

**CITY OF SHOREVIEW  
CITY COUNCIL WORKSHOP MEETING  
January 23, 2012**

**Attending:**

Council: Mayor Martin, Councilmembers Huffman, Quigley, Wickstrom, Withhart

Staff: City Manager Terry Schwerm  
Public Works Director Mark Maloney  
Environmental Officer Jessica Schaum  
City Planner Kathleen Nordine

Mayor Martin called the January 23, 2012 City Council workshop meeting to order at 7:00 p.m.

**REVIEW OF PROPOSED ENVIRONMENTAL REGULATIONS AND EMERALD ASH BORER MANAGEMENT PLAN**

**Emerald Ash Borer Ordinance Amendment and Management Plan**

City Manager Schwerm indicated that staff will be recommending some changes in the City's diseased tree section of the City Code to better define the City's role in handling ash trees infested with the Emerald Ash Borer (EAB). He noted that in most respects, infested ash trees would be handled similar to diseased elms or oaks in that the City would be responsible for removal on public property and boulevard areas, while homeowners would be responsible for removal cost on their own property. If a homeowner does not remove the tree, the City would hire a contractor to do the work and then assess the cost back to the homeowner. The proposed ordinance amendment adds language referring to Plant Pests, along with tree diseases.

He also reviewed a draft EAB Management Plan. He noted that the proposed code amendments and the management plan still need to be reviewed by the Planning Commission and Environmental Quality Committee before a final plan is developed and brought to the Council for formal approval.

Quigley asked a question about whether the 10% figure for the number of ash trees in the City was a good number. Schwerm explained that the number is based on a Department of Natural Resources survey of several streets in the City, and is more of a "snapshot" estimate than a complete tree inventory. Staff believes the number of ash trees may be as high as 15 to 20 percent of the total number of trees in the City.

Schwerm explained that the draft management plan takes a balanced approach to prepare for the Emerald Ash Borer that includes: 1) Education of the public on the potential threat and treatment methods; 2) Removal or treatment of infested ash trees

based on the State Department of Agriculture recommendations; 3) Pre-emptive removal of declining ash trees on public property; 4) Pro-active treatment of some public ash trees in parks and other prominent public boulevard or rights of way; and 5) Reforestation using diverse tree species that would include both City planting on public properties and reinstatement of the City tree sale to residents.

Councilmember Wickstrom noted another pest coming is the Asian Beetle, now in Chicago. She requested this pest be included in the proposed ordinance, so that new trees planted are not affected by this new pest. She does not want to spend a lot of money planting new trees that have to be replaced again in a few years from a different infestation. Diversification of planting will be important. Mr. Maloney responded that the proposed modifications to the Code will be relevant to the next big threat.

Mayor Martin stated that this is the time to reinstitute the tree sale program.

Councilmember Huffman asked if the City subsidizes the tree sale program. Mr. Schwerm answered that it is a pass-through program. The City delivers the trees. Trees are sold at a slightly different cost. If there is any subsidy, it is very small.

Councilmember Huffman suggested consideration of offering the trunk injection treatment program for ash trees to residents. Mr. Schwerm stated that the treatment work could be bid out and then offered to residents at the bid rate with the requirement that they pay up front.

Councilmember Withhart stated that he would support offering preventative injections at City cost to pass savings to residents. Also, he would like the City to help homeowners with removal, if they have many trees infected. Removal would be a substantial cost, and he would hope homeowners would be willing to take on a special assessment to have the work done. Mr. Schwerm stated that he will look into the possibility of special assessments for this work. Costs could be high for the City in dealing with public properties, high profile boulevards, and rights-of-ways. How aggressive a policy needs to be needs to be decided. Staff is looking for grant funding opportunities. One thing that would benefit the City is a more thorough tree inventory to know the numbers that have to be addressed.

Mayor Martin stated that it will be important to make the options available clearly known to residents. Her concern is the ordinance provision that allows the City to remove private ash trees to prevent further infection. The work can be done through the abatement process to remove a public nuisance.

Councilmember Quigley stated that there are too many variables. He agreed that it is critical to have an education campaign to make residents aware, and the information needs to be spread quickly.

Councilmember Withhart suggested that treatment information be dropped for each homeowner that has an infected tree not to be treated by the City, so people will know the cost and how to treat the tree.

An information meeting will be held in May or June. Councilmember Withhart suggested a number of dates be scheduled, so that those with conflicts will have an opportunity to attend.

It was the consensus of the Council to pass Council discussion comments to the Planning Commission and the Environmental Quality Committee when they review the Plan.

