restrictions imposed in 2004. The width of Alameda Street is 19 feet, 8 inches with a surmountable curb. It can accommodate two cars. The Fire Department and trash haulers prefer a 12-foot clearance. When cars are parked on one side, cars traveling the same direction are actually on the opposite side of the street to get through because there is only room for two cars. Alameda has a lot of traffic due to turn-around traffic from Highway 49. Prior to 2004, he would have to find owners of cars to move them because he could not back into his driveway with larger recreational vehicles without using the full road. Two accidents occurred with cars parked at the bottom of driveways. The No Parking signs work. For the purpose of safety reasons, he requested the Council to leave the current restrictions in place.

**Ms. Margie Binder**, 676 Birch Lane South, stated that before 2004 there were teenagers in the neighborhood who parked on the road, which became an issue. The houses on corners have more of an issue with parking because they do not have the long driveways of homes on the west side of Alameda.

**Mr. George Traficante**, 5106 Alameda, stated that new families with children have moved into homes on Alameda Street. Children do run in the street. His son ran between cars and was hit. If cars are parked on one side, the odds will favor children getting hit. One child was almost hit on a bicycle last weekend. All the houses on the west side of Alameda have very deep

driveways with room to park. He supports maintaining No Parking on both sides of the street for the safety of children.

**Ms. Sarah Russell**, 5265 Hodgson, stated that the long driveways are very skinny. If parking restrictions can't change, there should be flexibility for cars to park on private property.

Mr. Maloney stated that there is a permit process for overnight parking or special event parking. The process to waive No Parking restrictions when they were imposed for safety reasons is to review each request on its own merit. Mr. Schwerm added that although not as convenient, both Birch Lane North and South allow parking on one side.

Mayor Martin stated that often neighborhood residents request neighborhood roads to be kept as narrow as possible, especially with older lake neighborhoods. The 19-foot width of Alameda is significantly narrower than the standard City street widths. While inconvenient, it would be difficult for her to support a request that the Fire Chief has identified as a safety issue.

Councilmember Wickstrom agreed and stated that she, too, would have to support the Fire Chief's recommendation.

Councilmember Johnson also agreed with Mayor Martin but cautioned that such issues can tear neighborhoods apart. She would urge neighbor cooperation for special events and working together to resolve issues.

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember Johnson to maintain the existing parking restrictions for both sides of Alameda Street between Birch Lane South and Birch Lane North.

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

### **SNAIL LAKE MARSH MASTER PLAN AMENDMENT - HIGHWAY 96 REGIONAL TRAIL, RAMSEY COUNTY PARKS AND RECREATION**

#### **Presentation by City Planner Kathleen Castle**

Ramsey County has requested City support for an amendment to the Highway 96 Regional Trail Master Plan to address trail expansion in the Snail Lake Marsh area in order to provide access to natural areas and enhance recreational opportunities. This Amendment is consistent with the city's 2008 Comprehensive Plan. A 10-foot wide bituminous trail is proposed to provide access to natural surface trails. The new trail would include a trailhead rest area with sitting areas, landscaping and signage. Upland, shoreland and woodland areas would be restored. The Amendment also shows a possible future trail connection south to Reiland Lane. A trail to Reiland Lane would be constructed by the City and requires further review. That trail is shown on the County Plan so there would not have to be a further amendment if and when it is built.

Meetings to review the proposed Amendment have been held with the Parks and Recreation Commission, Bikeway and Trails Committee as well as open public meetings. There is support for restoration and improved access to the marsh area. Some concerns were expressed about the impact on natural resources. In response to those concerns, revisions have been made to change some paved trails to natural surface trails and reduce the number of seating areas.

Staff is recommending support for the Plan Amendment. The proposed improvements are not yet programmed or funded and must be presented to the County Board and to the Metropolitan Council.

**Mr. Scott Yanke**, Planning and Development Director, Ramsey County Parks, stated that the purpose of the Amendment is to guide development of Snail Lake Marsh area along Highway 96. This will also update the 1996 Master Plan for this area. A Master Plan is required by the Metropolitan Council for regional facilities before improvements can be made.

Mr. Yanke described the layered Ramsey County Park System--six regional parks with 23 miles of regional trails, nine county parks and nine county open spaces that are meant to protect natural areas and wildlife populations. The Snail Lake Regional Park trail along Highway 96 is 8 miles. There are plans to extend it to connect to Long Lake Regional Park with the reconstruction of the bridge over I-35W.

Snail Lake Marsh consists of 47 acres of native habitat with a large wetland of cattails and shrubs surrounded by oak woods. Restoration is needed. There are several informal paths that allow use of the area. The new trail will increase use with added connections.

**Ms. Rita Trapp** stated that the Concept Plan is to take advantage of the natural resources. After meetings with the Parks and Recreation Commission, Bikeways and Trails Committee and the public, efforts have been made to take into account the comments and testimony heard. The Concept Plan consists of a 10-foot wide trail loop on the northern part of the parcel. There are natural surface trails that will extend off the loop trail. Due to concerns expressed by the community, almost half of the bituminous trail has been changed to a natural surface trail. Community comment that developed overlook areas would be too intense has resulted in changing the plan to identify two informal observation areas that are natural stopping points. Although the future City connector trail to Reiland Lane is shown in the plan, it provides an opportunity for the City to build the trail, but there is no obligation. Cost estimates are provided between \$1 million and \$2 million. Once the Master Plan is adopted, the County can then begin the budget work to incorporate it within its Capital Improvement Plan.

Mayor Martin asked if grading changes would occur and what is involved in restoration of wetland, upland and woodland. **Mr. Yanke** responded that areas are inspected for native plants and invasive species. Restoration means restoring a wetland to what it was originally. Cattails choke out natural grasses and sedges. The same is true for wooded, upland areas. Invasive species are identified, such as buckthorn, and then they are removed. No grading changes are planned. There will only be enough grading to make a path.

Mayor Martin expressed her support for improving access, but it is hard to know how some of the beautiful oaks will be impacted. Mr. Yanke stated that using a natural surface trail that meanders through the area instead of the 10-foot wide bituminous trail first proposed will minimize any disturbance to trees. The Master Plan must be approved before it can be budgeted in the Capital Improvement Plan. Funding will then instigate final design of actual location of trails. The Amendment is only for the Snail Lake Marsh.

Councilmember Wickstrom stated that there are many dead oak trees and branches. She asked what would be pruned and removed. Mr. Yanke stated that he cannot specify details of what would be pruned or removed at this time.

Mayor Martin opened the discussion to public comment.

**Mr. Ted Hoff**, 4291 Virginia Avenue, Member of Bikeways and Trails Committee, stated that he supports the proposal. People like loops and he would like to see the section to Reiland Lane completed by the City. It would be a big bonus to use of the regional trail.

**Mr. Neil Frane**, 418 W. Highway 96, Scandia Shores, thanked the Council for working with the County and the trails behind Scandia Shores. He stated that he fully supports the proposal and encouraged the Council to support it.

**Mr. Mark Stange**, 655 Evergreen Circle, Member of Bikeways and Trails Committee, stated that talking about restoration is to pick a date. The topography changes and restoration can be to 50 years ago or 400 years ago. This is a Master Plan and details will be worked out later. He urged the Council's support.

Councilmember Wickstrom stated that a long-time goal has been to connect the Community Center to Reiland Lane. It continues to be a high priority for the Bikeways and Trails Committee. She fully supports the plan that is a wonderful use of the area. She would like to suggest a change that would make the far west triangle trail leg bituminous from the beginning. She is hopeful that by the time the County can implement this plan, the City will be able to make the trail connection to Reiland Lane, which would be an extension of that west leg on the regional trail.

Councilmember Johnson asked the next opportunities for public input. **Mr. Yanke** stated that when the plans and specifications are designed, they will be submitted to the City. At that time, there will be opportunity for additional review and public meetings.

Mayor Martin stated that she would not support a bituminous trail on the west leg of the triangle path at this time because then the path would have to be wider and would be more intrusive. The connection to Reiland Lane was proposed before Reiland Lane was improved. When it was improved, no accommodations were made for walking or biking. Reiland is very narrow with parking and in-and-out traffic. She likes the idea of a loop, but she cannot support a bituminous trail at this time.

Councilmember Quigley noted that bituminous provides a surface for wheeled recreation--bikes, roller blades, etc. He stated that he is very supportive of the plan.

**MOTION:** by Councilmember Johnson, seconded by Councilmember Quigley to adopt Resolution 15-29 supporting the amendment to the Ramsey County's Highway 96 Regional Trail Snail Lake Marsh Master Plan. The Master Plan amendment addresses the improvement plans for the Snail Lake Marsh Area enhancing recreational opportunities and access to this area. This amendment is also consistent with Shoreview's 2008 Comprehensive Plan.

**Discussion:**

Councilmember Wickstrom stated that she does not want the same mistake as the Grass Lake trail that was gravel that was good for walking and running. It became a mess, and it took a long time to get the trail paved. She requested that the County work with the City when plans and specifications are developed because an effort will be made to put the Reiland Lane connection into the City's CIP. She would not want to see a natural trail put in that then must be changed to bituminous within a short period of time.

Mayor Martin stated she supports the plan presented but would hold off on making the west leg bituminous in the southern section until there is a specific plan for the connection to Reiland Lane. Mr. Schwerm added that the plan shown does not preclude a bituminous trail in the future.

Councilmember Wickstrom asked if the wording, "or bituminous," could be added to the description of that leg of the plan. **Mr. Yanke** responded that the plan does cover making that trail leg bituminous when the Reiland connection is made.

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

## **NUISANCE ABATEMENT HEARING - 604/610 SHERWOOD ROAD, DAWSON**

### **Presentation by City Planner Kathleen Castle**

The City is requesting abatement at the subject properties. There have been property maintenance issues in the past resulting in Code enforcement, including citations dating back to 2001. A total of 11 citations have been issued. The court has ordered cleanup, but the violations reoccur. This hearing is a result of the extent of Code violations and nuisance conditions regarding refuse and outside storage of disused items on the properties. Abatement is requested in order to address the problems for the long term and bring the properties into compliance.

On April 20, 2015, there was an inspection of the properties, when the nuisance violations of refuse and outside storage were found. Property owners were given notice of the violations and of this hearing. Citations have been issued and are in process in the court. An inspection earlier in the day showed that some improvements have been made, but the problems remain as well as parking violations.

Mayor Martin opened the hearing for public comment.

**Mr. Duane Dawson**, 610 Sherwood Road, stated that he is scraping to make ends meet. All his motors and scrap metal are inside. Everything is inside except a humidifier that will be brought in. His work hours have been cut, which has made it hard to pay bills. That is why he started selling scrap metal. In addition, he has had health issues. There is someone who will be taking the truck so it will be removed. He estimated that everything will be cleaned up by June 1, 2015.

Mayor Martin stated that the photos show there is a real problem, and it will take a huge effort to rectify the problem. Abatement will give the City authority to get the property cleaned. The City makes a big effort to treat everyone the same. Others will want the same outside storage if the City allows his property to stay as it is. Then property values go down. She sympathized with the hardships he is dealing with but stated that the City has a role in making sure the property is cleaned up. Ms. Castle added that staff is willing to work with Mr. Dawson, but she is hesitant to not proceed with the abatement because of past issues.

Mayor Martin explained that part of the problem is the activity on Mr. Dawson's property is not allowed. Scrapping is a business, and that is a violation. The City does not want to take his equipment and is being fair by treating his situation the same as anyone else in the City.

Councilmember Wickstrom stated that she also sympathizes with Mr. Dawson's problems, but there has been a history. She believes abatement action is needed to make sure the City has the authority it needs to clean up the property. Mr. Schwerm added that if Mr. Dawson has his property cleaned within two to three weeks, the City will not be taking any action. Staff will work with Mr. Dawson. The City would prefer he take care of his things rather than the City having to remove them.

Councilmember Johnson noted that the City does work with the Housing Resource Center and other agencies that can give support. She agreed that working with staff is critical and encouraged Mr. Dawson to ask questions to understand what is necessary.

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember Quigley to adopt Resolutions 15-32 and 15-31 ordering abatement of the public nuisance (refuse and outside storage) for the properties at 604 and 610 Sherwood Road.

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

**RECEIPT OF BIDS AND AWARD OF CONTRACT - TURTLE LANE AND SCHIFSKY ROAD RECONSTRUCTION, CP 15-01 AND LEXINGTON AVENUE SEWER REPAIR, CP 15-03**

**Presentation by Public Works Director Mark Maloney**

Three separate project areas are being combined into two improvement projects under one construction contract in an effort to get the best pricing. The reconstruction on Turtle Lane and Schifsky includes streets, utility repair/replacement and the addition of storm sewer collection and treatment system. The sewer repair on Lexington is included in the project, as it is similar work.

Plans and specifications were approved April 20, 2015. Bids were opened May 14, 2015. Five competitive bids were received. The Engineer's Estimate was \$1,537,000.00; the low bid from Redstone Construction Co. is \$1,686,975.96. This bid is approximately 10% above the estimate. Water main and sanitary sewer costs are higher than expected. Costs are also higher due to an increase in construction activity in the metro area. The spread between the three low bids is small. Staff believes the bids to be competitive and accurately reflect the project costs. Adding in project administration, engineering, contingencies and legal costs, the estimate totaled \$1,928,600; the low bid is \$2,024,000.

The breakdown for project funding for Turtle Lane/Schifsky is as follows:

• Street Renewal	\$747,120
• Surface Water Fund	\$299,000
• Water Fund	\$449,000
• Sewer Fund	\$316,000
• Assessments/Bond	\$152,880
• Lexington Avenue Sanitary Repair	<u>\$ 60,000</u>

Total Estimated Funding:	\$2,024,000
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Assessments are only for street costs (installation of concrete curb and gutter) and storm water for properties not previously assessed.

Staff is recommending acceptance of the bid from Redstone Construction Company, Inc. in the amount of \$1,686,975.96. Redstone has done previous work in Shoreview and is familiar with working conditions in the City.

Councilmember Johnson noted that all the residents impacted have shown support for the project.

**MOTION:** by Councilmember Johnson, seconded by Councilmember Wickstrom to adopt Resolution No. 15-33 accepting the base bid from Redstone Construction Company, Inc. for the Turtle Lane Neighborhood & Schifsky Road Reconstruction and Lexington Avenue Sanitary Sewer Repair, City Projects 15-01 and 15-03, and authorize the Mayor and City Manager to execute a construction contract in the amount of \$1,686,975.96.

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

**APPOINTMENT TO PUBLIC SAFETY COMMITTEE**

City Manager Schwerm reported an application for the vacancy on the Public Safety Committee from Colleen Norell. The Committee recommends her appointment for a term ending January 31, 2018.

MOTION:     by Councilmember Quigley, seconded by Councilmember Johnson to appoint Colleen Norell to the Public Safety Committee for a term ending January 31, 2018.

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

**ADJOURNMENT**

MOTION:     by Councilmember Johnson, seconded by Councilmember Quigley to adjourn the meeting at 9:20 p.m.

VOTE:                       Ayes - 4                       Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE \_\_\_ DAY OF \_\_\_\_\_ 2015.

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Terry Schwerm  
City Manager

**CITY OF SHOREVIEW  
MINUTES  
SPECIAL CITY COUNCIL WORKSHOP MEETING  
May 18, 2015**

**CALL TO ORDER**

Mayor Martin called the workshop meeting of the Shoreview City Council to order at 6:00 p.m. on May 18, 2015.

**ROLL CALL**

The following attended the meeting:

City Council: Mayor Martin; Councilmembers Johnson, Quigley, Springhorn and Wickstrom

Staff: Terry Schwerm, City Manager  
Rebecca Olson, Assistant to City Manager

Cable Franchise  
Attorney: Robert Vose, Kennedy and Graven, Chartered

**REVIEW OF DRAFT CABLE FRANCHISE**

City Manager Schwerm introduced Robert Vose, the City's cable franchise attorney, who has been assisting with negotiations with Comcast for a renewed cable franchise agreement.

Mr. Vose stated that negotiations have progressed to the point that the drafted proposal is being recommended for adoption. The City's strategy is to work individually and cooperatively with the cable company by negotiating its own franchise agreement directly. To that end, the City withdrew from the North Suburban Cable Commission (NSCC) at the end of 2014.

The City was able to benefit from NSCC negotiations up to the time of withdrawal from the Commission because NSCC was first to initiate negotiations.

It turns out that Comcast is not merging with Time Warner. Comcast will remain the key cable provider and potentially have a competitor with CenturyLink.

Quigley asked for an assessment of CenturyLink as another entity in the market. Mr. Vose responded that Minnesota has as many cities in competition for cable as any in the country. That is because there are 90+ small phone companies throughout the state. Those companies have been aggressive in entering the video business. Competition has resulted in better quality of care for customers, better systems and lower prices. CenturyLink will likely become a strong competitor with Comcast.

Mr. Vose commented on key points in the proposed Comcast agreement:

1. Item No. 7 talks about how the contract would be enforced. The 100% performance bond and 25% letter of credit is real money and is plenty to protect the City and enforce the contract.
2. Franchise fees: This is the rent the cable company pays for right-of-way. The City will receive 5% of gross cable revenues. Gross revenues is categorized in the broadest possible terms. When Comcast bundles services, the services are sold at a discount. The question becomes how that discount is applied to cable revenue and a reduction in the fee paid to local government. The contract requires that each discount be apportioned to the services in the package. The City will not lose on the franchise fee calculation and payment.
3. The City has a right to audit calculations and payments. The City has a right to interest on money owed plus accounting fees should errors be found.

Mayor Martin asked if there would be any flexibility to the franchise fee in the future.

Mr. Vose explained that the 5% fee is the upper cap by federal law.

4. Item No. 2 states that City Hall and other identified buildings will receive free cable drops and up to three converter boxes.

Mayor Martin asked if the new library is included as well as the school district which will occupy the old library.

Councilmember Wickstrom referenced page 23, 7.11 Interconnection and requested the word “county” be added in the first sentence, “to newly constructed City and school fiber for noncommercial programming...”.

City Manager Schwerm stated that the list was taken from the current franchise agreement. Mr. Vose added that as buildings are new or repurposed, they would be eligible for cable service. Typically, cable companies do give free service to government buildings.

5. Item No. 3 regarding customer service requirements is the same as FCC requirements. This agreement goes further in that a location is required where customers can go to talk to a cable representative about equipment or other issues. Further, there is a catchall in that the City is allowed to adopt any customer service requirements in the future that the cable company will be subject to.

Mayor Martin asked if the City will need personnel to handle complaints. City Manager Schwerm stated that he does not foresee hiring anyone to have to handle these issues. Mr. Vose added that there will be a phone number contact for customers to call with problems on their bills. Customers are requested to call the cable company representative before calling the City.

6. The agreement speaks to what Shoreview really needs, which is four PEG channels. This is less than previously received. There will be one for the City, one for the public and two being used by the respective school districts. There is additional capacity if needed in the future.

Comcast has agreed to provide HD capacity to local government when there is equipment and programming in place. The City has negotiated for HD to be simulcast, which means that one standard definition channel can also simultaneously be broadcast in high definition.

7. PEG support of \$4.35 per subscriber under the NSCC is at the top range in the country. He believes the proposed \$2.00 per subscriber will adequately meet City needs. He estimated this to be about \$130,000 a year.

Mayor Martin asked why the City should be satisfied with \$2.00 per subscriber, half of what NSCC currently receives. Mr. Vose responded that for the purpose the money is to be used for capital equipment and \$130,000 is sufficient real dollars each year to meet these needs. The highest number agreed to by Comcast in other communities that have renewed is \$2.30 per subscriber. Other agreements were renewed at significantly lower levels. Mr. Schwerm added that previously this money went to NSCC. Now this money will come to the City and can be used for capital equipment related to video production. By federal law, the money is to be used for capital improvements.

Councilmember Wickstrom stated that it is the customer who pays this amount, and it is seen on their bill. This amount will show that the City will not go overboard in producing programs that no one watches.

Mayor Martin asked if there would be any benefit to waiting to see what is in the NSCC agreement. Mr. Schwerm stated that he expects NSCC to push the contract renewal process to the end of 2016. Mr. Vose stated that some items negotiated will be lost if the City were to wait until next year.

Councilmember Wickstrom stated that negotiating earlier shows a good faith effort on the City's part to achieve a cooperative relationship.

In reference to the Competitive Equity Clause, Mr. Vose explained that state law requires that a cable franchise granted to a new competitor should not be less burdensome or more beneficial to that competitor with respect to three issues: 1) Should Centurylink be considered, the franchise fees would be a nonissue and remain at 5%; 2) four channels for community programming would be accepted; 3) the service area would be different; Comcast will serve the entire City. CenturyLink will argue that stipulation should not apply. This is a remedy clause to opt into CenturyLink provisions if deemed more favorable than the terms under the Comcast agreement.

Councilmember Wickstrom requested a number of changes to the draft proposal:

- Page 11, item (c) "orderly and workmanlike manner" should be "orderly and professional manner."
- References to sections of Code should also be added to the definitions in order to know the topic of that section.
- Page 14, item (c) Notice To Remove or Relocate should stipulate that the 45-days notice is on their own property, not necessarily anywhere in the City. Mr. Vose explained that refers to another utility requesting Comcast to remove or relocate its equipment.

- Page 16, Equal and Uniform Service is the clause where Comcast will compare any terms offered or agreed to with CenturyLink. Mr. Schwerm clarified that this relates to the same system design throughout the City. It is not competitive equity.
- Page 39, asked the definition of a Class IV Channel. Mr. Vose explained that it is a reference from state law that is required, even though the reference is outdated.

Mayor Martin asked the time schedule for approval. City Manager Schwerm estimated it will be presented to the Council for approval at a June Council meeting for implementation in July.

Mr. Vose noted that the process to renew a franchise agreement with Comcast is quite different from the process of considering a new agreement with CenturyLink that would include public notice, public hearings and statutory requirements to begin new negotiations.

Councilmember Wickstrom stated she would like to renew the Comcast agreement before consideration of an agreement with CenturyLink.

The meeting adjourned.

**PUBLIC SAFETY COMMITTEE  
MARCH 19, 2015  
7:00 PM – CITY HALL**

**MINUTES**

**CALL TO ORDER**

The Public Safety meeting was called to order by Jorgen Nelson at 7:00 p.m.

**ROLL CALL**

Those in attendance were Committee members Treverse Guess, Jorgen Nelsen, Marc Pelletier, Edward Povlinski, Gil Schroepfer; Fire Chief Tim Boehlke (Lake Johanna Fire Department), Brent Baker (Allina)

Members Absent: Henry Halvorson, Nicole Hertel

Others Present: City Manager Terry Schwerm, Public Works Superintendent Dan Curley.

**APPROVAL OF MINUTES**

Pelletier moved, seconded by Schroepfer, approval of the January 15, 2015 Public Safety Committee minutes. Motion was unanimously adopted.

**CITIZENS' COMMENTS**

None

**REPORTS**

- **Allina** – Brent Baker reported that they were working with the Ramsey County Sheriff's Department and Lake Johanna Fire Department on an active shooter exercise that will be held at the Army Reserve Center on the TCAAP on May 1<sup>st</sup>.

He stated that they participated in a meet and greet at the Fire Station with LJFD firefighters for a recent survivor of a cardiac arrest. Brent also presented the annual Community Report from Allina Health to the members of the committee.

Brent also provided an update on the new base station that will be located on County Road E near Victoria Street in Shoreview.

- **Lake Johanna Fire Department** – Fire Chief Tim Boehlke reported that the Department had been involved in three recent cardiac arrest saves including the one noted by Brent

Baker in his report. He noted that the Department now has 9 paramedics who serve as firefighters and all Department members are trained as Emergency Medical Technicians.

Boehlke also indicated that the County's new computer aided dispatch (CAD) system would be going live next week. He said that the Ramsey County Chiefs were discussing potentially using "closest unit response" which would be available with the new CAD system. Ted Guess asked a question about liability when responding to calls in other cities. Boehlke indicated that the mutual aid and auto-aid agreements protect the Department on liability issues and they have never had any sort of claim resulting from assisting other cities or agencies.

Boehlke also said the Department had responded to a major structure fire on Lexington Avenue south of Highway 96. It was a difficult fire to fight and some mutual aid and department units were late in response due to a train crossing at the same time as the fire call. He also noted that they would be moving to full 24/7 staffing in July. There was some discussion related to the increasing number of medical calls.

### **NEW BUSINESS**

- A. Emergency Management – Schwerm introduced Public Works Superintendent Dan Curley who has been serving as the City's emergency manager since Walt Johnson left last year. Dan informed the committee members that he has been with the City more than 20 years in various positions. He has been attending both County and State emergency management meetings and is working on attaining his emergency management certification. He anticipates receiving his certification later this year. He has met Committee Member Ed Povlinski who is now serving as the emergency manager for the City of North Oaks.
- B. Committee Vacancy – there is currently a vacancy on the committee and the City has received one application. After reviewing the application, Povlinski moved, seconded by Guess, that the Committee recommend that Colleen Norell be appointed to the Public Safety Committee.

### **LIAISON REPORT**

None

### **ADJOURNMENT**

Pelletier moved, seconded by Povlinski, that the meeting be adjourned at 8:55 pm.

## SHOREVIEW ECONOMIC DEVELOPMENT COMMISSION

### Meeting Minutes

April 21, 2015

#### ROLL CALL

Chair Josh Wing called the meeting to order at 7:31 a.m. with the following members present: Jim Gardner, Dave Kroona, Mike Tarvin, Jonathan Weinhagen, and Kirk VanBlaircom. Member Schaller arrived late. Members Sue Denkinger, and Jeff Washburn and had excused absences.

Also attending were Assistant City Manager/Community Development Director Tom Simonson, Economic Development and Planning Associate Niki Hill, and Assistant to the City Manager Rebecca Olson.

#### ACCEPTANCE OF AGENDA

Commissioner Weinhagen, seconded by Commissioner VanBlaircom, moved to accept the agenda, as presented.

**Vote: 6 AYES 0 NAYS**

#### APPROVAL OF MINUTES

Commissioner Weinhagen, seconded by Commissioner Tarvin, moved to approve the minutes of March 17, 2015, as written.

**Vote: 6 AYES 0 NAYS**

#### INFORMATION EXCHANGE

##### A. MEMBER SHARING

Member Weinhagen shared that the school district has a verbal agreement with the library for the use of their existing building, pending the approval of the Dept of Education. The number is less than the County wanted and more than the School District wanted – so it was compromise. The City had some pressures for the use of the building but not enough funding for a Community/Performing Arts Center.

Simonson let the group know that the Library is moving forward on the new plans – with hopes to start this fall.

It was also noted that the construction continues at the Hampton Inn and that the patio for Green Mill will be open soon.

*7:37 – Member Schaller Arrives*

##### B. STAFF INFORMATION

###### *Business Matters Newsletter*

Simonson gave an overview of the latest draft for the Business Matters Newsletter. The issue included Temporary Sign regulations as a reminder as they changed in 2013. Additionally there were articles on the new BRE regulations, Business Recycling, and a Business Spotlight on Stillwater Express Solutions.

### ***Small Business Workshop***

Simonson gave a brief update to the members for the upcoming Small Business Workshop. Simonson first recognized the efforts by Member Gardner for his outreach for the original Small Business Workshop on Small Business Finance. Due to the problems with getting a full panel of speakers, it was decided to table this topic until we can have more speakers available. When staff reach out to Commissioner Weinhausen for a possible Saint Paul Chamber partnership it was decided we could do it without the partnership. Member Weinhausen was able to pull together a full panel for the Topic of Talent Recruitment and Retention as well as a moderator.

Commissioner VanBlaircom asked if we had thought of looking to areas beyond Shoreview so we can look at prospective businesses. Simonson responded that we had thought about opening it up to the surrounding areas but we had not thought of it in that context before. Commissioner Wing asked if there was registration for the workshop. Hill responded that we did not want participants to feel that they should not come if they had not registered so we have left it open. Commissioner Weinhausen stated that the Shoreview / Arden Hills Business Council is discussing whether they should shift their May meeting so that they can attend the Workshop.

### ***Business Exchange***

Simonson noted that the date of the Spring/Summer Business Exchange is Thursday June 4<sup>th</sup> at the Hilton Garden Inn. Members should mark their calendars and attend if possible.

### ***Recent City Council and Planning Commission Action***

Simonson gave the EDC an update on recent City Council and Planning Commission agenda topics and actions. The City Council actions included the City's Water Treatment Plant – which the plans and specs were approved. Commissioner Tarvin asked where the source of the City water was. Simonson replied that we get our water from a system of wells pumping water from the aquifer. Commissioner Wing asked why this was being pursued? Simonson stated that the water quality in terms of higher levels of manganese and iron has been an issue, while safe for drinking has become a growing nuisance and that we knew it was coming and had budgeted money for the project.

Simonson stated that the City Council recently held their Goal Setting Session. They adopted the EDA / EDC work plans as part of their goals.

The Planning Commission has had routine residential projects recently.

## **GENERAL BUSINESS**

### **A. ADOPT EDC WORK PLAN FOR 2015-2016**

Simonson stated that staff updated the EDC Work Plan based on our previous discussion. We have added sections to about efforts to attract new businesses and the small business/maker shop concept.

Commissioner Weinhausen, seconded by Commissioner VanBlaircom, moved to adopt the EDC Work Plan for 2015-2016, with the revisions presented.

**Vote: 7 AYES 0 NAYS**

Simonson said that the goal is to schedule a joint meeting of the Council, EDC and EDA in the next month or two to review work plans and establish overall priorities.

### **B. BRE TARGETED INVESTMENT STRATEGY**

Simonson stated that the goal of the BRE Targeted Investment Strategy is to link our BRE program with existing and potential space. This will allow us to help those who may have expansion / new site/location needs. With our aging Industrial Park areas we are having a tough time competing with neighboring competition for businesses. Low ceiling heights, age of building, and power supply are all factors that come into play. The result of this study will also be able to tell us if there are any areas that we may want to consider redeveloping in the future to remain competitive.

Commissioner Wing asked if we have talked to other communities to see what they are doing. Simonson replied that we know other communities work with developers for tear-down/rebuilding of some aging Industrial Park properties. We want to complete the study before we pursue anything like that. In addition the Children's Hospital property will be re-explored to see if the Class A office is the best use of that land or if we should consider other options.

To go along with inventory of buildings and land in the City, we have a survey to send out for our existing businesses to gather information. To administer this survey we will visit six or so that we have identified might have future expansion needs and use the program. For the rest will we get an online version of the survey and send that out for them to respond. The online surveys may trigger an in-person visit depending on their results.

Commissioner Gardner asked who the interviewers would be. Simonson stated that staff but we could have additional attend. Staff responded that we haven't flushed out the details yet but we do not feel it needs to be a full BRE visit with an entourage of people. Simonson said it may be appropriate for one EDC representative attend the interviews. These interviews will be more specific to the survey questions about expansion needs for the purpose of data gathering and less about learning information on the company and building relationships.

Commissioner Wing asked if we already have this information from the BRE businesses we have visited? Would this be considered an update? Simonson responded that the original plan for the BRE visits included a more formal survey but we found that the visits flowed more freely and determined that format had more value. We have not surveyed the businesses yet but this survey is more specific to our analysis. Staff is providing this as an update of where the project is now and is seeking feedback on the questions included in the draft survey.

Commissioner Tarvin stated that he believes that this is a good/relevant tool for Multi-Clean. He offered to complete the survey in advance to help assess the questions, but thought they hit on most of the key issues from the business perspective.

Some of the tools that the City is using to complete the data analysis and survey input include the MNCAR/Exceligent Commercial Real Estate Database and the Greater MSP/Salesforce Database. Niki

Hill demonstrated both of the different databases for the Commissioners to show what their capabilities are.

Commissioner Wing inquired as to whether we are entering in the attendees from the Business Exchange. Simonson stated that we had not thought about that but we could as a way to build and cross check our database list of businesses and contacts. He said the staff would be entering all of our information gathered from our BRE visits into the Salesforce database. This information will be proprietary to the City but will allow us to do better reporting to the EDC and Council in the future.

## **C. PROJECTS AND DEVELOPMENTS**

### ***Rainbow Foods Property***

Simonson explained that the City is still exploring with the owner/developer on different redevelopment or repurposing options are for the Rainbow Foods site. Oppidan Development is getting closer to a plan that will be presented in the next month or two. At this point the options we have seen all point to a grocer being part of the project. The grocer would anchor the existing building but the problem is filling that other 1/3 of the building with a suitable tenant since the space would be large and narrow.

Commissioner Gardner asked if there was any discussion of incorporating a high end restaurant. Simonson responded that the developer is exploring a small retail center in the parking lot area towards Highway 96 of about 6,000 square feet, so there may be an opportunity for a restaurant in that space. Nothing is definitive but staff has provided market data to potential restaurant operators and developers.

Member Kroona asked what the remaining 25,000 would be used for. Simonson said that is very challenging given the dimensions and location on the westerly portion of the building. The area is long/narrow and the City would not want some sort of discount retail type uses.

Simonson also noted that regardless of the end-users there will likely be a significant re-investment in the property, with an interior and exterior re-do.

Kroona asked if anyone saw that Jerry's is coming to Woodbury? He noted that will be the 8<sup>th</sup> grocer in the Woodbury market.

### ***Rice Street Redevelopment***

Ramsey County could be holding up the project, but we are cautiously optimistic. Ramsey County is using a lot of State funding for TCAAP and the surrounding areas. MnDOT might be willing to look at the interchange to see if it is over-designed or not. That may free up additional land for development on the Southwest Corner of the interchange.

The Hearth Development project for senior housing that was proposed on the northeast corner of Rice Street and 694 in Vadnais Heights was officially withdrawn but the City did receive a notice from Little

Canada for a Senior Housing project on the Southeast corner, just south of the Taco Johns. It appears that the same project has moved to the South side of the interchange and is moving forward.

The Shoreview Center at 694 and Rice in Shoreview apparently has been purchased but the City has yet to see any possible redevelopment plans.

***Shoreview Corporate Center***

Simonson updated the members that it is looking like the Business that we've been working with is going along as planned. We support their job creation fund and that will go to a State Public Hearing in the near future.

**ADJOURNMENT**

Commissioner Weinhagen, seconded by Commissioner VanBlaircom, moved to adjourn at 8:31 a.m.

**Vote: 7 AYES      0 NAYS**

**HUMAN RIGHTS COMMISSION  
DRAFT MEETING MINUTES  
April 22, 2015**

**CALL TO ORDER**

Co-Chair Williams called the meeting to order at 7:05 p.m. with the following members present:

Richard Bokovoy  
Samuel Abdullai  
Elaine Carnahan  
Sunny Chen  
Sabrina Chu  
Mark Hodkinson  
Mary Yee Johnson  
Bob Minton  
Eugene Nichols  
Lisa Wedell Ueki  
Julie B. Williams

Also present was Rebecca Olson, Assistant to the City Manager; Mandy Little, Student Support Services, Mounds View Schools; Karen Schaub, Director of Community Education & Public Relations, Roseville Area Schools.

