

**CITY OF SHOREVIEW
AGENDA
REGULAR CITY COUNCIL MEETING
November 5, 2012
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. September 24, 2012 City Council Workshop Minutes
2. October 15, 2012 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes—
 - Environmental Quality Committee, October 22, 2012
 - Planning Commission, September 25, 2012
 - Human Rights Commission, October 24, 2012
 - Economic Development Commission, October 23, 2012
4. Verified Claims
5. Purchases

6. Adoption of City Water Plan
7. Authorize Purchase of Skid Steer
8. Developer Escrow Reduction
9. Approving Plans and Specifications and Order the Taking of Bids for Water System Improvements—Weston Wood Booster Station, CP #12-02
10. Approval of 2013 DOC Contract
11. PUD Amendment—Outlot A, Heather Ridge Townhouse Association
12. Site and Building Plan Review—4610 N. Milton Street, Tom Houck
13. Wireless Telecommunications Lease Amendments—T Mobile and Sprint, 5880 Lexington Avenue and 745 County Road E

PUBLIC HEARING

GENERAL BUSINESS

14. Discussion with Ramsey County Sheriff Matt Bostrom
15. Approval of Law Enforcement Services Agreement with Ramsey County Sheriff's Department

STAFF AND CONSULTANT REPORTS AND RECOMMENDATIONS

SPECIAL ORDER OF BUSINESS

ADJOURNMENT

**CONSENT AGENDA
NOVEMBER 5, 2012**

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to adopt the consent agenda of November 5, 2012 approving the necessary motions and resolutions.

ROLL CALL: AYES _____ NAYS _____

HUFFMAN _____

QUIGLEY _____

WICKSTROM _____

WITHHART _____

MARTIN _____

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
October 15, 2012**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on October 15, 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 requested that the *Special Order of Business* include a brief discussion on the Council's schedule for November and Hanska Court.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Huffman to approve the October 15, 2012 agenda as amended.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

There were none.

CITIZEN COMMENTS

Mr. Ken Paddock, 4276 Weston Way, stated that he is a member of Citizens for Election Integrity, a nonpartisan group that provides oversight of mandated county audits and vote recounts. He expressed his concern about this year's election amendment, which has many unexplained costs and procedure changes. The fiscal impact is estimated at more than \$32 million to implement. The cost to Ramsey County is estimated at \$1.2 million, which will appear on individual property taxes as a line item. The estimated procedure impact will mean that voters will not know what voter ID is permitted. The amendment will begin a new provisional voting system in Minnesota. When a ballot is cast without proper ID, the individual must present proper ID at a county office within a few days after the election, or the vote will not be counted. Election Day registration will become a thing of the past. Voter ID will identify a person but will not indicate anything about that person. He distributed information to the Council and asked for the Council's support.

Councilmember Wickstrom agreed with Mr. Paddock. She further stated that the electorate is being asked to approve a constitutional amendment without knowing exactly what it is. Anyone who registers on Election Day can only cast a provisional ballot and then appear at City Hall or the County Elections Office. There will be fees and increased costs. Once it is in the Constitution, the legislature will have little discretion to make changes. One big impact is that there is no provision for citizens to vote from overseas. Those without birth certificates will have difficulties obtaining the proper photo ID. There may be issues with the voting system, but she believes there is a better way to address the problems than the proposed amendment.

Mayor Martin encouraged voters to understand this amendment as much as possible. Her concern is the cost issue for Shoreview. City costs for elections are already about \$35,000 to \$40,000. There is information on the Ramsey County website. With increased technology for personal identification, once this amendment is in the Constitution, it will be very difficult to change to benefit from new technology.

Councilmember Quigley stated that as voters elected current legislators, there is some consensus on the part of voters for this amendment. With all of the critical transactions confronting voters and the fact that identification is required for those transactions, it is critical for one of the most important transaction, the vote. There is no substantial concern coming from the military. He also encouraged voters to inform themselves and understand the issue.

Councilmember Huffman also encouraged voters to become informed on this issue.

Councilmember Wickstrom:

There will be an Active Life Fair at the Community Center on November 13, 2012. Health screenings will be available.

COUNCIL COMMENTS

Mayor Martin:

Tuesday, October 16, 2012, will be the last Farmer's Market. It will close at 6:00 p.m.

On Tuesday, October 23, 2012, the library is holding a public focus group to discuss the possibility of expanding the library. The meeting will be at 7:00 p.m. at the Community Center.

On Thursday, October 25, 2012, at 6:00 p.m., at the Community Center, Ecumen will be holding a focus group to discuss what makes a community age friendly.

Councilmember Huffman:

Thank you to Mayor Martin and staff for the successful opening of the Guerin Gas Station.

Councilmember Withhart:

Invited everyone to participate in the Tree Lighting Ceremony at the Community Center to be held on November 19, 2012, at 6:00 p.m. prior to the City Council meeting. Treats will be served.

CONSENT AGENDA

Item Nos. 1 and 3 were pulled for separate discussion.

Councilmember Wickstrom noted that the October 1, 2012 Council meeting minutes should have the correct spelling of Mr. Floyd Grabiell.

Councilmember Withhart referred to the Community Development report pertaining to the removal of the Sinclair Station and new building being constructed and asked for an update. City Manager Schwerm responded that a new TCF branch bank building is being constructed. The target opening is late winter or early spring. The LeeAnn Chin's in the new strip mall on Red Fox Road has opened and Chipotle will open soon.

Councilmember Withhart noted that staff has been active in following through on rental licensing enforcement. Staff has licensed 510 dwelling units in the City. Anyone interested in renting must obtain a license from the City.

MOTION: by Councilmember Quigley, seconded by Councilmember Huffman to approve the Consent Agenda, for October 15, 2012, and all relevant resolutions for all item Nos. 1 through 10:

1. October 1, 2012 City Council Meeting Minutes
2. Receipt of Committee/Commission Minutes
 - Economic Development Authority, August 13, 2012
 - Economic Development Commission, August 21, 2012
 - Human Rights Commission, August 22, 2012
 - Economic Development Authority, September 10, 2012
 - Economic Development Commission, September 18, 2012
 - Human Rights Commission, September 26, 2012
3. Monthly Reports:
 - Administration
 - Community Development
 - Finance
 - Public Works
 - Park and Recreation
4. Verified Claims in the Amount of \$945,288.11
5. Purchases
6. License Applications
7. Final PUD - House of Dreams, 4001 Rice Street
8. Extension of Preliminary Plat and Development Stage Approvals - Lakeview Terrace, 3588 Owasso Street
9. Request for Additional Tax Increment Financing Assistance for Building Expansion Project - TSI, Incorporated, 500 Cardigan Road
10. Developer Escrow Reduction

VOTE: Ayes - 5 Nays - 0

PUBLIC HEARING**CONDITIONAL USE PERMIT, 5277 HODGSON ROAD, BRAD & ELENA OREN****Presentation by City Planner Kathleen Nordine**

The wrong address was given in the notice for the public hearing before the Planning Commission. Therefore, the public hearing has been noticed for this City Council meeting.

