

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
August 16, 2010**

CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Shoreview City Council was called to order by Mayor Martin on August 16, 2010, at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance to the flag.

ROLL CALL

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

Councilmember Huffman was absent.

APPROVAL OF AGENDA

MOTION: by Councilmember Wickstrom, seconded by Councilmember Withhart to approve the August 16, 2010 agenda as submitted.

VOTE: Ayes - 4 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

Green Community Awards

Len Ferrington, Member Environmental Quality Committee, stated that the Green Community Awards program started in 2006, when members of the Shoreview Green Community group began discussing what residents could do to improve water quality. For the past four years, awards have been given to residents who use best management practices on their properties. A tour of these properties occurs after the awards are made.

Mayor Martin handed out awards to the following as Mr. Ferrington described each recipient's project:

Kathy and Wayne Damerow 5535 Alameda Street
Used native plantings in the front yard to enhance privacy. Berms are used in the back yard with native and ornamental plantings to reduce lawn maintenance.

Mary Lou and Roger Klinkhammer 1015 Island Lake Avenue
Ornamental plantings to intercept water running off their property and direct it to a wetland area in the back of their property.

Mrs. Carol McShane 1270 Silverthorn Drive
Converted shoreline to native plantings with a retaining wall that reduces shoreline erosion and allows additional infiltration of rainwater.

Mary and Ron Sholl 1328 Silverthorn Drive
Planted dogwoods, cattails and grasses to stabilize the shoreline and prevent erosion.

Mrs. Dianne Ward 5909 Kitkerry Court N.
Uses native plantings to enhance infiltration. Downspouts were added that drain underneath a concrete walk to direct water directly into a rain garden.

Mr. Richard Zaun 3116 Owasso Blvd. W.
Inherited a system of directing rainwater to Lake Owasso that is no longer used. He planted two rain gardens to intercept and infiltrate water with piping for overflow.

The awards were expanded this year to non-profit organizations and businesses. Ms. Chase Davies coordinated parishioners to plant a rain garden at her church, **Presbyterian Church of the Way**.

City Employee **Gene Kruckenberg** is being recognized for his assistance and coordination over the years with this program, as well as buckthorn removal, signage, and a public rain garden at the fire station at 3615 Victoria Street.

Mayor Martin thanked Mr. Ferrington and all members of the Green Community Committee for their time commitment to provide information to residents and recognize best management practices.

CITIZEN COMMENTS

There were none.

COUNCIL COMMENTS

Mayor Martin:

The pool and indoor playground at the Community Center will be shut down after Labor Day for the annual cleanup. The fitness center and gym will remain open.

The Farmer's Market is every Tuesday afternoon until October.

Wednesday, August 18, 2010, is the last concert in the Commons. It begins at 7:00 p.m. featuring the Ambassadors of Swing.

Friday, August 20, 2010, will be Friday Night Flix. *The Wizard of Oz* will be shown outside by the pavilion. City Manager Schwerm added that the first movie drew attendance of approximately 500 people. He encouraged those planning to attend *The Wizard of Oz* to arrive early. Councilmember Wickstrom noted that the following week the movie, *Twilight*, will be showing.

The Shoreview Sister City Organization is organizing a tour to Einhausen, Germany from June 16 to July 2, 2011. An information meeting will be held on the tour on September 19, 2010, at 3:00 p.m. at the Community Center.

Councilmember Wickstrom:

Tuesday, August 17, 2010, is the last day to file for anyone interested in running in the November election for Mayor or City Councilmember.

CONSENT AGENDA

Councilmember Withhart requested that the August 2, 2010 and August 9, 2010 City Council meeting minutes be pulled for separate vote.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to adopt the consent agenda of August 16, 2010, approving the necessary motions and resolutions for item Nos. 3 through 13:

3. Receipt of Committee/Commission Minutes:
 - Economic Development Authority, July 19, 2010
 - Economic Development Commission, July 20, 2010
4. Monthly Reports:
 - Administration
 - Community Development
 - Finance
 - Public Works
 - Park and Recreation
5. Verified Claims in the Amount of \$1,247,243.62
6. Purchases
7. License Applications
8. Adoption of Administrative Penalties for Tobacco Violation - Rice Creek Liquor, Xheej Vang and Ia Lo
9. Extension of Minor Subdivision Approval - 1345 Meadow Avenue, Peter and Phyllis Schmidt

- 10. Receive Assessment Roll & Order Public Hearing - Woodbridge Neighborhood, CP 09-01
- 11. Developer Escrow Reduction
- 12. Accept Quotes - Milton Street Storm Water Improvements, CP 10-05
- 13. Authorize Negotiations for Final Contract for Residential Recycling Collection - Allied Waste

VOTE: Ayes - 4 Nays - 0

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the August 2, 2010 City Council Meeting Minutes and the August 2, 2010 City Council Workshop Meeting Minutes, as submitted.

VOTE: Ayes - 3 Nays - 0 Abstain - 1 (Withhart)

Councilmember Withhart abstained, as he did not attend those meetings.