**APPROVAL OF MINUTES**

Commissioner Minton moved that the Minutes of March 25, 2015 be approved. Commissioner Nichols seconded the motion. The motion was adopted unanimously and the minutes were approved.

**SCHOOL DISTRICT LIAISONS**

Chair Williams went around and introductions were made. Ms. Olson indicated that she had invited the cultural liaisons from the schools to attend the meeting as well, but several of them were unable to attend. One of them, Robert Crump, had planned to attend but an emergency arose and he was unable. He indicated that he would try to attend the May meeting.

Chair Williams gave an overview of why the HRC invited the school representatives to attend our meeting. She indicated that the HRC holds an annual 'Community Dialogue' on topics related to the HRC mission. This year, with the work that was done by Commissioner Minton and students on the Immigration project, the HRC discussed having a Community Dialogue around the issue of immigration. However, as the members discussed how to focus the dialogue, it became clear that there was not one specific area that stood out. The commissioners felt they wanted to reach out to school districts to find out if there are any pressing issues they are facing that we could use as a jumping off point for the Community Dialogue.

Ms. Little briefly described the demographic breakdown of students in the Mounds View schools. She mentioned that the school was working with an organization called 'Marnita's Table' that they are using as a tool to engage students and families. There is an event scheduled for April 23<sup>rd</sup> on the topic of Health, Equity & Wellness. The goal of this group is to meet people from the community in an environment centered around food. It is intentional interaction.

Ms. Schaub mentioned that in the Roseville Area Schools, there are 60 different languages spoken with 10 languages representing 88% of their students. They are also working collaboratively with Marnita's Table through the Suburban Ramsey Family Collaborative. They have learned a great deal about interactions with members of different communities through their cultural liaisons as well as tools such as Marnita's Table. She mentioned that there is value in being inclusive. There is a process you go through to build relationships. You may not get people to participate in a Community Dialogue the first time, but if you build inclusiveness through different events and interactions, eventually you will be able to build more engagement.

Ms. Schaub stated that Marnita's Table is a good tool, but it may or may not be the right tool for the City to use. She encouraged the HRC to ask questions about what they are trying to get out of the Community Dialogue. Is it about educating or asking what life is like here in Shoreview?

Chair Williams thanked the school representatives for participating and coming to the meeting. Ms. Olson stated that as part of the HRC 2015 work plan, one of the goals was to reach out to key community stakeholders and build relationships. She stated that the HRC would like to continue to build on this initial contact. Ms. Schaub stated that she would try to pull some demographic information regarding students who lived in Shoreview, but because of data privacy laws she wasn't sure what information she could gather. However, if the HRC was interested in connecting with one particular community she stated that the cultural liaisons are valuable resources.

Before the school representatives left the meeting, Ms. Olson asked Commissioner Wedell Ueki to give them a brief synopsis of the Selma: The Bridge to the Ballot screening the HRC was trying to put together. The representatives then left the meeting.

### **SELMA: THE BRIDGE TO THE BALLOT**

Ms. Olson updated the commissioners on the response that she received from the Roseville HRC. She stated that they had discussed the invitation, and were interesting in participating in hosting a screening of the short film 'Selma: The Bridge to the Ballot' at the Roseville library, inviting Senator Marty to attend/speak.

Commissioner Wedell Ueki stated she would contact the Roseville library and Senator Marty about availability.

**OTHER**

Commissioner Wedell Ueki began to discuss some of the logistics for the Slice of Shoreview parade. Consensus was to bring that topic back for discussion at the May meeting.

**ADJOURNMENT**

There being no further business before the Commission, Commissioner Wedell Ueki moved, seconded by Commissioner Bokovoy, that the meeting be adjourned at 8:44 pm.

**PARKS AND RECREATION COMMISSION  
MINUTES  
APRIL 23, 2015**

**CALL TO ORDER**

Parks and Recreation Commission Chair Desaree Crane called the April 23, 2015 meeting of the Parks and Recreation Commission to order at 7:02 PM.

**ROLL CALL**

Commission Members Present: Desaree Crane, Carol Jauch, Sarah Boehnen, Linda Larson, Charlie Oltman, Athrea Hedrick, Craig John, and Tom Lemke

Members absent: Catherine Jo Healy

Others Present: Terry Schwerm, City Manager; Becky Sola, Recreation Program Supervisor

**APPROVAL OF MINUTES**

John moved, seconded by Larson, approval of the March 24, 2014 minutes. Motion was unanimous 7-0.

**DISCUSSION REGARDING SUMMER DISCOVERY AND PRESCHOOL PROGRAMS**

Schwerm indicated that the Summer Discovery program is the largest revenue producing recreation program that the City offers, followed by fitness classes and aquatics. He introduced Becky Sola, who serves as the Recreation Program Supervisor, and indicated that she has been instrumental in the growth and continued development of the Summer Discovery program and the City's preschool programs.

Becky reviewed the Summer Discovery, a full-day summer school-age child care program with the Commission. She noted that the program now serves more than 250 youth at the Community Center during the summer months. This program includes a number of Friday field trips and special events, and participants in the program can also sign up for enrichment classes during the day. In response to questions from the Commission, she said the program was at capacity in the building and only could expand if there was additional space created with a Community Center expansion. They use every available space but the Shoreview Room, including the pavilion.

Becky also reviewed the preschool program with the Commission. The preschool program is highly regarded in the community and has been growing the past few years as additional classes have been offered.

Schwerm said that Becky has been with the City for several years and has done an excellent job researching, growing and operating these key programs for the City.

## **STAFF REPORT**

- Schwerm distributed a rough draft of the 2014 Annual Report for the Parks and Recreation Department. He encouraged Commissioners to review the report. This is only the second year an annual report has been produced by the Department. A final draft will be sent out with the May agenda.
- Schwerm noted that 2015 is the Community Center's 25<sup>th</sup> anniversary. Staff is planning a celebration either the first or second weekend in November. If the Commission has any thoughts or ideas for the celebration, let him know.
- Library Expansion – Schwerm reported that the Ramsey County Library was moving forward with the expansion of the Shoreview Library just south of the current library. A design/build team is being recommended to the Library Board and County Board. The City will stay involved since a final design, including access details, has not yet been determined.
- Community Center Expansion – Schwerm noted that the City Council has identified a potential expansion of the Community Center as one of their goals for the next two years. There still needs to be a significant amount of work to determine the overall scope of the expansion and how it will be financed.

## **COMMISSION REPORTS**

- Boehnen updated the Commission on the Task Force that was working on a Community Health Initiative. The first program that will be developed includes the creation of a Shoreview Walking Club. She noted that a logo has been developed and that they hoped to market this new program at the Slice of Shoreview, and through the ShoreViews newsletter. She also mentioned Mayor Martin's weekly "Walk and Talk" events rather than her weekly office hours during the summer months.
- Boehnen also suggested that the City try to connect the young adults who take the Supersitter Babysitting class with parents who need sitters. Schwerm said he would pass this idea on to staff.
- Lemke asked if the next Commission meeting could be held at one of the parks. Schwerm said he would schedule the next meeting at a park.

## **ADJOURNMENT**

There being no further business before the Commission, Lemke moved, seconded by Crane, that the meeting be adjourned at 8:30 PM. Motion adopted unanimously.

**SHOREVIEW PLANNING COMMISSION  
MEETING MINUTES  
April 28, 2015**

**CALL TO ORDER**

Chair Solomonson called the April 28, 2015 Shoreview Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

The following Commissioners were present: Chair Solomonson; Commissioners, Ferrington, McCool, Peterson, Schumer and Thompson.

Chair Solomonson noted Commissioner Doan's arrival at 7:01 p.m.

**APPROVAL OF AGENDA**

MOTION: by Commissioner Schumer, seconded by Commissioner McCool to approve the April 28, 2015 Planning Commission meeting agenda as presented.

VOTE: Ayes - 7 Nays - 0

**APPROVAL OF MINUTES**

MOTION: by Commissioner Schumer, seconded by Commissioner Peterson to approve the March 24, 2015 Planning Commission meeting minutes, as presented.

VOTE: Ayes - 6 Nays - 0 Abstain - 1 (Thompson)

Commissioner Thompson abstained, as she did not attend the March 24th meeting.

**REPORT ON CITY COUNCIL ACTIONS**

**Presentation by City Planner Kathleen Castle**

The following items were approved by the City Council as recommended by the Planning Commission:

- Rylaur, LLC/Oak Hill Montessori Site and Building Plan Review
- Water Treatment Plant Site and Building Plan Review

## **NEW BUSINESS**

### **PUBLIC HEARING - VARIANCE/MAJOR SUBDIVISION**

**FILE NO.:** 2568-15-11  
**APPLICANT:** DONALD F. ZIBELL  
**LOCATION:** 3422 CHANDLER ROAD

#### **Presentation by Senior Planner Rob Warwick**

The applicant has submitted a preliminary plat and variance for the subject property. The proposal would subdivide the upland 3.6 acres into 8 lots for detached single-family development. There would be 2 riparian lots on Lake Wabasso and 6 non-riparian lots. The existing house with attached garage and swimming pool will remain on Lot 5. Access to the lots will be from a new public road cul-de-sac extending east from Chandler Road. Storm water management will be with a bio-filtration basin on Lot 4. The variance requested is to reduce the street frontage for Lot 4, a riparian lot, from the minimum 100 feet to 72 feet.

In 2014, a minor subdivision was approved that adjusted the north property line to the current configuration to allow the development of Lot 4 with a width of 100 feet of shoreline. That subdivision approval requires removal of the existing tennis court and adjacent detached accessory structure.

The property is located in the R1 District. The proposed cul-de-sac access is consistent with City standards. The proposed lots comply with minimum lot standards of the R1 District. Lot 6, 7, and 8 are key lots where the rear lot lines abut the side lot line of the adjoining parcel to the south. While these key lots do not have the added depth required, they do show the required 40-foot front setback. Lots 4 and 5 are riparian to Lake Wabasso and have a minimum width of 100 feet at the Ordinary High Water (OHW), at the building set back from the OHW, and at the front lot line. The property is zoned for Low Density Residential (RL), which allows 0 to 4 units per acre. The proposal is 2.2 units per acre including the area of right-of-way.

The variance requested for Lot 4 is to address the width of 72 feet at the street frontage. The house pad for Lot 4 exceeds the maximum OHW setback of 106 feet. The driveway turn-around that exists on Lot 5 does not meet the required 5-foot side setback.

Stormwater from the western portion of the property flows south to a culvert; stormwater from the eastern portion flows to Lake Wabasso. The filtration basin proposed on Lot 4 will reduce drainage to the lake. The City Engineer has noted a concern with the amount of infrastructure on this lot with the pond and pipes for storm water drainage as well as pipes to convey water to the filtration basin. The building pad is constrained due to the pipe infrastructure.

There are more than 60 landmark trees on the property. A Removal and Preservation Plan is required with the Final Plat. City Code requires a replacement ratio of 6 replacement trees for every landmark tree removed.

The applicant states that the street width variance requested for Lot 4 meets the intent of the Ordinance because the lot width at the OHW and the building setback from the OHW is 100 feet. The proposed 72-foot width is wider than the cul-de-sac frontage required for a non-riparian lot. The lot area is 29,000 square feet, almost twice the area required for a riparian lot.

Staff notes that a minimum street frontage of 30 feet is required for non-riparian lots on a cul-de-sac. This accommodation is not specified for riparian lots. However, staff agrees that the large lot area and consistent width of 100 feet meet the intent of the Code.

Notice of the public hearing was published and mailed to property owners within 350 feet of the subject property. Four comments were received expressing concerns about reduced green area, environmental impacts on nearby lakes and wildlife, increased traffic and construction noise. A permit will be required from the Ramsey/Washington County Watershed District.

Because of the lot depth issues for the key lots and the building pad on Lot 4, staff recommends the Commission hold and continue the Public Hearing by tabling the application to allow the applicant time to revise plans that would bring the application into compliance or apply for variances. A variance application for the depth of the key lots is needed.

Commissioner Ferrington asked if this plan has to be approved before application can be made for the watershed district permit and whether the reduced drainage to the south flows under the existing driveway. Mr. Warwick stated that the plat must be approved before a grading permit can be issued. A permit from the watershed district would also be needed at the time of issuance of the grading permit. The proposed drainage will be almost 50% of what it is at this time due to the smaller area that will drain south. Water that flows south goes through a culvert under the existing driveway on the subject property and the lot to the south. The wetland is further south.

Commissioner McCool asked the reason there is not flexibility for the width of riparian lots on cul-de-sacs that is allowed for non-riparian lots. Mr. Warwick responded that state law only requires that width be measured at the point of the middle of the building. The City is allowed to be more restrictive and requires three measurements. There is only one other cul-de-sac in the City with riparian lots.

Commissioner Peterson noted the large area that will flow to the new filtration system. He asked if the watershed district will review and test the calculations and assumptions proposed. Mr. Warwick answered that both the City and watershed district have engineers evaluate drainage to make sure there is compliance with adopted standards.

City Attorney Joe Kelly stated that he has reviewed the affidavits and determined that proper public notice has been given for the public hearing.

Chair Solomonson opened the public hearing.

**Mr. Donald Zibell**, Applicant, stated that he is confident that any challenges with the site can be overcome.

Commissioner Peterson asked for further explanation on how the drainage system will handle the increased quantity of runoff from the street. **Mr. Chuck Plowe**, Project Engineer, stated that the

applicant is in the process of applying for a permit from the watershed district. The watershed district has revised their rules to be more strict. The size of the drainage system is designed for a 100-year event. The rate that the water leaves the site at this time must be controlled to that same rate after development. Most of the water will be channeled to the filtration basin, which is designed with infrastructure to insure the water leaves the site at the same or less rate as today.

Commissioner Schumer asked for the applicant's response to staff's recommendation to table this application to address issues with key lots. **Mr. Zibell** stated that he is agreeable to tabling the application.

Commissioner Ferrington asked if consideration would be given to not developing Lot 4 and reconfiguring the other lots to provide a common access to Lake Wabasso. The Project Engineer stated that he does not believe it would be economically feasible, as the applicant has spent considerable money to acquire the additional land.

**Ms. Elizabeth Vantasel**, 3400 Chandler Road, asked if the water filtration system is a holding pond. Mr. Warwick explained that the filtration system is filled with plants that take up water. The roots provide opportunity for the water to infiltrate into the ground. A list of plants are in the plan submitted. Maintenance will be part of the City infrastructure. **Ms. Vantasel** asked for further consideration to be given to the wetland to the south and the possible impact of it becoming dry with the reduction of drainage.

**Mr. Jerry Kleffman**, 3400 Chandler Road, expressed concern about loss of trees with increased water into the natural drainage flow. He suggested only two key lots instead of three to reduce the number of variances for lot depth. Mr. Warwick stated that the building pads locations are adequate for modern houses. He showed the new drainage map that shows the area that will drain south to be a much smaller area than currently, which will reduce the runoff to the south.

**Ms. Megan Balda**, 3410 Chandler Road, expressed significant concern about the aesthetic changes to the neighborhood and density. She asked what traffic studies have been done and safety precautions for the heavy pedestrian traffic on Chandler. Mr. Warwick stated that Chandler Road is a minor collector street averaging approximately 500 trips per day. Collector roads in the City have from 500 to 5000 trips per day, and Chandler is one of the lowest volume collector roads in the City. Typically, one house generates approximately 11 trips per day. With seven new lots, this would be a total of approximately 80 added trips per day. On a collector street, this remains a small amount of traffic.

**Ms. Charles Nelson**, 3450 Chandler Road, asked for clarification of the house setbacks and whether a setback variance is requested from the north. Mr. Warwick explained that the variance is only for lot width at the street for Lot 4. The setbacks required from the north property line will meet Code requirements.

Chair Solomonson asked the process to continue the public hearing. City Attorney Joe Kelly recommended re-noticing and reopening the public hearing in order to continue it. The public hearing can be held over to another meeting by closing it temporarily or leaving it open. It is important that the reasons to continue the public hearing and extend the 60-day review time period be specifically stated in the meeting minutes.

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to temporarily close the public hearing.

VOTE: Ayes - 7 Nays - 0

Commissioner Ferrington listed issues that she sees need to be addressed and asked what items would need a variance and which ones would need adjustment: 1) variance for the 72-foot width for Lot 4 at the frontage road; 2) house setback of greater than 106 feet from the lake; 3) the driveway of the current home is closer than 5 feet to the property line; and 4) the required depth for key lots. Mr. Warwick stated that the proposed motion is to allow the applicant time to bring the application into compliance or apply for variances. At a minimum he would expect a variance request for key lot depth.

Commissioner Doan stated that the landmark trees are a precious resource, and he would like to see as many as possible preserved.

Commissioner McCool added that he would like to see a plan of how many landmark trees are proposed to be removed with the next review of this matter.

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to table the Variance and Preliminary Plat applications submitted by Donald Zibell to subdivide and develop the property at 3422 Chandler Road into 8 lots for single-family detached homes to provide the applicant opportunity to revise the plans to reflect the proposed Key Lots and to address the OHW setback for proposed Lot 4 and to extend the review period from 60 to 120 days.

Discussion:

Commissioner McCool offered an amendment to the motion to include re-noticing the public hearing. Commissioners Schumer and Ferrington accepted the amendment.

VOTE: Ayes - 7 Nays - 0

### **COMPREHENSIVE SIGN PLAN**

**FILE NO.:** 2566-15-09  
**APPLICANT:** M T HOLDINGS  
**LOCATION:** 1027 TOMLYN AVENUE

#### **Presentation by City Planner Kathleen Castle**

This application is to install four wall signs to identify business tenants. The property consists of 2 acres and is developed with a 24,792 square foot office/warehouse building occupied by four tenants. Currently, one wall sign identifies the tenants which would be removed for the four individual cabinet-style signs with interior illumination for each business. The property is zoned Business Park (BPK). A maximum of one wall sign is permitted unless the structure faces two arterial roadways. This structure is located on a local street. The maximum area permitted for a wall sign is 10%, and the maximum length allowed is 20% of the wall length. The total area for



**LOCATION: CITY WIDE**

**Presentation by Economic Development and Planning Associate Niki Hill**

The proposal is to amend Section 212.020(E) of the Building and Fire Code to address updates to the Minnesota Building Code in 2015. The revisions would add wording to include: platforms less than 30 inches above adjacent grade and not attached to a structure with frost footings. The current building permit would revise the requirement for structures with a 120 square foot minimum floor area to a 200 square foot minimum floor area. A zoning permit is still required for accessory structures which do not require a formal building permit review.

The public hearing notice was published in the City’s legal newspaper April 15, 2015. No comments have been received. Staff is recommending the text amendment be forwarded to the City Council for approval.

City Attorney Joe Kelly stated that proper notice has been given for the public hearing.

Chair Solomonson opened the public hearing. There were no comments or questions.

**MOTION:** by Commissioner Schumer, seconded by Commissioner Doan to close the public hearing.

**VOTE:** Ayes - 7 Nays - 0

**MOTION:** by Commissioner Schumer, seconded by Commissioner Thompson to recommend the City Council approve the amendment to Section 212.020, Building and Fire Code to address the changes adopted in the Minnesota State Building Code.

**VOTE:** Ayes - 7 Nays - 0

**APPEAL OF ADMINISTRATIVE DECISION**

**FILE NO: 2567-15-10**  
**APPLICANT: TODD SHARKEY - SHARKEY LAND DEVELOPMENT**  
**LOCATION: 4965 HANSON ROAD**

Chair Solomonson noted that the Planning Commission will serve as the Board of Adjustments and Appeals for this item.

**Presentation by Assistant City Manager/Community Development Director Tom Simonson**

This application was determined to be incomplete because certain filing requirements were not met by the applicant. The Minor Subdivision application is a proposal to subdivide 4965 Hanson Road into two parcels. The reason the application is incomplete is because a variance application must be submitted with the Minor Subdivision in order for the proposal to be considered. Code requires that new lots must have public road frontage unless a variance is granted. Access to the new parcel would be from a private driveway easement. The applicant maintains that the private driveway easement is a public road and does not require a variance.

The Minor Subdivision application was determined to be incomplete for four reasons:

1. Three items of administrative and/or procedural matters could be easily rectified.
  - a. The application needs to be signed by one of the property owners;
  - b. The applicant, Sharkey Land Development, must submit evidence of a legal or equitable interest in the property; and
  - c. The Certificate of Survey is unacceptable because it was not a copy to scale and was altered with hand written notes that obscure some information.
2. The variance application was not submitted as required. The City's filing requirements provided with the application state, "a completed application(s) for all other approvals necessary for the proposed development (e.g., rezoning, variance, comprehensive guide plan amendment)," must be submitted with the application.

The key issue of this appeal is the matter of the private driveway or public road. A map was shown indicating the subject driveway that is for access to the subject property off Hanson Road. Staff believes this access to be a private driveway. The City Attorney has provided a letter indicating the legal opinion that the subject driveway that would serve the proposed lot is a private easement. This determination is consistent with the City's position over a number of years, including current and past research by the City Attorney. The proposed parcel would then front on the private driveway easement, which requires a variance.

Public notice of this appeal hearing was sent to property owners within 350 feet of the subject property. Copies of written comments have been provided to Commissioners. It is staff's recommendation that the Planning Commission deny the appeal and rule that the Minor Subdivision application was incomplete.

City Attorney Joe Kelly stated that he has reviewed the documents submitted by the applicant, which included plats, deeds and an opinion from former City Attorney Jerry Filla that go back to 1978. The documents submitted support the previous position that the driveway is a private easement dating back to 1978. The deed provided to the Sharkeys from the Hansons states, "also a roadway or driveway easement over a strip of land 30 feet in width lying adjacent to and on the northerly side of afore said tract of land. And 30 feet being measured at right angles to the northerly lines of said tract and said strip running from said east line of Government Lot 1 to a line running parallel to and distant 290 feet west of said east line." The first paragraph is the tract of land that is being conveyed. The second paragraph is a roadway or driveway easement, a private easement between the grantor and the grantee. The seller is providing the easement solely to the individual buyer. The survey from 2005 also shows a 30-foot easement, not a publicly dedicated right-of-way. All the cases cited by the applicant deal with publicly dedicated rights-of-way or platted streets. A review of this plat shows no platted or publicly dedicated right-of-way. The original grantors and those benefitting from the easement have not actually dedicated this strip of land to the public. This is backed up by the fact that the United States Postal Service does not deliver mail on this road. The hash marks on the plat only indicate that there is an easement in existence. It is not showing a publicly dedicated right-of-way or publicly dedicated roadway that is platted. There are public utility easements, but that does not indicate a public right-of-way for purposes of subdivision standards.

The applicant has indicated concern about an opinion letter from 2005. The letter shows that the applicant previously applied for a variance and subdivision. It also shows the City's consistent opinion regarding the easement since 1978. The concern is about the paragraph that states, "It is possible that surrounding property owners may commence litigation against the Sharkeys if they approve the minor subdivision and waiver." The reason for that statement is that the easement has been improved by making it a concrete surface. The potential liability is between the private parties. Mr. Simonson added that the 2005 letter also shows that the Sharkeys do have rights to the private easement.

Mr. Simonson explained that the Planning Commission is serving as the Board of Adjustments and Appeals and is to determine whether or not the City's determination is correct, that the application is not complete. He recommended focus on the completeness or incompleteness of the application without getting into issues of a minor subdivision or any potential development, issues.

City Attorney Kelly stated that if the Board of Adjustments and Appeals were to determine that the easement is a public right-of-way, contrary to the City's opinion, that would mean a taking of property from the underlying land owner, which would potentially require compensating the underlying owner.

**Mr. Todd Sharkey**, Applicant, stated that there is a lot of history that has caused problems in the neighborhood. He wants to offer an opportunity to clear up hard feelings and heal the neighborhood by telling the truth. The map line showing the easement on the City's map is shown as a municipal street on the Ramsey County GIS system. The original parcel was purchased by Mr. Bucher from the Government. The parcel was then sold to Mr. Henry Hanson (for whom the road is named--Hanson Road).

Mr. Sharkey referenced a letter dated 1978, from then City Attorney Jerry Filla, to Dr. Charles Bregel, that states, "I have reviewed the abstract title for the above-referenced property which was last certified on the 6th day of June 1975, at 8:00 a.m., by the St. Paul Title and Guaranty Company. The abstract consists of entries 1 through 84 inclusive and a photocopy of that abstract is enclosed. At one point in time most of the property located west of the center line from Hanson Road and north of Robinhood Place was owned by Henry Bucher. Upon his death a portion of this property was decreed to his daughter, Caroline Hanson and upon her death the property was given to her children--Henry Hanson, Louise Hanson and Ed Hanson. When the Hanson children acquired their mother's interest in the property, they granted a 15-foot easement to Stuart Cohn. The easement extended westerly across Hanson Road across some property south of your property (that would be Sharkey property)." The easement was to provide access to the Cohn property. This easement was eventually reconveyed to Stuart Cohn and now no longer exists.

City Attorney Filla further states that the easement referred to in his letter is only for three parcels and no parcels further to the west. The title states that a driveway permit for 690 feet was issued, which extends to where there is an existing garage today. The easement was only granted to a certain number of properties. The Sharkeys, who acquired the property from Bedburys with the right to use the 30-foot easement. Entitlement to use the easement does not necessarily carry with it the obligation to maintain the easement. Although the easement cannot be obstructed, it states that, "If the present owner of the Bedbury properties (now the Sharkeys), wish to construct

more than one residential dwelling on the property, approval of a minor subdivision would have to be obtained from the City of Shoreview.” The City Attorney is saying that a variance is not necessary. In 1978, Exhibit D, page 11, his father’s 1978 application for a minor subdivision shows a checkmark for a variance but no variance is written in. The Sharkey property, is, therefore, grandfathered in.

In 1993, Mr. Gerald Anderson applied for a minor subdivision and variance for frontage on a non-public street. However, he did not apply for a variance for special access permission, which is mandatory. In 1993, the properties were granted special permission of access by the City. This is an act of eminent domain for which no one has been compensated. The City overburdened the easement with four additional property owners who do not have rights to cross that property. There are four properties with legal access gaining a public benefit. Those four properties need to compensate other affected neighbors. City Attorney Filla stated that no part of the easement crosses the Sharkey property. However, the survey presented as Exhibit W1, the roadway easement entirely crosses the Sharkey property. One property owner took responsibility for reconstructing the road but without taking out a permit. A permit was granted after the fact by the City, which denied due process to the neighbors. To have to apply for a variance is being held to a higher standard.

**Mr. Sharkey** stated that the neighbor at 1000 Oakridge Avenue is 89 feet back from the north property line with no variance. That house is an illegal structure. Attorney Chad D. Lemmons who is with the law firm of Kelly and Lemmons states in a letter regarding 1000 Oakridge Avenue, “Shoreview’s failure to require and process a variance for the Jarrot home is not a violation of Chapter 13, which is the Minnesota Data Practices Act, instead it is a violation of the City’s own ordinances.” He asked again why he is being held to a higher standard. The City granted a minor subdivision in 1978 and requested a 30-foot easement from his father. The problem is that the 30 feet comes within four feet of the house. The house would have been illegal, devalued.

Mr. Sharkey stated that there are easements under the roadway. What is contained under the roadway is water. There is a fire hydrant at the far west end. There are power lines on the south and north sides of his property. The power lines are spaced 150 feet apart. City Code for lots is 75 feet wide by 125 feet deep. The power lines show that there are three lots on the Sharkey property. He is only asking for two. The second lot would exceed City Code by 50%. There are gas lines, electric lines, CABLE lines with no easements for utilities. In 2005, the City wanted a 10-foot utility easement, but it was not granted. The City, by charging utility fees is making money off property they do not own. All indicators are that the easement is a public road. The land was taken for public benefit to the other four properties.

He does not want to bring litigation. He has done his homework and trying to defend his property rights and bring a solution. He does not want to maintain the easement any longer for others. Those who use the easement need to purchase the property and maintain it. He is trying to do what is right but he would like to be treated fairly.

He was very upset with Mr. Hill’s letter that was sent to damage him. He went to the police who told him he could press charges, but he did not.

**Mr. Dennis Jarnot**, 1000 Oakridge Avenue, stated that he has lived at this address for 20 years. When he moved in the street was part asphalt and part gravel. Ten years ago neighbors put thousands of dollars into improving the road and then again spent substantial money to maintain it. Now they have to get a permit. He is not sure there is a municipality that requires residents to maintain a public street and maintain street lights. Residents had to increase the width of the roadway to support the Fire Department. All the things Mr. Sharkey has said do not show that the City has taken over the road to make it a public street.

**Mr. Sharkey** stated that in 1993 that resulted in the house at 1000 Oakridge, the road was posted for no parking. There are no driveways posted for no parking. It is supposed to be posted and he would request that it be posted no parking. This is another indicator that the road is public. Mr. Jarnot is acting as an agent. As part of the 1993 subdivision Mr. Jarnot's deed shows he is partly responsible for the road. He has been doing all of it. Since they took it as public domain makes it public.

### **Commission Discussion**

Commissioner Schumer referred to the April 1, 2015 letter sent to Mr. Sharkey and asked if the City has proof he received that letter. Mr. Simonson answered, yes. Commissioner Schumer asked if anything was done to fulfill the first three requirements of the application. Mr. Simonson stated that it may be that the application is now signed. Todd Sharkey was added to the property April 10, 2015. The City is not requiring a survey. These actions took place after the City determined that the application was incomplete. The City is asking for a to-scale survey.

Those first three items can easily be remedied. They are not fully remedied as of the date of the appeal.

Chair Solomonson added that the finding is that the application was incomplete as of April 1, 2015. The City has indicated since that some items may have been remedied. The other action would be for the applicant to resubmit the completed application.

Chair Solomonson stated that the fourth item is the issue. From the standpoint of the City Code it is a private driveway, not a public road. He asked for clarification as to whether anything was grandfathered in. City Attorney Kelly stated that anything grandfathered would now be considered nonconforming. The consideration for the Commission is current Code with the current application.

Commissioner McCool stated that the application from 1978 did not have a plat. That means minor subdivision was never completed. The applicant has not challenged the completion of the three minor issues of completion that staff says can be remedied. That means it stops there. The applicant can fix the three issues and then there is the issue of a public road. There is no indication in the record that the easement is a public street. There is no map or plat. The easement is in the Sharkey deed, how it is maintained and used. The County map does not make the easement a City street. An order from the court would be needed stating that the easement is a public taking. That has not been done. Two City Attorneys have done the research to conclude the easement is not a public road. He does not see the Commission not accepting that opinion. A variance has not been requested, and the application is incomplete for that reason.

Commissioner Ferrington agreed with Commissioner McCool.

Commissioner Peterson stated that he read all the material and agrees with Commissioner McCool. At the intersection of Oakridge and the driveway, there is a sign that states “Private Driveway.” With the history and documentation, he supports the conclusion that the easement is not a public road.

Mr. Sharkey referred to the Municipal Guide Plan and the easement is clearly under City jurisdiction, which he showed to each Commissioner.

Mr. Warwick stated that prior Comprehensive Plans are outdated. The current Comprehensive Plan does not show this easement as a public road.

Commissioner Thompson stated that she does not believe the road issue can be decided at this meeting. It asks for a legal conclusion the Commission is not equipped to make. She believes the application is incomplete.

**MOTION:** by Commissioner Doan, seconded by Commissioner Schumer that the Planning Commission, serving as the Board of Appeals and Adjustments, hereby denies the appeal of an administrative decision by the applicant Todd Sharkey, Sharkey Land Development, regarding a Minor Subdivision application submitted for property at 4965 Hanson Road. The denial of this appeal supports the City staff determination that the Minor Subdivision application was incomplete for the reasons cited and information that was not submitted by the applicant, as outlined below:

1. Application form was incomplete. Pursuant to Ramsey County Property Tax Records, the property is also owned by John Sharkey. As such, John Sharkey’s signature is required on the application form.
2. Evidence of a legal or equitable interest by the applicant in the property.
3. The Certificate of Survey submitted was not acceptable for the following reasons:
  - a. A reduced copy of the Survey was submitted and is not to scale. A legible survey drawn to scale must be submitted.
  - b. The Survey has been altered and includes hand written statements that obscure information on the Survey. An unaltered copy of the Survey is required.
4. As documented on the submitted Certificate of Survey, Parcel A does not have frontage on a public road as required by Municipal Code Section 204.030 (C)(2), therefore a variance is required. The Filing Requirements document provided with the application states that among the items that must be submitted include: *“a completed application(s) for all other approvals necessary for the proposed development (e.g., rezoning, variance, comprehensive guide plan amendment).”*

This decision is supported by the legal opinion from the City Attorney that the driveway which would serve the proposed new parcel is a private easement thereby requiring a Variance application be submitted along with the Minor Subdivision application as part of any proposal to subdivide the property at 4965 Hanson Road.

Discussion:

Chair Solomonson stated that he, too, agrees with Commissioner McCool's comments and would go further to say he does not believe the easement is a public road and requires a variance.

VOTE:                                      Ayes - 7                                      Nays - 0

**MISCELLANEOUS**

**City Council Assignments**

Commissioners McCool and Thompson will respectively attend the May 4th and May 18th City Council meetings.

**Workshop**

The Planning Commission will hold a workshop meeting May 26, 2015, immediately prior to the regular meeting.

**ADJOURNMENT**

MOTION:    by Commissioner Schumer, seconded by Commissioner Thompson to adjourn the meeting at 9:27 p.m.

VOTE:                                      Ayes - 7                                      Nays - 0

ATTEST:

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Kathleen Castle  
City Planner

# SHOREVIEW ECONOMIC DEVELOPMENT COMMISSION

## Meeting Minutes

May 19, 2015

### ROLL CALL

Chair Josh Wing called the meeting to order at 7:31 a.m. with the following members present: Sue Denkinger, Jim Gardner, Dave Kroona, Jason Schaller, Mike Tarvin, Jeff Washburn, and Jonathan Weinhagen. Members Dave Kroona and Kirk Van Blaircom had excused absences.

Also attending were Assistant City Manager/Community Development Director Tom Simonson, and Economic Development and Planning Associate Niki Hill.

### ACCEPTANCE OF AGENDA

Commissioner Denkinger, seconded by Commissioner Gardner, moved to accept the agenda, as presented.

**Vote: 7 AYES 0 NAYS**

### APPROVAL OF MINUTES

Commissioner Gardner, seconded by Commissioner Weinhagen, moved to approve the minutes of April 21, 2015, as written.

**Vote: 7 AYES 0 NAYS**

### INFORMATION EXCHANGE

#### A. MEMBER SHARING

There was no new member information to report.