This application is to demolish the existing 1.5 story home and two accessory structures in order to construct a new two-story house with a 4-car attached garage. The house would consist of 2,399 square feet; the garage would be 1,392 square feet. There are four existing accessory structures on the property. Two existing sheds on the north lot line would be removed; the other two, a relocated detached garage and boathouse, would remain.

The property is in the RE 40 zoning district, Real Estate District with minimum area of 40,000 square feet. Attached accessory structures can be 1,000 square feet or 80% of the dwelling foundation area, whichever is more restrictive. The total square feet of accessory structures cannot exceed 90% of the foundation area. The total of 1,891 square feet is 79% of foundation area. The house remains the dominant structure on the property. A conditional use permit allows the accessory structure to be extended.

The proposed house complies with the 30-foot setback from the top of the bluff. The house to the north is in compliance, but the house to the south predates this regulation and sits near the top of the bluff with no setback, which impacts the required minimum setback by 15 feet. The garage is side-loaded and so nearer to the front. The increased side setbacks, 48 feet to the north and 33 feet to the south, reduce any impact of the proposed new house and garage. Both the house and garage are totally screened from Hodgson Road with vegetation. The deep setback from Hodgson makes this home difficult to see. The percentage of accessory structures is under the maximum limit allowed. The application complies with the Development Code standard and conditional use permit criteria.

Property owners within 350 feet were notified. Two comments were made with no concern. A third comment expressed concern about the attached garage and bluff. That issue has been resolved with the applicant agreeing to relocate that garage. Staff recommends the approval of the Conditional Use Permit.

City Attorney Filla stated that the continuation of this public hearing from the Planning Commission is in order.

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

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to close the public hearing at 7:36 p.m.

VOTE: Ayes - 5 Nays - 0

Councilmember Huffman noted that the Planning Commission voted 7 to 0 to approve this project.

Councilmember Withhart stated that the Planning Commission discussed this proposal extensively that led to improvement to the plan.

Councilmember Wickstrom asked if the citizen comment relating to the wetland buffer was addressed. Ms. Nordine responded that the issue relates to a requested setback variance that was granted by the Planning Commission.

MOTION: by Councilmember Quigley, seconded by Councilmember Huffman to adopt Resolution 12-90, approving the Conditional Use Permit, Accessory Structures for Bradley and Elena Oren, 5277 Hodgson Road. The Conditional Use Permit authorizes 1,891 square feet of total floor area in accessory structures on the 3.9 acre property, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted with the applications. The attached garage shall not exceed 1,293 square feet in size, and the total floor area of all accessory structures shall not exceed 1,891 square feet. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the City Council.
2. This approval will expire after one year if a building permit has not been issued and work commenced.
3. The project is subject to the permitting requirements of the Rice Creek Watershed District (RCWD), and a building permit shall not be issued by the City prior to issuance of the RCWD permit.
4. The two sheds along the north side lot line shall be removed prior to the issuance of a Certificate of Occupancy by the City.
5. The existing 422 square foot detached garage shall be moved or rebuilt in a conforming location about 475-500 feet from the front lot line and at least 10 feet from the north side lot line. A Detached Accessory Structure Permit - Riparian Lot is required prior to issuance of a building permit by the City.
6. The existing asphalt drive serving the detached garage shall be removed and the area restored.
7. Prior to issuance of a building permit, the applicant shall submit a revised survey showing existing trees and identifying the trees that will be removed and the trees that will be retained. For each Landmark Tree removed, three replacement trees shall be planted. Retained trees shall be protected with protective fencing and a wood chip berm.
8. The accessory structures on the property shall be used for personal use only and no commercial use/commercial related storage is permitted.

This approval is based on the following findings of fact:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. The proposal complies with the standards for a Conditional Use Permit for detached accessory structures on this lot larger than one acre.

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

**PLANNED UNIT DEVELOPMENT - DEVELOPMENT STAGE/REZONING/
PRELIMINARY PLAT - 5618 HEATHER RIDGE COURT, CLYDE & ARLEEN
REHBEIN**

Presentation by City Planner Kathleen Nordine

The property consists of 11.7 acres. This proposal would result in four lots. The existing house sits on a lot of 6.5 acres. Three additional lots would be developed with new single-family homes. The three lots would consist of 1.5, 1.8 and 1.9 acres. Lot widths vary being narrower at the street and widen out at the rear property line. Access to all lots will be from Heather Ridge Court with shared driveways to minimize impact to the wetland areas. Adjacent properties are developed with single-family residents, townhouses and the City of North Oaks. The former St. Paul Water Utility has property to the east.

Rezoning to PUD is requested because development of the proposed lots does not follow a typical residential subdivision pattern due to the configuration of the lots and environmental constraints. The eastern portion of the property is zoned UND (Underdeveloped), which would be rezoned to PUD. The underlying zoning for this PUD will be RE 60, Residential Estate with a minimum lot area of 60,000 square feet per lot. RE lots must have 100 feet in width, and houses must have a front yard setback of 30 to 40 feet from the front property line. A 30-foot rear setback is required and side setbacks must be 15 feet. Lot coverage cannot exceed 15%.

The preliminary plat divides the property into four RE lots. All lots comply with RE lot requirements. The building pads proposed for each lot are setback further than required at a point where each lot exceeds 125 feet in width. Lot depth of each is at least 490 feet. The drainage and utility easements will be dedicated along property lines. Wetland drainage easements have not yet been determined. Easements will be required for private driveways, including a maintenance agreement for the shared driveways. It is proposed that Lots 1 and 2 and Lots 3 and 4 would share a driveway. Each lot will be required to connect to City sewer and water.

The property is located in Policy Development Area #4 (PDA #4) of the Comprehensive Plan. The proposed development is consistent with City policies for this area to maintain low density residential land use and minimum impact to environmental features. The Rice Creek Watershed District (RCWD) must issue a permit for development. The wetland delineation has been submitted to RCWD, but action has not yet been taken. A grading plan will be required. Shared driveways will minimize impact to wetlands. Staff does not believe there will be any adverse impact with this development. There will be a 16.5 foot buffer to existing wetland. The dwelling density is under 4 units per acre. The applicants are willing to enter into a Development Agreement with the City.

