

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
June 4, 2012**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on June 4, 2012.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

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

APPROVAL OF AGENDA

Mayor Martin noted that the public hearing for Lakeview Terrace was cancelled for this meeting. A new date has not been determined.

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to approve the June 4, 2012 agenda as submitted.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

Mayor Martin read the proclamation for "Night to Unite 2012," which will be August 7, 2012. She encouraged residents to participate. Councilmembers will attend as many block parties as possible.

CITIZEN COMMENTS

Mr. Jim Hamberg, 3515 Owasso, expressed his concern about what happens to Canada geese when they are rounded up. He would like to see the City change its method of controlling geese and presented a petition from residents with the same concerns. He stated that someone from the Humane Society would be willing to work with the City free of charge to insure a humane method of geese control. Mr. Schwerm explained that the Canada geese population exploded in the 1980s, when more storm water ponds were built that created a habitat with no predators. He agreed to talk to the contractor doing this work and explore other potential methods to control the goose population.

Mr. Tom Lemke stated that a number of months ago he urged the Council to support a proposed development on the TCAAP property. That development did not occur, but the property continues to be a problem with ongoing illegal activity. Recently there was a death on the property. Although not under City jurisdiction, he would like to encourage the Council to seek to address the problems on this property, including revisiting the Vento Plan. Objections to the stadium development were crime, traffic and noise. Whatever development occurs will bring those issues. He would like to see the property designated as a regional property, so that surrounding local communities can work together to clean it up and prevent further criminal behavior.

Mayor Martin stated that the Council has historically supported development on the TCAAP property that will be the most economically viable for the area. She personally encouraged the Governor to put money back in the bonding bill to clean up the contamination that is on the property and which is a discouraging factor to any developer. She encouraged Mr. Lemke to also take his message to the Arden Hills City Council, since the property is located in their community.

Councilmember Huffman requested staff to contact the public safety enforcement authority for that property to discuss how the area can be better policed.

Councilmember Quigley added that jurisdiction for fire protection has also been difficult.

COUNCIL COMMENTS

Mayor Martin:

The Shoreview Community Center recently received the highest ranking of all Twin Cities health clubs by Consumer Reports Twin Cities.

The Concert in the Commons Series begins Wednesday, June 13, 2012, with Dan Perry and the Ice Cream Band at 7:00 p.m. The pavilion will be dedicated to Jerry Haffeman, Retired Shoreview Park and Recreation Director. The Shoreview Community Foundation will be presenting grant awards to a number of local organizations and will also offer free ice cream.

On Tuesday, June 19, 2012, the Farmers' Market begins at 3:00 p.m. in the lower level parking lot.

Councilmember Quigley:

Noted that the "Resident Guide" for Shoreview, Vadnais Heights and North Oaks features the Shoreview Community Center on the cover.

The Cummins Power Generation Group, a new company in Shoreview, is a finalist for the Minnesota Ethics Award.

Councilmember Huffman:

Thank you to all who attended and participated in the Vietnam Veterans Picnic yesterday.

Congratulations to Video Technician Doug Setley, who has retired from the State of Minnesota.

Councilmember Withhart:

Noted receipt of another resident communication expressing concerns about roadway sound. He requested that staff measure decibels and provide a response to the resident.

CONSENT AGENDA

Bikeways and Trailways Committee Minutes: Councilmember Withhart asked for clarification on the closing of a trail connection on the east side of Snail Lake Park.

MOTION: by Councilmember Quigley, seconded by Councilmember Huffman to approve the Consent Agenda for June 4, 2012, and all relevant resolutions for all item Nos. 1 through 16:

1. May 14, 2012 City Council Workshop Meeting Minutes
2. May 21, 2012 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes:
 - Planning Commission, April 24, 2012
 - Human Rights Commission, April 25, 2012
 - Park and Recreation Commission, April 30, 2012
 - Bikeways and Trailways Committee, May 3, 2012
 - Public Safety Committee, May 17, 2012
 - Environmental Quality Committee, May 29, 2012
4. Verified Claims in the Amount of \$558,427.09
5. Purchases
6. License Applications
7. Approval of Application to Conduct Excluded Bingo - *Slice of Shoreview*
8. Acceptance of Gifts for Safety Camp - Creative Water Solutions
9. Acceptance of Gift - North Suburban Soccer Association
10. Comprehensive Sign Plan - Target, 3800 Lexington Avenue
11. Site and Building Plan Review - Church of St. Odilia, 3495 Victoria St. N.
12. Final Payment - Water System Improvements, CP 11-05
13. Developer Escrow Reduction
14. Final Payment #4 - Buffalo Lane, CP 11-09
15. Approval of Application for Temporary Intoxicating Liquor License and Lawful Gambling Permit - St. Odilia Church