#### B. STAFF INFORMATION

##### *Business Matters Newsletter*

Commissioners were given the latest print of the Business Matters Newsletter. Simonson gave an overview of the content that was included. The issue included Temporary Sign regulations as a reminder of the amended rules. Additionally there are articles on the new BRE special program, Business Recycling, and a Business Spotlight on locally-based Stillwater Express Solutions.

Commissioner Denkinger commented on the good format and how it was laid out nicely. She also suggested a future article that may highlight what Business Headquarters we have in the area or perhaps identifying the fast growing/emerging businesses so that people are aware of what Shoreview has to offer. It was also suggested to give copies of Business Matters to area hotels for increased awareness.

##### *EDC Profile/Member Bios*

Simonson handed out a bio sheet for members to fill out. The EDC used to do this and we thought it would be a good way to showcase the EDC members varied backgrounds and what the Commission does. This will be available online and also provided to developers and business representatives as part

of the City's promotion efforts. He added that an article on the EDC is planned for the next Business Matters newsletter.

EDC members supported the idea and would send a brief bio-sketch to staff for inclusion.

### ***Small Business Workshop***

The Commissioners agreed that it was a great panel and very engaging. It is just too bad that the turnout for the workshop was disappointing. Simonson said that there were a number of registrants who did not attend for whatever reason. He said the City heavily promoted the event through the website, social media, newsletter, direct mail, and personal emails to BRE businesses.

Simonson posed the question of "Do we want to continue with the same format? What other options do we want to explore? How do we gain greater attendance? He noted the City partnered with the Saint Paul Area Chamber of Commerce for this business workshop and said there was conversation at the event with Commissioner Jonathan Weinhagen and Ling Becker with the Vadnais Heights Economic Development Corporation about considering joint workshops, perhaps including Arden Hills too.

Commissioners discussed the time of day for the event. Commissioner Weinhagen said usually morning sessions are the best time of day for getting business representatives to attend.

The consensus of the EDC was for staff to have continued dialogue with area cities and the Chamber on the potential for hosting joint business workshops. Simonson said the next planned business workshop would be in early fall, and staff would report back to the EDC in the new couple of months.

### ***Business Exchange***

Simonson noted that the date of the Spring/Summer Business Exchange is confirmed for Thursday June 4<sup>th</sup> at the Hilton Garden Inn. The flyers will go out this week and Members should mark their calendars and attend if possible.

### ***Development Bus Tour***

Simonson asked the members if they would have any interest in putting together a development bus tour. He noted the EDC used to do this annually and it has been a number of years since the last tour. This would focus on new development projects, discussion of issues, and stops at businesses and redevelopment areas. He suggested the bus tour would also include Council and EDA members as well. Commissioner Tarvin said that it sounds like a good idea as he still doesn't know where everything is in Shoreview and that would help to clarify what is where, etc. There was strong support from the Commission to pursue a bus tour. Simonson said that staff will talk to the Council about dates and times and then get back to the EDC to see what works for them.

### ***Recent EDA, City Council and Planning Commission Action***

Simonson gave the EDC an update on recent City Council and Planning Commission agenda topics and actions. The Snail Lake Master Plan was approved. This area is south of Hwy 96 and primarily

includes improved trails for better public access. There was an abatement hearing on outside storage on Sherwood Avenue and Street Reconstructions for the year were also approved.

Chair Wing inquired about the property on Victoria Street that the City used to own and what was being done with it. Simonson stated that it was bought and subdivided by Moser Homes. At this time Moser has been busy with other projects and has not had time to move forward with the property.

Simonson stated that the Quiet Zone Phase II agreements have been finalized. We have 3 crossings and Little Canada has 5 crossings so it is a joint effort between the two cities and CP Rail. This is being funding through the State of Minnesota, and the hope is the work will be undertaken this year.

Simonson discussed the Zibell and Zawadski subdivisions that are in different stages of the City review process at this time. They are smaller 8-10 unit subdivisions but they are more like what the City will be seeing now as vacant land is becoming sparse and there is more infill development being proposed.

## **GENERAL BUSINESS**

### **A. DEVELOPMENT UPDATE**

#### ***Rainbow Foods Property***

Simonson stated that staff has seen a draft concept plan that re-utilizes the existing building but we have yet to see financials to see how the numbers work and prospective tenants have also not been finalized. The plan will likely include 40,000 square feet of the Rainbow building for grocery and then the remaining 20-25,000 square feet for additional retail. There would also be about 6,000 feet of additional retail in small building at the south of the property toward Highway 96.

Chair Wing asked whether they would at least be re-investing in the property. Simonson said that the developer has discussed an extensive remodeling and re-facing of the existing building, replacing the parking lot, lighting, and landscaping, all in addition to the new small retail center.

Chair Wing also asked about inclusion of adjacent commercial properties in a more comprehensive redevelopment or reinvestment. Simonson said that preliminary review suggested it was not feasible to include additional properties, but perhaps the new retail uses would encourage adjacent businesses to reinvest in their properties.

Commissioner Denkinger agreed that we need to find someone to invest in those properties and the City would need to be willing to push and perhaps financially assist.

Commissioner Gardner stated that from an aesthetic position, it would be beneficial to have it all look the same instead of piece meal. There was further discussion about the Car Wash and the Gas Station but at this time we do not have an investor or the funds to purchase either property for a larger redevelopment project.

Simonson said that nothing can be discussed publically at this time since there is no formal proposal, but we expect a plan soon.

### ***Job Creation Fund Application / Business Project***

Simonson stated that there will be a Public Hearing on Friday for the Job Creation Fund application that the City has been working on. Anytime that State funds are used it has to have a public hearing through the program if the assistance hits a certain level. He said that once the State formally approves the Job Creation funding, it is expected the company will then publically announce their plans to relocate to Shoreview bringing almost 400 jobs.

### ***Rice Street Interchange/Redevelopment***

Simonson said it is uncertain on the bonding bill that would provide planning and design funds for the new interchange at Rice/694. At this time it depends on the result of the last session – which ended at 11:58 last night. There has been some discussion at the County about revisiting the large cloverleaf design as the project traffic volumes are less that originally estimated, which might allow for more redevelopment opportunity.

The Little Canada senior housing project (formerly proposed in Vadnais Heights) is moving forward. It is just behind the Taco John's off of Country Drive across from Owasso Boulevard.

The Shoreview Center retail strip mall on 694 and Rice, as well as up to 4 homes has been acquired by a developer. At this point we are hearing a redevelopment proposal may be a mix of retail and residential but we have not seen any definite plans and no applications have been submitted.

### ***Temporary Business Signs/Commercial Areas***

SHINE for the spring has been re-directed to focus on Temporary Business signage as opposed to focusing on a targeted neighborhood area. Chair Wing mentioned that the Shoreview Mall is starting to change a little with the landlord increasing some rents substantially. They are starting to charge higher rent and have higher standards.

Chair Wing also questioned whether this was the best decision to do signage versus the regular SHINE program given concerns with certain neighborhoods. Simonson said that it was thought the City should bring awareness to the temporary sign regulations to the businesses as there seem to be repeat offenders with signs. The regular SHINE program will continue in the Fall in residential areas.

### ***BRE Targeted Investment Strategy***

Commissioner Tarvin said his staff at Multi-Clean to the opportunity to fill out the proposed BRE Survey to see how applicable it was to his business. He had very positive feedback including that it was short but had relevant information. Will they be looking to expand in the next three years? No. But in the next 10? Yes. So it is a good idea that the City keeps on top of the needs of the local business

community. He suggested some clarification to the question on interest in customized training as it was a little confusing. Staff and the EDC thanked Commissioner Tarvin for his review and comments.

Simonson stated the plan is to conduct 7 or 8 in-person visits to businesses to administer the Survey to those companies who we know have some interest in expansion. An online survey form and/or mailing will also be available to the remaining businesses. We are not looking to do a full BRE visit but were thinking we would like to include 1 EDC member along with City staff. \

Commissioner Schaller asked if the questions might be considered a little intrusive to businesses. What types of employees and greatest accomplishment may be a little intrusive. If the main reason is for expansion put that up front and keep others for an optional section. Simonson said that some privately-owned companies are reluctant to provide too much detail. Other members agreed with that statement, as well as Staff. The survey will be rearranged to reflect that.

#### **ADJOURNMENT**

Commissioner Weinhausen, seconded by Commissioner Gardner, moved to adjourn at 8:31 a.m.

**Vote: 7 AYES      0 NAYS**

## MOTION SHEET

MOVED BY COUNCILMEMBER \_\_\_\_\_

SECONDED BY COUNCILMEMBER \_\_\_\_\_

To approve the following payment of bills as presented by the finance department.

Date	Description	
05/18/15	Accounts payable	\$82,153.91
05/21/15	Accounts payable	\$110,917.65
05/22/15	Accounts payable	\$203,688.74
05/28/15	Accounts payable	\$286,872.66
06/01/15	Accounts payable	\$132,198.92
<b>Sub-total Accounts Payable</b>		
05/15/15	Payroll 128032 to 128075 972321 to 972529	\$162,165.09
<b>Sub-total Payroll</b>		
<b>TOTAL</b>		<b>\$ 895,843.06</b>

ROLL CALL:	AYES	NAYS
Johnson		
Quigley		
Wickstrom		
Springhorn		
Martin		

06/01/15

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
3CMA TWIN CITY REGIONAL CONFER	3CMA MEMBERSHIP: ANDERSON, CHERYL	101	40400	4330		002	\$390.00	\$390.00
A TO Z PARTY SUPPLIES.COM	BIRTHDAY PARTY SUPPLIES	220	43800	2591		001	\$656.42	\$656.42
AARP C/O RICHARD KEY	AARP SMART DRIVER 4HR CLASS 05/12/2015	225	43590	3174		003	\$625.00	\$625.00
AMAZON.COM	BINOCULARS	101	43900	2180		002	\$126.95	\$126.95
AMERICAN RED CROSS-HEALTH & SA	CPR/AED: DEVANE/MOORE/STANGE/SHEIKH	225	43520	2170		001	\$245.00	\$245.00
AVON BUSINESS FORMS & PROMOTION	ACCOUNTS PAYABLE CHECK STOCK	101	40500	2010			\$370.15	
BREY, JOEL OR ELAINE	REFUND CLOSING OVRPYMT-571 SHERWOOD RD	601	36190			003	\$57.45	\$57.45
CARLSON, JIMMY R.	SOFTBALL UMPIRE MAY 5 & 12	225	43510	3190		001	\$96.00	\$96.00
CLASSIC CATERING/PICNIC PLEASE	DEPOSIT FOR EVENT	101	40210	4890		002	\$200.00	\$200.00
COMCAST.COM	MODEM 2 INTERNET CHARGES	230	40900	3190		002	\$137.85	\$137.85
COUNTRY INN & SUITES	CONFERENCE LODGING: EMERG MGMT/CURLEY	101	42050	4500			\$92.88	\$92.88
CROWNE PLAZA HOTELS	APA CONFERENCE LODGING: CASTLE	101	44100	4890			\$1,136.24	\$1,136.24
CUB FOODS	PRESCHOOL SUPPLIES	225	43555	2170			\$176.53	\$176.53
CUB FOODS	PRESCHOOL SUPPLIES	225	43555	2170			\$9.95	\$9.95
DAVE'S SPORT SHOP	BASEBALLS (INCREDIBALL) & BATS	225	43510	2170		008	\$722.00	\$722.00
DAVE'S SPORT SHOP	YOUTH SPORTS LEAGUES - TBALL BATS & TEES	225	43510	2170		008	\$145.00	\$145.00
ELMORE, LAURA	REFUND CLOSING OVRPYMT-5658 HEATHER RDG	601	36190			003	\$8.22	\$8.22
FINLEY, DOUG	REFUND CLOSING OVRPYMT-854 WESTVIEW DR	601	36190			003	\$43.95	\$43.95
FISHER SCIENTIFIC COMPANY LLC	SAFETY GLOVES	602	45550	2280		001	\$215.72	\$431.43
		602	45550	2282		001	\$215.71	
FRANKLIN COVEY	CREDIT CARD HOLDER PACKS	101	40500	2010		008	\$28.09	
GAS PLUS INC.	PREMIUM FUEL	701	46500	2120		001	\$112.50	\$112.50
GOPHER	TBALL / BASEBALL BALL ORDER	225	43510	2170		008	\$1,425.45	\$1,425.45
GOPHER	QUICKSTART TENNIS BALLS/SOCCER SUPPLIES	225	43510	2170		011	\$731.79	\$1,336.72
		225	43510	2170		007	\$604.93	
GRAND VIEW LODGE	CONFERENCE LODGING: MCMA/SCHWERM	101	40200	4500		002	\$221.96	\$221.96
GRAND VIEW LODGE	CONFERENCE LODGING: MCMA/OLSON	101	40200	4500		002	\$131.16	\$131.16
GRAND VIEW LODGE	CONFERENCE LODGING: APWA/CURLEY	101	42050	4500			\$509.52	\$509.52
GRAND VIEW LODGE	CONFERENCE LODGING: APWA/SHAUGHNESSY	101	42050	4500			\$509.52	\$509.52
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001	\$23.75	\$23.75
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001	\$19.99	\$19.99
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001	\$19.99	\$19.99
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001	\$19.99	\$19.99
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001	\$19.99	\$19.99
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001	\$19.99	\$19.99
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$17.12	\$17.12
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$17.12	\$17.12
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$16.16	\$16.16
GREEN MILL PIZZA	EDA SUPPLIES	240	44400	2180			\$115.33	\$115.33
HANSEN, LEIF	REFUND CLOSING OVRPYMT-1080 CHURCHILL CT	601	36190			003	\$133.70	\$133.70
HAWKINS, INC.	POOL CHEMICALS	220	43800	2160		001	\$402.90	\$402.90
HEALTH PARTNERS	HEALTH INSURANCE: JUNE 2015	101	20410				\$58,811.04	\$58,811.04
HEGGIE'S PIZZA LLC	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001	\$276.70	\$276.70
HOFMEISTER, DONALD	SOFTBALL UMPIRE MAY 4 & 7	225	43510	3190		001	\$72.00	\$72.00
I STOCK PHOTO LP.COM	ISTOCK CREDITS	101	40200	2010		002	\$520.00	\$520.00
JEFF ELLIS & ASSOCIATES, INC	LIFEGUARD RENEWAL LICENSES	220	43800	3190		007	\$797.00	\$797.00
JEWELL, TED W.	SOFTBALL UMPIRE MAY 6 & 13	225	43510	3190		001	\$96.00	\$96.00

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
KOWALSKI'S	SENIOR PROGRAM SUPPLIES	225	43590	2174		003	\$25.96	\$25.96
LEEANN CHIN.COM	COUNCIL GOAL SETTING SUPPLIES	101	40100	4890		003	\$207.97	\$207.97
LEWIS, VIRGINIA	REFUND CLOSING OVRPYMT-863 MONTEREY DR	601	36190			003	\$60.84	
LIFEGUARD STORE, THE	SD/AQ WHISTLES/LANYARDS	225	43535	2170		002	\$33.50	\$66.75
		225	43590	2175		002	\$33.25	
MADDENS ON GULL LAKE	HRA HOUSING PROGRAMS TRAINING/LODGING	241	44500	4500			\$306.66	\$306.66
MADDENS ON GULL LAKE	HRA HOUSING PROGRAMS TRAINING/LODGING	241	44500	4500			\$306.63	\$306.63
MADDENS ON GULL LAKE	HRA HOUSING PROGRAMS TRAINING/LODGING	241	44500	4500			\$449.19	\$449.19
MALIKOWSKI, RODNEY P.	SOFTBALL UMPIRE MAY 7	225	43510	3190		001	\$24.00	\$24.00
MATHESON TRI-GAS INC	CO2 FOR WHIRLPOOL	220	43800	2160		002	\$95.73	\$95.73
MATHESON TRI-GAS INC	CO2 FOR WHIRLPOOL AND OXYGEN	220	43800	2160		002	\$95.73	\$124.59
		220	43800	2200		001	\$28.86	
MATHESON TRI-GAS INC	CO2 FOR WHIRLPOOL	220	43800	2160		002	\$95.73	
MAYER ARTS, INC	DANCE CLASS/WISH UPON A BALLET	225	43580	3170			\$705.00	\$705.00
MCCAREN DESIGNS INC	MONTHLY HORTICULTURE SERVICES	220	43800	3190		007	\$1,196.00	
MENARDS CASHWAY LUMBER *MAPLEW	SANDING DISKS	701	46500	2400		003	\$8.98	\$8.98
MINNESOTA CITY/COUNTY MGMT ASS	MCMA ANNUAL CONFERENCE: OLSON	101	40200	4500		002	\$500.00	\$500.00
MINNESOTA GFOA.COM	MONTHLY MEETING: CYBER CRIME/ENGBLOM	101	40500	4500		003	\$15.00	\$15.00
NORTHSTAR CHAPTER APA	MONTHLY MEETING: PAYROLL/KUSCHEL	101	40500	4500		001	\$25.00	\$25.00
NORTHSTAR CHAPTER APA	MONTHLY MEETING: PAYROLL/FLSA/KUSCHEL	101	40500	4500		001	\$25.00	\$25.00
ORKIN EXTERMINATING CO INC.	PEST CONTROL LARSON HOUSE	101	40800	3190			\$81.33	\$81.33
PORTER, DANIEL	SOFTBALL UMPIRE MAY 4,7,11	225	43510	3190		001	\$120.00	\$120.00
RUGRODEN, JOHN L.	SOFTBALL UMPIRE MAY 5,6,12,13	225	43510	3190		001	\$192.00	\$192.00
SAARION, CARL	SOFTBALL UMPIRE MAY 5 & 12	225	43510	3190		001	\$96.00	\$96.00
SELA ROOFING AND REMODELING	PERMIT REFUND 2013-02804	101	32500				\$232.45	\$242.95
		101	20802				\$5.50	
		101	34850				\$5.00	
SHORT ELLIOTT HENDRICKSON, INC	SHOREVIEW ANTENNA PROJECTS	601	22015				\$3,847.15	
SOMMER, JOSHUA W	REFUND CLOSING OVRPYMT-225 GRAMSIE RD	601	36190			003	\$92.04	\$92.04
SURVEY MONKEY.COM	SUBSCRIPTION RENEWAL PARK & REC	101	43400	4330			\$250.00	\$250.00
SYSCO FOOD SERVICES OF MN, INC	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001	\$401.57	\$401.57
TRADER JOE'S	SENIOR PROGRAM SUPPLIES	225	43590	2174		003	\$83.82	\$83.82
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001	\$722.20	\$722.20
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001	\$186.61	\$376.47
		220	43800	2591		003	\$98.14	
		101	40800	2180			\$91.72	

Total of all invoices: \$82,153.91

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
ALVA, MACAYLA	FACILITY REFUND	220	22040					\$50.00	\$50.00
ANCHOR PAPER COMPANY	COPY PAPER LESS DISCOUNT PAID BY 6/10/15	101	40200	2010		001		\$922.00	\$912.78
		101	40200	2010		001		-\$9.22	
BEECROFT, LISA	FACILITY REFUND	220	22040					\$25.00	\$25.00
BOLLE, MELISSA	FACILITY REFUND	220	22040					\$25.00	\$25.00
BORLE, AMY	FACILITY REFUND	220	22040					\$25.00	\$25.00
BOSTIC, SIERRA	FACILITY REFUND	220	22040					\$25.00	\$25.00
BRICKNER, KAYLA	FACILITY REFUND	220	22040					\$25.00	\$25.00
CARRELL, JEANETTE	FACILITY REFUND	220	22040					\$25.00	\$25.00
CHOWDHURY, RUMNA	AQUATICS - PRIVATE	220	22040					\$300.00	\$300.00
CKI LOCKER	LOCKER REPAIR PARTS POOL LOCKER ROOMS	220	43800	2240		003		\$739.28	
COMMERCIAL DOOR SYSTEMS, INC	REPLACEMENT DOORS GYM STORAGE	220	43800	3810		004		\$1,206.00	\$1,206.00
COMMERCIAL DOOR SYSTEMS, INC	REPLACE EMERGENCY EXIT DOORS IN GYM	220	43800	3810		004		\$2,420.00	\$2,420.00
CRANSTON, PAT	REFUND PARTIAL PYMT/SLICE FOOD VENDOR/CR	270	34900		318			\$325.00	\$325.00
DEBELA, TIEMAR	FACILITY REFUND	220	22040					\$50.00	\$50.00
DIGGS, GIONNI	FACILITY REFUND	220	22040					\$25.00	\$25.00
EWELL, JASON	SPRING SEMESTER 2015	601	45050	4500		003		\$660.32	\$1,320.64
		602	45550	4500		003		\$660.32	
FINANCIAL GROUP, CONTEXT	FACILITY REFUND	220	22040					\$204.65	\$204.65
FREEMAN, NICHOLAS	SKATEBOARDING CAMP	220	22040					\$91.00	\$91.00
GENESIS EMPLOYEE BENEFITS INC	FLEX - MED/DEPENDENT CARE 05-22-15	101	20431					\$807.65	\$807.65
GERTENS WHOLESALE	PLANTS FOR BEDS CC	101	43710	2260				\$485.30	\$485.30
GRAINGER, INC.	GLOVES	220	43800	2110				\$226.90	\$226.90
GREEN MILL	SMALL BUSINESS WORKSHOP BREAKFAST	240	44400	2180				\$617.04	\$617.04
HASELBERGER, AMBER	FACILITY REFUND	220	22040					\$25.00	\$25.00
HERZOG, ERIC	PASS REFUND	220	22040					\$43.00	\$43.00
IDEAL ADVERTISING, INC.	TBALL/BASEBALL HAT ORDER	225	43510	2170		008		\$1,455.00	\$1,455.00
IMPERIAL HOMES	VARIOUS ESCROW RED 5277 HODGSON RES15-30	101	22030					\$1,000.00	\$6,750.00
		101	22025					\$1,000.00	
		101	22020					\$4,750.00	
JACKSON, DONITA	FACILITY REFUND	220	22040					\$25.00	\$25.00
KELLY, KAY	FACILITY REFUND	220	22040					\$25.00	\$25.00
LAMMINEN, LEEANNA	FACILITY REFUND	220	22040					\$25.00	\$25.00
LEAGUE OF MN CITIES INS TRUST	2014/15 WORKERS' COMP 3RD INSTALLMENT	101	40100	1510				\$34.94	\$41,334.75
		101	40200	1510				\$509.11	
		101	40210	1510				\$297.00	
		101	40400	1510				\$121.31	
		101	40500	1510				\$561.77	
		101	40550	1510				\$243.36	
		101	40800	1510				\$138.78	
		101	42050	1510				\$792.09	
		101	42200	1510				\$6,071.99	
		101	43400	1510				\$1,688.26	
		101	43450	1510				\$361.22	
		101	43710	1510				\$4,911.24	
		101	43900	1510				\$110.73	
		101	44100	1510				\$547.74	
		101	44300	1510				\$142.96	
		210	42750	1510				\$35.92	
		220	43800	1510				\$4,684.37	
		225	43400	1510				\$1,564.49	

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
		225	43510	1510				\$108.76	
		225	43520	1510				\$1,145.19	
		225	43530	1510				\$1,434.82	
		225	43535	1510				\$1,203.02	
		225	43555	1510				\$647.89	
		225	43560	1510				\$486.96	
		225	43580	1510				\$125.00	
		225	43590	1510				\$441.44	
		230	40900	1510				\$45.77	
		240	44400	1510				\$63.98	
		241	44500	1510				\$83.17	
		601	45050	1510				\$4,469.55	
		602	45550	1510				\$3,650.64	
		603	45850	1510				\$2,851.91	
		603	45900	1510				\$34.20	
		604	42600	1510				\$63.98	
		701	46500	1510				\$1,661.19	
LEDESMA, ANGEL	PASS REFUND	220	22040					\$523.99	\$523.99
LILLIE SUBURBAN NEWSPAPERS INC	CAMP GUIDE-WEB LISTING	225	43400	3390				\$10.00	
LILLIE SUBURBAN NEWSPAPERS INC	CAMP GUIDE-PRINT LISTING	225	43400	3390				\$80.00	\$80.00
MADISON NATIONAL LIFE	BINDER CHECK-LONG TERM DISAB CARRIER	101	20412					\$1,944.00	\$1,944.00
MALLOY, MONTAGUE, KARNOWSKI,	2014 AUDIT PROGRESS BILLING THRU 4/30/15	101	40500	3190		001		\$8,492.00	
		601	45050	3010				\$5,404.00	\$19,300.00
		602	45550	3010				\$5,404.00	
MIDWEST LOCK & SAFE INC	MASTER PADLOCKS	220	43800	2240		001		\$60.42	\$60.42
MINNESOTA METRO NORTH TOURISM	APRIL 2015 HOTEL/MOTEL TAX	101	22079					\$19,141.74	
		101	38420					-\$957.09	
MJF MASONRY & CONCRETE, INC.	REPAIRS TO CONCRETE AROUND CC	220	43800	3810		003		\$2,645.00	\$2,645.00
MUSUNURU, KIRAN	FACILITY REFUND	220	22040					\$25.00	\$25.00
OLSON, SALLY	AQUATICS - LEVEL 1	220	22040					\$64.00	\$64.00
RIVERA, HECTOR	FACILITY REFUND	220	22040					\$500.00	\$500.00
ROBBINS, KERRIE	FACILITY REFUND	220	22040					\$50.00	\$50.00
SCHOLL, JENNIFER	AQUATICS - PRIVATE	220	22040					\$282.00	\$282.00
SIMPLEXGRINNELL LP	SMOKE DETECTOR REPAIR	220	43800	3810		001		\$711.18	\$711.18
SMITH, WILLIAM	PASS REFUND	220	22040					\$283.41	\$283.41
SNYDER, SARAH	FACILITY REFUND	220	22040					\$25.00	\$25.00
ST. PAUL, CITY OF	BUSINESS CARDS 500/A FERGUSON	225	43400	3390				\$33.90	\$33.90
STEFANIK, TEAL	FACILITY REFUND	220	22040					\$25.00	\$25.00
SUPPLYWORKS	BATH TISSUE/CAN LINERS/FOAM SOAP	220	43800	2110				\$408.10	\$408.10
SUPPLYWORKS	DISINFECTANT WIPES	220	43800	2110				\$94.32	\$94.32
SUPPLYWORKS	FLOOR & GLASS CLEANER	220	43800	2110				\$71.82	\$71.82
TDS METROCOM	TELEPHONE SERVICES	101	40200	3210		003		\$1,039.23	
		101	43710	3210				\$246.31	\$1,319.87
		601	45050	3210				\$34.33	
THAO, MALAY	FACILITY REFUND	220	22040					\$25.00	\$25.00
TIGER OAK PUBLICATIONS INC	MN BRIDE FEATURED VENDOR E-NEWSLETTER	220	43800	2201		004		\$97.50	\$97.50
VALPAK OF MINNEAPOLIS/ST.PAUL	COUPON BOGO YOUTH PASS	220	43800	2201		002		\$215.00	\$215.00
VANCO SERVICES	APRIL FITNESS INCENTIVE PROCESSING FEE	220	43800	3190		003		\$128.25	
VANREESE, WENDY	FACILITY REFUND	220	22040					\$25.00	\$25.00
VERIZON WIRELESS	CELL PHONE SERVICE-APRIL 11-MAY 10, 2015	101	44300	3190				\$35.00	\$811.05
		601	45050	3190				\$400.99	

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt	
VUE, GE	PASS REFUND	101	40200	3210		002	\$375.06		
VULU, NAKIA	FACILITY REFUND	220	22040				\$71.03	\$71.03	
WELLS, TAMERA	FACILITY REFUND	220	22040				\$25.00	\$25.00	
WIMACTEL INC.	PAYPHONE TELEPHONE	220	22040				\$50.00	\$50.00	
WINCO LANDSCAPE AND DESIGN	EROSION RED 3300 OWASSO HTS RD RES 15-30	101	40200	3210		001	\$60.00	\$60.00	
WOLDEMARIAM, YEMSRACH	FACILITY REFUND	101	22030				\$500.00	\$500.00	
XIONG, LORIE	FACILITY REFUND	220	22040				\$250.00	\$250.00	
YALE MECHANICAL INC	REPAIRED PIPE LEAK	220	22040				\$25.00	\$25.00	
YOUNG, VANESSA	FACILITY REFUND	220	43800	3810		003	\$1,829.17	\$1,829.17	
YOUSIF, KHALID	FACILITY REFUND	220	22040				\$25.00	\$25.00	
							\$525.00	\$525.00	
Total of all invoices:								\$110,917.65	

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
C W HOULE INC.	LEX/CO RD F WM CP#15-06 PYMNT NO 1	455	47000	5900				\$191,652.05	\$191,652.05
COCA COLA REFRESHMENTS	WAVE CAFE BEVERAGE FOR RESALE	220	43800	2590		001		\$785.11	\$785.11
COORDINATED BUSINESS SYSTEMS	APRIL MITA LASER MAINTENANCE	101	40550	3860		004		\$160.32	\$160.32
GERTENS WHOLESale	PLANTS FOR POTS CC	101	43710	2260				\$573.88	\$573.88
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$23.75	\$23.75
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$23.75	\$23.75
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$23.75	\$23.75
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$19.99	\$19.99
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$19.99	\$19.99
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$19.99	\$19.99
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$19.99	\$19.99
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$19.99	\$19.99
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$17.12	\$17.12
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$17.12	\$17.12
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.16	\$16.16
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.16	\$16.16
IDENTITY STORES, LLC	BIRTHDAY PARTY TOWELS	220	43800	2591		001		\$2,454.90	\$2,454.90
LIFEGUARD STORE, THE	NEW WATER AEORBIC AND SWIM LESSON EQPT	225	43520	2170		002		\$233.80	\$521.35
		220	43800	2180		001		\$287.55	
MINNESOTA DEPT OF HUMAN SERVIC	APRIL CLEANING	220	43800	3190		002		\$160.00	\$160.00
PLUMBMASTER, INC	FLASHLIGHT/SHOWER SUPPLIES	220	43800	2240		001		\$871.29	\$871.29
POWELL, SHARON	GENEALOGY RESEARCH CLASS ON 05/20/2015	225	43590	3174		003		\$144.00	\$144.00
SUPPLYWORKS	AUTO SCRUBBER	220	43800	2240		001		\$2,180.80	\$2,180.80
SUPPLYWORKS	PAPER TOWELS/VACUUM BAG/KLEENEX	220	43800	2110				\$1,381.89	\$1,381.89
SUPPLYWORKS	KENNEL CARE FLOOR CLEANER	220	43800	2110				\$146.56	\$146.56
SUPPLYWORKS	HAND SANITIZER	220	43800	2110				\$132.99	\$132.99
UNIVERSITY OF MINNESOTA	TRANSPORTATION RESEARCH CONF-MMALONEY	101	42050	4500				\$125.00	\$125.00
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001		\$933.46	
YALE MECHANICAL INC	GAS VALVE REPAIR	220	43800	3810		003		\$1,178.90	\$1,178.90

Total of all invoices: \$203,688.74

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COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
ADAMS, KEONDRA	FACILITY REFUND	220	22040					\$25.00	\$25.00
ALLEN, DEANNE	MINUTES-5/11CC, 5/18CC, 5/18CC WORKSHOP	101	40200	3190		001		\$600.00	\$600.00
AMERICAN MESSAGING	LOCK BOX FEE	101	40210	3190		009		\$4.15	\$4.15
ARNT CONSTRUCTION CO INC	HANSON/OAKRIDGE CP#14-01 PYMNT NO.5	576	47000	5900				\$124,281.93	\$124,281.93
BEKELE, AMBER	FACILITY REFUND	220	22040					\$25.00	\$25.00
BLACK, DEMIA	FACILITY REFUND	220	22040					\$25.00	\$25.00
BROTON, CHAD	TAE KWON DO BEGINNER	220	22040					\$83.00	\$83.00
C & E HARDWARE	BALL VALVES	601	45050	2280		001		\$29.98	\$29.98
CASEY, MELISSA	TAE KWON DO BEGINNER	220	22040					\$135.00	\$135.00
CATRON, CHRISTI	TRAVELERS MCCUL M&W	220	22040					\$66.00	\$66.00
CLAYTON, TANESHA	FACILITY REFUND	220	22040					\$25.00	\$25.00
COMMISSIONER OF REVENUE- WH TA	WITHHOLDING TAX - PAYDATE 05-29-15	101	21720					\$9,278.95	\$9,278.95
DELTA DENTAL	DENTAL COVERAGE: MAY 2015	101	20415					\$7,081.42	
		101	20411					\$316.85	\$7,398.27
DYNAMEX DELIVERS NOW/ROADRUNNE	CANDIAN PACIFIC PLAZA - KATHLEEN CASTLE	101	44100	4890				\$28.25	\$28.25
ELEMENTARY, BLUE HERON	FACILITY REFUND	220	22040					\$49.50	\$49.50
ELEMENTARY, BLUE HERON	FACILITY REFUND	220	22040					\$100.00	\$100.00
HEDICAN, NANCY	FACILITY REFUND	220	22040					\$25.00	\$25.00
HU, DASEN	AQUATICS - LEVEL 1	220	22040					\$128.00	\$128.00
ICMA/VANTAGEPOINT TRANSFER-300	EMPLOYEE CONTRIBUTIONS PAYDATE:05-29-15	101	21750					\$5,336.82	\$5,336.82
ICMA/VANTAGEPOINT TRANSFER-705	ROTH CONTRIBUTIONS: 05-29-15	101	20430					\$955.00	\$955.00
IDENTITY STORES, LLC	SHIRT ORDER -SUMMER YOUTH SPORTS LEAGUES	225	43510	2170		007		\$1,701.93	\$3,403.83
		225	43510	2170		008		\$1,701.90	
JACOBSON, LINDA	SMART DRIVER (5/27)	220	22040					\$18.00	\$18.00
JUREK, MARY	GENEALOGY OPEN FORUM	220	22040					\$15.00	\$15.00
KACZYNSKI, JEANNE	FACILITY REFUND	220	22040					\$50.00	\$50.00
KHATOON, ZAINAB	FACILITY REFUND	220	22040					\$1,000.00	\$1,000.00
KPUINEN, BARIAALA	FACILITY REFUND	220	22040					\$25.00	\$25.00
LEMKE, JULIE	PASS REFUND	220	22040					\$58.05	\$58.05
MIKKELSEN, RIETA	TAE KWON DO BEGINNER	220	22040					\$68.00	\$68.00
MILLER, JUSTIN	FACILITY REFUND	220	22040					\$100.00	\$100.00
MINNESOTA CLE	UPPER MIDWEST EMPLOYMENT LAW CONF	101	40210	4500		001		\$695.00	\$695.00
NORTHLAND CAPITAL FINANCIAL SE	FITNESS EQUIPMENT LEASE-MAY 2015	220	43800	3960	005			\$1,388.62	\$1,388.62
NORTHSTAR INSPECTION SERVICE I	INSPECTION SERVICES	101	44300	3190				\$260.00	\$260.00
PLUG'N PAY TECHNOLOGIES INC.	APR/ECOM/CC FEES	220	43800	4890		002		\$1.20	\$32.25
		225	43400	4890				\$31.05	
PLUG'N PAY TECHNOLOGIES INC.	APR/RETAIL/CC FEES	220	43800	4890		002		\$212.57	
		225	43400	4890				\$65.68	\$278.25
PTO, RICE LAKE	FACILITY REFUND	220	22040					\$36.60	\$36.60
PTO, RICE LAKE	FACILITY REFUND	220	22040					\$100.00	\$100.00
PUBLIC EMPLOYEES RETIREMENT AS	EMPL/EMPLOYER CONTRIBUTIONS:05-29-15	101	21740					\$29,500.07	\$29,500.07
RAWAL, DHAWALKUMAR	AQUATICS - PRESCHOOL	220	22040					\$69.00	\$69.00
RICOH USA INC.	MAINTENANCE: RICOH COPIERS	101	40200	3850		002		\$222.27	\$222.27
RICOH USA INC.	MAINTENANCE: RICOH COPIERS MPC6502SP	101	40200	3850		002		\$3,175.34	\$3,175.34
ROYAL TEXTILE MANUFACTURING	UNIFORM SHIRTS FOR SEASONAL CREW	101	43710	3970				\$781.04	\$781.04
STEVO OF WHITE BEAR LAKE	AWARDS DINNER	101	43400	2180				\$200.00	\$972.56
		220	43800	2180		002		\$386.28	
		220	43800	2200		002		\$386.28	
TREASURY, DEPARTMENT OF	FEDERAL WITHHOLDING TAX: 05-29-15	101	21710					\$22,989.18	\$58,654.06
		101	21730					\$28,904.90	
		101	21735					\$6,759.98	