The subdivision complies with Preliminary Plat RE 60 standards. Lot areas exceed the minimum 60,000 square feet. Required street frontage is available, and lot widths are in compliance. The City will grant flexibility in return for minimum impact to the environment and wildlife. The applicant is using a larger setback standard to preserve wetland features and minimize development impacts. Setbacks range from 210 to 260 feet.

A tree inventory has been submitted. Loss of trees will be determined when building permits are received. Three replacements per removal of one landmark tree will be required.

Property owners within 350 feet were notified of the proposal. One written and one phone call were received. No concerns were expressed. A neighborhood meeting was held in the summer.

Staff finds that the proposed development is consistent with City land use and housing policies. The proposal meets criteria for rezoning to PUD and for the preliminary plat. Approval is recommended.

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to approve the Preliminary Plat, Planned Unit Development - Development Stage, and Rezoning applications submitted by Clyde and Arlene Rehbein for the subdivision of their property at 5618 Heather Ridge Court into four single-family residential lots and to adopt Ordinance No. 899 rezoning the property to Planned Unit Development, subject to the following conditions:

Rezoning

1. This approval rezones the property from UND, Urban Underdeveloped to PUD, Planned Unit Development.
2. The underlying zoning district for this PUD is RE (60), Residential Estate, with a minimum lot area of 60,000 square feet.
3. Rezoning is not effective until approvals are received for the Final Plat, PUD - Final Stage and development agreements executed.

Preliminary Plat

1. A public use dedication fee shall be submitted as required by ordinance prior to release of the final plat by the City.
2. The final plat shall include drainage and utility easements along the property lines and wetland areas. Drainage and utility easements along the roadway shall be 10' wide and along the side lot lines these easements shall be 5' wide and as required by the Public Works Director.
3. Private agreements shall be prepared for recording the joint driveway, parking and maintenance agreements. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

Planned Unit Development - Development Stage

1. This approval permits the subdivision of the property into four single-family residential lots.
2. The underlying zoning for the PUD is RE (60), Residential Estate with a minimum lot area of 60,000 square feet.
3. Access to Lot 1 is prohibited from Turtle Lake Road. Access to the site shall be provided only via the shared driveways as indicated in the application submittal.
4. Tree Preservation and Replanting plan shall be submitted with each building permit application for Lots 2, 3 and 4. Replacement trees shall be planted in accordance with the City's Woodlands and Vegetation Ordinance.

5. The applicant and future property owners shall maintain a 16.5' buffer along the perimeter of all wetland areas. Signs marking this buffer area shall be installed to inform future owners that this area is to be protected and not disturbed.
6. Grading, Drainage and Erosion Control shall be submitted with each building permit application for Lots 2, 3 and 4.
7. The structure setbacks from the front property line for the planned unit development shall be a minimum of 200 feet and a maximum of 260 feet.
8. No detached accessory structures shall be permitted on Lots 2 and 3 south of the wetland area.
9. The applicant is required to enter into a Site Development Agreement and Erosion Control Agreement with the City. Said agreements shall be executed prior to the issuance of any permits for this project.
10. This approval shall expire after two months if the Planned Unit Development - Final Stage application has not been submitted for City review and approval, as per Section 203.060(C)(6).

This approval is based on the following findings:

- 1.1. That the proposed development is consistent with the policies of the Comprehensive Plan and with the general purpose and intent of the development regulations.
- 1.2. That the development facilitated by the proposed rezoning will not significantly and adversely impact the planned use of the surrounding property.
- 1.3. That the applicant is willing to enter into a development agreement as a condition of the rezoning approval.
- 1.4. The proposed deviations permit development that retains the natural features of the property and minimizes development impacts on the adjoining residential and natural land uses.

Councilmember Withhart added “and natural” to the fourth finding.

Councilmember Wickstrom stated that she is pleased to see the requirement for private driveway agreements.

Councilmember Huffman asked the procedure for the driveway agreements. Ms. Nordine explained that the Development Agreement will include language pertaining to the driveway agreements. Agreements are submitted to the City, which the City Attorney reviews. The driveway agreement is part of the Preliminary Plat.

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

SPECIAL ORDER OF BUSINESS

Meeting Schedule

It was the consensus of the Council to change the meeting time for the November 13, 2012 workshop meeting to 5:30 p.m. due to the number of items that need to be addressed.

Councilmember Withhart asked how this time change would impact the Economic Development Authority meeting scheduled at 5:00 p.m. that same day. Councilmember Huffman responded that he will talk to Community Development Director Tom Simonson about the EDA meeting time and let EDA Board members know of any changes.

Hanska Court

Mayor Martin reported to the Council that one of the neighbors on Hanska Court was not able to be at the meeting when the street name change was decided. He has requested the issue be revisited and strongly promotes the name be changed to County Road F Court, if it needs to be changed.

After a brief discussion, it was the consensus of the Council to not revisit the issue.

ADJOURNMENT

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to adjourn the meeting at 8:00 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE __ DAY OF _____ 2012.

Terry C. Schwerm
City Manager

**SHOREVIEW CITY COUNCIL WORKSHOP MEETING
MINUTES**

September 24, 2012

Attendees:

City Council: Mayor Martin; Councilmembers Huffman, Quigley, Wickstrom and Withhart

Staff: Terry Schwerm, City Manager
Jeanne Haapala, Finance Director
Tom Simonson, Assistant City Manager/ Community Development Director
Fred Espe, Assistant Finance Director
Tessia Melvin, Assistant to City Manager/Communications
Mark Maloney, Public Works Director

Mayor Martin opened the meeting at 7:00 p.m.

JOINT MEETING WITH ECONOMIC AUTHORITY AND ECONOMIC DEVELOPMENT COMMISSION

Presentation by Assistant City Manager/Community Development Director Simonson

EDA Members Present: Blake Huffman, Ben Withhart, Terry Quigley, Emy Johnson and Gene Marsh

EDC Members Present: Gene Marsh, Jim Gardner, Jonathan Weinhagen, Dave Lukowitz, Dave Kroona and Sue Denkinger

Simonson reported that during recent discussion of goals and work plan update, the EDC suggested a joint meeting with the EDA and City Council to discuss key economic development and business goals and review the mission and roles of the EDA and EDC.

Simonson reported that staff completed a benchmark review with several cities to see how they treat Economic Development Authorities and Economic Development Commissions. Research suggested that cities are split on how they deal with both groups. Some cities dissolved the EDC when EDAs are created, and other cities maintain two separate groups.