PUBLIC HEARINGS

There were none.

GENERAL BUSINESS

MINOR SUBDIVISION - 1349 MEADOW AVENUE, TOM FLEISCHHACKER

Presentation by City Planner Kathleen Nordine

The applicant seeks to subdivide his property into two lots. The property consists of 7.8 acres that is developed with a single-family home and storage sheds. It is zoned R-1, Detached Residential District. The property contains wetland and flood plain areas. The subdivision would create one lot of 6.2 acres and a second lot of 1.6 acres. The second lot would be developed with a single-family residence. Both lots front on County Road J. Access, however, is through a 20-foot private easement across 1345 Meadow Avenue. There is an unimproved access with curb cut to County Road J. Once subdivided, access will continue with the easement to Meadow Avenue.

All new lots created must have frontage on a public road. With the subdivision, the new lot would have frontage on County Road J. Municipal sewer and water would be provided. Drainage and utility easements will be required over wetland and flood plain areas. The subdivision would comply with the City’s zoning. The created Parcel B would be considered a key lot with the side lot line abutting the rear lot line of adjoining parcels to the east. Parcel B meets the standard of greater than minimum width.

Property owners within 350 feet were notified of consideration of this proposal at the July Planning Commission meeting. Several comments were received expressing concerns about the wetland and flood plain, wildlife, trees, access to County Road J and the potential for future subdivision.

Agency comments were solicited from Ramsey County regarding the access to County Road J, Rice Creek Watershed District, which requires easements for ponding and flow over the flood plain. Permits will be required with the future construction of the house. The Lake Johanna Fire Department was also contacted. The Fire Marshal requires trees to be trimmed to allow better emergency vehicle access and that the address sign visibility be improved on Meadow Drive. The Planning Commission reviewed this matter at its July 27, 2010 meeting and received public testimony. Comments focused on tree protection and safety due to construction traffic. The Planning Commission recommended approval on a 5 to 0 vote.

Staff is requesting approval of the subdivision and the Development Agreement. The Development Agreement contains requirements regarding: 1) public use dedication fee; 2) conveyance of drainage and utility easements to the City; 3) tree preservation and replacement; 4) private driveway easement; 5) Maintenance of private sanitary sewer and water; and 5) abandon driveway access from County Road J.

Mayor Martin asked about the possibility of future subdivision. Ms. Nordine stated that future subdivision would be difficult because of the requirement for frontage to exist on a public street. The private driveway easement also has restrictions in regard to future subdivision.

Councilmember Wickstrom asked if it would be possible for the easement to be rescinded and these two lots would not have access to the street. City Attorney Filla responded that a documented easement of record must be shown to the City before a building permit will be issued.

Councilmember Wickstrom further asked if the conditions of approval should include protection of the trail and repair if there is any damage from construction. Ms. Nordine answered that this issue is addressed in the Development Agreement.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the Minor Subdivision application submitted by Tom Fleischacker for the property located at 1349 Meadow Avenue, and authorize execution of the Site Development Agreement, subject to the following conditions:

1. The minor subdivision shall be in accordance with the plans submitted.
2. The applicant shall pay a Public Recreation Use Dedication fee as required by Section 204.020 of the Development Regulations before the City will endorse deeds for recording. The fee will be 4% of the fair market value of the property, with credit given for the existing residence.

3. Public easements for drainage and utility, and ponding and flowage shall be dedicated to the City as required by the Public Works Director, and consistent with the requirements of the Rice Creek Watershed District. The applicant shall be responsible for providing legal descriptions for all required easements. Easements shall be conveyed before the City will endorse deeds for recording.
4. A minimum setback of 20-feet from the east side lot line is required for future principal and accessory structures developed on Parcel B.
5. Municipal water and sanitary sewer service shall be provided to both lots.
6. A vehicle turnaround approved by the Fire Marshal and constructed to accommodate the weight of emergency vehicles shall be maintained on the property.
7. Address signs at the driveway access on Meadow Avenue shall be installed, subject to review and approval of the City Planner and Fire Marshal.
8. The access driveway shall be improved to include an area fully on the subject property suitable for two-way traffic, in a configuration approved by the Fire Marshal.
9. The subdivision is subject to the permitting requirements of the Rice Creek Watershed District (RCWD), and no City permits shall be issued prior to approvals by the RCWD.
10. The applicants shall enter into a Development Agreement with the City. This agreement shall be executed prior to the City's release of the deeds for recording.
11. The old driveway providing access to County Road J shall be exclusively used for construction access for the future house on Parcel B. Prior to issuance of a Certificate of Occupancy for the future house on Parcel B, the applicant shall relinquish, in a form approved by the City, all rights of access to County Road J and to cross and access the City trail that adjoins County Road J. The unimproved dirt driveway shall be abandoned and restored to vegetative cover. The curb on County Road J shall be replaced. All work within the County Road J right-of-way is subject to the permitting authority of Ramsey County.
12. Tree removal requires replacement trees per City Code. City requirements for the tree removal and protection plan shall be detailed in the Development Agreement.
13. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County.
14. Temporary fencing shall be installed as necessary along the east side lot line of Parcel B along the temporary construction drive from County Road J, to provide safety of nearby residents from construction traffic.