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Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
U S BANK CREDIT CARD FEES	APR 2015 CREDIT CARD FEES	220	43800	4890		002	\$3,213.37	
		225	43400	4890			\$1,844.73	
XCEL ENERGY	COMMUNITY CENTER: ELECTRIC/GAS	220	43800	2140			\$4,456.44	\$20,512.00
		220	43800	3610			\$16,055.56	
XCEL ENERGY	TRAFFIC SIGNALS: ELECTRIC	101	42200	3610			\$566.84	
XCEL ENERGY	WELLS: ELECTRIC/GAS	601	45050	3610			\$8,967.52	\$9,276.80
		601	45050	2140			\$309.28	
XCEL ENERGY	WATER TOWERS: ELECTRIC	601	45050	3610			\$56.98	
XCEL ENERGY	TRAFFIC SIGNAL SHARED W/ARDEN HILLS:ELEC	101	42200	3610			\$44.82	\$44.82
XCEL ENERGY	SLICE OF SHOREVIEW: ELECTRIC	270	40250	3610			\$13.87	\$13.87
XCEL ENERGY	LIFT STATIONS: ELECTRIC	602	45550	3610			\$650.97	\$650.97
XCEL ENERGY	PARKS: ELECTRIC/GAS	101	43710	3610			\$848.23	\$1,189.49
		101	43710	2140			\$341.26	
							Total of all invoices:	\$286,872.66

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Vendor Name	Description	FF	GG	00	AA	CC	Line Amount	Invoice Amt
AEROMAT PLASTICS INC	PLASTIC SHEETS/TENNIS PRACTICE BOARDS	101	43710	2240			\$2,845.44	
ARAMARK REFRESHMENT SERVICES	COFFEE & SUPPLIES MAINTENANCE CENTER	701	46500	2183		003	\$140.67	\$140.67
AUTO PLUS	TOOL FOR HYDRANT	701	46500	2400		003	\$2.49	\$2.49
Atwood, Suzie	TREE SALE REIMBURSEMENT	101	34781				\$37.34	
		220	21810				\$2.66	\$40.00
BARSNESS, KIRSTIN	MAY ECONOMIC DEVELOPMENT CONSULTING	240	44400	3190			\$5,082.50	\$5,082.50
BAUER BUILT TIRE AND BATTERY I	TIRE FOR PARKS TRAILER	701	46500	2230		002	\$48.20	\$48.20
BEISSWENGERS HARDWARE	STRING LINE FOR LAYING OUT FOUL LINES	101	43710	2240			\$5.49	\$5.49
BEISSWENGERS HARDWARE	HERBICIDE SPRAYER	101	43710	2400			\$31.89	
BEISSWENGERS HARDWARE	SHOVEL AND CLAMP	101	43710	2400			\$46.06	\$46.06
BEISSWENGERS HARDWARE	IRRIGATION REPAIR SUPPLIES	101	43710	2240			\$5.85	\$5.85
BEISSWENGERS HARDWARE	BATTERIES FOR IRRIGATION CONTROLLERS	101	43710	2240			\$54.57	\$54.57
BENJAMIN FRANKLIN PLUMBING	SEWER REPAIR 631 HARRIET	602	45550	3190		002	\$5,500.00	\$5,500.00
C & E HARDWARE	DISH SOAP FOR MAINTENANCE CENTER	701	46500	2183		002	\$5.59	\$5.59
CDW GOVERNMENT, INC	ADOBE SOFTWARE	101	40550	2180		005	\$238.36	\$238.36
CDW GOVERNMENT, INC	SERVER REPLACEMENT	422	40550	5800		013	\$14,980.64	\$14,980.64
CDW GOVERNMENT, INC	NETWORKING EQUIPMENT	101	40550	2180		001	\$311.83	\$311.83
CENTRAL WOOD PRODUCTS	PREMIUM HARDWOOD MULCH	101	43710	2260			\$1,935.00	\$1,935.00
COMMERCIAL FURNITURE SERVICES	REUPHOLSTERY OF CC FURNITURE	220	43800	2240		001	\$5,870.79	\$5,870.79
COMMUNITY HEALTH CHARITIES - M	MID YEAR DONATION FOOD DRIVE	101	22079			320	\$50.00	\$50.00
Carlson, Dale	TREE SALE REIMBURSEMENT	101	34781				\$42.01	\$45.00
		220	21810				\$2.99	
Christensen, Steve	TREE SALE REIMBUSEMENT	101	34781				\$107.35	
		220	21810				\$7.65	\$115.00
Clark, Mary	TREE SALE REIMBUSEMENT	101	34781				\$42.01	
		220	21810				\$2.99	\$45.00
ELECTRO WATCHMAN INC.	SECURITY MONITORING MAINTENANCE CENTER	701	46500	3196			\$74.85	\$74.85
ESS BROTHERS & SONS INC.	MANHOLE REPAIRS	602	45550	3190		002	\$1,780.00	\$1,780.00
GRAINGER, INC.	TYVEK COVERALLS AND CHEMICAL GLOVES	101	43710	2180			\$220.24	\$220.24
GREENHAVEN PRINTING	MAY/JUNE NEWSLETTERS	101	40400	3220		002	\$3,873.60	\$23,120.60
		101	40400	3390		001	\$19,247.00	
Greenheck, Twila	TREE SALE REIMBURSEMENT	101	34781				\$46.67	
		220	21810				\$3.33	\$50.00
HISDAHL INC	POOL AWARD	101	40210	3190			\$74.50	
Heppner, Raymond	TREE SALE REIMBURSEMENT	101	34781				\$126.02	
		220	21810				\$8.98	\$135.00
JOHN DEERE COMPANY	JD TERRAIN CUT COMMERCIAL TURF MOWER	701	46500	5800			\$40,058.98	\$40,058.98
Kalgren, Betsy	TREE SALE REIMBURSEMENT	101	34781				\$37.34	
		220	21810				\$2.66	\$40.00
LAKE JOHANNA FIRE DEPT	61.5% OF PICNIC TABLE FOR STATION 2	405	41200	3190			\$424.96	\$424.96
LARSON COMPANIES	TRACTOR OIL FILTERS	701	46500	2220		002	\$4.74	\$4.74
MANSFIELD OIL COMPANY	UNLEADED FUEL	701	46500	2120		001	\$2,695.91	\$2,695.91
METERING & TECHNOLOGY SOLUTION	METERS FOR STOCK	601	45050	2510		002	\$925.00	\$925.00
METERING & TECHNOLOGY SOLUTION	METERS FOR STOCK	601	45050	2510		001	\$5,632.00	\$7,884.00
		601	45050	2510		002	\$2,252.00	
MINNESOTA ENVIRONMENTAL FUND	MID YEAR DONATIONS FOOD DRIVE	101	22079			320	\$50.00	\$50.00
MTI DISTRIBUTING, INC	IRRIGATION REPAIR PARTS	101	43710	2240			\$37.14	
MTI DISTRIBUTING, INC	BLADE BOLTS TORO GM3280 #3	701	46500	2220		002	\$9.66	\$9.66
MYERS TIRE SUPPLY COMPANY-MPLS	TIRE MAINT. SUPPLY	701	46500	2230			\$76.40	\$76.40
OFFICE DEPOT	RECEIPT PAPER	220	43800	2010		001	\$427.20	\$427.20
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40200	2010		002	\$116.87	\$156.82

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
		220	43800	2201		007		\$39.95	
OFFICE DEPOT	BATTERIES	101	40200	2010		002		\$19.29	\$19.29
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40200	2010		002		\$356.72	\$552.60
		101	44300	2010				\$38.80	
		101	40800	2180				\$157.08	
OFFICE DEPOT	RECEIPT PRINTER SUPPLIES	101	40500	2010		008		\$26.07	
		101	44100	2010				\$13.74	
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	43400	2010				\$46.47	
ON SITE SANITATION INC	SLICE OF SHOREVIEW RESTROOMS	270	40250	3950		006		\$3,915.00	\$3,915.00
ON SITE SANITATION INC	SLICE RESTROOM FOR BOBBY THEISEN PARK	270	40250	3950		006		\$158.00	\$158.00
ON SITE SANITATION INC	SLICE RESTROOM FOR PARADE	270	40250	3950		006		\$158.00	\$158.00
Oelke, Ervin	RETURNED TREE SALE	101	34781					\$261.38	\$280.00
		220	21810					\$18.62	
Peterson, Jerry	TREE SALE REIMBURSEMENT	101	34781					\$18.67	
		220	21810					\$1.33	\$20.00
RALPH READER FOOD SHELF	FOOD DRIVE DONATIONS	101	22079		320			\$160.00	\$160.00
SAFE-FAST INC	GLOVES	601	45050	2280		001		\$53.94	\$107.88
		602	45550	2280		001		\$53.94	
SHORT ELLIOTT HENDRICKSON, INC	TURTLE LAKE FEAS STUDY CP15-07	451	47000	5910				\$7,647.67	
Seger, Patricia	TREE SALE REIMBURSEMENT	101	34781					\$46.67	\$50.00
		220	21810					\$3.33	
Stoss, Kevin	TREE SALE REIMBURSEMENT	101	34781					\$65.34	
		220	21810					\$4.66	\$70.00
T.A. SCHIFSKY & SONS, INCORPOR	PATCHING ASPHALT	101	42200	2180		002		\$66.44	\$66.44
T.A. SCHIFSKY & SONS, INCORPOR	PATCHING ASPHALT	101	42200	2180		002		\$145.92	\$145.92
TRUCK UTILITIES INC.	NEW SHELVES-UNIT 603	701	46500	2220		001		\$244.56	\$244.56
TYCO INTEGRATED SECURITY LLC	6/1/15-8/31/15 RECURRING SERVICES	101	40210	3190		008		\$94.00	
Tollefson, Jacqueline	TREE SALE REIMBURSEMENT	101	34781					\$56.01	
		220	21810					\$3.99	\$60.00
UNIFIRST CORPORATION	UNIFORM RENTAL CC	220	43800	3970				\$71.94	\$71.94
UNIFIRST CORPORATION	UNIFORM RENTAL PARKS	101	43710	3970				\$61.00	\$61.00
UNIFIRST CORPORATION	UNIFORM RENTAL CC	220	43800	3970				\$76.50	
UNIFIRST CORPORATION	UNIFORM RENTAL PARKS	101	43710	3970				\$61.00	\$61.00
JNIFIRST CORPORATION	UNIFORM RENTAL	101	42200	3970		001		\$38.22	\$152.86
		601	45050	3970		001		\$38.22	
		602	45550	3970		001		\$38.22	
		603	45850	3970		001		\$19.10	
		701	46500	3970		001		\$19.10	
JNIFIRST CORPORATION	UNIFORM RENTAL	101	42200	3970		001		\$49.23	
		601	45050	3970		001		\$49.23	
		602	45550	3970		001		\$49.23	
		603	45850	3970		001		\$24.63	
		701	46500	3970		001		\$24.63	\$196.95
JNIFIRST CORPORATION	UNIFORM RENTAL	101	42200	3970		001		\$36.85	
		601	45050	3970		001		\$36.85	
		602	45550	3970		001		\$36.85	
		603	45850	3970		001		\$18.43	
		701	46500	3970		001		\$18.43	\$147.41
JNITED WAY - GREATER TWIN CITI	MID YEAR - FOOD DRIVE DONATIONS	101	22079		320			\$50.00	\$50.00
West, Jeffrey	TREE SALE REIMBURSEMENT	101	34781					\$56.01	
		220	21810					\$3.99	

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
WARNING LITES OF MINNESOTA INC	SAFETY CONES AND FLASHERS	101	42200	2180		001	\$947.50	\$947.50
Weber, Mike	TREE SALE REIMBURSEMENT	101	34781				\$126.02	
		220	21810				\$8.98	\$135.00
XTREME INC.	UNIFORM SHIRTS	101	42200	3970		002	\$100.00	
		601	45050	3970		002	\$100.00	\$400.00
		602	45550	3970		002	\$100.00	
		603	45850	3970		002	\$50.00	
		701	46500	3970		002	\$50.00	
XTREME INC.	UNIFORM SHIRTS	101	42200	3970		002	\$7.24	\$29.00
		601	45050	3970		002	\$7.24	
		602	45550	3970		002	\$7.24	
		603	45850	3970		002	\$3.64	
		701	46500	3970		002	\$3.64	
YALE MECHANICAL INC	TEST RPZ AT BUCHER PARK	101	43710	3190			\$327.75	\$327.75
							Total of all invoices:	\$132,198.92

# Purchase Voucher

City of Shoreview  
 4600 Victoria Street North  
 Shoreview MN 55126

Voucher Number	48,979
Vendor number	01276 1 <span style="float: right;">2015</span>
Vendor name	HEALTH PARTNERS
Address	NW 3600 PO BOX 1450 MPLS MN 55485-3600

Date	Comment line on check	Invoice number	Amount
05-07-15	HEALTH INSURANCE: JUNE 2015	58610548	\$58,811.04

THIS IS AN EARLY CHECK, PLACE VOUCHER IN EARLY CHECK FILE

This Purchase Voucher is more than \$25,000.00; was the state's cooperative venture considered before purchasing through another source?

Purchase was made through the state's cooperative purchasing venture.

Purchase was made through another source. The state's cooperative purchasing venture was considered.

Cooperative purchasing venture consideration requirement does not apply.

Return to: \_\_\_\_\_

Account Coding	Amount
101 20410	\$58,811.04
101 20411	

Is sales tax included on invoice?	Not Taxable
If no, amount subject to sales use tax	\$

Reviewed by: J. Kuschel /  
 (signature required) Jodee Kuschel

Approved by: Terry Schwerm /  
 (signature required) Terry Schwerm

Two quotes must be attached to purchase voucher for all purchases between \$10,000 and \$50,000. If no quote is received, explain below:

Quote 1	
Quote 2	
Explanation if no quote received	

# Purchase Voucher

City of Shoreview  
 4600 Victoria Street North  
 Shoreview MN 55126

Voucher Number	49,129	Please return check to Glen
Vendor number	00311 1	2015
Vendor name	C W HOULE INC.	
Address	1300 COUNTY ROAD I WEST ST. PAUL MN 55126	

Date	Comment line on check	Invoice number	Amount
05-22-15	LEX/CO RD F WM CP#15-06 PYMNT NO 1	1	\$191,652.05

THIS IS AN EARLY CHECK, PLACE VOUCHER IN EARLY CHECK FILE

This Purchase Voucher is more than \$25,000.00; was the state's cooperative venture considered before purchasing through another source?

Purchase was made through the state's cooperative purchasing venture.

Purchase was made through another source. The state's cooperative purchasing venture was considered.

Cooperative purchasing venture consideration requirement does not apply.

Return to: Glen

Account Coding	Amount
455 47000 5900	\$191,652.05

Is sales tax included on invoice?	Not Taxable
If no, amount subject to sales use tax	\$

Reviewed by: Glen Hoffard  
 (signature required) Glen Hoffard

Approved by: Tom Simonson  
 (signature required) Tom Simonson, Acting City Mgr

Two quotes must be attached to purchase voucher for all purchases between \$10,000 and \$50,000. If no quote is received, explain below:

Quote 1	
Quote 2	
Explanation if no quote received	

# Purchase Voucher

City of Shoreview  
 4600 Victoria Street North  
 Shoreview MN 55126

Voucher Number	49,061	Council Approved 3/2/15
Vendor number	00883 1	2015
Vendor name	JOHN DEERE COMPANY	
Address	AG & TURF CBD & GOVERNMENT SALES 21748 NETWORK PLACE CHICAGO IL 60673-1217	

Date	Comment line on check	Invoice number	Amount
05-08-15	JD TERRAIN CUT COMMERCIAL TURF MOWER	114543874	\$40,058.98

*This Purchase Voucher is more than \$25,000.00; was the state's cooperative venture considered before purchasing through another source?*

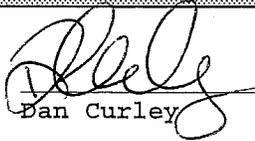
Purchase was made through the state's cooperative purchasing venture.

Purchase was made through another source. The state's cooperative purchasing venture was considered.

Cooperative purchasing venture consideration requirement does not apply.

Account Coding	Amount
701 46500 5800	\$40,058.98

Is sales tax included on invoice?	Not Taxable
If no, amount subject to sales use tax	\$

Reviewed by:  \_\_\_\_\_  
 (signature required) Dan Curley

Approved by:  \_\_\_\_\_  
 (signature required) Terry Schwerm

Two quotes must be attached to purchase voucher for all purchases between \$10,000 and \$50,000. If no quote is received, explain below:

Quote 1	
Quote 2	
Explanation if no quote received	

# Purchase Voucher

City of Shoreview  
 4600 Victoria Street North  
 Shoreview MN 55126

Voucher Number	49,170	Please return check to Glen
Vendor number	00054 1	2015
Vendor name	ARNT CONSTRUCTION CO INC	
Address	PO BOX 549 HUGO, MN 55038	

Date	Comment line on check	Invoice number	Amount
05-27-15	HANSON/OAKRIDGE CP#14-01 PYMNT NO.5	1	\$124,281.93

THIS IS AN EARLY CHECK, PLACE VOUCHER IN EARLY CHECK FILE

This Purchase Voucher is more than \$25,000.00; was the state's cooperative venture considered before purchasing through another source?

Purchase was made through the state's cooperative purchasing venture.

Purchase was made through another source. The state's cooperative purchasing venture was considered.

Cooperative purchasing venture consideration requirement does not apply.

Return to: \_\_\_\_\_

Account Coding	Amount
576 47000 5900	\$124,281.93

Is sales tax included on invoice?	Not Taxable
If no, amount subject to sales use tax	\$

Reviewed by: Glen Hoffard  
 (signature required) Glen Hoffard

Approved by: Terry Schwerm  
 (signature required) Terry Schwerm

Two quotes must be attached to purchase voucher for all purchases between \$10,000 and \$50,000. If no quote is received, explain below:

Quote 1	
Quote 2	
Explanation if no quote received	



PROPOSED RESOLUTION

MOVED BY COUNCILMEMBER \_\_\_\_\_

SECONDED BY COUNCILMEMBER \_\_\_\_\_

to adopt Resolution No.15-41 approving Change Order No. 2 in the amount of \$32,505.00 for the Hanson Rd. / Oakridge Ave. Reconstruction, City Project No.14-01

ROLL CALL:	AYES	NAYS
JOHNSON	_____	_____
QUIGLEY	_____	_____
SPRINGHORN	_____	_____
WICKSTROM	_____	_____
MARTIN	_____	_____

REGULAR COUNCIL MEETING  
JUNE 1, 2015

TO: MAYOR, CITY COUNCIL, CITY MANAGER  
FROM: GLEN M. HOFFARD  
SENIOR ENGINEERING TECHNICIAN  
DATE: MAY 28, 2015  
SUBJECT: HANSON RD. / OAKRIDGE AVE. RECONSTRUCTION  
CITY PROJECT NO.14-01, CHANGE ORDER NO. 2

INTRODUCTION

The attached Change Order No.2 has been prepared by staff and must be approved by Council in order to modify the contract.

BACKGROUND

On May 5, 2014, the City Council awarded a contract to Arnt Construction Co. Inc. in the amount of \$1,424,934.40 for the Hanson Rd. / Oakridge Ave. Reconstruction, City Project No.14-01 and authorized the Mayor and City Manager to sign said contract. On October 20, 2014, Change Order No.1, in the amount of \$18,796.00, was approved by the City Council for a revised contract amount of \$ 1,443,730.40. Change Order No.2 has been prepared to address certain changes, additions or revisions to the contract.

DISCUSSION

Retaining walls have been constructed on Oakridge Ave. to lessen the impact to adjacent properties as a result of the new roadway construction.

A pay item will be added to the contract as follows:

Modular Block Retaining Walls	
770 SF @ \$ 39.40 =	\$ 30,338.00

A chain link fence was removed and replaced in order to grade the boulevard to match the new curb at 979 Oakridge Ave.

A pay item will be added to the contract as follows:

Chain Link Fence	
1 LS @ \$ 935.00 =	\$ 935.00

A split rail fence was removed and replaced in order to grade the boulevard to match the new curb at 970 Oakridge Ave.

A pay item will be added to the contract as follows:

Split Rail Fence	
1 LS @ \$ 1,232.00 =	\$ 1,232.00

**Total Change Order No.2**

**\$ 32,505.00**

Pay items have been added to the contract documents resulting in a net increase to the contract of \$32,505.00. Change Order No.2 will increase the contract amount to \$1,476,235.40. Change Order No.2 will be funded from the Street Renewal Fund.

RECOMMENDATION

It is recommended that Council adopt the attached proposed resolution approving Change Order No.2 for the Hanson Rd. / Oakridge Ave. Reconstruction, City Project No. 14-01.

**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF SHOREVIEW, MINNESOTA**

**HELD JUNE 1, 2015**

\* \* \* \* \*

Pursuant to due call and notice thereof, a meeting of the City Council of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City on June 1, 2015 at 7:00 pm. The following members were present:

and the following members were absent:

Member introduced the following resolution and moved its adoption.

RESOLUTION NO. 15-41  
APPROVING CHANGE ORDER NO.2  
FOR THE HANSON RD. / OAKRIDGE AVE.  
RECONSTRUCTION, CITY PROJECTS NO. 14-01

WHEREAS, On May 5, 2014 the City Council awarded a contract to Arnt Construction Co. Inc. for the Hanson Rd. / Oakridge Ave. Reconstruction, City Project No. 14-01 and authorized the Mayor and City Manager to sign said contract, and

WHEREAS, the original contract amount is \$1,424,934.40, and

WHEREAS, Change Order No. 1, in the amount of \$ 18,796.00 was approved by the City Council on October 20, 2014, which increased the contract amount to \$1,443,730.40, and

WHEREAS, Change Order No.2, in the amount of \$32,505.00 has been prepared to address certain changes, additions or revisions to the contract, and

WHEREAS, said changes, additions or revisions to the project will increase the contract amount to \$1,476,235.40, and

WHEREAS, the Director of Public Works has recommended approval of proposed Change Order No. 2.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Shoreview, Minnesota:

1. That Change Order No. 2, in the amount of \$ 32,505.00, resulting in a revised contract amount of \$1,476,235.40, is hereby approved, and
2. That Change Order No.2 will be funded from the Street Renewal Fund.



# CITY OF SHOREVIEW CONTRACT CHANGE ORDER

Project:	Hanson Rd. / Oakridge Ave. Reconstruction
City Project No.:	14-01
Change Order Number:	2 (Two)
Date:	June 1, 2015
Contractor:	Arnt Construction Co. Inc.

The deductions, additions, revisions and corrections contained herein shall be made to the Contract Documents for the project and shall become part of the Scope of Work.

## ADDITION:

Modular Block Retaining Wall 770 SF @ \$ 39.40/LF =	\$ 30,338.00
Chain Link Fence @ 979 Oakridge Ave. 1 LS @ \$ 935.00 =	\$ 935.00
Split Rail Fence @ 970 Oakridge Ave. 1 LS @ \$ 1,232.00 =	\$ 1,232.00

<b>TOTAL CHANGE ORDER NO.2</b>	<b><u>\$ 32,505.00</u></b>
--------------------------------	----------------------------

## SUMMARY:

Original Contract Amount:	\$ 1,424,934.40
Change Order No.1	\$ 18,796.00
Change Order No.2	\$ 32,505.00
Amended Contract Amount	<b><u>\$ 1,476,235.40</u></b>

**APPROVALS:**

APPROVED BY: City of Shoreview

By: \_\_\_\_\_ Title: City Engineer Date: \_\_\_\_\_

ACCEPTED BY: Arnt Construction Co. Inc.

By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



TO: MAYOR, CITY COUNCIL, AND CITY MANAGER

FROM: TOM WESOLOWSKI, CITY ENGINEER

DATE: MAY 28, 2015

SUBJ: COOPERATIVE AGREEMENT WITH CITY OF NORTH OAKS  
FOR CONSTRUCTION & MAINTENANCE OF TRAIL ALONG  
HODGSON ROAD

### INTRODUCTION

The City of North Oaks in cooperation with the City of Shoreview is planning to construct a sidewalk within the east right of way of Hodgson Road that will have portions located in both Cities. A cooperative agreement that includes a cost participation summary and maintenance requirements for each City is required. Council authorization is required for the execution of the agreement.

### DISCUSSION

The City of North Oaks has taken the lead to design and manage the construction of a 5-foot wide concrete sidewalk that will be located in the east right of way of Hodgson Road. The trail will extend from Village Center Drive to the entrance to of the Chippewa Middle School and a portion is located within Shoreview City limits. A drawing showing the location of the sidewalk is attached and the portion located in Shoreview is highlighted in yellow.

The sidewalk construction will be a cooperative project between the Cities of Shoreview and North Oaks and Ramsey County. North Oaks paid for the design of the project and will also manage the construction of the project. Shoreview and Ramsey County will share in the construction costs associated with the project.

### CITY COST SHARE & FUNDING

The City of North Oaks opened bids on May 12<sup>th</sup> and based on the low bid the current Engineer's Estimate for the project indicates that Shoreview's participation would be \$38,000 for construction of the sidewalk.

A copy of Agreement, which includes cost participation for Shoreview, North Oaks, and Ramsey County, is included with this report.

Shoreview's portion of the construction cost will be paid for from the Community Investment Fund. Since the project was not included in the most recent Capital Improvement Program, the resolution approving the project does require a four votes from the City Council.

RECOMMENDATION

It is recommended that the City Council approve execution of the Cooperative Agreement between the City of Shoreview and the City of North Oaks for the construction and maintenance of the sidewalk along Hodgson Road.

**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF SHOREVIEW, MINNESOTA**

**HELD JUNE 1, 2015**

\* \* \* \* \*

Pursuant to due call and notice thereof, a meeting of the City Council of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City on June 1, 2015, at 7:00 p.m. The following members were present:

and the following members were absent:

Member introduced the following resolution and moved its adoption.

**RESOLUTION NO. 15-44  
APPROVING COOPERATIVE BETWEEN THE CITY OF SHOREVIEW  
AND THE CITY OF NORTH OAKS  
FOR THE  
CONSTRUCTION AND MAINTENANCE OF A  
SIDEWALK ALONG HODGSON ROAD**

WHEREAS, The City of North Oaks has prepared plans for a sidewalk in the east right of way of Hodgson Road with portions located within the municipal boundaries of Shoreview and North Oaks, and

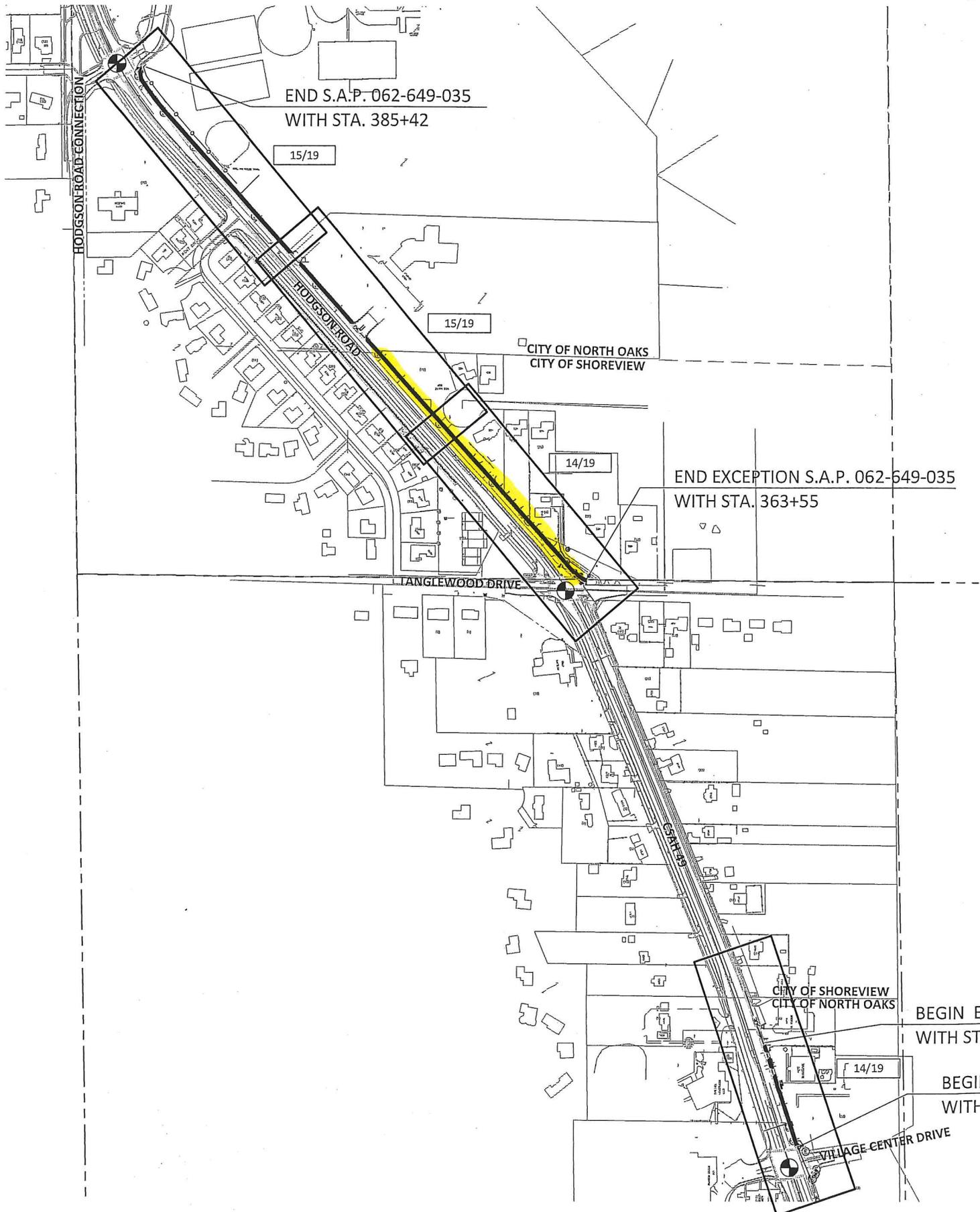
WHEREAS, the City of Shoreview has agreed to participate in costs associated with the construction of the sidewalk, and,

WHEREAS, the City of Shoreview has agreed to remove snow from the portion of the sidewalk along Hodgson Road that is located within North Oaks.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Shoreview, Minnesota:

1. The Cooperative Agreement between the City of Shoreview and the City of North Oaks is hereby approved and the Mayor and City Manager are authorized to sign.
2. The Community Investment Fund is identified as the funding source for this project.





Date	By	Revision

Designed: PWP  
 Drawn: DJD  
 Checked: JK  
 Approved: PWP

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional ENGINEER under the laws of the State of Minnesota.

Signature: *Paul Pearson*  
 Name: Paul W. Pearson  
 Date: 5/01/15 License No. 12795

2015

015 - 7:38am - User:225 LVNORTH OAKS\WOR2003\dwg\Civil\Final\2003-02-GEN LAYOUT.dwg

**COOPERATIVE AGREEMENT  
BETWEEN THE  
CITIES OF SHORVIEW & NORTH OAKS  
FOR THE  
CONSTRUCTION & MAINTENANCE OF A SIDEWALK ALONG HODGSON ROAD**

This Agreement is between the Cities of Shoreview and North Oaks for the construction and maintenance of a concrete trail ("Project") located in the right of way of Hodgson Road (Ramsey County Highway 49);

WITNESSETH:

WHEREAS, the Cities of Shoreview and North Oaks desire to construct a concrete sidewalk in the eastern right of way of Hodgson Road from Village Center Drive to the entrance of Chippewa Middle School ; and

WHEREAS, The City of North Oaks has prepared the necessary designs, plans, specifications, estimates, proposals, and approvals in accordance with funding requirements and has received and opened bids for the project on May 12, 2015; and

WHEREAS, The City of North Oaks shall be the contracting party and will use ordinary and prudent efforts to require that the Project is constructed in compliance with approved plans and specifications and completed with reasonable promptness; and

WHEREAS, the Project is designated as eligible for Ramsey County State Aid Highway (CSAH) funds S.A.P. 062-649-035; and

WHEREAS, construction costs for the Project shall be split between the Cities of Shoreview and North Oaks and Ramsey County as shown on the attached Schedule of Prices based on the low bid received for the Project; and

WHEREAS, The City of North Oaks shall notify the City of Shoreview of any change order which increases Shoreview's portion of the Project cost by more than \$5,000 of the original amount thereof or which materially changes the scope of the Project; and

WHEREAS, The City of Shoreview shall pay to the City of North Oaks Shoreview's share of the Project costs within 30 days of the determination of the final construction costs for the project; and

WHEREAS, the Cities of Shoreview and North Oaks are responsible for the maintenance of the sidewalk located within their municipal boundary with the exception of snow removal. The City of Shoreview shall be responsible for removing the snow from the section of sidewalk along Hodgson Road located within North Oaks in accordance with Shoreview's snow plowing policy.