The EDC was established by the City in 1988. Since its development the Commission has helped the City develop tax increment financing program, strengthened relationships with local business community, assisted efforts to attract new business and jobs, and created the Business Retention and Expansion Plan (BRE).

The EDA was created in 2008 as a new policy and tool for implementing economic development, business retention, and housing goals of the City. The EDA has focused on the financing of TIF districts and Home Energy Loans.

Councilmember Huffman added that the EDC should remain as the face of the City to the business community. Councilmember Quigley concurred and added that both are critical to the City. Councilmember Withhart added that the EDC has been instrumental in business retention.

Commissioner Marsh, who currently serves on both the EDA and EDC, stated that the EDC is in agreement with the group being the face to the business community. He added that the EDC is concerned with what the Council expects of the EDC and how it differentiates itself from the EDA.

Commissioner Lukowitz commented that the role of the EDC has changed since the inception of the EDA. He commented that the EDA is participating in the decision making of business development, and the EDC receives updates on these projects. Commissioner Lukowitz reported that when the EDC was created, it worked on business plans. This work included reviewing plans and making suggestions on issues regarding development. He stated that business representatives used to visit the EDC meetings and talk with Commissioners. In his opinion, the EDC would like to do more than just listen to reports, but would rather be included more in the development process.

Commissioner Gardner commented that the sense he gets from the business community is that they are overwhelmed with the process of dealing with the City. He noted that in many of his conversations with business representatives, they need help in navigating through the bureaucracy. Commissioner Gardner stated that he feels the EDC mission should be to help with communicating to the businesses and helping them navigate through the process.

Mayor Martin added that Commissioner Gardner did an excellent job of being the face of the City with , as they recently contacted the City to participate in their Manufacturing Day in October. They have invited City representatives and the EDC and EDA members to this event.

Commissioner Denkinger added that there is an opportunity to revise the mission of each group and to better define the purpose of the two groups. She added that she would like to see more joint efforts from the two groups on projects and divide work and duties. In her discussions with local businesses, she has found that it is never too late to visit with businesses and to re-visit them to talk to them and show the City's appreciation of their business.

Commissioner Weinhagen added that he believes the business retention plan is working and may need to be revised and new visits scheduled. He added that due to the current number of developments staff is busy, but these visits should be scheduled.

Schwerm added that staff resources also plays a part in the EDC's level of activity. With the public financing requests, the EDA has a critical role in the process. In addition, many of the recent development projects have been on the fast track and developers are asking the City to be flexible with deadlines and projects. From a workload perspective, these developments needed to be a priority for Mr. Simonson. In the case of both TSI and PaR Systems, the EDC's role in establishing quality relationships with the City help lay the groundwork for these projects.

Commissioner Kroona added that as a business owner he is impressed with the way that the City, staff and Committees/Commissions have stepped up to the needs of businesses.

Councilmember Wickstrom added that the EDC's roles have changed with the inception of the EDA, but the business retention plan is critical to the City and the EDC has been critical in many development projects.

Commissioner Johnson asked the question what would the risk be of collapsing the two groups and reducing the number of meetings, but maintaining the separate duties to the specific groups. Councilmember Withhart responded that the financial aspect should still be maintained by elected officials.

Concurring statements by Councilmembers suggested that this conversation continue and both groups should consider reviewing their mission and goals. In addition, better communications between the two, could help members understand their roles and responsibilities better.

Mayor Martin invited members of the EDC and EDA to the following events:

- Manufacturing Day at Lion Precision on Friday, October 5
- Community Conversation on a Community for all Ages on Thursday, October 26, at 6 p.m.
- Shoreview Library meeting on Tuesday, October 23, at City Hall to discuss funding and potential projects to the Shoreview Library expansion
- Volunteer Appreciation Dinner on Thursday, October 18.

REVIEW OF 2013-2017 CAPITAL IMPROVEMENT PROGRAM AND COMMUNITY BENCHMARKS

Presentation by City Manager Schwerm and Finance Director Haapala

Schwerm reported that the Capital Improvement Program is included in the a two-year budget and that in the future the City will adopt a 6-year CIP to better match the budget cycle. The current CIP anticipates \$51.3 million in projects. He noted that every year 1.3 % of the levy increase is dedicated to the street renewal fund and fixed asset revolving fund.

Collector Streets

Schwerm began with Collector Streets, where the proposed CIP contains 8 projects that use MSA funding, and one street financed through tax increment. There was much discussion on the timing of projects.

Street Improvement Projects

Schwerm reviewed the planned street reconstruction schedule and the planned issuance of \$2.5 million in street rehabilitation bonds scheduled in 2013. The City Council had a brief discussion regarding the timing of some of these projects and the proposed bonding for street rehabilitation.

Park Improvements and Trail Rehabilitation

Schwerm indicated that the Bucher Park renovations will be made during 2013 and that the

timing of other park improvements has changed somewhat based on the need to fund some parking lot resurfacing in 2013. He noted that the Wilson Park improvements were originally scheduled for this year, but have been moved to 2015.

Mayor Martin raised the issue that this is the last year of the collection of Tall Tower fees. There was a brief discussion about contacting the tall tower companies to determine if the current arrangement could be continued.

Schwerm noted that the seal coat has proven to be a cost effective method to extend the life of the trail system. Mayor Martin added that she is concerned that the CIP only includes seal coating, but no new trail connection or extensions. For example, County Road E and Soo Street need trails, as does Victoria Street in southern Shoreview.

Municipal Buildings

Schwerm stated that most of the building projects include repair/replacement items for the Community Center/City Hall and fire stations. A small addition to fire station #4 would include sleeping quarters for the duty crew. In 2014, the Community Center has a planned expansion to include 3,000 to 4,000 square foot addition in the cost of \$1,400,000.

Utility Improvements

The most significant project planned is the water treatment plant in 2015. The need for this is the secondary contaminant of the concerns of iron and manganese. These levels are increasing in the ground levels and in the water entering homes. Other improvements are for the sanitary lining project scheduled for 2015.

Major Equipment

A fire engine replacement occurred in 2012 and another is scheduled for 2017. The department's self-contained breathing apparatus replacement is scheduled for 2014. The department has submitted a grant to fund this replacement which would reduce Shoreview's share of the cost from nearly \$200,000 to about \$25,000.

OTHER ISSUES

Schwerm and Mayor Martin recently met with the five city Administrators and Mayors about joining the 35W Coalition. While there did not appear to be any interest from the cities in joining the coalition, the group felt that more conversations did need to occur between north metro cities about regional transportation issues.

The meeting adjourned at 9:36 p.m.