16. Acceptance of Comprehensive Annual Financial Report for Fiscal Year Ended December 31, 2011.

VOTE: Ayes - 5 Nays - 0

PUBLIC HEARINGS

There were none.

GENERAL BUSINESS

PLANNED UNIT DEVELOPMENT - DEVELOPMENT STAGE - TCF BANK, 3836 LEXINGTON AVENUE

Presentation by City Planner Kathleen Nordine

The applicant seeks approval of a land use amendment to a PUD application that was previously approved for the Sinclair property on Lexington and Red Fox Road. The proposal is to redevelop the property with a bank facility. The property has access from Lexington Avenue and Red Fox Road, as well as from a private drive from the Target property.

The developer is seeking Tax Increment Financing (TIF) assistance to pay for demolition work, gas tank removal and environmental cleanup of the site. In return, the developer would be willing to grant right-of-way for needed road improvements and agree to joint signage for the area to be installed on the site. Demolition must begin by July 1, in order to use available TIF funding.

The site is less than one acre in size with 34,168 square feet of area. The lot width along Lexington Avenue is 167 feet. The new bank facility would be 2,200 square feet with one story. Three drive-through lanes are planned and off-street parking. Access from Lexington and Red Fox Road would be right-in only. There is an easement on the Target private drive that grants full access.

Deviations from City standards through the PUD include a parking lot setback of 11.4 feet, rather than the required 20 feet. Drive-through lane stacking is required to provide six spaces; although only 4 spaces per lane are proposed. Additional right-of-way may be needed for road improvements, which would further impact the parking setback along Red Fox Road. Ramsey County is requesting additional right-of-way for a right turn lane from Lexington onto Red Fox Road and has indicated that an access off Lexington may conflict with the proposed turn lane. This would also impact the parking lot setback from Lexington. Staff is continuing discussions with Ramsey County, and believes the issue will be resolved with right-of-way granted for the turn lane in exchange for the access off Lexington.

The Planning Commission considered the land use application at its May 22nd meeting and recommended approval by the Council. The Commission's main concern is the impact of roadway improvements on the design of this proposal. The Planning Commission recommendation for approval is based on resolution of any issues related to road right-of-way needs and the project design prior to consideration of the Final PUD.

Property owners within 350 feet were notified of the project. One response of support was received. Staff is recommending approval subject to the conditions listed in the staff report.

Mayor Martin noted that the access off Red Fox Road has been moved further east and asked if it aligns with the access to the gas station across the road. Mr. Schwerm stated that the proposed access is west of the gas station car wash access, which is aligned with Target drive.

Councilmember Withhart asked for further clarification on the access issue off Lexington with Ramsey County and how much more right-of-way might be needed for the turn lane on Lexington. This could bring the parking lot even closer to Lexington. Ms. Nordine stated that there is space for the development to be moved further back to accommodate the needed right-of-way. Mr. Schwerm added that the County has realized that the improvements to Red Fox Road will benefit the intersection and will work with the City regarding the Lexington access.

Councilmember Huffman requested that the right-in from Lexington be coordinated with the drive-through lanes so as not to create traffic flow conflict on the site.

Councilmember Wickstrom asked if there are concerns about congestion with the shortened drive-through lanes. Mr. Schwerm responded that in today's banking environment there are generally fewer cars being stacked waiting to cash or deposit checks.

Councilmember Wickstrom asked the impact to trails on Lexington and Red Fox. Mr. Maloney stated that the trails will not be jeopardized and would be moved to accommodate the increased right-of-way.

Planning Commissioner McCool stated that the same issues of concern being discussed by the Council were also of concern to the Planning Commission. He suggested a dedicated through lane on the site to make sure there are not traffic flow conflicts, and that is being considered.