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:

1. The recitals set forth in this Agreement are hereby made a part of this Agreement as set out in full.
2. The Cities of Shoreview and North Oaks shall participate in the costs of construction in accordance with the Schedule of Prices, attached as Exhibit A.
3. Upon completion of the Project, the Cities shall each own the section of the sidewalk located within their municipal boundary.
4. The City of Shoreview shall remove snow from the section of sidewalk located along Hodgson Road located within North Oaks in accordance with Shoreview's snow plow policy.
5. The City of Shoreview shall pay North Oaks Shoreview's portion of the Project costs.
6. Quantity distributions and costs in Exhibit A are estimates. Actual costs shall be based on the contractor's unit prices and the quantities constructed.
7. This Agreement shall remain in full force and effect until terminated by mutual agreement of the parties.

CITY OF SHOREVIEW, MINNESOTA

\_\_\_\_\_  
Sandy C. Martin, Mayor

Date: \_\_\_\_\_

Approved recommended:

\_\_\_\_\_  
Terry C. Schwerm, City Manager

\_\_\_\_\_  
Mark Maloney, Director of Public Works

CITY OF NORTH OAKS, MINNESOTA

\_\_\_\_\_  
Mike Egelston, Mayor

Date: \_\_\_\_\_

Approval recommended:

\_\_\_\_\_  
Mike Robertson, City Administrator

City of North Oaks, Shoreview, and Ramsey County Schedule of Prices (Based on Urban Companies' Bid of 5-12-15) State Aid Project No. 062-649-035												
LINE NO.	ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	City of North Oaks Share		City of Shoreview Share		Ramsey County Share SAP 062-649-035	
							QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
1	2021.501	Mobilization	LS	1	\$ 6,000.00	\$ 6,000.00	0.25	\$ 1,500.00	0.25	\$ 1,500.00	0.5	\$ 3,000.00
2	2101.511	Clearing and Grubbing	LS	1	\$ 7,500.00	\$ 7,500.00	0.5	\$ 3,750.00	0.5	\$ 3,750.00		
3	2104.501	Remove Fence	LIN FT	6	\$ 300.00	\$ 1,800.00			6	\$ 1,800.00		
4	2104.501	Remove Curb and Gutter	LIN FT	164	\$ 25.00	\$ 4,100.00	82	\$ 2,050.00			82	\$ 2,050.00
5	2104.503	Remove Sidewalk	SQ FT	96	\$ 15.00	\$ 1,440.00	24	\$ 360.00	24	\$ 360.00	48	\$ 720.00
6	2104.505	Remove Bituminous Driveway Pavement	SQ YD	34	\$ 100.00	\$ 3,400.00	17	\$ 1,700.00			17	\$ 1,700.00
7	2104.513	Sawing Bituminous Pavement (Full Depth)	LIN FT	180	\$ 15.00	\$ 2,700.00	90	\$ 1,350.00			90	\$ 1,350.00
8	2104.523	Salvage Sign	EA	11	\$ 200.00	\$ 2,200.00	3.5	\$ 700.00	2	\$ 400.00	5.5	\$ 1,100.00
9	2105.501	Common Excavation (P)	CU YD	232	\$ 40.00	\$ 9,280.00	70	\$ 2,800.00	46	\$ 1,840.00	116	\$ 4,640.00
10	2105.535	Salvaged Top Soil (EV)	CU YD	60	\$ 40.00	\$ 2,400.00	15	\$ 600.00	15	\$ 600.00	30	\$ 1,200.00
11	2360.504	Type SP12.5 Wearing Course (2, C)	SQ YD	34	\$ 150.00	\$ 5,100.00	34	\$ 5,100.00				
12	2521.501	4" Concrete Walk	SQ FT	10,990	\$ 4.50	\$ 49,455.00	3702	\$ 16,659.00	1793	\$ 8,068.50	5495	\$ 24,727.50
13	2521.501	6" Concrete Walk	SQ FT	3,566	\$ 6.25	\$ 22,287.50	1059	\$ 6,618.75	724	\$ 4,525.00	1783	\$ 11,143.75
14	2531.502	Concrete Curb Design V	LIN FT	330	\$ 32.00	\$ 10,560.00	48	\$ 1,536.00	282	\$ 9,024.00		
15	2531.603	Concrete Curb and Gutter	LIN FT	164	\$ 34.00	\$ 5,576.00	82	\$ 2,788.00			82	\$ 2,788.00
16	2531.618	Truncated Domes	SQ FT	40	\$ 55.00	\$ 2,200.00	10	\$ 550.00	10	\$ 550.00	20	\$ 1,100.00
17	2563.601	Traffic Control	LS	1	\$ 10,000.00	\$ 10,000.00	0.25	\$ 2,500.00	0.25	\$ 2,500.00	0.5	\$ 5,000.00
18	2575.53	Storm Drain Inlet Protection	EA	18	\$ 300.00	\$ 5,400.00	7	\$ 2,100.00	2	\$ 600.00	9	\$ 2,700.00
19	2574.525	Common Top Soil Borrow (LV)	CU YD	50	\$ 40.00	\$ 2,000.00	25	\$ 1,000.00	25	\$ 1,000.00		
20	2575.555	Turf Establishment	LS	1	\$ 3,000.00	\$ 3,000.00	0.5	\$ 1,500.00	0.5	\$ 1,500.00		

**TOTAL BID AMOUNT: \$ 156,398.50 \***     
**TOTAL: \$ 55,161.75 \***     
**TOTAL: \$ 38,017.50 \***     
**Total: \$ 63,219.25 \***

\* Cost Estimate is based on the understanding that Xcel will not charge for relocating 8 power poles and appurtenances

PROPOSED MOTION

MOVED BY COUNCILMEMBER \_\_\_\_\_

SECONDED BY COUNCILMEMBER \_\_\_\_\_

to approve an amendment in the amount of \$652,345 to the Professional Services Agreement with Advanced Engineering and Environmental Services, Inc. (AE2S) for construction phase services relating to Water System Improvements – Water Treatment Plant, City Project 14-02.

ROLL CALL:	AYES	NAYS
JOHNSON	_____	_____
QUIGLEY	_____	_____
SPRINGHORN	_____	_____
WICKSTROM	_____	_____
MARTIN	_____	_____

REGULAR COUNCIL MEETING  
JUNE 1, 2015  
TEW

TO: MAYOR, CITY COUNCIL, AND CITY MANAGER

FROM: MARK MALONEY - PUBLIC WORKS DIRECTOR  
TOM WESOLOWSKI – CITY ENGINEER

DATE: MAY 28, 2015

SUBJ: AMENDMENT FOR PROFESSIONAL SERVICES AGREEMENT  
WATER SYSTEM IMPROVEMENTS – WATER TREATMENT PLANT,  
CITY PROJECT 14-02

### INTRODUCTION

At its November 3, 2014 meeting the City Council authorized a professional services agreement with Advanced Engineering and Environmental Services, Inc. (AE2S) for design services related to Water System Improvements – Water Treatment Plant, City Project 14-02. Design services are complete and engineering services are required for the construction phase of the project. An amendment to the original professional services agreement for construction phase engineering services has been prepared. City Council approval of the amendment is recommended at this time.

### DISCUSSION

On May 21<sup>st</sup> the bid opening for the Water Treatment Plant (WTP) was held and the low bid was below the engineer's estimate. A recommendation to award a construction contract to the low bidder will be presented to the City Council at their June 1<sup>st</sup> meeting. Construction management engineering services are required during the construction of the WTP and City staff has negotiated an amendment to the original agreement with AE2S for these services. A copy of the amendment is attached for reference.

The amendment breaks down into three phases; construction phase services (\$490,250), post construction phase services (\$20,645), and instrumentation & control services (\$141,450). The total estimated fee of \$652,345 is approximately 6% of the construction cost of the water treatment plant, which is realistic for WTP projects of similar size and complexity.

### RECOMMENDATION

It is recommended that the City Council approve the attached motion approving the amendment to the Professional Services Agreement with AE2S, Inc. for construction phase services relating to Water System Improvements – Water Treatment Plant, City Project 14-02.

**AMENDMENT NO. 1**

**TO**

**AGREEMENT BETWEEN OWNER AND**

**ENGINEER FOR PROFESSIONAL SERVICES**

**DATED**

**June 1, 2015**

This Amendment No. 1 is effective as of June 1, 2015 (“Effective Date”) between **City of Shoreview, 4600 Victoria Street North, Shoreview, MN 55126** (“OWNER”) and **Advanced Engineering and Environmental Services Inc., 6901 East Fish Lake Road Suite 184, Water Tower Place Business Center, Maple Grove, MN 55369** (“ENGINEER”). This Amendment No. 1 is made to the Agreement Between Owner and Engineer for Professional Services (“AGREEMENT”) dated November 3, 2014 and provides for Construction Phase, Post-Construction Phase, and Construction Phase Instrumentation and Control (I&C) Services for the PROJECT as referred to therein. OWNER and ENGINEER in consideration of their mutual covenants as set forth herein agree as follows:

- A. Exhibit A, “ENGINEER’s Services,” consisting of five (7) pages.
- B. Exhibit C, “Payments to Engineer for Services and Reimbursable Expenses,” consisting of one (1) page.
- C. Exhibit D, “Duties, Responsibilities, and Limitations of Authority of Resident Project Representative,” consisting of four (4) pages.
- D. Exhibit E, “Notice of Acceptability of Work,” consisting of two (2) pages.

All other services included in the AGREEMENT and not included within or revised by this Amendment No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT, the Effective Date of which is indicated on page 1.

OWNER:

ENGINEER:

\_\_\_\_\_  
Type Name: Sandra Martin

\_\_\_\_\_  
Type Name: Charles S. Vein, P.E.

Title: Mayor

Title: President

Date Signed: \_\_\_\_\_

Date Signed: \_\_\_\_\_

ATTEST: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Type Name: \_\_\_\_\_

Type Name: Grant L. Meyer, P.E.

Title: \_\_\_\_\_

Title: Project Manager

Address for giving notices:

Address for giving notices:

City of Shoreview

Advanced Engineering and Environmental Services, Inc.

4600 Victoria Street North

6901 East Fish Lake Road Suite 184

Shoreview, MN 55126

Maple Grove, MN 55369

Designated Representative (paragraph 6.02.A):

Designated Representative (paragraph 6.02.A):

Name: Tom Wesolowski

Name: Grant L. Meyer, P.E.

Title: City Engineer

Title: Project Manager

Phone Number: (651) 490-5642

Phone Number: (763) 463-5036

Facsimile Number: (651) 490-4696

Facsimile Number: (763) 463-5037

E-Mail Address: twesolowski@shoreviewmn.gov

E-Mail: Grant.Meyer@ae2s.com

This is **Amendment No. 1** to **EXHIBIT A**, consisting of six (6) pages, referred to in and part of the **Agreement between OWNER and ENGINEER for Professional Services** dated November 3, 2014.

## ENGINEER's Services

Article 1 of the AGREEMENT is amended and supplemented to include the following AGREEMENT of the parties. ENGINEER shall provide Basic Services as set forth below.

### **PART 1 – BASIC SERVICES**

#### **A1.05 Construction Phase**

- A. Upon successful completion of the Bidding and Negotiating Phase, and upon written authorization from Owner, Engineer shall:
1. *General Administration of Construction Contract:* Consult with Owner and act as Owner's representative as provided in the Construction Contract. The extent and limitations of the duties, responsibilities, and authority of Engineer shall be as assigned in EJCDC® C-700, Standard General Conditions of the Construction Contract (2002 Edition), prepared by the Engineers Joint Contract Documents Committee, or other construction general conditions specified in this Agreement. If Owner, or Owner and Contractor, modify the duties, responsibilities, and authority of Engineer in the Construction Contract, or modify other terms of the Construction Contract having a direct bearing on Engineer, then Owner shall compensate Engineer for any related increases in the cost to provide Construction Phase services. Engineer shall not be required to furnish or perform services contrary to Engineer's responsibilities as a licensed professional. All of Owner's instructions to Contractor will be issued through Engineer, which shall have authority to act on behalf of Owner in dealings with Contractor to the extent provided in this Agreement and the Construction Contract except as otherwise provided in writing.
  2. *Resident Project Representative (RPR):* Provide the services of an RPR at the Site to assist the Engineer and to provide more extensive observation of Contractor's work. Duties, responsibilities, and authority of the RPR are as set forth in Exhibit D. The furnishing of such RPR's services will not limit, extend, or modify Engineer's responsibilities or authority except as expressly set forth in Exhibit D.
  3. *Selection of Independent Testing Laboratory:* Assist Owner in the selection of an independent testing laboratory to perform the services identified in Exhibit B, Paragraph B2.01.
  4. *Pre-Construction Conference:* Participate in a pre-construction conference prior to commencement of Work at the Site.
  5. *Electronic Transmittal Protocols:* If the Construction Contract Documents do not specify protocols for the transmittal of Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, then together with Owner and Contractor jointly develop such protocols for transmittals between and among Owner, Contractor, and Engineer during the Construction Phase and Post-Construction Phase.
  6. *Original Documents:* If requested by Owner to do so, maintain and safeguard during the Construction Phase at least one original printed record version of the Construction Contract Documents, including Drawings and Specifications signed and sealed by Engineer and other design professionals in accordance with applicable Laws and Regulations. Throughout the Construction Phase, make such original printed record version of the Construction Contract Documents available to Contractor and Owner for review.

7. *Schedules:* Receive, review, and determine the acceptability of any and all schedules that Contractor is required to submit to Engineer, including the Progress Schedule, Schedule of Submittals, and Schedule of Values.
8. *Baselines and Benchmarks:* As appropriate, establish baselines and benchmarks for locating the Work which in Engineer's judgment are necessary to enable Contractor to proceed.
9. *Visits to Site and Observation of Construction:* In connection with observations of Contractor's Work while it is in progress:
  - a. Make visits to the Site at intervals appropriate to the various stages of construction, as Engineer deems necessary, to observe as an experienced and qualified design professional the progress of Contractor's executed Work. Such visits and observations by Engineer, and the Resident Project Representative, if any, are not intended to be exhaustive or to extend to every aspect of the Work or to involve detailed inspections of the Work beyond the responsibilities specifically assigned to Engineer in this Agreement and the Construction Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on Engineer's exercise of professional judgment, as assisted by the Resident Project Representative, if any. Based on information obtained during such visits and observations, Engineer will determine in general if the Work is proceeding in accordance with the Construction Contract Documents, and Engineer shall keep Owner informed of the progress of the Work.
  - b. The purpose of Engineer's visits to the Site, and representation by the Resident Project Representative, if any, at the Site, will be to enable Engineer to better carry out the duties and responsibilities assigned to and undertaken by Engineer during the Construction Phase, and, in addition, by the exercise of Engineer's efforts as an experienced and qualified design professional, to provide for Owner a greater degree of confidence that the completed Work will conform in general to the Construction Contract Documents and that Contractor has implemented and maintained the integrity of the design concept of the completed Project as a functioning whole as indicated in the Construction Contract Documents. Engineer shall not, during such visits or as a result of such observations of the Work, supervise, direct, or have control over the Work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, for security or safety at the Site, for safety precautions and programs incident to any Constructor's work in progress, for the coordination of the Constructors' work or schedules, nor for any failure of any Constructor to comply with Laws and Regulations applicable to furnishing and performing of its work. Accordingly, Engineer neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish or perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.
10. *Defective Work:* Reject Work if, on the basis of Engineer's observations, Engineer believes that such Work is defective under the terms and standards set forth in the Construction Contract Documents. Provide recommendations to Owner regarding whether Contractor should correct such Work or remove and replace such Work, or whether Owner should consider accepting such Work as provided in the Construction Contract Documents.
11. *Compatibility with Design Concept:* If Engineer has express knowledge that a specific part of the Work that is not defective under the terms and standards set forth in the Construction Contract Documents is nonetheless not compatible with the design concept of the completed Project as a functioning whole, then inform Owner of such incompatibility, and provide recommendations for addressing such Work.
12. *Clarifications and Interpretations:* Accept from Contractor and Owner submittal of all matters in question concerning the requirements of the Construction Contract Documents (sometimes referred to as requests for information or interpretation—RFIs), or relating to the acceptability of the Work under the Construction Contract Documents. With reasonable promptness, render a written

clarification, interpretation, or decision on the issue submitted, or initiate an amendment or supplement to the Construction Contract Documents.

13. *Non-reviewable Matters:* If a submitted matter in question concerns the Engineer's performance of its duties and obligations, or terms and conditions of the Construction Contract Documents that do not involve (1) the performance or acceptability of the Work under the Construction Contract Documents, (2) the design (as set forth in the Drawings, Specifications, or otherwise), or (3) other engineering or technical matters; then Engineer will promptly give written notice to Owner and Contractor that Engineer will not provide a decision or interpretation.
14. *Field Orders:* Subject to any limitations in the Construction Contract Documents, Engineer may prepare and issue Field Orders requiring minor changes in the Work.
15. *Change Orders and Work Change Directives:* Recommend Change Orders and Work Change Directives to Owner, as appropriate, and prepare Change Orders and Work Change Directives as required.
16. *Differing Site Conditions:* Respond to any notice from Contractor of differing site conditions, including conditions relating to underground facilities such as utilities, and hazardous environmental conditions. Promptly conduct reviews and prepare findings, conclusions, and recommendations for Owner's use.
17. *Shop Drawings, Samples, and Other Submittals:* Review and approve or take other appropriate action with respect to Shop Drawings, Samples, and other required Contractor submittals, but only for conformance with the information given in the Construction Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated by the Construction Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. Engineer shall meet any Contractor's submittal schedule that Engineer has accepted.
18. *Substitutes and "Or-equal":* Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor, but subject to the provisions of Paragraph A2.02.A.2 of this Exhibit A.
19. *Inspections and Tests:*
  - a. Receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Construction Contract Documents. Engineer's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Construction Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Construction Contract Documents. Engineer shall be entitled to rely on the results of such inspections and tests.
  - b. As deemed reasonably necessary, request that Contractor uncover Work that is to be inspected, tested, or approved.
  - c. Pursuant to the terms of the Construction Contract, require special inspections or testing of the Work, whether or not the Work is fabricated, installed, or completed.
20. *Change Proposals and Claims:* (a) Review and respond to Change Proposals. Review each duly submitted Change Proposal from Contractor and, within 30 days after receipt of the Contractor's supporting data, either deny the Change Proposal in whole, approve it in whole, or deny it in part and approve it in part. Such actions shall be in writing, with a copy provided to Owner and Contractor. If the Change Proposal does not involve the design (as set forth in the Drawings, Specifications, or otherwise), the acceptability of the Work, or other engineering or technical matters, then Engineer will notify the parties that the Engineer will not resolve the Change

Proposal. (b) Provide information or data to Owner regarding engineering or technical matters pertaining to Claims.

21. *Applications for Payment:* Based on Engineer's observations as an experienced and qualified design professional and on review of Applications for Payment and accompanying supporting documentation:
  - a. Determine the amounts that Engineer recommends Contractor be paid. Recommend reductions in payment (set-offs) based on the provisions for set-offs stated in the Construction Contract. Such recommendations of payment will be in writing and will constitute Engineer's representation to Owner, based on such observations and review, that, to the best of Engineer's knowledge, information and belief, Contractor's Work has progressed to the point indicated, the Work is generally in accordance with the Construction Contract Documents (subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Construction Contract Documents, and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is Engineer's responsibility to observe the Work. In the case of unit price Work, Engineer's recommendations of payment will include final determinations of quantities and classifications of the Work (subject to any subsequent adjustments allowed by the Construction Contract Documents).
  - b. By recommending payment, Engineer shall not thereby be deemed to have represented that observations made by Engineer to check the quality or quantity of Contractor's Work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's Work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to Engineer in this Agreement. Neither Engineer's review of Contractor's Work for the purposes of recommending payments nor Engineer's recommendation of any payment including final payment will impose on Engineer responsibility to supervise, direct, or control the Work, or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the Work. It will also not impose responsibility on Engineer to make any examination to ascertain how or for what purposes Contractor has used the money paid to Contractor by Owner; to determine that title to any portion of the Work, including materials or equipment, has passed to Owner free and clear of any liens, claims, security interests, or encumbrances; or that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid.
22. *Contractor's Completion Documents:* Receive from Contractor, review, and transmit to Owner maintenance and operating instructions, schedules, guarantees, bonds, certificates or other evidence of insurance required by the Construction Contract Documents, certificates of inspection, tests and approvals, and Shop Drawings, Samples, and other data approved as provided under Paragraph A1.05.A.17. Receive from Contractor, review, and transmit to Owner the annotated record documents which are to be assembled by Contractor in accordance with the Construction Contract Documents to obtain final payment. The extent of Engineer's review of record documents shall be to check that Contractor has submitted all pages.
23. *Substantial Completion:* Promptly after notice from Contractor that Contractor considers the entire Work ready for its intended use, in company with Owner and Contractor, visit the Site to review the Work and determine the status of completion. Follow the procedures in the Construction Contract regarding the preliminary certificate of Substantial Completion, punch list of items to be completed, Owner's objections, notice to Contractor, and issuance of a final certificate of Substantial Completion. Assist Owner regarding any remaining engineering or technical matters affecting Owner's use or occupancy of the Work following Substantial Completion.
24. *Other Tasks:* Perform or provide the following other Construction Phase tasks or deliverables: None anticipated at the inception of this Agreement.

25. *Final Notice of Acceptability of the Work:* Conduct a final visit to the Project to determine if the Work is complete and acceptable so that Engineer may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Engineer shall also provide a notice to Owner and Contractor in the form attached hereto as Exhibit E (“Notice of Acceptability of Work”) that the Work is acceptable (subject to the provisions of the Notice and Paragraph A1.05.A.21.b) to the best of Engineer’s knowledge, information, and belief, and based on the extent of the services provided by Engineer under this Agreement.
  26. *Standards for Certain Construction-Phase Decisions:* Engineer will render decisions regarding the requirements of the Construction Contract Documents, and judge the acceptability of the Work, pursuant to the specific procedures set forth in the Construction Contract for initial interpretations, Change Proposals, and acceptance of the Work. In rendering such decisions and judgments, Engineer will not show partiality to Owner or Contractor, and will not be liable to Owner, Contractor, or others in connection with any proceedings, interpretations, decisions, or judgments conducted or rendered in good faith.
- B. *Duration of Construction Phase:* The Construction Phase will commence with the execution of the first Construction Contract for the Project or any part thereof and will terminate upon written recommendation by Engineer for final payment to Contractors. If the Project involves more than one prime contract as indicated in Paragraph A1.03.D, then Construction Phase services may be rendered at different times in respect to the separate contracts. Subject to the provisions of Article 3, Engineer shall be entitled to an equitable increase in compensation if Construction Phase services (including Resident Project Representative services, if any) are required after the original date for completion and readiness for final payment of Contractor as set forth in the Construction Contract.

#### **A1.06 Construction Phase Instrumentation and Control (I&C) Services**

- A. Upon the successful completion of the Bidding Phase for Instrumentation and Control System equipment, and upon authorization from OWNER, ENGINEER shall:
1. Coordinate with Contractor to purchase hardware and software components in accordance with Section 01 21 00, Part 1, Paragraph 1.02, B, 1.
  2. Configure computers and communication networks.
  3. Install Supervisory Control and Data Acquisition (SCADA) and programmable logic controller (PLC) programming software.
  4. Review installation of instrumentation and control components with electrical contractor.
  5. Review field input/output scheme for proper operation.
  6. Provide programming for PLC, human/machine interface graphics, operator interface terminals (OIT), and SCADA software.
  7. Provide I/O checkout and verify proper operation and control of, water treatment equipment, chemical feed equipment, filter controls, and water treatment facility pumping systems.
  8. Provide programming and integration services required to incorporate all existing water system infrastructure systems (wells, pumps, towers, security, etc.) into one (1) complete SCADA system for the Shoreview Water System.
  9. Provide services to train operators on the operation of the SCADA system, OIT’s, pump control, valve control and filter control as associated with the water treatment facility equipment.
  10. Travel to/from the project site during the construction phase to accomplish the work listed above in Paragraph A1.06A.

**A1.07 Post-Construction Phase**

- C. Upon written authorization from Owner during the Post-Construction Phase, Engineer shall:
1. Together with Owner, visit the Project within one month before the end of the Construction Contract's correction period to ascertain whether any portion of the Work or the repair of any damage to the Site or adjacent areas is defective and therefore subject to correction by Contractor.
  2. Perform or provide the following other Post-Construction Phase tasks or deliverables:
    - a. Record Drawings: Based on the CONTRACTOR's records regarding changes to the construction drawings, the ENGINEER will revise the Drawings and submit a final copy of the project "Record Drawings" to the OWNER. The Record Documents will be submitted both in hard-copy (22"x34") and electronic format.
- D. The Post-Construction Phase services may commence during the Construction Phase and, if not otherwise modified in this Exhibit A, will terminate twelve months after the commencement of the Construction Contract's correction period.

This is **Amendment No. 1** to **EXHIBIT C**, consisting of one (1) page, referred to in and part of the **Agreement between OWNER and ENGINEER for Professional Services** dated November 3, 2014.

**Payments to ENGINEER for Services and Reimbursable Expenses**

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Article 4 of the AGREEMENT is amended and supplemented to include the following AGREEMENT of the parties:

**ARTICLE 4 -- PAYMENTS TO THE ENGINEER --**

**C2.04 Compensation for Resident Project Representative and Post-Construction Basic Services**

A. Construction, Post-Construction Phase, Instrumentation and Control, and Additional services:

- |  |                  |
|--|------------------|
| 1) Construction Phase Services:          | <b>\$490,250</b> |
| 2) Post Construction Phase Services:     | <b>\$20,645</b>  |
| 3) Instrumentation and Control Services: | <b>\$141,450</b> |

**C2.05 For Additional Services**

A.1.a The total compensation for additional design services under Paragraph A2.01.A.23 is **\$652,345**

**Duties, Responsibilities, and Limitations of Authority of Resident Project Representative**

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**D1.01**            *Resident Project Representative*

A.        ENGINEER shall furnish a Resident Project Representative (“RPR”), assistants, and other field staff to assist ENGINEER in observing progress and quality of the Work as appropriate for various stages of construction.

B.        Through such additional observations of Contractor’s work in progress and field checks of materials and equipment by the RPR and assistants, ENGINEER shall endeavor to provide further protection for OWNER against defects and deficiencies in the Work. However, ENGINEER shall not, during such visits or as a result of such observations of Contractor’s work in progress, supervise, direct, or have control over the Contractor’s Work nor shall ENGINEER have authority over or responsibility for the means, methods, techniques, sequences, or procedures selected by Contractor, for safety precautions and programs incident to the Contractor’s work in progress, for any failure of Contractor to comply with Laws and Regulations applicable to Contractor’s performing and furnishing the Work, or responsibility of construction for Contractor’s failure to furnish and perform the Work in accordance with the Contract Documents. In addition, the specific limitations set forth in section A.1.05 of Exhibit A of the Agreement are applicable.

C.        The duties and responsibilities of the RPR are limited to those of ENGINEER in the Agreement with the OWNER and in the Contract Documents, and are further limited and described as follows:

1.        *General:* RPR is ENGINEER’s agent at the Site, will act as directed by and under the supervision of ENGINEER, and will confer with ENGINEER regarding RPR’s actions. RPR’s dealings in matters pertaining to the Contractor’s work in progress shall in general be with ENGINEER and Contractor, keeping OWNER advised as necessary. RPR’s dealings with subcontractors shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with OWNER with the knowledge of and under the direction of ENGINEER.

2.        *Schedules:* Review the progress schedule, schedule of Shop Drawing and Sample submittals, and schedule of values prepared by Contractor and consult with ENGINEER concerning acceptability.

3.        *Conferences and Meetings:* Attend meetings with Contractor, such as preconstruction conferences, progress meetings, job conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.

4.        *Liaison:*

a.        Serve as ENGINEER’s liaison with Contractor, working principally through Contractor’s superintendent and assist in understanding the intent of the Contract Documents.

b.        Assist ENGINEER in serving as OWNER’s liaison with Contractor when Contractor’s operations affect OWNER’s on-Site operations.

c.        Assist in obtaining from OWNER additional details or information, when required for proper execution of the Work.

d.        Report to ENGINEER, giving opinions and suggestions based on the RPR’s observations regarding defects or deficiencies in the Contractor’s work and relating to compliance with drawings, specifications, and design concepts.

e.        Monitor changes of apparent integrity of the site (such as differing subsurface and physical conditions, existing structures, and site-related utilities when such utilities are exposed) resulting from construction-related activities.

f. Observe pertinent site conditions when the Contractor maintains that differing subsurface and physical conditions have been encountered, and document actual site conditions. Review and analysis of the Contractor's claims for differing subsurface and physical conditions are additional services.

g. Review the Contractors' construction sequence and traffic control plans for all construction work undertaken simultaneously.

h. Verify that the Contractor has contacted utilities in the general construction area and advised them of Contractor's schedule. Assist in coordinating scheduling of utilities activities to minimize conflicts with OWNER's activities.

i. Act as outside liaison by accompanying visiting inspectors representing public or other agencies having jurisdiction over the project, record the names of the inspectors, and the results of the inspections, and report to ENGINEER. Provide personnel and facilities for dealing with telephoned or written complaints and other communications related to the construction of the project, and provide the necessary public information services to notify individual property owners of applicable information during construction

5. *Interpretation of Contract Documents:* Report to ENGINEER when clarifications and interpretations of the Contract Documents are needed and transmit to Contractor clarifications and interpretations as issued by ENGINEER.

6. *Shop Drawings, Samples, and Construction Documents:*

a. Record date of receipt of Samples and approved Shop Drawings.

b. Receive Samples which are furnished at the Site by Contractor, and notify ENGINEER of availability of Samples for examination.

c. Advise ENGINEER and Contractor of the commencement of any portion of the Work requiring a Shop Drawing or Sample submittal for which RPR believes that the submittal has not been approved by ENGINEER.

d. During the course of the work, verify that specified certificates, operation and maintenance manuals, and other data required to be assembled and furnished by the Contractor are applicable to the items actually installed; and deliver this material to ENGINEER for his review and forwarding to OWNER prior to final acceptance of the work.

e. Maintain a marked set of drawings and specifications at the jobsite based on data provided by the Contractor. This information will be combined with information from the record documents maintained by the Contractor, and a master set of documents conforming to construction records will be produced.

f. Review certificates of inspections, tests, and related approvals submitted by the Contractor as required by laws, rules, regulations, ordinances, codes, orders, or the Contract Documents (but only to verify that their content complies with the requirements of, and the results certified indicate compliance with, the construction contract documents). This service is limited to a review of items submitted by the Contractor and does not extend to a determination of whether the Contractor has complied with all legal requirements.

7. *Modifications:* Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications and report with RPR's recommendations to ENGINEER. Transmit to Contractor in writing decisions as issued by ENGINEER.

8. *Review of Work and Rejection of Defective Work:*

a. Conduct onsite observations of Contractor's work in progress to assist ENGINEER in determining if the Work is in general proceeding in accordance with the Contract Documents. Onsite observations to include photographs of all underground piping.

b. Report to ENGINEER whenever RPR believes that any part of Contractor's work in progress will not produce a completed Project that conforms generally to the Contract Documents or will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise ENGINEER of that part of work in progress that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.

9. *Inspections, Tests, and System Startups:*

- a. Consult with ENGINEER in advance of scheduled major inspections, tests, and systems startups of important phases of the Work.
- b. Verify that tests, equipment, and systems start-ups and operating and maintenance training are conducted in the presence of appropriate OWNER's personnel, and that Contractor maintains adequate records thereof.
- c. Observe, record, and report to ENGINEER appropriate details relative to the test procedures and systems startups.
- d. Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections, and report to ENGINEER.
- e. Visually inspect materials, equipment, and supplies delivered to the worksite. Reject materials, equipment, and supplies which do not conform to the construction contract documents.

10. *Records:*

- a. Maintain at the Site orderly files for correspondence, reports of job conferences, reproductions of original Contract Documents including all Change Orders, Field Orders, Work Change Directives, Addenda, additional Drawings issued subsequent to the execution of the Contract, ENGINEER's clarifications and interpretations of the Contract Documents, progress reports, weekly progress meeting minutes, Shop Drawing and Sample submittals received from and delivered to Contractor, and other Project related documents. Maintain a copy of construction photographs. Provide a second copy of construction photographs and negatives to OWNER.
- b. Prepare a daily report or keep a diary or log book, recording Contractor's hours on the Site, weather conditions, Contractor and subcontractor personnel on jobsite, construction equipment on the jobsite, materials received on jobsite, data relative to questions of Change Orders, Field Orders, Work Change Directives, or changed conditions, Site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to ENGINEER.
- c. Record names, addresses and telephone numbers of all Contractors, subcontractors, and major suppliers of materials and equipment.
- d. Maintain records for use in preparing Project documentation.
- e. Upon completion of the Work, furnish original set of all RPR Project documentation to ENGINEER.

11. *Reports:*

- a. Furnish to ENGINEER weekly progress reports of the Work and of Contractor's compliance with the progress schedule and schedule of Shop Drawing and Sample submittals. Provide copies to OWNER.
- b. Draft and recommend to ENGINEER proposed Change Orders, Work Change Directives, and Field Orders. Obtain backup material from Contractor.
- c. Furnish to ENGINEER and OWNER copies of all inspection, test, and system startup reports.
- d. Report immediately to ENGINEER the occurrence of any Site accidents, any Hazardous Environmental Conditions, emergencies, or acts of God endangering the Work, and property damaged by fire or other causes.

12. *Payment Requests:* Review Applications for Payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to ENGINEER, noting particularly the relationship of the payment requested to the schedule of values, Work completed, and materials and equipment delivered at the Site but not incorporated in the Work.

13. *Certificates, Operation and Maintenance Manuals:* During the course of the Work, verify that materials and equipment certificates, operation and maintenance manuals and other data required by the Specifications to be assembled and furnished by Contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have these documents delivered to ENGINEER for review and forwarding to OWNER prior to payment for that part of the Work.

14. *Completion:*

- a. Before ENGINEER issues a Certificate of Substantial Completion, submit to Contractor a list of observed items requiring completion or correction.
- b. Observe whether Contractor has arranged for inspections required by Laws and Regulations, including but not limited to those to be performed by public agencies having jurisdiction over the Work.
- c. Participate in a final inspection in the company of ENGINEER, OWNER, and Contractor and prepare a final list of items to be completed or corrected.
- d. Observe whether all items on final list have been completed or corrected and make recommendations to ENGINEER concerning acceptance and issuance of the Notice of Acceptability of the Work.