SHOREVIEW ECONOMIC DEVELOPMENT COMMISSION

Meeting Minutes

Tuesday, October 23, 2012

Location: Mead Metals, Inc.

ROLL CALL

Chair Josh Wing called the meeting to order at 7:30 a.m. with the following members present: Jim Gardner, Jeff Washburn and Jonathan Weinhagen. Commissioners Ben Stephens, Sue Denkinger, Dave Lukowitz, Dave Kroona and Gene Marsh were excused. Mayor Sandy Martin, Councilmember Ady Wickstrom, City Manager Terry Schwerm, Assistant City Manager/Community Development Director Tom Simonson, and Assistant to City Manager Tessia Melvin were also in attendance.

ACCEPTANCE OF AGENDA

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

Vote: 4 AYES 0 NAYS

APPROVAL OF MINUTES

Commissioner Washburn, seconded by Commissioner Lukowitz, moved to approve the minutes of September 18, 2012, as written.

Vote: 4 AYES 0 NAYS

GENERAL BUSINESS

Commissioner Weinhagen reported on the Shoreview Business Council. He reported the last meeting was held for the candidate forum. He encouraged the staff and Commissioners to attend an upcoming monthly meeting. In addition, he invited Mayor Martin to speak at an upcoming meeting.

Commissioner Washburn asked for an update on the EDC and EDA joint meeting with the Council, which he was unable to attend. Mayor Martin asked that Commissioners Weinhagen and Gardner provide an update with their comments. Both commented that it was a positive discussion.

Commissioner Gardner added that he believes the direction of the EDC to distinguish themselves as more business focused. The Mayor echoed that the Council is appreciative of the work of the EDC, especially the Business Retention Program. The Mayor reported that Emy Johnson, member of the EDA, suggested that the EDC consider renaming itself as the two names can often be confusing.

Councilmember Wickstrom added that she was very appreciative of the efforts of both groups.

Simonson reported that some of the items resulting from the meeting were that the EDC and the EDA hold a joint meeting at least once a year to visit missions, goals and projects. In addition, Simonson

added that staff will continue to work on roles and definitions of the committees. One of the questions raised at the joint meeting by some EDC members was how to get the EDC back into the planning process of economic development projects. Simonson added that many of the recent projects have been on the fast-track plan, where even the Planning Commission has to quickly turn around plans. There should be some discussion on how to bring the EDC into the detailed review without adding another layer and month to the approval process, especially when many of the recent projects have been time sensitive.

Commissioner Wing asked about the EDA role's in housing. Simonson added that the EDA has not focused recently on housing because of the number of business expansion and retail development projects. Simonson added that due to the workload of staff, the number of business visits have been reduced so staff can focus on these business developments. He anticipates more opportunities for business visits and special off-site EDC meetings as the development project workload diminishes.

Simonson asked the Commission if they were interested in hosting a Shoreview Business Exchange during the holiday season sometime in December. The consensus of those attending was to hold an event. Commissioner Washburn added that there was an interest and the last event was successful. Commissioner Wing added that the diversity of attendance at the last meeting was encouraging and the EDC should continue to host these events. Mayor Martin added that the last Business Exchange led to Lion Precision inviting the City Councilmembers to the Manufacturing Day at their location.

Councilmember Wickstrom asked if the City followed up with Lion Precision's internet issue. Simonson reported that staff has been communicating with officials at Lion Precision and working on options for fiber connection. Councilmember Wickstrom asked Sandy Crawford if Mead Metals, Inc. was experiencing any internet issues. Crawford responded that Mead Metals, Inc. and EMPI are currently having issues with Century Link's equipment for phone service, but they do not have a need for high speed fiber.

PROJECT AND DEVELOPMENT UPDATES

Simonson provided a brief update on development projects.

Red Fox Road Retail. Construction work on the phase one retail center project is essentially completed with some finishing landscaping work remaining. The retail center includes Chipotle, Leeann Chin, and Five Guys Burgers restaurants, Sport Clips hair salon, and Massage Retreat Spa. So far Leann Chin's and Sport Clips have opened, with Chipotle and Massage Retreat Spa expected to follow in the next two weeks. Five Guys Burgers has been issued a building permit and started with their interior improvements.

Sinclair Redevelopment/TCF Bank. The demolition and fuel tank removal at the Sinclair Station at the intersection of Lexington Avenue and Red Fox Road has been completed, and the property owner has closed on the transaction of the land to TCF Bank. TCF Bank has been issued a building permit and

have commenced with construction. Construction of the new bank facility is expected to be completed in a couple of months.

PaR Systems. PaR Systems, Inc. broke ground last week on the construction of a new 36,000 square foot facility (with potential expansion to 48,000 square feet) on vacant land east of their corporate offices. PaR Systems is on a very aggressive construction schedule with the goal of moving equipment and employees into the new building by March, 2013.

TSI Incorporated. TSI, Incorporated, located at 500 Cardigan Road, received site and building plan approval and tax increment financing (TIF) assistance from the City in support of a planned expansion to their corporate headquarters and manufacturing facility in Shoreview. Based on this projected growth, TSI is hoping to “fast-track” improvements to their facility, including both additional parking of 275 spaces and a building addition of 58,000 square feet. TSI expects to begin construction the week of October 15th with a target date of completion by May, 2013.

Midland Plaza Redevelopment/Lakeview Terrace Apartments. The City was informed by the property owner of Midland Plaza and Midland Terrace Apartments, Tycon Management Company, that they have reached an agreement with Freddie Mac on resolving the valuation issue on the release of land necessary to move ahead with the Lakeview Terrace apartment project. Ownership indicates that the project is now a "go", and both the City and developer will now move forward with finalizing final approval of necessary agreements for the tax increment financing and final stage planned unit development. A new public hearing will be published and the City is targeting the November 19th meeting of the City Council for the hearing and final actions.

Mayor Martin reminded the Commission of the following upcoming events:

- **Library Expansion Dialogue.** At 7:00 pm on Tuesday, October 23rd, the Ramsey County Library is hosting a community dialogue regarding the potential expansion of the Shoreview Library. The library has money in their budget to study this potential expansion. The meeting will take place at the Community Center.
- **Ecumen/Community for All Ages.** The community conversation entitled “Community for All Ages” being sponsored by Ecumen and co-hosted by the City will be held on Thursday, October 25th from 6:00 to 8:15 p.m. at the Community Center.

ADJOURNMENT

Commissioner Gardner, seconded by Commissioner Weinhagen, moved to adjourn the meeting at 7:35 a.m.