The approval is based on the following findings:

1. The proposed lots conform to the adopted City standards for new lots.
2. Municipal water and sanitary sewer service are available for each proposed parcel.
3. Drainage and utility, and ponding and flowage easements are provided as required by the Municipal Code.

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

**REVISION OF METROPOLITAN COUNCIL LIVABLE COMMUNITIES ACT
HOUSING GOALS**

Presentation by City Planner Kathleen Nordine

Cities participating in the Metropolitan Livable Communities Act Program are eligible for grants to meet their goal in providing affordable/life-cycle housing. In the 2008 Comprehensive Plan, the City's goal is stated as needing 107 new affordable housing units by 2020.

Due to limited funding, the Metropolitan Council is requesting the City to amend this goal to a range of 70 to 107 units from 2011 to 2020. The City is also being asked to amend its goals for life-cycle housing units to a range of 105 to 300 units by 2020. With anticipated redevelopment, staff believes these goals to be attainable with the following projects: 1) Southview Shoreview; 2) Midland Terrace; 3) Shoreview Town Center redevelopment; and 4) miscellaneous infill development. The Metropolitan Council has requested a Housing Action Plan by December 1, 2010. The proposed motion would accept the revised affordable/life-cycle housing goals with continued participation in the Livable Communities Program.

Mayor Martin asked for further clarification on the definition of life-cycle housing and the price range that is considered to be affordable housing. Ms. Nordine stated that affordable housing is considered to be any housing that a family earning 80% of the area median could afford to buy. In 2010, that is a home price of approximately \$233,000. Life-cycle housing is providing a variety of style of homes to address changing life needs. Mr. Schwerm added that the median value home in Shoreview is between \$240,000 and \$250,000. Nearly half of the housing in Shoreview falls within the affordable category.

Councilmember Withhart asked if there are any penalties to the City if the adopted goals are not achieved. Ms. Nordine stated that the Metropolitan Council considers the efforts and programs the City has in place to meet the goals, even if the numbers are not reached.

Councilmember Quigley asked if these numbers are reviewed annually in light of the current housing market. Ms. Nordine stated that the review is a result of the latest Comprehensive Plan. Within the next 10 years she would expect further review but not every year. There is an annual survey to each participating community on progress being made toward the goals.

Councilmember Wickstrom stated that one impediment to life-cycle housing in Shoreview is that there is very little public transportation. She would like to see further effort with the Metropolitan Council to address transportation issues.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Withhart to
 continue the City's participation in the Metropolitan Council's Livable

Communities program and adopt Resolution 10-77 acknowledging the revised affordable and life-cycle housing goals.

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

PROFESSIONAL SERVICES AGREEMENT WITH CLAYBAUGH PRESERVATION ARCHITECTURE, INC. - RESTORATION AND RELOCATION OF GUERIN GAS STATION

Presentation by City Planner Kathleen Nordine

The Guerin Gas Station was built in the 1920s, and located on Rice Street, a main route to area lakes north of St. Paul. It was donated to the Shoreview Historical Society and is stored at the City's Maintenance Center. As part of the Shoreview Historical Society's 20th anniversary, it is proposed that the structure be restored. Staff has received a professional services agreement from Claybaugh Preservation Architecture for architectural services.

The services agreement with Claybaugh would provide the following:

1. Historical information with assistance from the Shoreview Historical Society;
2. Evaluation of building as to cost of restoration;
3. Evaluation of potential location sites and interpretive themes;
4. Cost of relocation; and
5. Presentations to the Shoreview Historical Society and City Council.

The cost of these services has been reduced from \$13,830 to \$8,400, as a result of relying on historical information from the Shoreview Historical Society. The Shoreview Historical Society has committed \$2,000 toward this study and the remainder would be funded from the City's Capital Improvement Fund.

Councilmember Wickstrom stated that the original proposal was almost \$14,000. The proposed revised agreement is acceptable, and she is pleased to see that the Shoreview Historical Society has committed to a portion of the cost.

Councilmember Withhart agreed with Councilmember Wickstrom and added that he is pleased for the project to move forward with professional services.

Councilmember Quigley stated that since the original site of the gas station is not possible, he is particularly concerned about where it would be placed. Mr. Schwerm responded that the pros and cons of a number of sites will be reviewed as part of the analysis.

Mayor Martin opened the discussion to public comments. There were none.

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to authorize the City Manager to execute a professional services agreement with Claybaugh Preservation Architecture for the Guerin Gas Station Restoration and Relocation Study.

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

ADJOURNMENT

MOTION: by Councilmember Withhart, seconded by Councilmember Quigley to adjourn the meeting at 7:55 p.m. on August 16, 2010.

ROLL CALL: Ayes - 4 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 7TH DAY OF SEPTEMBER 2010.

Terry C. Schwerm
City Manager