D. Resident Project Representative shall not:

1. Authorize any deviation from the Contract Documents or substitution of materials or equipment (including "or-equal" items).
2. Exceed limitations of ENGINEER's authority as set forth in the Agreement or the Contract Documents.
3. Undertake any of the responsibilities of Contractor, subcontractors, suppliers, or Contractor's superintendent.
4. Advise on, issue directions relative to or assume control over any aspect of the means, methods, techniques, sequences or procedures of Contractor's work unless such advice or directions are specifically required by the Contract Documents.
5. Advise on, issue directions regarding, or assume control over safety precautions and programs in connection with the activities or operations of OWNER or Contractor.
6. Participate in specialized field or laboratory tests or inspections conducted off-site by others except as specifically authorized by ENGINEER.
7. Accept Shop Drawing or Sample submittals from anyone other than Contractor.
8. Authorize OWNER to occupy the Project in whole or in part.

This is **EXHIBIT E**, consisting of two (2) pages, referred to in and part of the **Agreement between OWNER and ENGINEER for Professional Services** dated November 3, 2014.

---

**NOTICE OF ACCEPTABILITY OF WORK**

---

PROJECT: \_\_\_\_\_

OWNER: \_\_\_\_\_

OWNER'S CONSTRUCTION CONTRACT IDENTIFICATION: \_\_\_\_\_

EFFECTIVE DATE OF THE CONSTRUCTION AGREEMENT: \_\_\_\_\_

CONSTRUCTION CONTRACT DATE: \_\_\_\_\_

ENGINEER: \_\_\_\_\_

To: \_\_\_\_\_

OWNER

And To: \_\_\_\_\_

CONTRACTOR

From: \_\_\_\_\_

ENGINEER

---

The Engineer hereby gives notice to the above Owner and Contractor that the completed Work furnished and performed by Contractor under the above Contract is acceptable, expressly subject to the provisions of the related Contract Documents and the terms and conditions set forth on the reverse side hereof.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

(Reverse side of Notice)

**CONDITIONS OF NOTICE OF ACCEPTABILITY OF WORK**

The Notice of Acceptability of Work ("Notice") on the front side of this sheet is expressly made subject to the following terms and conditions to which all persons who receive said Notice and rely thereon agree:

1. Said Notice is given with the skill and care ordinarily used by members of the engineering profession practicing under similar conditions at the same time and in the same locality.
2. Said Notice reflects and is an expression of the professional judgment of Engineer.
3. Said Notice is given as to the best of Engineer's knowledge, information, and belief as of the date hereof.
4. Said Notice is based entirely on and expressly limited by the scope of services Engineer has been employed by Owner to perform or furnish during construction of the Specific Project (including observation of the Contractor's work) under Engineer's Agreement with Owner and under the Construction Contract referenced on the reverse hereof, and applies only to facts that are within Engineer's knowledge or could reasonably have been ascertained by Engineer as a result of carrying out the responsibilities specifically assigned to Engineer under Engineer's Agreement with Owner and the Construction Contract referenced on the reverse hereof.
5. Said Notice is not a guarantee or warranty of Contractor's performance under the Construction Contract referenced on the reverse hereof nor an assumption of responsibility for any failure of Contractor to furnish and perform the Work thereunder in accordance with the Contract Documents.

## PROPOSED MOTION

**MOVED BY COUNCIL MEMBER:** \_\_\_\_\_

**SECONDED BY COUNCIL MEMBER:** \_\_\_\_\_

To adopt Resolution # 15-42 approving the Conditional Use Permit submitted by Russell Weaver, 4344 Snail Lake Blvd, to construct 192 square foot detached accessory structure on the property, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted with the applications. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. The exterior design of the shed shall be consistent with the plans submitted and complement the home on the property.
3. The applicant shall obtain a building permit for the structure. The structure shall comply with the Building Code standards.
4. The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.
5. The structure shall not be used in any way for commercial purposes.
6. Said structure may be located in the sideyard, setback 30 feet from the front lot line per Resolution 15-36, approving the Variance.

Said approval is based on the following findings of fact:

1. The proposed accessory structure will maintain the residential use and character of the property and is therefore in harmony with the general purposes and intent of the Development Ordinance.
2. The primary use of the property will remain residential and is in harmony with the policies of the Comprehensive Guide Plan.
3. The conditional use permit standards as detailed in the Development Ordinance for a residential accessory structure are met.
4. The structure and/or land use conform to the Land Use Chapter of the Comprehensive Guide Plan and are compatible with the existing neighborhood.

**ROLL CALL:**    **AYES** \_\_\_\_\_    **NAYS** \_\_\_\_\_

Johnson	_____	_____
Quigley	_____	_____
Springhorn	_____	_____
Wickstrom	_____	_____
Martin	_____	_____

***Regular City Council Meeting***

June 1, 2015

**TO:** Mayor, City Council, City Manager  
**FROM:** Niki Hill, Economic Development and Planning Associate  
**DATE:** May 28<sup>th</sup>, 2015  
**SUBJECT:** File No. 2571-15-04, Weaver – 4344 Snail Lake Blvd, Conditional Use Permit

## **INTRODUCTION**

Russell Weaver proposes to construct a 192 square foot detached accessory structure on his property at 4344 Snail Lake Blvd. The proposal requires a Conditional Use Permit since the property is less than 1 acre and the proposed shed exceeds 150 square feet in area. The intent of the CUP process is to review the proposal in terms of the Development Code standards and consistency with the Comprehensive Plan. The applicant proposes to build the shed in the side-yard adjacent to the existing detached garage. The Conditional Use Permit requires a rear yard location. As such, a variance was requested and approved at the May 26<sup>th</sup> Planning Commission Meeting. The application was complete May 8, 2015.

## **PROJECT DESCRIPTION**

The property is located on the east side of Snail Lake Boulevard in the R1, Detached Residential District as are the surrounding properties to the North, South, and West. Snail Lake Regional Park lies to the East of the property. According to tax records, the lot has an area of 23,461 square feet. The property has a width of 105 feet with a depth of 236 feet. The property is developed with a single family home that has a foundation area of 1,245 square feet with a 924 square foot detached garage.

The applicant plans to construct a 192 square foot, 12' x 16' shed in the south sideyard of their house. The proposed shed will be placed 10 feet from the south side property line and 12 feet behind the current setback of the existing detached garage. The proposed location is in the sideyard and for a Conditional Use Permit a rear yard location is required. As such a variance was requested and approved. On lots less than 1 acre, a Conditional Use Permit is required to construct an accessory structure over 150 square feet. The applicant will submit a building permit application for this, which will be reviewed administratively upon conclusion of the Conditional Use Permit review process. Please see the attached plans.

## **DEVELOPMENT CODE**

### ***Accessory Structures – Section 205.082(C)(2)***

The accessory structure regulations were revised in 2006, adopting standards to ensure the compatibility of these structures with surrounding residential uses. In the R-1 District, two

detached accessory structures are permitted. On parcels with an area less than 1 acre, accessory structure floor areas that are larger than 150 square feet but less than 288 square feet require a Conditional Use Permit. The Conditional Use Permit process enables the City to review the proposed use for compliance to the Development Code standards and ensure compatibility with nearby land uses through a public hearing. The combined area of all accessory structures cannot exceed 90% of the dwelling unit foundation area or 1,200 square feet, whichever is more restrictive.

Accessory structures must be setback a minimum of 5 feet from a side lot line and 10 feet from a rear lot line, except when a Conditional Use Permit is required the minimum setback increases to 10 feet from all property lines. The maximum height permitted for detached accessory structures is 18 feet as measured from the roof peak to the lowest finished grade; however in no case shall the height of the structure exceed the height of the dwelling unit. In addition, sidewalls cannot exceed 10 feet and interior storage areas above the main floor cannot exceed an interior height of 6 feet.

The exterior design of the structure must be compatible with the dwelling and be similar in appearance from an aesthetic, building material and architectural standpoint. The proposed design, scale, height and other aspects related to the accessory structure are evaluated to determine the impact on the surrounding area. Building permits may be issued upon the finding that the appearance of the structure is compatible with the structures and properties in the surrounding area and does not detract from the area. The intent of these regulations and the City's Comprehensive Plan's policies is to ensure that the residential character of the property and neighborhood is maintained and that dwelling unit remains the primary feature and use of the property.

***Conditional Use Permit – Detached Accessory Structure – Section 205.082(D) (5)***

Attachment A summarizes the standards which must be met for the Conditional Use Permit to be granted. These standards address location, structure setbacks, screening, and exterior design. In addition, a Conditional Use Permit can only be granted upon the finding that the proposed use is in harmony with and conforms to the Comprehensive Plan policies and Development Code standards.

The proposal was reviewed in accordance with the Conditional Use Permit standards identified in the Development Code. The proposed structure complies with the City's standards regarding setback, height, and exterior design.

The following table reviews the proposal in terms of the adopted standards.

	Existing	Proposed	Development Code Standard
<b>Area</b>			
<b>Shed (Proposed)</b>	N/A	192 sf	150 sf to 288 sf for a detached structure
<b>Detached Garage</b>	924 sf	924 sf (74.2% of dfa)	750 or 75% (933.75 sf) of the dwelling unit foundation, whichever is less.*
<b>All Accessory Structures</b>	924 sf	1116 sf (89%% of dfa)	1,200 sf or 90% of the dwelling unit foundation area (1120 sf) – whichever is more restrictive
<b>Setback</b>			
- Side lot line	N/A	10 feet	10 ft
- Rear lot line	N/A	Over 180 Feet	10 ft
- Front lot line	N/A	30 feet	Must be located in rear yard**
<b>Height</b>			
- Roof Peak	N/A	14.5 ft	18 ft
- Sidewall	N/A	8 ft	10 ft
<b>Exterior Design</b>		Similar design as existing house and garage.	Compatible with the residence and be similar in appearance
<b>Screening</b>	Site is unimproved with buckthorn and other undesirable vegetation growth.	New flower garden will be installed in the 10 feet between the structure and the property line.	Structure shall be screened from view of public streets and adjoining properties with landscaping, berming or fencing.

\* The structure was built prior to the 2006 changes in Accessory Structure regulations and is a legal non-conforming structure.

\*\* The side-yard location is different than the required rear-yard location and a Variance has also been requested and approved.

### **APPLICANT'S STATEMENT AND JUSTIFICATION OF PRACTICAL DIFFICULTY**

The proposed structure will be used for storage. More specifically, outdoor equipment such as snow blower, lawn mower, weed whip, chainsaw, fertilizer, seed, hoses, sprinkler and assorted hand tools.

The structure will be exactly the same design and color as the existing garage and house; complimenting the existing structures.

Please see attached statement.

## **STAFF REVIEW**

In Staff's opinion, the proposed shed is in harmony with general purpose of the Development Code and Comprehensive Plan policies. The overall size of this structure when combined with all other accessory structures is less than 90% of the dwelling unit foundation area, therefore, the dwelling unit will remain the primary feature and use of the property. The use of the structure is incidental to the primary residential use of the property and will enhance the use of the property by providing additional indoor storage. This use is consistent with the residential use of the property and neighborhood.

## **PUBLIC COMMENT**

Property owners within 350' of the property were notified of the application. Two comments were received in support of the project.

## **PLANNING COMMISSION**

The Planning Commission held the Public Hearing and reviewed the CUP at their May 26<sup>th</sup> meeting. The Commission approved a variance to allow the structure to have a side-yard location. They also concluded that the structure was consistent with the purpose and intent of the Comprehensive Plan and met the CUP standards per the Development Code.

## **RECOMMENDATION**

The applicant's proposal is consistent with the Conditional Use Permit criteria and standards for detached accessory structures. The residential use of the proposed shed is in harmony with the general purposes and intent of the Development Code and Comprehensive Plan. The structure/land use conforms to the Comprehensive Plan and is compatible with the residential neighborhood. The existing home will remain the primary feature and use of the property.

Staff and the Planning Commission recommend the City Council approve the Conditional Use Permit and adopt Resolution 15-42, subject to the following:

1. The project must be completed in accordance with the plans submitted with the applications. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. The exterior design of the shed shall be consistent with the plans submitted and complement the home on the property.
3. The applicant shall obtain a building permit for the structure. The structure shall comply with the Building Code standards.
4. The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.
5. The structure shall not be used in any way for commercial purposes.
6. Said structure may be located in the sideyard, setback 30 feet from the front lot line per Resolution 15-36, approving the Variance.

Attachments:

1. Attachment A – Conditional Use Permit, Standards for Detached Accessory Structures
2. Location Map
3. Topography Map
4. Applicant's Statements and Submitted Plans
5. Public Comments
6. Resolution 15-42
7. Motion

T:\2015 Planning Cases files\2571-15-14 4344 Snail Lake Blvd-Weaver\CC Report.docx

# ATTACHMENT A

- (1) The accessory structure shall be located in the rear yard of the property except as otherwise permitted by this ordinance.
- (2) The accessory structure shall be setback a minimum of 10 feet from the side property line and 10 feet from the rear property line; however, the City may require greater setbacks to mitigate impacts on adjoining properties.
- (3) For parcels 1 acre or larger in size, the lot shall have a minimum area of 1 acre above the ordinary high water line of a lake, ponding area or wetland on the property.
- (4) The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.
- (5) The structure shall comply with the standards of Section 205.082(D) (5) of this ordinance.

## ***Conditional Use Permit Criteria***

Certain land uses are designated as a conditional use because they may not be suitable in a particular zoning district unless conditions are attached. In those circumstances, conditions may be imposed to protect the health, safety and welfare and to insure harmony with the Comprehensive Plan.

In addition to the standards identified above, the City Council must find that the use complies with the following criteria.

- (1) The use is in harmony with the general purposes and intent of the Development Ordinance.
- (2) The use is in harmony with the policies of the Comprehensive Guide Plan.
- (3) Certain conditions as detailed in the Development Ordinance exist.
- (4) The structure and/or land use conform to the Land Use Chapter of the Comprehensive Guide Plan and are compatible with the existing neighborhood.





**Legend**



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- 2012 Contours
- Parcel Points
- Parcel Boundaries
- County Borders

**Notes**

Enter Map Description



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Nicole Hill <nhill@shoreviewmn.gov>

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## Property Description

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Russell <rwe37@msn.com>  
To: nhill@shoreviewmn.gov

Wed, Apr 22, 2015 at 4:35 PM

Niki,

April 22, 2015

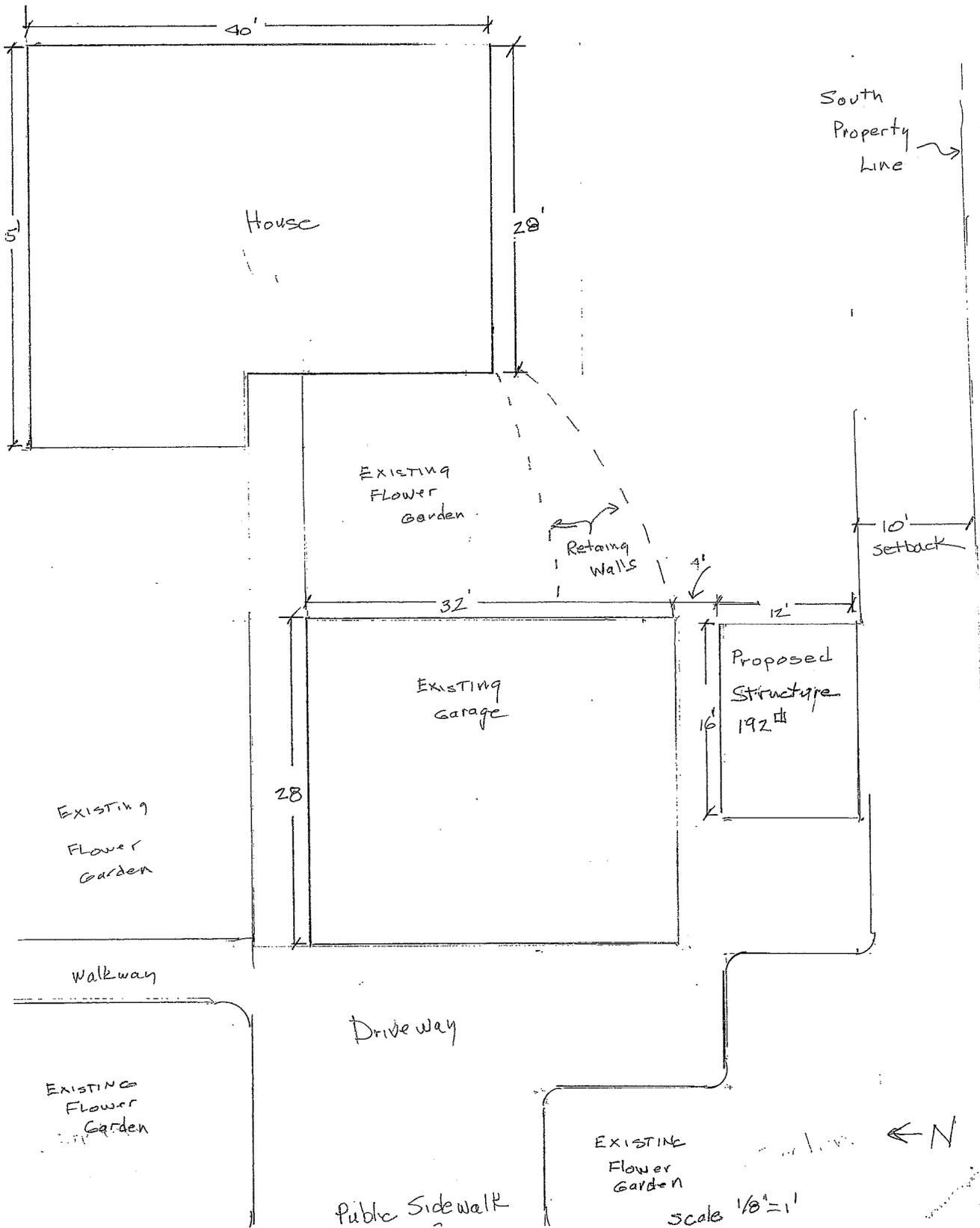
The proposed structure will be used for storage. More specifically, outdoor equipment such as snow blower, lawn mower, weed whip, chainsaw, fertilizer, seed, hoses sprinkler and assorted hand tools will stored in the new structure.

Note: Under the CRITERIA FOR REVIEW, para. 3c (1), the structure should be located at the rear of the property. This is almost impossible because the land to the rear of the garage is sloped downward and almost inaccessible for outdoor equipment use.

The structure will be exactly the same design and color as the existing garage and house. It will compliment the existing structures.

Russell M. Weaver  
4344 Snail Lake Blvd.

Note.  
South Property Line Shown  
North and East Property Lines NOT Shown



NOTE Siding is 4" Hardi Plank (Monterey Tampe - to match house and garage)

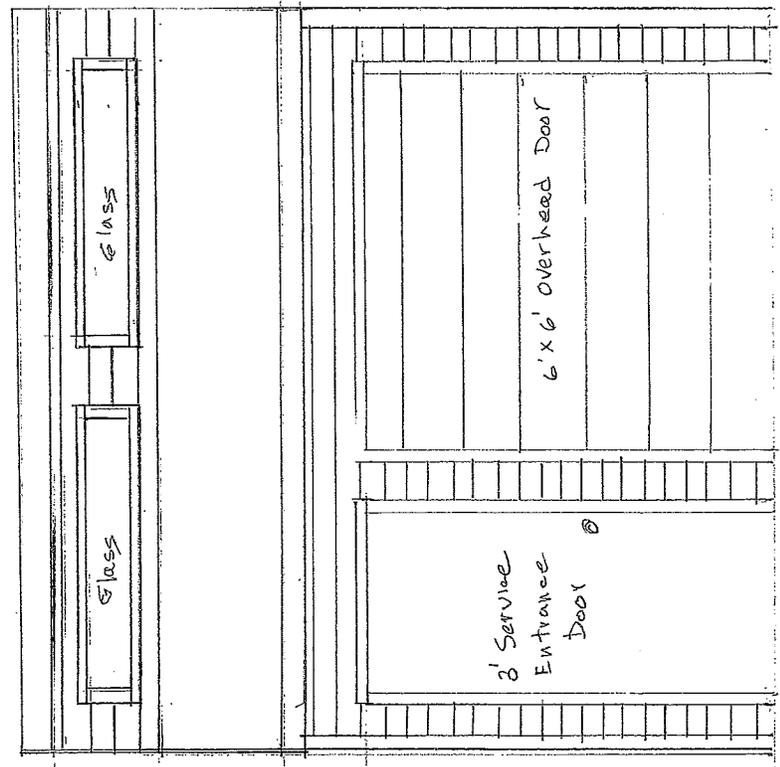
Roofing is Asphalt Shingles (Black)

Trim is Mira tech (Monterey tampe)

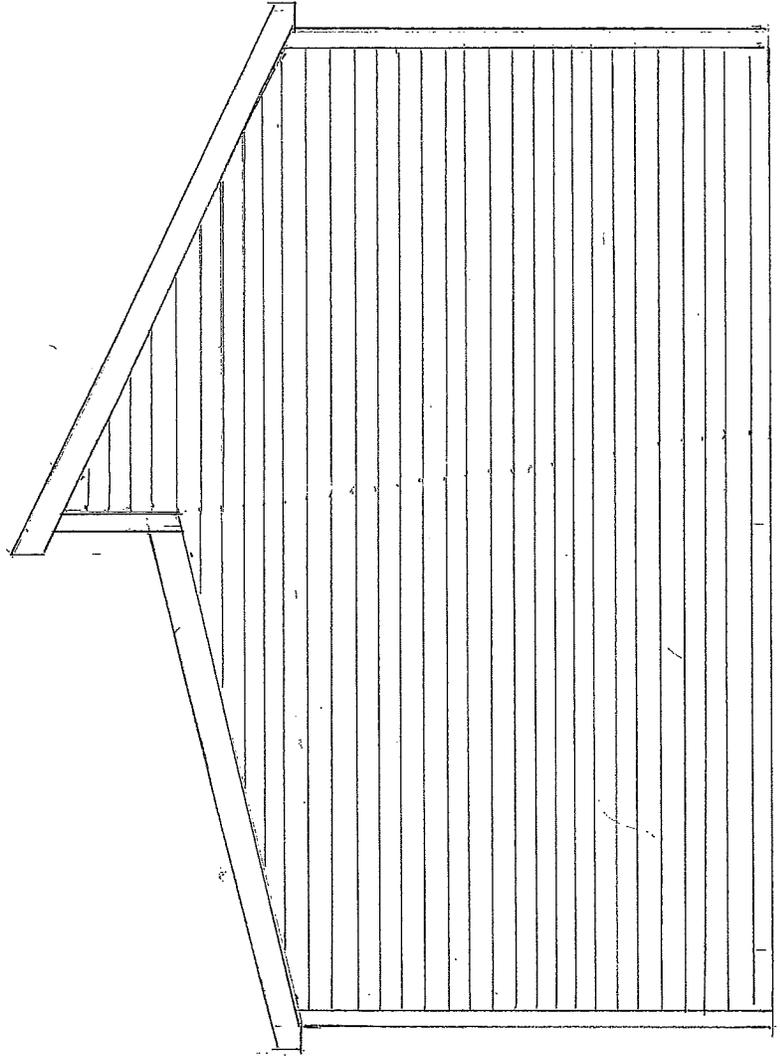
Floor is Plywood mounted on 4'x4' posts 54" deep

Floor joists are 2x6" - 24" on center

Bldg design mirrors the design of house and garage



East Elevation



North Elevation

Scale 1/2" = 1'

**City Council:**  
Sandy Martin, Mayor  
Emy Johnson  
Terry Quigley  
Cory Springhorn  
Ady Wickstrom



City of Shoreview  
4600 Victoria Street North  
Shoreview MN 55126  
651-490-4600 phone  
651-490-4699 fax  
[www.shoreviewmn.gov](http://www.shoreviewmn.gov)

May 8<sup>th</sup>, 2015

**REQUEST FOR COMMENT**

Dear Shoreview Property Owner:

Please be advised that on **Tuesday, May 26<sup>th</sup> at 7:00 p.m.**, the Shoreview Planning Commission will hold a public hearing for a Conditional Use Permit application submitted by **Russell Weaver** to construct a 192 square foot detached accessory structure (shed) in the side yard of their property at **4344 Snail Lake Blvd.**

On parcels less than 1 acre or larger in size, detached accessory structures with a total floor area greater than 150 square feet but less than 288 square feet are permitted with a Conditional Use Permit. The Conditional Use Permit process enables the City to review the proposed use through a public hearing for compliance to the Development Code standards and ensure compatibility with nearby land uses. The applicant proposes to build the shed in the side yard south of the garage, which differs from the required rear yard setback. As such a variance has been requested. Please see the attached plans.

You are encouraged to fill out the bottom portion of this form and return it if you have any comments or concerns. You may also send your comments to me via email. Comments received by **May 20<sup>th</sup>** will be distributed to the Planning Commission with their agenda packet. Comments received after that date but before the meeting will be distributed to the Commission that night. You are also welcome to attend the meeting which will be held in the **City Council Chambers, Shoreview City Hall, 4600 North Victoria Street.** The agenda and staff report to the Planning Commission will be available on the City website by May 22<sup>nd</sup>. Please use this weblink to review details of the project and City standards after that date:

[www.shoreviewmn.gov/pc/documents](http://www.shoreviewmn.gov/pc/documents).

If you would like more information or have any questions, please call me at 651-490-4658 between 8:00 a.m. and 4:30 p.m., Monday through Friday. You may leave a voice mail message at any time. Comments or questions can also be submitted via e-mail to me at [nhill@shoreviewmn.gov](mailto:nhill@shoreviewmn.gov).

Sincerely,

*Niki Hill*

Niki Hill  
Planning and Economic Development Associate

Comments:

PROJECT LOOKS GOOD, WILL ENHANCE  
THE NEIGHBORHOOD. RUSS IS A CRAFTSMAN  
AND DOES HIGH QUALITY WORK.

Name: *JL Hill*

Address: 4337 SNAIL LAKE BLVD.



Nicole Hill <nhill@shoreviewmn.gov>

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## Russell Weaver Permit

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Rachel Lagus <rachellagus@aol.com>

Sun, May 17, 2015 at 11:53 AM

To: "nhill@shoreviewmn.gov" <nhill@shoreviewmn.gov>

I live across the open space behind the Weavers and also walk often on Snail Lake Road and do not have any concerns about their request to build a detached building on their property.

Rachel Lagus  
4335 Virginia Ave  
651-483-3818

Sent from my iPad

**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF SHOREVIEW, MINNESOTA  
HELD JUNE 1, 2015**

\* \* \* \* \*

Pursuant to due call and notice thereof, a meeting of the City Council of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City at 7:00 PM.

The following members were present:

And the following members were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption.

**RESOLUTION NO. 15-42  
CONDITIONAL USE PERMIT**

**WHEREAS**, Russell Weaver, has applied for a conditional use permit to construct a detached accessory structure on his property, legally described as:

The West 230 feet of Lot 10, Block 1, Blaine Oaks, Ramsey County, Minnesota

*(This property is commonly known as 4344 Snail Lake Blvd., Shoreview, Minnesota.)*

**WHEREAS**, in accordance with the Development Code, on lots under one acre, accessory structures may exceed the maximum allowable square footage from 150 up to 288 square feet permitted as a Conditional Use Permit provided certain standards are met and,

**WHEREAS**, the maximum area permitted for a detached accessory structures is 288 square feet. The combined area of all accessory structures cannot exceed 90% of the dwelling unit foundation area or 1,200 square feet, whichever is more restrictive; and,

**WHEREAS**, the property has a lot area of .54 acres and is within the R1, Single Family

Detached Residential Zoning District; and

**WHEREAS**, the detached structure will have a floor area of 192 square feet, increasing the total floor area of accessory buildings to 1116 square feet, as detailed in the submitted plans; and

**WHEREAS**, the Planning Commission held a public hearing on the proposal and found that the proposed use was consistent with the Comprehensive Plan and that the proposed use would not have a detrimental effect on the character and development of the neighborhood; and

**WHEREAS**, the City Council is authorized by state law and the City of Shoreview Development Code to make final decisions on conditional use permit requests.

**NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW CITY COUNCIL**, that the above-described conditional use permit be approved on the basis of the following findings of fact:

1. The proposed accessory structure will maintain the residential use and character of the property and is therefore in harmony with the general purposes and intent of the Development Ordinance.
2. The primary use of the property will remain residential and is in harmony with the policies of the Comprehensive Guide Plan.
3. The conditional use permit standards as detailed in the Development Ordinance for a residential accessory structure are met.
4. The structure and/or land use conform to the Land Use Chapter of the Comprehensive Guide Plan and are compatible with the existing neighborhood.

**NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE SHOREVIEW CITY COUNCIL** that a Conditional Use Permit allowing the construction of the 280 square foot structure is hereby approved, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted with the applications. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. The exterior design of the shed shall be consistent with the plans submitted and complement the home on the property.
3. The applicant shall obtain a building permit for the structure. The structure shall comply with the Building Code standards.
4. The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof.
5. The structure shall not be used in any way for commercial purposes.
6. Said structure may be located in the sideyard, setback 30 feet from the front lot line per Resolution 15-36, approving the Variance.

The motion was duly seconded by Council Member \_\_\_\_\_ and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Adopted this 1st day of June, 2015

---

Sandra C. Martin, Mayor  
Shoreview City Council

ATTEST:

---

Terry Schwerm, City Manager

ACCEPTANCE OF CONDITIONS:

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Russell Weaver

SEAL



**PROPOSED MOTION**

**MOVED BY COUNCILMEMBER** \_\_\_\_\_

**SECONDED BY COUNCILMEMBER** \_\_\_\_\_

To authorize the hiring of the Morris Leatherman Company for the 2015 community survey.

<b>ROLL CALL:</b>	<b>AYES</b> _____	<b>NAYS</b> _____
<b>JOHNSON</b>	_____	_____
<b>QUIGLEY</b>	_____	_____
<b>SPRINGHORN</b>	_____	_____
<b>WICKSTROM</b>	_____	_____
<b>MARTIN</b>	_____	_____

Regular Council Meeting  
June 1, 2015

**TO: MAYOR AND COUNCILMEMBERS**

**FROM: TERRY SCHWERM  
CITY MANAGER**

**DATE: MAY 27, 2015**

**SUBJECT: AUTHORIZATION TO HIRE THE MORRIS LEATHERMAN COMPANY FOR  
COMMUNITY SURVEY**

### **INTRODUCTION**

The Operating Budget includes funding for the completion of a limited community survey during 2015. The City Council is being asked to authorize the hiring of the Morris Leatherman Company (formerly Decision Resources, Ltd.) to complete a 60-70 question community survey for the City.

### **BACKGROUND**

Since the late 1980's, the City of Shoreview has undertaken community surveys every 3-4 years to determine resident satisfaction levels with various city services and programs, as well as opinions on a variety of topics. A few years ago, the city moved to a two-year budget cycle and updated its budget document to reflect various performance measures, many of them taken from the community survey results. At that time, the City began budgeting for a comprehensive community survey (typically around 200 questions) every four years and a smaller survey (typically about 60-70 questions that are used as performance measures) every two years.

The City Council is being asked to authorize the hiring of the Morris Leatherman Company to undertake the community survey. The estimated cost of the scaled down survey is \$13,000 for about 60-70 questions. For comparison purposes, a full 200+ question survey is about \$27,000. The survey data is important to track quality of life ratings, City service satisfaction levels, demographic data and other information that is used in establishing performance measures in our budget.

The attached proposal lays out the survey methodology, which is a 400 person random sample phone survey using both land lines and cell phones. It is important to begin this process now so the results can be incorporated into the budget document later this year.

### **RECOMMENDATION**

Based on the foregoing information, it is recommended that the City Council authorize the hiring of the Morris Leatherman Company for the 2015 community survey.

The Morris Leatherman Company  
3128 Dean Court  
Minneapolis, Minnesota 55416

May 18, 2015

Mr. Terry Schwerm  
City of Shoreview  
4600 Victoria Street N  
Shoreview, Minnesota 55126

Dear Terry:

The Morris Leatherman Company is pleased to present this survey research proposal to you for the City of Shoreview. This prospectus is organized in three parts: a potential design; project schedule; and, estimated project costs. As you will see, I am certain that we can provide the City of Shoreview with the information it seeks in both a cost-effective and timely manner.

***DESIGN OF THE RESEARCH:***

The Morris Leatherman Company proposes to conduct a telephone survey of 400 randomly selected households in the City of Shoreview. A sample of 400 residents would provide results projectable to the entire city adult population within  $\pm 5.0$  percent in 95 out of 100 cases. The sample is also of sufficient size to permit the city to be divided into a maximum of four categories for more detailed analysis, such as age, mobility, home ownership, location of residence, presence of children, and other demographic characteristics.

To insure the integrity of the sample, the Morris Leatherman Company places the most exacting sampling standards in the industry on our procedures. MLC uses a mix of random digit dial landline and cell phone numbers. Before an alternate household is substituted for a designated target, at least ten tries are made to contact the initial households during a five-day period. The telephone calls take place during various times on weekday evenings and during the weekend. Our interviewers are also instructed to seek convenient appointments with interviewees, cutting our non-contact rate to less than five percent on average. An unbiased selection process is also used to identify the adult member of the household to be interviewed. To validate the completed sample, the latest United States Census updated population characteristics are utilized as a standard of comparison.

The questionnaire would be administered by company trained and supervised personnel. The computer analysis will be obtained from our in-house C-MENTOR and SPSS statistical analysis systems, insuring both access to the most current analysis programs and confidentiality of the data set.

The City of Shoreview will be presented with bound copies of the final report highlighting all the major findings of the study. The Morris Leatherman Company will also speak to any major differences from and similarities with the past studies of the community, when applicable, in addition to other maturing communities. A volume of all computer-generated cross tabulations and other multivariate statistical techniques will also be included.

***PROJECT SCHEDULE:***

1. Planning with City Council Members, City Staff, and/or relevant individuals to establish the topics to be covered in the survey. Based on these topic concepts, the Morris Leatherman Company would word specific, neutral questions. This activity can be completed by a meeting, telephone and/or fax, depending on client wishes, within two weeks of the initiation of the contract.
2. Structuring of questions and final approval of the survey instrument. These activities are usually completed within three weeks of the discussion of topics to be covered in the survey.
3. Final determination of the field dates for interviewing.
4. Pre-testing and, if needed, approval of resulting revisions. This activity is usually completed by the second day of fieldwork.
5. Completion of all fieldwork within a two-to-three week period.
6. Computer analysis and preparation of written report. All analytical tests and commentary will be available within six weeks after completion of the fieldwork.
7. Delivery of the final written report to the City of Shoreview, including presentation graphics. Afterwards, telephone consultation, as the need arises, will be provided about the study's findings and implications.

***PROJECT COSTS:***

The cost of a survey is driven by two factors: sample size and questionnaire length. The cost to conduct a 60 to 70 question survey would be \$13,000.00. Each additional question unit beyond the initial allotment would be \$135.00.