Vote: 4 AYES 0 NAYS

The regular business meeting was concluded and a business visit with Sandy Crawford, President of Mead Metals, was held to discuss their company and tour the facility.

**HUMAN RIGHTS COMMISSION
MEETING MINUTES
October 24, 2012**

CALL TO ORDER

Commissioner Williams called the meeting to order at 7 p.m. with the following members present: Richard Bokovoy, Bob Minton, Sam Abdullai, Kamilyn Choi, Mark Frey, Mark Hodkinson and Nancy Hite. The following member was absent: Elaine Carnahan (excused). Also present was Tessia Melvin, Assistant to the City Manager/Communications.

APPROVAL OF MINUTES

Commissioner Frey moved to accept the September 26 minutes, seconded by Commissioner Abdullai.

Vote: 6 AYES 0 NAYS

Commissioners Hodkinson, Minton and Springhorn arrived late to the meeting.

CARING YOUTH AWARD

Melvin echoed that the City Council appreciated the award and hope it continues. The recipient

Commissioner Williams commented that in the future, the Commission needs to reword the application to provide a broader focus of qualifications. Melvin suggested adding supplemental questions for the nominator to complete. Commissioner Hite suggested the Commission meet again in February to discuss and begin marketing in March.

COMMUNITY DIALOGUE TOPIC DISCUSSION

Commissioner Williams opened up the discussion on possible topics by providing an overview of suggestions from the last meeting. Commissioner Hite suggested that the dialogues should be consistent with the groups that are identified by the State Human Right's Act and supported the community dialogue on bullying and intolerance towards individuals with disabilities.

Commissioner Minton added that diversity enriches our community and suggested a topic on immigrants in the community. Commissioner Frey added that depending upon the election, immigration reform may be an interesting topic.

Melvin suggested that Commission wait until after the Community for the Ages forum to gather possible topic ideas. Melvin agreed to send out a summary of the event to the Commission.

COMMUNITY FOR THE AGES EVENT

Melvin invited all Commissioners to the Community Conversation: Community for the Ages, which is being held by the City of Shoreview and Ecumen. This conversation will include sharing information about changing demographics ahead, and to discuss what it means for the community of Shoreview.

UPCOMING EVENTS

Melvin reported on the following upcoming City events:

- Community for the Ages Dialogue: Thursday, October 25, at 6 p.m.
- Holiday Lighting Ceremony: Monday, November 19, beginning at 6 p.m.

OTHER BUSINESSES

Commissioners Hodkinson and Frey discussed getting an Irondale Student Representative. Commissioner Choi agreed to talk to her Diversity Club staff liaison and connect them with Melvin.

ADJOURN

There being no further business, Commissioner Abdullai moved to adjourn their regular meeting at 7:55 p.m., seconded by Commissioner Springhorn.

Motion was adopted unanimously.

- vi. shoveling snow off roofs and improper insulation/ventilation – Tim found an article on Ice Dams
- vii. Announce new award - Mike

D. Public Works Update

- a. GreenStep Cities – 3 Urban Planning graduate students are helping the City complete the inventory of 128 best practices for inclusion in the GreenStep Cities program. Once completed the City Council can pass a resolution to authorize participation.
- b. October 6th Clean Up Day – we had approximately 450 vehicles from both Shoreview and Arden Hills participate. Each vehicle received a 2 sided handout about the recycling industry in MN facts and the importance of picking up leaves.
- c. Jessica made a doorhanger for properties that intentionally are pushing leaves or grass clippings into the street – they are being used by field staff to notify the owners that proper clean up is necessary.

E. Other

- a. Reminder that we will not have a December meeting as the meeting falls on December 24th.

F. Adjournment

The meeting adjourned at approximately 8:10pm.

Please contact Jessica Schaum by e-mail at jschaum@shoreviewmn.gov or by phone at (651)490-4665 if you are unable to attend. Please bring any information that you may have to discuss the issues listed.

**SHOREVIEW PLANNING COMMISSION MEETING
MINUTES
September 25, 2012**

CALL TO ORDER

Chair Solomonson called the meeting of the September 25, 2012 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

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

APPROVAL OF AGENDA

MOTION: by Commissioner Proud, seconded by Commissioner Schumer to move item *B. Continuation of Public Hearing - Text Amendment - Sales*, under Old Business to the end of the meeting.

VOTE: Ayes - 7 Nays - 0

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the September 25, 2012 agenda as amended.

VOTE: Ayes - 7 Nays - 0

APPROVAL OF MINUTES

August 28, 2012

MOTION: by Commissioner Schumer, seconded by Commissioner Proud to approve the August 28, 2012 Planning Commission minutes as submitted.

VOTE: Ayes - 7 Nays - 0

September 11, 2012 Special Meeting

MOTION: by Commissioner Proud, seconded by Commissioner Ferrington to approve the September 11, 2012 Special Meeting Minutes, as submitted.

VOTE: Ayes - 4 Nays - 0 Abstain - 3 (Solomonson, Schumer, Thompson)

REPORT ON COUNCIL ACTIONS

Presentation by City Planner Kathleen Nordine

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

- Extension of approval for minor subdivision for Alysa B. DeLange, 5790 Fairview
- TSI Incorporated site and building plan review
- TIF District No. 9 - TSI Incorporated Expansion Project
- TCF Bank Comprehensive Sign Plan
- PaR Site and Building Plan Review

OLD BUSINESS

SITE AND BUILDING PLAN REVIEW/VARIANCE

FILE NO.: 2453-12-16
APPLICANT: TSI Incorporated/Loucks Associated
LOCATION: 500 Cardigan Road

Presentation by City Planner Kathleen Nordine

The Planning Commission reviewed the application for Phase 1 of this project (parking lot addition) at its August 28th meeting and recommended denial to the City Council because of concerns about storm water management. TSI is now requesting review of the entire expansion, Phases 1 and 2, which includes the parking lot improvements and building addition. A variance is requested to increase impervious surface from 80% to 84%.

The parking lot expansion will be on the west side of the property with an addition of 207 stalls. The building addition is on the south side of the building. It is two stories for a total of 58,000 square feet. The building addition does exceed minimum setback requirements and complies with height standards. The exterior is designed to match the existing building.

The storm water plan includes an underground infiltration chamber to capture runoff from a portion of the existing and new parking area and building addition roof. Management of the rate and volume of runoff will reduce overall the discharge of water during storm events. Any overflow will drain to City infrastructure at the south end of the property. The northwest portion of the parking area will be regraded to drain to Cardigan Road. The drainage plan includes elimination of the curb cut on the south side near the drainage basin to put in an earth berm in order to contain runoff on the site. The plan has been reviewed by the Public Works Director and City Engineer and found to be in compliance with Appendix C of the City's Development Guidelines as well as the Shoreview Surface Water Management Plan.