Mr. Mike Kraft, H.G.T. Architects, Project Architect, stated that there will be sufficient space accommodation for traffic to drive around the site.

MOTION: by Councilmember Withhart, seconded by Councilmember Huffman to approve the PUD amendment permitting the redevelopment of the Sinclair property at 3835 Lexington Avenue with a retail bank facility, subject to the following conditions:

1. The property shall be developed in accordance with the plans submitted as part of this application. Revisions to the submitted plans may be permitted to respond to comments received from the City Engineer and Ramsey County. Said revisions shall be submitted as part of the Final Stage PUD application.
2. The applicant shall continue to work with the City Engineer and Ramsey County to resolve issues regarding road right-of-way, planned access points and future road improvements. These issues shall be addressed prior to the City's approval of the Final Stage PUD.
3. Prior to the issuance of a building permit, the applicant shall address the items stated in the memo from the Fire Marshal.
4. The applicant shall enter into a site development agreement and an erosion control agreement with the City prior to the issuance of a building permit for the project.
5. The existing public sewer and water utilities shall be relocated south of the proposed drive through facility and pavement area. The existing utility easement shall be vacated and a new easement established along the south property line.
6. A permit is required from Ramsey County for any work in the Lexington Avenue right-of-way.
7. The landscape plan shall be revised to provide a diversity of trees with a ratio of 30-20-10.
8. The applicant shall work with the City to develop a commercial gateway sign for the Red Fox Road metal areas.
9. A Comprehensive Sign Plan is required prior to the installation of any signage on the property.
10. Authorize the Building Official to issue proper building permits after Final Stage approval of the PUD and execution of the development agreement.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated commercial land use in the Comprehensive Plan and PUD.
2. The redevelopment supports the City's commercial land use goals regarding the reinvestment in commercial areas and providing services which support resident needs and employment opportunities.
3. Redevelopment of this site provides the City with an opportunity to address roadway improvements and infrastructure needs in this commercial area.

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

AWARD OF QUOTE - POOL FILTRATION SYSTEM REPLACEMENT

City Manager Schwerm stated that the City's Capital Improvement Program (CIP) has scheduled replacement of the pool filtration system at the Indoor Water Park at the Community Center. The sand filtration system was originally scheduled in 2013, but there have been recent maintenance issues with parts of the filtration system. The pool needs to be regouted, which will take 18 days. Since the annual pool shutdown will be a week longer in 2012 to allow for regrouting of the pool, staff felt it would be better to replace the system when there are extra days that the pool would be closed.

Two bids were received: 1) Horizon Commercial Pool Supply in the amount of \$88,150.00; and 2) Signature Aquatics in the amount of \$90,609.75.

The project is to be funded with the City's fixed asset revolving fund, which has an adequate balance to cover this project. In order to accommodate this project a year early, the Building and Grounds Superintendent will delay replacement of the fire/smoke detectors--a cost of \$60,000--at least one year in order to offset the cost of moving this project forward. Based on the quotes received, staff is recommending acceptance of the low bid from Horizon Commercial Pool Supply.

Councilmember Huffman asked the impact to the budget for this expenditure. Mr. Schwerm stated that he does not anticipate a significant impact with the delay of the \$60,000 project to replace smoke alarm/detectors and that the levy for the fixed asset revolving fund will not need to be increased more than what is planned.

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to approve the quote for replacement of the sand filtration system for the Tropics Indoor Water Park to Horizon Commercial Pool Supply in the amount of \$88,150.00.

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

APPOINTMENT TO THE HUMAN RIGHTS COMMISSION AND PARK AND RECREATION COMMISSION

City Manager Schwerm reported that there is a vacancy on the Human Rights Commission. Two applicants were interviewed. The Commission was impressed with both applicants. The recommendation is to appoint Mark Hodkinson. Should another opening occur, the second applicant, Mary Medved, is recommended for appointment.

The Park and Recreation Commission has an unexpected vacancy. The Commission is recommending appointment of the applicant Megan Frye.

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to appoint Megan Frye to the Park and Recreation Commission for a term ending January 31, 2015.

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

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to appoint Mark Hodkinson to the Human Rights Commission for a term ending January 31, 2014.

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

ADJOURNMENT

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

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 18TH DAY OF JUNE 2012.

Terry C. Schwerm
City Manager