*City of Shoreview  
Residential Survey Research Proposal  
May 2015*

As company policy, the Morris Leatherman Company requires one-half of the cost prior to the commencement of fieldwork; the remainder is due upon delivery of the final written report. Unless otherwise arranged, the Morris Leatherman Company invoices clients for the initial payment at the time of the initiation of the contract; the remainder is due at the time of the receipt of the final written report.

If you require any further information from us, feel free to contact either Bill Morris, Diane Traxler, or me. We look forward to the opportunity to work with the City of Shoreview.

Sincerely,

*Peter Leatherman*

Peter Leatherman  
Vice President

**PROPOSED MOTION  
TO APPROVE THE PRELIMINARY PLAT**

**MOVED BY COUNCILMEMBER \_\_\_\_\_**

**SECONDED BY COUNCILMEMBER \_\_\_\_\_**

To approve the preliminary plat application submitted by Donald Zibell to subdivide the property at 3422 Chandler Road, subject to the following conditions:

1. The approval permits the development of a detached residential subdivision providing 8 lots for single family residential development.
2. Final grading, drainage and erosion control plans are subject to the review and approval by the Public Works Director prior to approval of any permits or the Final Plat. Concerns identified by the City Engineer shall be addressed with the Final Plat submittal.
3. Final utility plans are subject to review and approval by the Public Works Director.
4. The final street design is subject to review and approval of the Public Works Director.
5. Comments identified in the memo dated May 20, 2015 from the City Engineer shall be addressed with the Final Plat submittal.
6. A Development Agreement, Erosion Control Agreement shall be executed and related securities submitted prior to any work commencing on the site. A Grading Permit is required prior to commencing work on the site.
7. A Public Recreation Use Dedication fee shall be submitted as required by ordinance prior to release of the Final Plat.
8. The landscape/tree-replanting plan shall be provided in accordance with the City's Tree Protection Ordinance. Trees on the property, which are to remain, shall be protected with construction fencing placed at the tree driplines prior to grading and excavating. Said plan shall be submitted for review and approval by the City Planner prior to submittal of the final plat application. The landscape plan shall include

conifers along the rear lot lines of Lots 6, 7, and 8 to provide screening and buffering.

9. The Final Plat shall include drainage and utility easements along all property lines. Drainage and utility easements along the roadways shall be 10 feet wide and 5 feet wide along the side and rear lot lines. Other drainage and utility easements shall be provided over the proposed bio-filtration area, future public infrastructure and as required by the Public Works Director.
10. The developer shall secure a permit from the Ramsey Washington Metro Watershed District prior to commencing any grading on the property.

This motion is based on the following findings:

1. The Planning Commission has approved variances to reduce the lot frontage for Lot 4, and the lot depth for three Key Lots, Lots 6, 7, and 8.
2. The subdivision is consistent with the policies of the Comprehensive Plan and in compliance with the regulations of the Development Code.
3. With approval of the variances, the proposed lots conform to the City requirements for the R-1 District and the Shoreland District.

<b>ROLL CALL:</b>	<b>AYES</b> _____	<b>NAYS</b> _____
Johnson	_____	_____
Quigley	_____	_____
Springhorn	_____	_____
Wickstrom	_____	_____
Martin	_____	_____

Regular Council Meeting  
June 1, 2015

**TO:** Mayor, City Council, City Manager  
**FROM:** Rob Warwick, Senior Planner  
**DATE:** May 27, 2015  
**SUBJECT:** Preliminary Plat (Major Subdivision), 3422 Chandler Road, Donald Zibell, File No. 2568-15-11

## **INTRODUCTION**

Donald Zibell has submitted an application for Preliminary Plat (Major Subdivision). Mr. Zibell proposes to subdivide and develop the property at 3422 Chandler Road into 8 lots for single-family detached homes. In addition, a variance application was submitted requesting a reduction to the street frontage for Lot 4, a riparian lot, and the lot depth for three Key Lots

## **SITE CHARACTERISTICS**

The property has an upland area of 3.6 acres and is located on the west side of Lake Wabasso. The property is currently developed with a single-family home with an attached garage, driveway, swimming pool, and accessory structures. Access to the property is from Chandler Road. Vegetation on the site consists of open areas with grasses and open woods. The property is riparian to Lake Wabasso, with over 300-feet of shoreline.

Surrounding property is developed with detached single family dwellings. The area was principally developed in the 1970s and 80s.

## **PROJECT SUMMARY**

In 2014, the City approved a minor subdivision that adjusted the north property line of this property to the current configuration. That minor subdivision, a lot line adjustment, allowed for the development of the proposed Lot 4 with a lot width of 100-feet measured at the shoreline. The minor subdivision approval requires removal of the tennis court and a detached accessory structure during 2015.

The applicant proposes to develop the property with 8 single-family residential lots. Six of the proposed lots are non-riparian lots and two are riparian lots. The existing house and improvements will be retained on Lot 5, a riparian lot. Lot 4 is also a riparian lot. A public street that terminates in a cul-de-sac will be constructed to provide access. Stormwater will be managed through a bio-filtration basin. The tennis court and several detached accessory structures will be removed later this year. The applicant proposes to retain the existing detached garage on proposed Lot 6, and removal of the garage will be addressed in the Development Agreement.

## **STAFF REVIEW**

The preliminary plat was reviewed in accordance with the City's standards for subdivisions, and the R1and Shoreland zoning districts. The following outlines some of the features of the proposed subdivision.

**Street Network/Traffic.** Currently, access to the property is from Chandler Road. The proposed public street is located in the same area as the existing driveway and will have a length of about 325-feet. The street design is consistent with City design standards. Chandler Road and North Owasso Boulevard (just to the south) are collector streets which convey traffic to the arterial road system.

**Lot Layout.** The proposed parcels comply with the minimum lot standards of the R1, Detached Residential, zoning district. The non-riparian lots are required to have a minimum width of 75-feet, a minimum depth of 125-feet, and a minimum area of 10,000 square feet.

Three of the proposed parcels (Lots 6, 7, and 8) are Key Lots. A Key Lot is any lot, the rear of which abuts the side lot line of an adjoining lot, or any lot, the side lot line of which abuts the rear lot line. These types of parcels are discouraged, however when they are developed, increased setback requirements are specified to address the development impacts on the adjacent property. These lots exceed the minimum width required by Code, and so provide suitably sized building pad areas. The three lots do not have the additional 15-foot depth required, but the building pads shown for these parcels comply with the 40-foot structure setback requirement for Key Lots.

Lots 4 and 5 are riparian to Lake Wabasso, a General Development lake, and subject to lot standards specified for the Shoreland District. Lake lots are required to have a minimum width of 100-feet measured in three locations: at the Ordinary High Water (OHW) of the lake, at the building setback from the OHW, and at the front lot line. The minimum area for a lake lot is 15,000 square feet.

The building pads are shown with dimensions of about 35- by 45-feet (approx. 1,600 sq. ft.) for the house with an added 20- by 22-foot garage area. Staff expects that larger garages will be constructed but there appears ample area on the lots for the future improvements.

Lot 4 has 72 feet of street frontage, less than the 100-feet required, and a variance was approved to reduce the frontage. The lot width, measured from side line to side line, exceeds 100-feet over its length. The proposed lake lots conform to all other dimensional standards. The pad, as shown, exceeds the 106 foot maximum OHW setback, which is based on the OHW setback of the houses on the adjacent riparian lots. A variance may be needed for a future house since the maximum street and OHW setbacks dictate a house stretching almost 80-feet from west to east.

Staff also notes that the existing drive turn around on Lot 5 will be altered to meet the 5-foot setback required from a side lot line. The remainder of the existing improvements will comply with setback requirements for proposed Lot 5 without alteration.

**Stormwater Management.** The existing drainage pattern generally flows to the lake and off site to the south. The proposed stormwater management plan has been designed to comply with Shoreview and Ramsey Washington Metro Watershed standards for stormwater quality, quantity, best management, and erosion control practices. The plan is designed with a bio-filtration basin on Lot 4 capturing the majority of runoff from the site to comply with the water quality standards prior

to discharge to Lake Wabasso. The filtration basin will be inundated after storm events, but is intended to dry between storms. Run-off from the backyard areas of the lots south of the cul-de-sac will follow the historic drainage way to the south.

The proposed storm water plan does comply with the City's standards. See the comments from the City Engineer.

**Density.** The Comprehensive Plan designates this property as Low-Density Residential (RL), where a development density of zero to four units per acre is allowed. The proposed 2.22 units per acre density complies with the Comprehensive Plan and is consistent with the density established in this area.

**Tree Preservation and Landscaping.** The property contains both open and wooded areas. There are about 70 landmark trees on the site, and the preliminary grading plan identifies that 34 of these will be removed and 39 landmarks retained. No tree removal is proposed in the Shore Impact Zone.

Tree removal, protection, and replacement plans are required with the final grading plan. Replacement trees are required at a rate of 6 replacement trees for each landmark tree removed, and about 200 replacement trees will be necessary.

### **PUBLIC/AGENCY COMMENT**

Notice was mailed to property owners within 350 feet of the property boundary. Seven comments were submitted in response, and are attached. The comments express concerns that include reduced green area in the neighborhood, environmental impact on nearby lakes and wildlife, increased traffic on Chandler Road, and construction noise.

Rick Current, Lake Johanna Fire Marshall, reviewed the plans and did not identify any concerns.

Staff at the Department of Natural Resources identified that the DNR does not have a comment on the requested lot frontage variance, but notes that impervious surface coverage should be limited due to the proximity to the lake. A DNR permit for the installation of the filtration area appears to be required. The comment is attached.

Staff of the Ramsey Washington Metro Watershed District (RWMWD) identified that the project is subject to the permitting requirements of the District, and that erosion control will be important due to proximity to Lake Wabasso. The applicant has applied for a District permit.

### **PLANNING COMMISSION**

The Planning Commission held the required Public Hearing, taking public comment, and reviewed the application for Preliminary Plat, as well as variance requests, at their meetings on April 28<sup>th</sup> and May 26<sup>th</sup>.

At the April meeting, four residents expressed concerns regarding environmental impacts, tree loss, and traffic. Commissioners identified issues with the location of an existing driveway, and a need for a variance to reduce the depth of Key Lots. The Commission tabled the applications to provide the applicant opportunity to revise the plans.

At the May 26<sup>th</sup> Planning Commission meeting, the Commissioners re-opened the Public Hearing. Several residents expressed concern with the number of lots proposed, and cited the required variances as evidence that there too many lots proposed. Another comment on tree loss and replacement suggested that with about 200 replacement trees required, those replacement tree should stay in the neighborhood in the event the property cannot accommodate all of the new trees.

Commissioners discussed the variances, and identified that increased setback and screening will aid to minimize impact on the property to the south, noting that the development, not the proposed Key Lots, which will affect the character of the neighborhood.

The Commission unanimously (7-0) approved the 72-foot front lot line variance request for Lot 4, and 127 foot lot depth for Lots 6, 7, and 8, the Key Lots on the south side of the street. As a condition of the lot depth variance approval, the Commission imposed a 45-foot rear setback, 5-feet more than the required minimum setback for a Key Lot, and added a requirement for conifers along the south property line to aid in reducing development impact on the adjacent property. The Commission also recommended approval of the preliminary plat to the City Council.

A copy of the April 28<sup>th</sup> meeting minutes is included in this Council packet. The May minutes are not yet prepared.

### **RECOMMENDATION**

The Planning Commission and staff have reviewed the proposal in accordance with the preliminary plat requirements. With approval of the variance requests, the preliminary plat complies with the City's R1, Detached Residential zoning district and subdivision standards. Staff recommends the City Council approve the Preliminary Plat, subject to the following conditions.

1. The approval permits the development of a detached residential subdivision providing 8 lots for single family residential development.
2. Final grading, drainage and erosion control plans are subject to the review and approval by the Public Works Director prior to approval of any permits or the Final Plat. Concerns identified by the City Engineer shall be addressed with the Final Plat submittal.
3. Final utility plans are subject to review and approval by the Public Works Director.
4. The final street design is subject to review and approval of the Public Works Director.
5. Comments identified in the memo dated May 20, 2015 from the City Engineer shall be addressed with the Final Plat submittal.

6. A Development Agreement, Erosion Control Agreement shall be executed and related securities submitted prior to any work commencing on the site. A Grading Permit is required prior to commencing work on the site.
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8. The landscape/tree-replanting plan shall be provided in accordance with the City's Tree Protection Ordinance. Trees on the property, which are to remain, shall be protected with construction fencing placed at the tree driplines prior to grading and excavating. Said plan shall be submitted for review and approval by the City Planner prior to submittal of the final plat application. The landscape plan shall include conifers along the rear lot lines of Lots 6,7, and 8 to provide screening and buffering.
9. The Final Plat shall include drainage and utility easements along all property lines. Drainage and utility easements along the roadways shall be 10 feet wide and 5 feet wide along the side and rear lot lines. Other drainage and utility easements shall be provided over the proposed bio-filtration area, future public infrastructure and as required by the Public Works Director.
10. The developer shall secure a permit from the Ramsey Washington Metro Watershed District prior to commencing any grading on the property.

Attachments:

1. Submitted plans and applicant's statements
2. Location map
3. Aerial photo
4. Comments
  - a. Tom Wesolowski, City Engineer
  - b. Rick Current, Fire Marshal – LJFD
  - c. Paige Ahlborg, RWM Watershed District
  - d. Jen Sorenson, MN DNR, Metro Hydrologist
  - e. Resident comments
5. Motion

#### 5. Summary of Proposed Major Subdivision

Applicant is proposing to develop his 4 acre tract into 8 single family lots, including 2 corner lots, 4 interior lots, 1 lake lot and 1 outlot containing his homestead.

All of the lots meet minimum size requirements and have access to a Cul-de-sac. One variance would be needed--the lake lot has less than 100 feet of street frontage on the Cul de sac

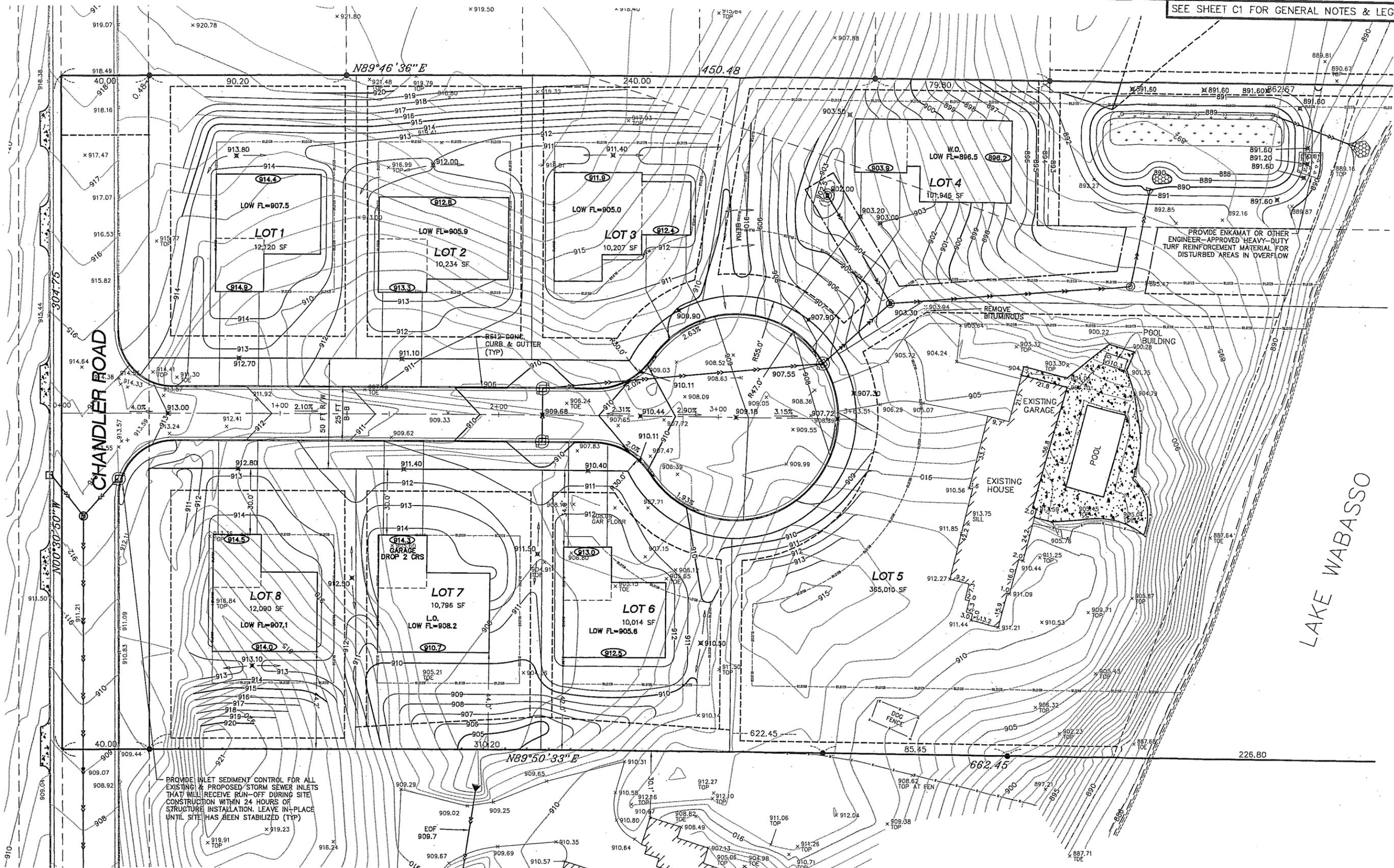
A stable that straddles two interior lots would be torn down and a tennis court would be removed within one year: A three car garage on one lot would be retained until the lot is sold: There are several large old trees that will be retained to the extent possible Fill will be needed on both sides of the road

Applicant will be his own general contractor A surveyor and professional engineer have been engaged



SEE SHEET C1 FOR GENERAL NOTES & LEGEND

DRAWN BY: C.M. DESIGN BY: C.W.P.  
CHKD BY: C.W.P. PROJ. NO. 14-1504  
ORIGINAL DATE: MARCH 23, 2015



PROVIDE INLET SEDIMENT CONTROL FOR ALL EXISTING & PROPOSED STORM SEWER INLETS THAT WILL RECEIVE RUN-OFF DURING SITE CONSTRUCTION WITHIN 24 HOURS OF STRUCTURE INSTALLATION. LEAVE IN-PLACE UNTIL SITE HAS BEEN STABILIZED (TYP)

**CURB & BITUMINOUS NOTES**

REMOVAL AND DISPOSAL OF EXISTING STREET MATERIALS AS REQUIRED FOR CONSTRUCTION IS CONSIDERED INCIDENTAL.  
SAW-CUT EXISTING BITUMINOUS AND CONCRETE CURB TO PROVIDE BUTT-JOINT.  
RESTORE DISTURBED STREET TO EXISTING OR BETTER SECTION.  
BACKFILLING OF CURB IS INCIDENTAL TO CURB INSTALLATION.  
FOUR INCHES OF CLASS 5 UNDER CURB IS INCIDENTAL TO CURB INSTALLATION.  
CURB ENDS SHALL TERMINATE IN A THREE-FOOT BEAVER TAIL.

**BMP NOTES**

CONTRACTOR SHALL PROVIDE APPROPRIATE CONSTRUCTION SEQUENCING, PROVIDE MEASURES TO PREVENT COMPACTION DURING CONSTRUCTION, KEEP THE SYSTEM OFFLINE UNTIL CONSTRUCTION IS COMPLETE, AND PROVIDE NECESSARY EROSION CONTROL MEASURES UNTIL ADJACENT AREAS HAVE BEEN STABILIZED.  
CONTRACTOR SHALL NOTIFY DISTRICT STAFF AT LEAST 48 HOURS PRIOR TO THE CONSTRUCTION OF THE VOLUME REDUCTION BUMPS IN ORDER TO PROVIDE FOR DISTRICT CONSTRUCTION OBSERVATION. FAILURE TO NOTIFY THE DISTRICT PRIOR TO BMP INSTALLATION MAY RESULT IN THE REMOVAL OF WORK COMPLETED. CONTACT NICOLE SODERHOLM AT 651-792-7976.  
CONTRACTOR SHALL CONTACT NICOLE SODERHOLM, DISTRICT INSPECTOR, AT 651-792-7976 PRIOR TO BEGINNING CONSTRUCTION.

REVISION DESCRIPTION

DATE	REVISION DESCRIPTION
04.14.2015	REVISED BASIN

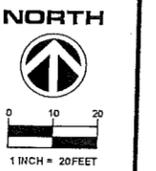
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  
CHARLES W. FLOWE LIC. NO. 18227  
DATE: 04.14.2015

ZIBELL SUBDIVISION  
SHOREVIEW, MINNESOTA  
GRADING, DRAINAGE & EROSION CONTROL PLAN

PREPARED FOR:  
DON ZIBELL



**POLOWE**  
ENGINEERING, INC.  
6776 LAKE DRIVE  
SUITE 110  
LIND LAKE, MN 55014  
PHONE: (651) 381-8210  
FAX: (651) 381-8701



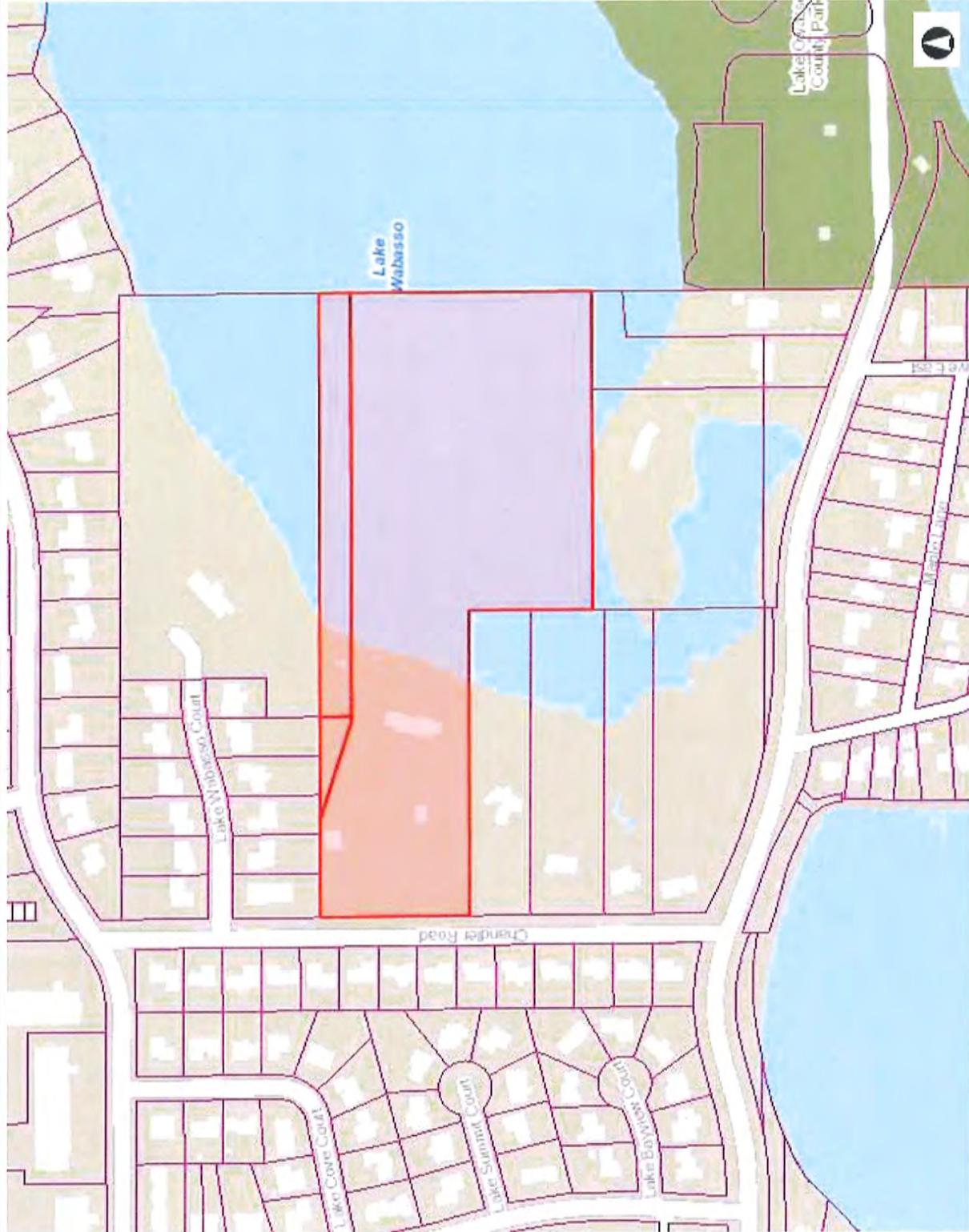
**C2**



Know what's below.  
Call before you dig.

**GRADING, DRAINAGE & EROSION CONTROL PLAN  
ZIBELL SUBDIVISION**





## Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Airports

## Notes

Enter Map Description

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

600.0 Feet

300.00

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# 3422 Chandler Road



400.0 0 200.00 400.0 Feet

NAD\_1983\_HARN\_Adj\_MIN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Legend



- City Halls
- Schools
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- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Lakes - Neighboring Counties
- Airports

## Notes

Enter Map Description

Date: May 20, 2015  
To: Rob Warwick, Senior Planner  
From: Tom Wesolowski, City Engineer  
Subject: Donald Zibell – Revised Grading & Drainage Plan  
3422 Chandler Road

The City of Shoreview Engineering staff has reviewed the revised grading and drainage plan dated April 20, 2015 for the proposed subdivision and has the following comments:

1. The change to the proposed grading and drainage plan consists of a new alignment for a portion of the stormwater piping that discharges to the proposed treatment pond. The change is minor and does not affect the overall surface water management proposed for the site.
2. Public Works staff is requesting a 10-foot drainage and utility easement be provided from the street to the inlet located on the west side of Lot 4, to allow City vehicles to access the inlet from the street and not across the driveway of Lot 4.
3. Concerning the resident comment about how the reduction in surface water runoff to the south culvert will affect a wet area located south of the culvert. It appears the wet area the resident is referring to is connected to Lake Wabasso and is most likely influenced more by the water level of the lake than the discharge from the culvert. The surface water that would normally drain to the south culvert will be diverted to the proposed treatment pond, which overflows to the lake. A Ramsey-Washington Watershed District permit is required for the development and as part of the review process they will determine if the change in the flow pattern will affect the area.



Robert Warwick <rwarwick@shoreviewmn.gov>

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**2568-15-11**

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**Rick Current** <rcurrent@ljfd.org>  
Reply-To: rcurrent@ljfd.org  
To: Robert Warwick <rwarwick@shoreviewmn.gov>

Fri, Apr 17, 2015 at 8:34 AM

Rob,

No comments on this project. Everything looks good.

Thanks,

Rick Current

Fire Marshal

Lake Johanna Fire Department

651-481-7024



Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

---

**3422 Chandler Road, Preliminary plat and variance, City of Shoreview**

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**Paige Ahlborg** <paige.ahlborg@rwmwd.org>  
To: Robert Warwick <rwarwick@shoreviewmn.gov>  
Cc: "Sorensen, Jenifer (DNR)" <jenifer.sorensen@state.mn.us>

Mon, Apr 6, 2015 at 3:33 PM

Hi Rob,

I have not yet seen a preliminary submittal for this project. They will be required to obtain a District grading permit and comply with requirements for Erosion and Sediment Control Stormwater Management, Flood Control, and Wetland Management (this shouldn't be a big issue, they'll just need to ensure they aren't impacting Lake Wabasso in anyway.) Plowe Engineering is familiar with our permit process and that we have new rules in place which are available on our website.

Paige Ahlborg  
Watershed Project Manager  
Ramsey-Washington Metro Watershed District  
2665 Noel Drive  
Little Canada, MN 55117  
Office: (651)792-7964

**Follow the District on Twitter & Like Us on Facebook.**

**From:** Robert Warwick [mailto:rwarwick@shoreviewmn.gov]  
**Sent:** Friday, April 03, 2015 2:34 PM  
**To:** Paige Ahlborg  
**Cc:** Sorensen, Jenifer (DNR)  
**Subject:** Re: 3422 Chandler Road, Preliminary plat and variance, City of Shoreview

[Quoted text hidden]



Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

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**3422 Chandler Road, Preliminary plat and variance, City of Shoreview**

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Sorensen, Jenifer (DNR) &lt;jenifer.sorensen@state.mn.us&gt;

Mon, May 4, 2015 at 9:45 AM

To: Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

Rob –

Thanks for visiting with me on 4/24/15 about the variance to create a new riparian lot on Lake Wabasso. The variance is needed because the lot does not have 100' street footage on a cul-de-sac. DNR has no comment regarding this variance. I will ask our land use specialist for the state shoreland program if DNR has any opinion on cul-de-sacs in general within shoreland areas and if he has any information on how other communities have addressed lakeshore development using cul-de-sacs. Any information I receive I'll pass on to you.

It does appear from the plans provided that the outfall of the drainage pond on Lot 4 is below the OHW of Lake Wabasso (OHW 886.07, NAVD88) and would require a DNR public waters permit for installation. Please forward this information to the site engineer.

It is important that the City of Roseville keep percent impervious surface to 25 percent or below for riparian lots, since the City's ordinance allows for up to 40 percent for non-riparian lots within the shoreland district.

If you have further questions, please feel free to contact me.

Jen

Jenifer Sorensen, PE, PhD

East Metro Area Hydrologist

MN DNR – Division of Ecological and Water Resources

1200 Warner Rd; St Paul, MN 55106

(651) 259-5754



Comments:

Safety

- The addition of seven new residential lots will increase automobile traffic on Chandler Road which is already a short street with a lot of traffic from nearby apartments on Harriet Avenue. With many small children and families on the block and no sidewalks, pedestrian safety is a concern – especially given the high volume of foot traffic on Chandler Road to Lake Owasso.
- The subdivision's new street directly faces a driveway which may pose a potential traffic or pedestrian hazard.

Loss of Natural and Wildlife Habitat

- Clearing Mr. Zibell's grass and wooded land lot of approximately 10 acres will destroy the natural habitat of wildlife including red fox, great horned owls, and other birds.
- As new residents adjacent to Mr. Zibell's property and most directly affected by the proposed subdivision, we are especially concerned about the loss of privacy that will ensue if all of the trees on his property are cleared. We would like to know what Mr. Zibell's plans are for a new privacy fence and landscaping along the property line.

Noise Pollution

- Should plans for this subdivision proceed, the noise from construction activities and heavy machinery will be unduly disruptive for residents who have invested their resources and chosen to live in this Shoreview neighborhood because of its quiet and peaceful setting. If construction commences, we respectfully request that the hours of construction activities be amended from the City's current code requirements to the following:
  - April 1 – October 31:
    - 7:00am – 6:00pm on any weekday
    - No work on holidays
    - No work on weekends
  - November 1 – March 31:
    - 7:00am – 7:00pm on any weekday
    - 8:00am – 5:00pm on weekends
    - No work on holidays

Name: Megen Balda and Jon Kjarum  
Address: 3410 Chandler Road,  
Shoreview, MN 55126

t:/2015pcf/2568-15-11/3422 chandler/neighborhood survey

Comments:

Has anybody considered  
the wild life and what will  
happen to them. Part of  
attraction for living here.  
The natural habitat of  
trees, bushes, etc, will be  
disturbed.  
too much increased traffic  
Have too much now!

RECEIVED  
APR 23 2015  
BY: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: 3393 Chandler Rd

## QUESTIONS/COMMENTS FOR SHOREVIEW PLANNING COMMISSION

### RE: CHANDLER ROAD DEVELOPMENT

1. Explain the requested variance. Doesn't "riparian" relate to adjoining body of water? Where is the 72 foot distance referred to in the letter? There would be a concern if the lot is too close to the water.
2. What is the expected increase in traffic once the new development is complete? Currently, some vehicles are speeding on Chandler Road. Can something like speed bumps be implemented?
3. What are minimal lot sizes by code?
4. What is the process for construction (order of what will be done)? How much disruption to Chandler Road will there be during the process?
5. What is the expected timeframe to get the land ready for building homes?
6. What types of homes are expected to be built (style, size, and price)?
7. Will there be an increase in taxes due to the additional utilities and new road?
8. Trees will be removed. Will there be replacements made at appropriate locations? What type of buffer areas will there be?
9. Has there been an environmental impact study done?

Aron & Ellen Rolnitzky  
3405 Chandler Road  
651-483-0873



4/22/15

We are very concerned about the proposed development submitted by Donald Zibell at 3422 Chandler Road in Shoreview for a number of reasons.

Firstly, the 8 houses proposed nearly doubles the number of houses on our street. One of the main reasons we moved to this specific street from St. Paul three years ago was the amazing, quiet neighborhood and well established trees and homes. Knowing that half of that neighborhood and green space would be razed for new development would've certainly impacted our decision to move and raise our family here.

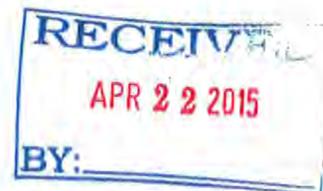
Secondly, the impact that this development will have on the environment concerns us. A lot of wildlife is sustained in this neighborhood and we're concerned- again- that the number of homes proposed for development will negatively impact both Wabasso and Owasso lakes (regardless of the lack of direct lake access, surely both of these lakes will feel the pressure of additional homes in the neighborhood) as well as the other wildlife sustained by the wooded area.

Another concern is the increase of traffic on Chandler road. This is already a busy road, specifically in the summer, since it's a thoroughfare to the lake and provides access to Rice Street. The proposed new development would increase that traffic considerably. Will a much-needed sidewalk be installed on the street? What are the plans in place to help mitigate that traffic increase and insure safety on the street? Many children live on this street, including our 2 young children (both under age 6), and this is a huge concern.

My husband and I have discussed this development at length and have yet to find a reason to support it. This will surely negatively impact the quality of life on our street on multiple levels. Please take into consideration the quality of this established neighborhood as you're discussing this proposed development.

Thank you for your time.

Best Regards-  
Stacey and Jose Mazuelas



RE: Comments Requested on the May 15, 2015 notice of a second public hearing concerning Preliminary Plat, Zibell Addition, File No. 2568-15-11 to be held May 26, 2015.

I have serious concerns regarding this property subdivision as proposed.

The April 10, 2015 notice for the first public hearing gave some indication that a variance may be needed for one lot (Lot 4) of 8 proposed lots. I commend the Planning Commission for tabling the application when it became clear in public discussion that there were some "surprise" concerns/questions coming to light that most likely would need clarification.

For instance: In **Summary of Proposed Major Subdivision** item 5 – "All of the lots meet minimum size requirements..." and "One variance would be needed – the lake lot..." and "There are several large old trees that will be retained to the extent possible."

Item 2. Requested Variance – "...applicant is unable to meet all of the Code requirements for one of the eight lots".