The applicant has submitted a statement indicating practical difficulty for the variance request due to the need to meet company growth objectives within the City's development standards. There are unique circumstances as a result of a confined land holding. No immediate adjacent parcel is available for expansion.

The impervious surface regulation is related to storm water runoff, green space and to reduce flooding. However, staff agrees with the applicant that there is practical difficulty. The proposed use is consistent with the land use and zoning. The addition on the south side of the building is away from single-family residents and adjacent to the parking area for multi-family housing. The added 4% would allow TSI to achieve its objective to have the ability to meet business needs. The infiltration chamber acts as pervious surface to collect site runoff. TSI does own land across Cardigan Road, which is being held for future growth.

Property owners within 350 feet were notified of the proposal. The majority of concerns expressed relate to storm water management and potential flooding of residential properties with increased use of the southeastern storm water pond.

Staff finds that the parking and building expansion are consistent with the Industrial land use and zoning. TSI's business needs and growth objectives define the building size and parking required, and staff supports the variance to add 4% impervious surface coverage. The storm water management plan complies with all City standards. Improvements will not have an adverse impact to surrounding properties. Therefore, staff is recommending approval of Phases 1 and 2 of the TSI Expansion Plan.

Mr. Peter Coyle, Larkin Hoffman, spoke for TSI. The plan achieves a reduction of rate of flow of water from the site. In regard to the variance, he stated that the expanded use is reasonable and does not have an adverse impact. TSI is growing and needs to grow, but they are landlocked. Technology allows construction of a pervious area that offsets the increase of impervious coverage.

Mr. Paul Girard, Project Manager introduced Mr. Chad Lockwood, Lockwood Associates, Project Engineer. The underground storage is a good option. It requires less maintenance. What is going to the storm water pond area has been greatly reduced. For 2-year, 10-year, and 100-year events the reduction is 19%, 24% and 27% respectively.

Commissioner Proud asked if there is a future failure with residents downstream being flooded, what would TSI do? **Mr. Girard** stated that he would be unable to answer that question because there is water from other areas that comes to this location. He agreed to have their alarm system notify the City if there is any flooding to residents.

Commissioner McCool asked how installation of the infiltration chamber changes the area to a pervious surface. **Mr. Lockwood** explained that the system is built over rock drainage bed. Commissioner McCool asked at what level there would be a discharge of water.

Commissioner Proud asked if there has been verification of the capacity of the City storm sewer system. **Mr. Lockwood** answered that he does not have that information.

Mr. Floyd Graebel, TSI General Counsel, clarified that this project improves the amount of water coming off this property. Efforts have been made to revise the plans and show creativity to alleviate water runoff issues. TSI has been a resident in Shoreview for 36 years and is a part of the community. Thirty-eight families who work at TSI live in Shoreview.

Mark Maloney was present to answer questions. Commissioner Proud asked if there were to be a future failure, what action would be appropriate to evaluate the system. Public Works Director Mark Maloney stated that it is difficult to assign fault for water management. For the last 14 months, he has been dealing with the rainfall event in July 2011, when the City experienced 5.4 inches of rain in 24 hours in southern Shoreview, with 4.5 inches falling in the first 90 minutes. Those numbers are off the charts. Some of that has been tied to this application, but it is important to understand that there was flooding in many parts of the City that July. It is possible to design for higher rainfall standards, but it is a matter of money. Drainage is complicated in this area. A significant amount comes from the west where there was a significant problem last July.

Commissioner Proud asked if there is an increase of volume of water that flows into the City system. Mr. Maloney stated that this plan is designed so less water to come into the public system from this site. Commissioner Proud asked if the City system can perform to its capacity. Mr. Maloney stated that all storm water infrastructure is inspected annually to insure proper functioning.

Chair Solomonson opened the discussion to public comment.

Mr. Michael Hendrickson, 3519 Cohansey Street, expressed concern about the pipe running from the southeast corner to provide relief with a heavy rain. There was a geyser from the manhole cover, and that is when water came into the house. There is a problem with the volume that pipe can handle. TSI owned land to the south that absorbed water, but that is all being developed now.

Commissioner Proud asked if there was an overflow from the pond. **Mr. Hendrickson** answered, yes. Water was backing up to the TSI building.

Ms. Mary Fenske, 3515 Cohansey Street, stated that the sewer capacity is not being addressed. This issue was raised at the last meeting. She received notice earlier in the day, when documents of the changes were posted on the website. It is unfair to the neighbors, especially as it is a complicated engineering issue. The problem is that there are drains that if backed up will overflow onto hers and the Hendrickson's properties. The variance is not a reasonable use of this property. There is nothing that she can see that Best Practices are going to be used. Therefore, there is a 9% differential--from 75% allowed to 84%. She does not understand how this can be a reasonable use when there has been substantial flooding to neighbors. Secondly, unique circumstances need to be based on not being created by the property owner. This is not the case. TSI is creating its own unique circumstances by not using property it owns to the south of this site. Impervious surface standards specifically state it will not be a credit, if it is used as a pervious surface. The character of the neighborhood will be impacted visually on the east. She is not convinced that the berm will prevent any overflow flooding from the storm water pond on the southeast corner. The added parking lot is still going into the same pipe. Flooding lowers property values, which has been ignored. There is no clear answer that TSI will address any future flooding. Residents are getting stuck repeatedly. If this variance is granted and there is more flooding, she and her husband are considering a legal action for punitive damages. Since

the last meeting, the City has not addressed the increased rainfall in single occurrences over the last decade. The City has not addressed the problem with the pipe along the southern boundary of TSI. The new plan will put water into that pipe. Maintenance has been a problem, and maintenance has not been addressed with residents. She asked the Commission to have TSI consider relocating the addition to their vacant property to the south. Other plans for that property do not constitute a unique circumstance that justifies the variance.

Commissioner McCool asked what report was not made available to residents. **Ms. Fenske** answered that in the City Planner's September 19th memo, reference is made to a completed application, and she does not know what is contained in that application. It was not posted.

Mr. Maloney asked if Ms. Fenske's property is currently being impacted. She answered, yes.

Ms. Nordine stated that notices to residents were sent out on September 12th. In the notice, it was stated that the plan was denied by the Planning Commission due to storm water drainage issues. It was also pointed out that TSI was looking into other options. Once the notice was sent to residents, she did not receive any request for further information. When an application is received, it is not posted on the website. What is posted is the Planning Commission packet and comments received. **Ms. Fenske** agreed that notices were sent, but in her September 20th letter, she foresaw that a new plan would be presented at this meeting that had not been reviewed by residents.