### **Water Quality**

Mr. Schwerm reported that another new section to the Code would prohibit the use of coal tar sealants, which are typically used for resurfacing driveways and parking lot areas. Studies show that use of this product eventually means that harmful material will end up in ponds and lakes. A number of other cities have already banned it. It is not used for municipal applications but is mainly used for private driveways. A second ordinance amendment would create a new section regarding illicit discharge into the City's storm water system. This proposed amendment will meet City requirements of the National Pollutant Discharge Elimination System (NPDES).

Mr. Maloney stated that the Minnesota Pollution Control Agency (MPCA) is sponsoring legislation for a rule process to implement and notify cities of the issues. The U.S. Geologic Service has stated that the largest amount of contaminant PAH is in lakes. PAH is from coal tar sealants.

Environmental Officer Jessica Schaum noted that most products with coal tar sealant have been pulled from the shelf at Menard's, Home Depot and Lowe's.

It was the consensus of the Council to support the two ordinance amendments.

### **Erosion Control**

Staff is recommending that the time frame for erosion control be tightened. Currently, six months is allowed for vegetation to be established after a project has been completed. The proposed amendment reduces that timeframe to two weeks to prevent excess sediment from running off disturbed land areas into the City's storm water system. Development during winter months would be held to a May 15th deadline to establish permanent vegetation.

It was the consensus of the Council to support this recommendation to amend the time frame for erosion control.

## **UPDATE ON GRASS LAKE WATER MANAGEMENT ORGANIZATION**

The City of Roseville is considering a resolution to not approve renewal of the Joint Powers Agreement for Grass Lake Water Management Organization (GLWMO) and secondly, to recommend that the GLWMO dissolve. This item will be on the Council's agenda at the first meeting in February.

Mr. Schwerm noted that the current GLWMO Board of five is made up of three Roseville appointees and currently there are none from Shoreview, as the terms of Karen Eckman and Chuck Westerberg have ended. The City could make interim appointments to allow the GLWMO to conduct business. Vacancies must be advertised, and it will be 30 days before appointments can be made.

The preferred options on how water quality for the GLWMO will be managed will be discussed during the dissolution process. If dissolution takes place, that action is taken to the Watershed Board, which has 60 days to hold a hearing and take action on whether GLWMO will dissolve. If so, it will come back to the Council for ratification. If GLWMO does not act to dissolve, the State will not approve its Management Plan without the proposed Joint Powers Agreement. Then the State will take action.

## **DISCUSSION REGARDING TEMPORARY SIGN CODE REGULATIONS AND ENFORCEMENT**

Temporary sign regulations are currently enforced on a complaint basis. A recent complaint was received regarding temporary signage. The business in question has indicated that in these tough economic times the temporary signage is needed for increased visibility.

City regulations require that posting temporary signs requires a permit, and a maximum of two temporary sign permits may be issued per year to a business for a maximum posting of seven days. Temporary signs are for the purpose of advertising special events. The question here is whether regulations should be loosened since many businesses now feel these signs are necessary for visibility. It is a question of fairness to all businesses, as well as an issue for enforcement and attractiveness in the community.

Mayor Martin suggested that one way to address the issue would be to allow temporary signs for more than two events per year, such as four or six times a year, but enforce the time period posted of seven days. Application of the ordinance needs to be fair across the board.

Councilmember Huffman stated that temporary signs must be truly temporary.

Councilmember Withhart stated that when temporary signs are up all the time, they add to clutter and are not seen. He would be willing to allow their use for some special events.

Mr. Schwerm noted that lit window signs, such as “Open” or neon beer signs are not technically allowed.

Mayor Martin stated she feels lit signs are not a problem, but she would like a size limit for them, such as less than one-third of the window.

Councilmember Quigley stated that the ordinance is well framed, but this will be a perennial problem.

Mayor Martin asked staff to find out how other cities handle this issue.

The Council felt that this issue needs to be discussed by the Planning Commission and the Economic Development Commission (EDC). It was the consensus of the Council that the above comments on the issue be sent to the Planning Commission and EDC to consider in their review.

### **OTHER ISSUES**

Mr. Schwerm reported that he met with representatives with Allied Waste regarding the date for the City’s Spring Cleanup Day. The biggest hold up in efficiency is how quickly the cars can be processed—staff needs to determine what the charge is for emptying the car. The City is planning to have more staff to handle the process and payments. The unloading process is quicker with packer trucks as opposed to using rolloff bins. Allied Waste will have more packer trucks available on the third Saturday in May, which is the reason for their request to change the Cleanup Day date from the first Saturday to the third.

It was the consensus of the Council to move Cleanup Day in Shoreview from May 5th to May 19th, as long as sufficient notice is given to residents.

The meeting adjourned at 8:55 p.m.