The May 15, 2015 notice does shed some light on the fact that of the proposed, 8 single family lots requested, the **only way** all lots would meet minimum size requirements would be with four variances rather than with only one as previously alluded.

It is my opinion that the requested variances for Lots 6, 7, and 8 are intentionally understated to avert attention from their Key Lot status. The requested reduction of a minimum 140 foot lot depth to 126 feet makes it appear as if the only burden is a smaller lot without indicating that "Key lots shall be discouraged" and that Key Lots "shall include at least 15 feet more depth or width than the required minimum lot depth or width" than non-Key Lots. [Rev. Date, 8/4/08, Ord.832]

My interpretation of [Rev. Date, 8/4/08, Ord.832] regarding Key Lots is that even a single, Key Lot is to be discouraged and avoided. Such discouragement and avoidance, in this case, should be multiplied by a factor of 3 since all three Lots 6, 7, and 8 are to be on the side lot line of 3410 Chandler Road. Although, [Rev. Date, 8/4/08, Ord.832] does give some room for giving a variance "where such lots must be used to fit a subdivision plan..." it is my contention that it is the current, proposed subdivision plan which requires change rather than attempting to stretch variance regulations.

I was encouraged to hear at the April 28<sup>th</sup> hearing that the Planning Commission members were concerned about tree preservation. As I recall, if this property subdivision gets approved as proposed some 60+ trees will be felled. However, based on shown dimensions of the Preliminary Plat, it is doubtful that enough real

estate will remain to accommodate the required 6 replacement trees for each Landmark Tree felled.

According to [Section 203.070 C.2], "affirmative findings for all of the review criteria" regarding "Reasonable Manner", "Unique Circumstances" and "Character of Neighborhood" must be met in order for variance approval. The requested variances, *without question*, would "alter the essential Character of the Neighborhood" and should, therefore, not be approved. This is not to say a compromise cannot be forged.

The attached, marked in red plat is my suggested compromise.

Instead of having the 8 proposed lots, my suggestion is to develop Lots 1, 2, 3, and 4 as planned, move the South side of the proposed street approximately 50 feet South which would leave most existing hill and trees intact to help preserve much of the essential neighborhood character that was so instrumental in attracting all of our current, established residents. The original, preserved 100 foot wide buffer of hill and trees would remain part of retained Lot 5 to help minimize the normal "development shock" that generally accompanies such new building proposals.

Moving the proposed road south, as suggested, would allow a possible, value per lot increase by lengthening Lots 1, 2, 3, and 4 approximately 25 to 30 feet. It would not be surprising to see this extra space also used to start new trees and vegetation.

I am in favor of and understand the desire to profit from one's endeavors, but I can't help but believe it was the unique combination of trees, water, and habitat that attracted all of us, including Mr. Zibell and his family, when making the decision to settle here.

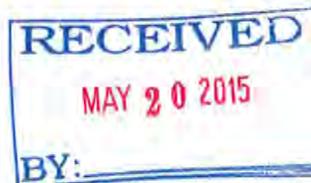
In New England, fences make good neighbors. In Shoreview, trees, water, and habitat make good neighbors. Please compromise.

May 20, 2015

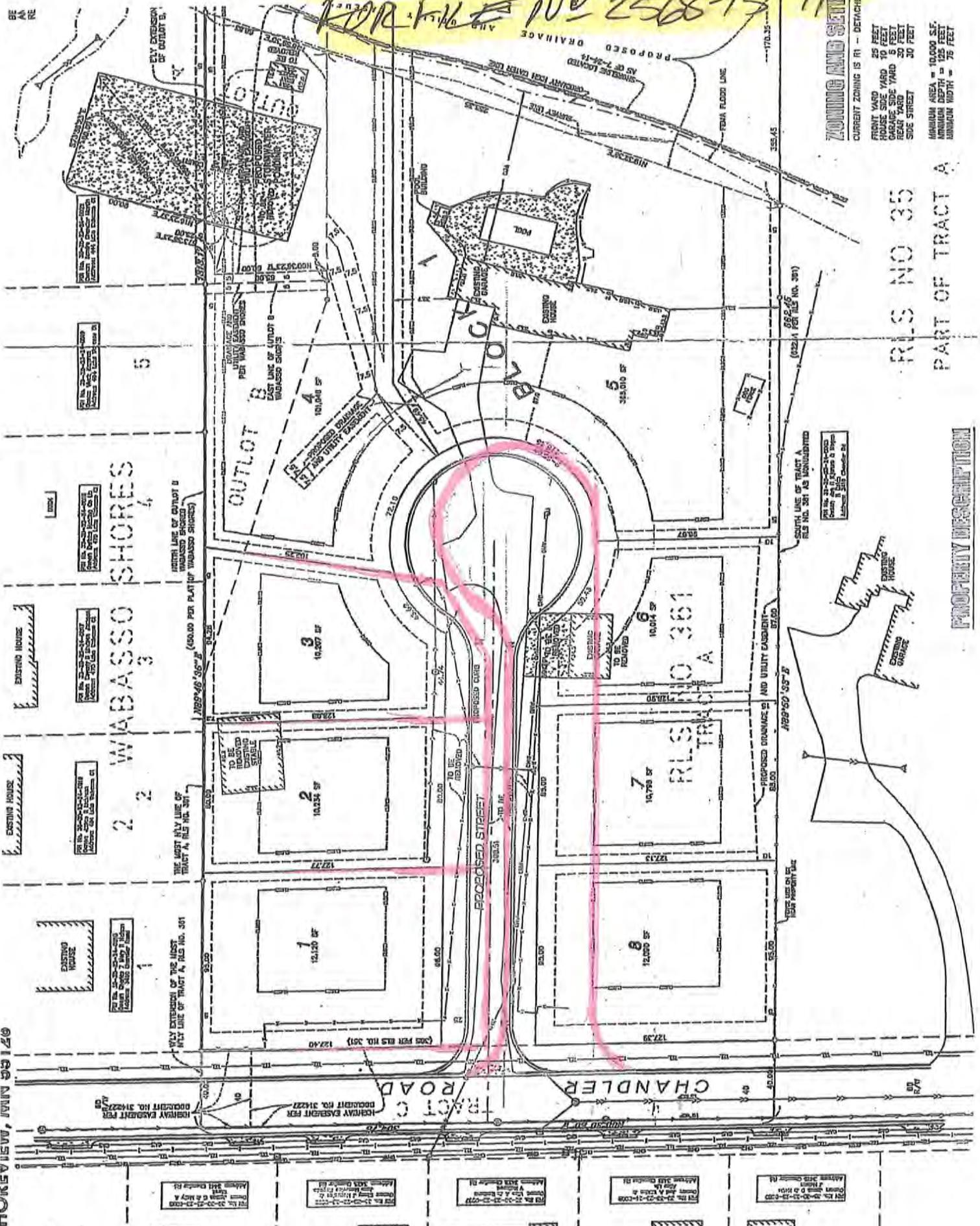
Jerry Kleffman

3400 Chandler Road

Shoreview, MN 55126



**SUGGESTED COMPROMISE FOR FILE NO 2518-15-11**



**ZONING AND SET**  
 CURRENT ZONING IS R1 - DETACHÉ  
 FRONT YARD 25 FEET  
 HOUSE SIDE YARD 10 FEET  
 GARAGE SIDE YARD 5 FEET  
 REAR YARD 30 FEET  
 SIDE STREET 30 FEET

**RLS NO 35**  
 PART OF TRACT A

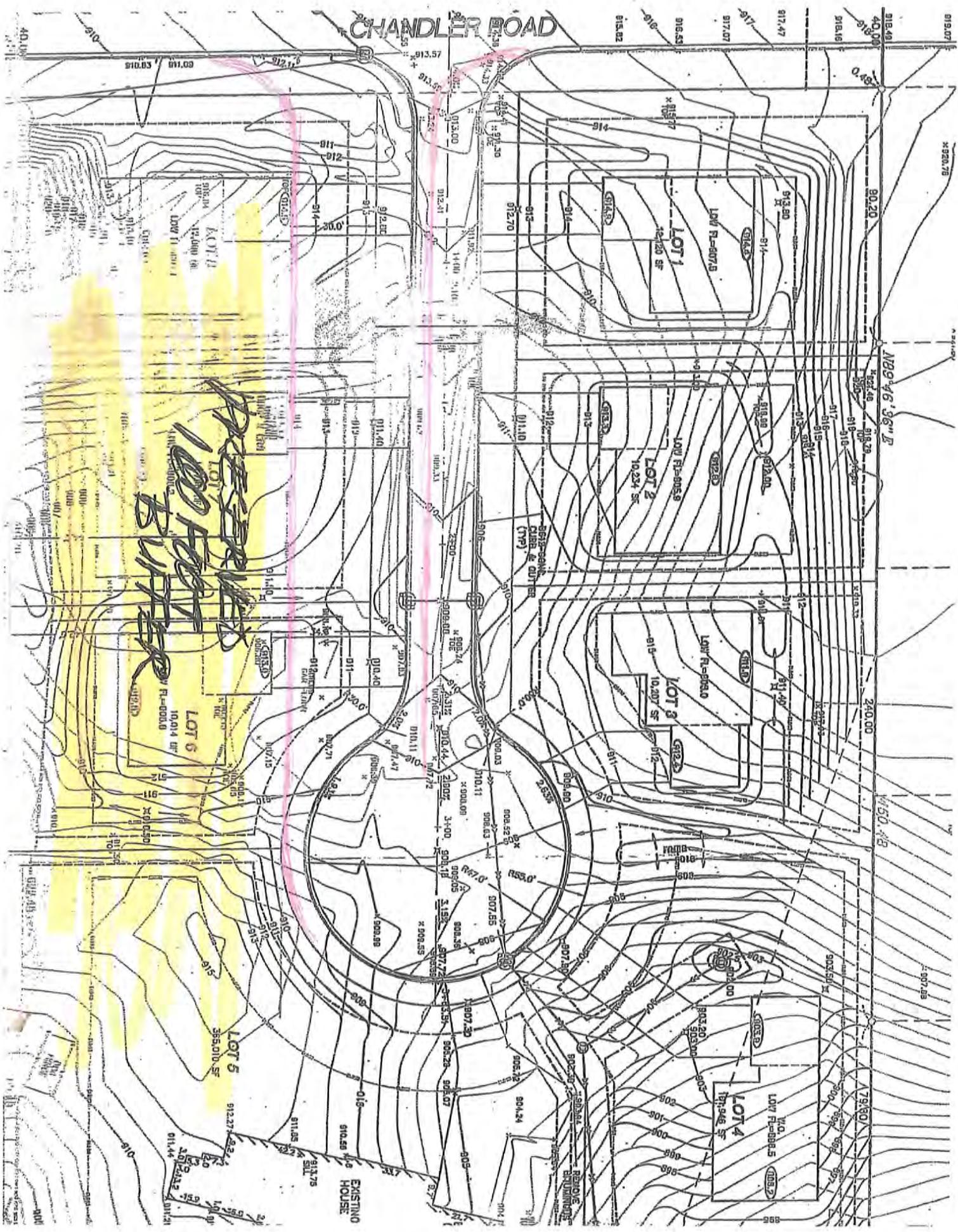
**PROPERTY DESCRIPTION**

MINIMUM AREA = 10,000 S.F.  
 MINIMUM DEPTH = 125 FEET  
 MINIMUM WIDTH = 75 FEET

02161510, JUN 01 1990

FOR THE 24-18-02-14-008  
 COUNTY OF ALBERTA  
 OFFICE OF THE REGISTRAR  
 ADDRESS: 3400 CHANDLER ST. N.  
 EDMONTON, ALBERTA T6C 2K4

# CHANDLER ROAD



**RESERVE**  
**100 FEET**  
**BUFFER**

LOT 6  
10,014 SF

LOT 5  
365,010 SF

LOT 1  
14,250 SF

LOT 2  
10,224 SF

LOT 3  
10,207 SF

LOT 4  
17,246 SF

EXISTING HOUSE

189'46'36" R

150'48"

79'60"



Robert Warwick &lt;rwarwick@shoreviewmn.gov&gt;

---

## Planning Commission Comments

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Megen@gtcys.org <Megen@gtcys.org>  
To: rwarwick@shoreviewmn.gov

Thu, May 21, 2015 at 3:48 PM

Hello, Rob. Please include these comments in the meeting materials for the Planning Commission. Thank you.

Comments for May 26 Planning Commission Meeting

We remain concerned about the large scale of the Zibell subdivision and potential impact on the neighborhood. As the property owners to the south of and directly adjacent to the Zibell project, we want to express our concern that we will inherit not one, but three new key lots for a total of four residences along the side of our property. What codes or guidelines are in place regarding the number of key lots allowed, and what is the historic precedent for the addition of multiple key lots in Shoreview? If no guidelines currently exist, we encourage the planning commission to consider the daily impact of adding multiple key lots.

We are also interested in answers to questions that were raised by other residents in last month's comments, but not addressed at the meeting:

- What are the anticipated tax implications due to installation/maintenance of the new road and utilities?
- What is the process for construction and the expected timeframe?
- What types of homes are expected to be built?

Lastly, as one of the commissioners requested at the April meeting, we, too, are eager to see Mr. Zibell's tree plot outlining which of the many landmark trees will be removed as a result of this project, and which will stay.

Thank you,

Megen Balda and Jon Kjarum

3410 Chandler Road, Shoreview



**NEW BUSINESS**

**PUBLIC HEARING - VARIANCE/MAJOR SUBDIVISION**

**FILE NO.:** 2568-15-11  
**APPLICANT:** DONALD F. ...  
**LOCATION:** 3422 CH...

*April 28<sup>th</sup> Minutes  
are included  
in this Council  
packet*

**Presentation by Senior Planner**

The applicant has submitted a preliminary subdivision proposal would subdivide the upper portion of the property for development. There would be 2 residential lots. The existing house with attached garage will be from a new public road cul-de-sac. Storm water management will be with a bio-filtration system. The street frontage for Lot 4, a riparian

property. The family riparian lots. The Access to the lots Storm water management is to reduce the

In 2014, a minor subdivision was approved to the current configuration to allow the development of a tennis court. That subdivision approval requires removal of existing tennis court and adjacent detached accessory structure.

to the current shoreline. That

The property is located in the R1 District. The proposed cul-de-sac access is consistent with City standards. The proposed lots comply with minimum lot standards of the R1 District. Lot 6, 7, and 8 are key lots where the rear lot lines abut the side lot line of the adjoining parcel to the south. While these key lots do not have the added depth required, they do show the required 40-foot front setback. Lots 4 and 5 are riparian to Lake Wabasso and have a minimum width of 100 feet at the Ordinary High Water (OHW), at the building set back from the OHW, and at the front lot line. The property is zoned for Low Density Residential (RL), which allows 0 to 4 units per acre. The proposal is 2.2 units per acre including the area of right-of-way.

The variance requested for Lot 4 is to address the width of 72 feet at the street frontage. The house pad for Lot 4 exceeds the maximum OHW setback of 106 feet. The driveway turn-around that exists on Lot 5 does not meet the required 5-foot side setback.

Stormwater from the western portion of the property flows south to a culvert; stormwater from the eastern portion flows to Lake Wabasso. The filtration basin proposed on Lot 4 will reduce drainage to the lake. The City Engineer has noted a concern with the amount of infrastructure on this lot with the pond and pipes for storm water drainage as well as pipes to convey water to the filtration basin. The building pad is constrained due to the pipe infrastructure.

There are more than 60 landmark trees on the property. A Removal and Preservation Plan is required with the Final Plat. City Code requires a replacement ratio of 6 replacement trees for every landmark tree removed.

The applicant states that the street width variance requested for Lot 4 meets the intent of the Ordinance because the lot width at the OHW and the building setback from the OHW is 100 feet. The proposed 72-foot width is wider than the cul-de-sac frontage required for a non-riparian lot. The lot area is 29,000 square feet, almost twice the area required for a riparian lot.

Staff notes that a minimum street frontage of 30 feet is required for non-riparian lots on a cul-de-sac. This accommodation is not specified for riparian lots. However, staff agrees that the large lot area and consistent width of 100 feet meet the intent of the Code.

Notice of the public hearing was published and mailed to property owners within 350 feet of the subject property. Four comments were received expressing concerns about reduced green area, environmental impacts on nearby lakes and wildlife, increased traffic and construction noise. A permit will be required from the Ramsey/Washington County Watershed District.

Because of the lot depth issues for the key lots and the building pad on Lot 4, staff recommends the Commission hold and continue the Public Hearing by tabling the application to allow the applicant time to revise plans that would bring the application into compliance or apply for variances. A variance application for the depth of the key lots is needed.

Commissioner Ferrington asked if this plan has to be approved before application can be made for the watershed district permit and whether the reduced drainage to the south flows under the existing driveway. Mr. Warwick stated that the plat must be approved before a grading permit can be issued. A permit from the watershed district would also be needed at the time of issuance of the grading permit. The proposed drainage will be almost 50% of what it is at this time due to the smaller area that will drain south. Water that flows south goes through a culvert under the existing driveway on the subject property and the lot to the south. The wetland is further south.

Commissioner McCool asked the reason there is not flexibility for the width of riparian lots on cul-de-sacs that is allowed for non-riparian lots. Mr. Warwick responded that state law only requires that width be measured at the point of the middle of the building. The City is allowed to be more restrictive and requires three measurements. There is only one other cul-de-sac in the City with riparian lots.

Commissioner Peterson noted the large area that will flow to the new filtration system. He asked if the watershed district will review and test the calculations and assumptions proposed. Mr. Warwick answered that both the City and watershed district have engineers evaluate drainage to make sure there is compliance with adopted standards.

City Attorney Joe Kelly stated that he has reviewed the affidavits and determined that proper public notice has been given for the public hearing.

Chair Solomonson opened the public hearing.

**Mr. Donald Zibell**, Applicant, stated that he is confident that any challenges with the site can be overcome.

Commissioner Peterson asked for further explanation on how the drainage system will handle the increased quantity of runoff from the street. **Mr. Chuck Plowe**, Project Engineer, stated that the

applicant is in the process of applying for a permit from the watershed district. The watershed district has revised their rules to be more strict. The size of the drainage system is designed for a 100-year event. The rate that the water leaves the site at this time must be controlled to that same rate after development. Most of the water will be channeled to the filtration basin, which is designed with infrastructure to insure the water leaves the site at the same or less rate as today.

Commissioner Schumer asked for the applicant's response to staff's recommendation to table this application to address issues with key lots. **Mr. Zibell** stated that he is agreeable to tabling the application.

Commissioner Ferrington asked if consideration would be given to not developing Lot 4 and reconfiguring the other lots to provide a common access to Lake Wabasso. The Project Engineer stated that he does not believe it would be economically feasible, as the applicant has spent considerable money to acquire the additional land.

**Ms. Elizabeth Vantasel**, 3400 Chandler Road, asked if the water filtration system is a holding pond. Mr. Warwick explained that the filtration system is filled with plants that take up water. The roots provide opportunity for the water to infiltrate into the ground. A list of plants are in the plan submitted. Maintenance will be part of the City infrastructure. **Ms. Vantasel** asked for further consideration to be given to the wetland to the south and the possible impact of it becoming dry with the reduction of drainage.

**Mr. Jerry Kleffman**, 3400 Chandler Road, expressed concern about loss of trees with increased water into the natural drainage flow. He suggested only two key lots instead of three to reduce the number of variances for lot depth. Mr. Warwick stated that the building pads locations are adequate for modern houses. He showed the new drainage map that shows the area that will drain south to be a much smaller area than currently, which will reduce the runoff to the south.

**Ms. Megan Balda**, 3410 Chandler Road, expressed significant concern about the aesthetic changes to the neighborhood and density. She asked what traffic studies have been done and safety precautions for the heavy pedestrian traffic on Chandler. Mr. Warwick stated that Chandler Road is a minor collector street averaging approximately 500 trips per day. Collector roads in the City have from 500 to 5000 trips per day, and Chandler is one of the lowest volume collector roads in the City. Typically, one house generates approximately 11 trips per day. With seven new lots, this would be a total of approximately 80 added trips per day. On a collector street, this remains a small amount of traffic.

**Ms. Charles Nelson**, 3450 Chandler Road, asked for clarification of the house setbacks and whether a setback variance is requested from the north. Mr. Warwick explained that the variance is only for lot width at the street for Lot 4. The setbacks required from the north property line will meet Code requirements.

Chair Solomonson asked the process to continue the public hearing. City Attorney Joe Kelly recommended re-noticing and reopening the public hearing in order to continue it. The public hearing can be held over to another meeting by closing it temporarily or leaving it open. It is important that the reasons to continue the public hearing and extend the 60-day review time period be specifically stated in the meeting minutes.

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to temporarily close the public hearing.

VOTE: Ayes - 7 Nays - 0

Commissioner Ferrington listed issues that she sees need to be addressed and asked what items would need a variance and which ones would need adjustment: 1) variance for the 72-foot width for Lot 4 at the frontage road; 2) house setback of greater than 106 feet from the lake; 3) the driveway of the current home is closer than 5 feet to the property line; and 4) the required depth for key lots. Mr. Warwick stated that the proposed motion is to allow the applicant time to bring the application into compliance or apply for variances. At a minimum he would expect a variance request for key lot depth.

Commissioner Doan stated that the landmark trees are a precious resource, and he would like to see as many as possible preserved.

Commissioner McCool added that he would like to see a plan of how many landmark trees are proposed to be removed with the next review of this matter.

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to table the Variance and Preliminary Plat applications submitted by Donald Zibell to subdivide and develop the property at 3422 Chandler Road into 8 lots for single-family detached homes to provide the applicant opportunity to revise the plans to reflect the proposed Key Lots and to address the OHW setback for proposed Lot 4 and to extend the review period from 60 to 120 days.

Discussion:

Commissioner McCool offered an amendment to the motion to include re-noticing the public hearing. Commissioners Schumer and Ferrington accepted the amendment.

VOTE: Ayes - 7 Nays - 0

**COMPREHENSIVE SIGN PLAN**

**FILE NO.:** 2566-15-09  
**APPLICANT:** M T HOLDINGS  
**LOCATION:** 1027 TOMLYN AVENUE

**Presentation by City Planner Kathleen Castle**

This application is to install four wall signs to identify business tenants. The property consists of 2 acres and is developed with a 24,792 square foot office/warehouse building occupied by four tenants. Currently, one wall sign identifies the tenants which would be removed for the four individual cabinet-style signs with interior illumination for each business. The property is zoned Business Park (BPK). A maximum of one wall sign is permitted unless the structure faces two arterial roadways. This structure is located on a local street. The maximum area permitted for a wall sign is 10%, and the maximum length allowed is 20% of the wall length. The total area for

PROPOSED MOTION

MOVED BY COUNCILMEMBER \_\_\_\_\_

SECONDED BY COUNCILMEMBER \_\_\_\_\_

to adopt Resolution No.15-43, which accepts the bid from Municipal Builders, Inc., for the Water System Improvements – Water Treatment Plant, City Project 14-02 and authorizes the Mayor and City Manager to execute a construction contract in the amount of \$9,920,000.00.

ROLL CALL:	AYES _____	NAYS _____
JOHNSON	_____	_____
QUIGLEY	_____	_____
SPRINGHORN	_____	_____
WICKSTROM	_____	_____
MARTIN	_____	_____

REGULAR COUNCIL MEETING  
JUNE 1, 2015

TO: MAYOR, CITY COUNCIL, AND CITY MANAGER  
FROM: MARK MALONEY – PUBLIC WORKS DIRECTOR  
TOM WESOLOWSKI - CITY ENGINEER  
DATE: MAY 26, 2015  
SUBJECT: RECEIPT OF BIDS AND AWARD OF CONTRACT FOR:  
WATER SYSTEM IMPROVEMENTS – WATER TREATMENT PLANT  
CITY PROJECT 14-02

INTRODUCTION

Sealed bids were received and opened on May 21, 2015, for Water System Improvements – Water Treatment Plant, City Project 14-02. Council action is required to award the construction contract.

BID RESULTS

On April 20, 2015, the City Council approved the plans and specifications and ordered the taking of bids for Water System Improvements – Water Treatment Plant, City Project 14-02. Accordingly, on May 21, 2015, two (2) bids were received and opened. All bids were submitted with proper bid security in the amount of five (5) percent of the total amount of the bid as required by the project manual. The base bid results are listed below:

<u>Contractor</u>	<u>Bid Amount</u>
Municipal Builders, Inc.	\$ 9,920,000.00
Rice Lake Construction Group	\$ 10,310,300.00
Engineer's Estimate:	\$ 10,500,000.00

Given the above information, Municipal Builders, Inc. is the lowest responsible bidder. Advanced Engineering (AE2S), the Engineering Consultant for the project, has reviewed the bids and is recommending the City award the project to Municipal Builders. The recommendation letter from AE2S is attached.

COST AND FINANCING

The estimated total project cost for the WTP breaks down as follows:

WTP Estimated Construction Costs	\$ 9,920,000
Contingencies	<u>\$ 300,000</u>
<b>Total Estimated Construction Costs</b>	<b>\$ 10,220,000</b>
Engineering Design Phase Services	\$ 941,000
Engineering Construction Phase Services	<u>\$ 652,000</u>
<b>Total Estimated WTP Project Costs</b>	<b>\$ 11,813,000</b>
Raw Water Pipeline from Well #6*	<u>\$ 500,000</u>
<b>Total Estimated Project Costs</b>	<b>\$ 12,313,000</b>

\*The raw water pipeline will be installed as a separate project.

The project would be funded from the City's Water Fund. In anticipation of the WTP project water rate adjustments have been included in the current 5-year operating budget to account for the bond payment required to finance the costs associated with the design and construction of the WTP. It is anticipated the repayment length of the bond would be 20-years.

RECOMMENDATION

It is recommended that the City Council adopt Resolution 15-43 and accept the bid of Municipal Builders Inc. for the Water System Improvements – Water Treatment Plant, City Project 14-02 and authorize the Mayor and City Manager to execute a construction contract in the amount of \$9,920,000.

#14-02

t:/projects/2014/14-02 water treatment plant/council/bid award

**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF SHOREVIEW, MINNESOTA**

**HELD JUNE 1, 2015**

\* \* \* \* \*

Pursuant to due call and notice thereof, a meeting of the City Council of the City of Shoreview, Minnesota, was duly called and held at the Shoreview City Hall in said City on June 1, 2015, at 7:00 pm. The following members were present:

;

and the following members were absent:

Member introduced the following resolution and moved its adoption.

RESOLUTION NO. 15-43

ACCEPTING THE LOWEST RESPONSIVE BID  
AND AUTHORIZING THE EXECUTION OF A CONTRACT  
FOR  
WATER SYSTEM IMPROVEMENTS – WATER TREATMENT PLANT  
CITY PROJECT 14-02

WHEREAS, the City of Shoreview has programmed in the Capital Improvement Program for the Water System Improvements – Water Treatment Plant, City Project 14-02, and

WHEREAS, pursuant to an advertisement for bids for the improvement of City Project 14-02, bids were received, opened, and tabulated according to law, and the following bids received complying with the advertisement:

<u>Contractor</u>	<u>Bid Amount</u>
Municipal Builders, Inc.	\$ 9,920,000.00
Rice Lake Construction Group	\$ 10,310,300.00

WHEREAS, the City staff is recommending to the City Council to award the base bid of the project to the lowest responsible bidder, Municipal Builders, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SHOREVIEW, MINNESOTA, THAT:

1. All bids were received as submitted on May 21, 2015.

2. The bid of Municipal Builders, Inc. in the amount of \$ 9,920,000.00 is hereby accepted and the Mayor and City Manager are hereby authorized and directed to enter into a construction contract for City Project 14-02 with the lowest responsible bidder, Municipal Builders, Inc.

The motion for the adoption of the foregoing resolution was duly seconded by Member , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

WHEREUPON, said resolution was declared duly passed and adopted this 1<sup>st</sup> day of June, 2015.

STATE OF MINNESOTA    )  
  )  
COUNTY OF RAMSEY    )  
  )  
CITY OF SHOREVIEW    )

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City Council held on the 1<sup>st</sup> day of June, 2015, with the original thereof on file in my office and the same is a full, true and complete transcript therefrom insofar as the same relates to award of contract for City Project 14-02.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, on this 2<sup>nd</sup> day of June 2015.

---

Terry Schwerm  
City Manager

SEAL



May 27, 2015

Tom Wesolowski, P.E.  
City Engineer  
City of Shoreview  
4600 Victoria Street North  
Shoreview, MN 55126

**Re: Recommendation for Notice of Award  
Shoreview Water Treatment Plant Project  
City of Shoreview, Minnesota**

Dear Mr. Wesolowski:

Pursuant to authority of the City Council and following proper legal advertisement, the bid opening for the Shoreview Water Treatment Plant project was conducted on Thursday, May 21, 2015 at 2:00 P.M. at the Shoreview City Hall. A total of two (2) sealed bids were received for the project. All bids were completed in accordance with the project specifications and all bids were opened and read aloud.

The project Bid Form consisted of the Base Bid for the Water Treatment Plant (WTP) for review and consideration by City of Shoreview officials. A detailed copy of the Bid Opening Tabulation is attached for your reference.

The project **Base Bid** consists of the following components:

**Water Treatment Plant:** Construction consisting of a new 8.0 MGD, 72' by 122' Water Treatment Plant (WTP). Building consists of cast in place concrete, CMU, with a brick veneer; two (2) 245,000 gallon backwash reclaim basins; two (2) forced draft aerators; six (6) conventional dual-media gravity filters, process piping ranging in size from 4 to 24-inch, valves, fittings, and appurtenances; on-site chemical feed systems for chlorine, and fluoride; one (1) vertical turbine pump rated at a capacity of 4700 gpm; four (4) submersible pumps ranging in capacity from 200 gpm to 550 gpm; general mechanical work; Electrical systems; a standby generator sized to meet emergency and load management electrical requirements, exterior Pipes, valves, meters, controls, and other appurtenances required to connect the existing raw water supply pipeline to the new WTP and to connect the new WTP to the existing reservoir and Booster Pumping Station. Sitework generally includes grading, seeding, 24 inch diameter influent water main, sanitary sewer, storm sewer, and piping appurtenances; installing an asphalt access road and parking lot; installing a stormwater filtration basin; and repair to the existing staging area.

The attached Bid Tabulation and Bid Summary present a comparison of the bids to the Engineer's Opinion of Total Probable Cost for the project Base Bid. Based on a review of the bids received and pending City official's acceptance of the contract price, Advanced Engineering and Environmental Services, Inc. (AE2S) recommends that the City of Shoreview award a construction contract to Municipal Builders, Inc., of Andover, Minnesota. Municipal

**Advanced Engineering and Environmental Services, Inc.**

Water Tower Place Business Center • 6901 East Fish Lake Road Suite 184 • Maple Grove, MN 55369 • (t) 763-463-5036 • (f) 763-463-5037

Mr. Wesolowski  
City of Shoreview

**Re: Recommendation for Notice of Award  
Shoreview Water Treatment Plant Project  
City of Shoreview, Minnesota**

May 27, 2015  
Page 2 of 2

Builders, Inc. was the lowest responsive and responsible bidder for a Base Bid price of \$9,920,000.

AE2S truly appreciates the opportunity to continue working with you on this very important project for the City of Shoreview. Should you have any questions or comments please feel free to contact me.

Sincerely,

**AE2S**

A handwritten signature in blue ink, appearing to read "Grant L. Meyer, P.E.", written in a cursive style.

Grant L. Meyer, P.E.  
Client Program Leader

Attachment

c: file

**PROPOSED MOTION**

**MOVED BY COUNCILMEMBER \_\_\_\_\_**

**SECONDED BY COUNCILMEMBER \_\_\_\_\_**

to approve the following liquor license renewals for the license term of July 1, 2015 to June 30, 2016:

<u>Establishment</u>	<u>Type of License</u>
Green Mill Restaurant	On Sale Intoxicating and Sunday
Meister's Bar and Grill	On Sale Intoxicating and Sunday
Hilton Garden Inn	On Sale Intoxicating and Sunday
Red Robin Gourmet Burger and Spirits	On Sale Intoxicating and Sunday
Bacchus Wine and Spirits	Off Sale Intoxicating
Trader Joe's	Off Sale Intoxicating
Target	Off Sale 3.2 Malt Beverage
Island Lake Golf Course	On Sale 3.2 Malt Beverage
Mansetti's Pizza and Pasta	On Sale 3.2 Malt Beverage and Wine
Wok Cuisine	On Sale 3.2 Malt Beverage and Wine
Red Ginger China Bistro	On Sale 3.2 Malt Beverage and Wine
Chipotle Mexican Grill	On Sale 3.2 Malt Beverage and Wine

ROLL CALL: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

JOHNSON	_____	_____
QUIGLEY	_____	_____
SPRNGHORN	_____	_____
WICKSTROM	_____	_____
MARTIN	_____	_____

Regular Council Meeting  
June 1, 2015

**TO: MAYOR AND COUNCILMEMBERS**

**FROM: TERRI HOFFARD  
DEPUTY CLERK**

**DATE: MAY 28, 2015**

**SUBJECT: LIQUOR LICENSE RENEWALS**

**INTRODUCTION**

The City Council must approve all liquor license renewals. All liquor license terms run from July 1st to June 30th of each year.

**LICENSE RENEWALS**

The following applications have been received for liquor license renewals:

<u>Establishment</u>	<u>License Type</u>
Green Mill Restaurant	On Sale Intoxicating & Sunday
Hilton Garden Inn	On Sale Intoxicating & Sunday
Meister's Bar and Grill	On Sale Intoxicating & Sunday
Red Robin Gourmet Burger and Spirits	On Sale Intoxicating & Sunday
Bacchus Wine and Spirits	Off Sale Intoxicating
Trader Joe's	Off Sale Intoxicating
Target	Off Sale 3.2 Malt Beverage
Island Lake Golf Course	On Sale 3.2 Malt Beverage
Mansetti's Pizza and Pasta	On Sale 3.2 Malt Beverage & Wine
Wok Cuisine	On Sale 3.2 Malt Beverage & Wine
Red Ginger China Bistro	On Sale 3.2 Malt Beverage & Wine
Chipotle Mexican Grill	On Sale 3.2 Malt Beverage & Wine

Three liquor stores in the City have closed since last year: BackYard Liquor, Rice Creek Liquor and JJ's Wine and Spirits.

### **STAFF COMMENTS**

City liquor regulations require that criminal background checks be conducted, and all taxes and utility bills be paid in full prior to the issuance or renewal of a liquor license.

Background checks were conducted by the Ramsey County Sheriff's Department on the managers and owners and no significant violations were found. Staff also reviewed a list of police calls made to each establishment and found no significant issues that would cause concern. All property taxes are current and all utility accounts are up to date for each of the properties. All license fees have been paid and necessary insurance information received.

### **RECOMMENDATION**

It is recommended that the City Council approve the liquor license renewals as listed on the proposed motion.