

**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 - 4 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 Franey, 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 scrapping 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 1st DAY OF JUNE 2015.

Terry Schwerm
City Manager