Commissioner McCool asked when the revised plan was received by the City. Ms. Nordine answered, September 19th.

Commissioner Wenner again asked about the capacity of the storm water management system not only from the subject property but from contiguous properties. Mr. Maloney explained that there are two systems. The applicant has proposed a contained on-site plan for storm water management. The City owns public infrastructure which is not under-designed. The Surface Water Management Plan for the City models storm water drainage conditions of major trunk lines. All information indicates that the public infrastructure is in compliance with standards. His understanding of the applicant's new plan is that it will reduce the amount of water draining off the site into the City infrastructure, which is good. At some level, all public infrastructure will fail.

Chair Solomonson asked the direction of flooding water during heavy rain events and whether there is a way for water to get to the street. **Ms. Fenske** stated that when the pond overflows, water runs down a steep slope to Cohansey Street between her property and her neighbor on the north side. The water is forceful enough to push landscaping rock across the street. She added that she has not seen any documentation that discusses the reduction in flow from TSI.

Mr. Hendrickson stated that when the water floods it runs down his back yard and across to the Fenskes.

Commissioner McCool asked if the pipe on the southern boundary has an easement from TSI. Mr. Maloney stated that the pipe is actually located just north of the TSI property line.

Commissioner Proud stated that he would support this proposal with an amendment to the conditions of approval listed with the motion. Approval would be based on an amendment that the certificate of occupancy should not be issued unless or until the City or the applicant verifies that the City's storm water system associated with this project performs in a manner that the present and proposed water volumes will be managed.

Mr. Maloney stated that the City Surface Water Management Plan includes a model of the major parts of the system. This segment of pipe has never been considered a major part of the system and no model has been done. The amendment seems to imply that a model would be done of the storm drainage capacity for this area. That is not something the City can do easily. System modeling is done by consultants. The pipe could be televised to check for possible obstruction.

Chair Solomonson stated that much has been done by the applicant to address concerns and, in fact, reduce water runoff from the site. This plan has been reviewed by two or three professional engineers, including from City staff.

Commissioner Ferrington expressed her concern of neighborhood issues, but she also appreciates the improvements and changes that TSI has made in the plan to address concerns. She stated that the underground chamber should be considered as pervious surface on the basis of how it will function. She will support the proposal.

Commissioner McCool stated that he also supports the application. It is important to understand what can and cannot be done by the Planning Commission regarding drainage and the TSI application. TSI is doing what is required. The larger drainage problem is a City-wide problem. He appreciates all that TSI has done with respect to drainage. However, he questions that practical difficulty exists to justify the variance. He will support the project because the applicant is implementing technology that is unique, which should be incorporated into the findings of unique circumstances. He would not support a condition of larger water study in order to obtain a Certificate of Occupancy. Imposing such a condition is outside the Code and not fair to TSI.

MOTION: by Commissioner Schumer, seconded by Commissioner Wenner to adopt Resolution 12-85 approving the requested variance to increase the maximum impervious surface from 80% to 84% and to recommend the City Council approve the Site and Building Plan request submitted by TSI Incorporated. Said approval is subject to the following:

Variance

1. Said approval is contingent upon City Council approval of the Site and Building Plan review.
2. The project must be completed in accordance with the plans submitted as part of the Variance application.
3. This approval will expire after one year if a building permit has not been issued for this project.
4. This approval is subject to a 5-day appeal period.

This approval is based on the following findings of fact:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. The property owner proposes to use the property in a reasonable manner not permitted by the Shoreview Development Regulations. The proposed impervious surface coverage is reasonable based on the business needs and growth objectives for TSI and use of an underground infiltration chamber. The stormwater management plan has been designed to manage the run-off with the proposed 84% impervious surface coverage and complies with Appendix C of the Surface Water Management Plan.
3. The plight of the property owner is due to circumstances unique to the property not created by the property owner. Unique circumstances warrant the variance. The constrained lot area and the need for the business to expand the structure and provided the parking required for the employees working on the site. Existing development to the west, east and south prohibit opportunities to increase the lot size and reduce impervious surface coverage.
4. The variance, if granted, will not alter the essential character of the neighborhood. The proposed improvements will not affect the character of the neighborhood. There are several other industrial uses along Cardigan Road. The proposed building addition is consistent with the architectural character of the existing building, has a height less than 35' and will not visually impact nearby residential properties. In addition, the proposed parking area is on the west side of the property, away from the single-family residential neighborhood and adjacent to the parking area for the apartment complex to the south.

Site and Building Plan Review

1. The site shall be developed in accordance with the plans submitted. Minor modifications may be made to the plans, subject to approval by the City Planner. Significant changes to the plans require review and approval through the Site and Building Plan review process.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director. Items identified in the attached memo from the Assistant City Engineer shall be satisfied prior to the issuance of a building permit for the parking lot expansion.
3. Revisions to the tree preservation and landscape plans shall be made in accordance with the attached memo from the Environmental Officer prior to the issuance of a building permit for this project.
4. Lighting on site shall comply with Section 204.030, Glare, of the Development Code. Details of the proposed pole, pole height and light fixture shall be submitted to the staff prior to the issuance of a building permit.
5. The applicant shall enter into a Site Development Agreement prior to the issuance of any building permits for this project.
6. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated Industrial land use in the Comprehensive Plan and I, Industrial zoning district.
2. The development supports the City's business retention and expansion goals by supporting the continued growth of a company that:
 - *Provides livable wage jobs that allow residents to support local businesses and participate in community activities*
 - *Maintains tax base to generate revenues*
 - *Supports the economic vitality of the City*

Discussion:

MOTION FOR AMENDMENT: by Commissioner McCool, seconded by Commissioner Wenner to amend Finding of Fact No. 3 to add the following two sentences: The applicant's utilization of an underground storage chamber to mitigate the impact of additional impervious surface on-site is unique. The City Code does not currently recognize the functionality of this new technology which creates a plight for the landowner not common to other landowners.

VOTE ON AMENDMENT

Ayes - 7 Nays - 0

MOTION: by Commissioner Proud to amend the motion to add condition No. 7 to the Site and Building Plan Review that states the certificate of occupancy should not be issued unless or until the City or the applicant verifies that the City's storm water system associated with this project performs in a manner that is adequate for the present and proposed water volumes and design volumes of this sewer system.

The motion died for lack of a second.

Commissioner Proud stated that he believes the application is the same as previously presented but with different expected results.

VOTE ON MOTION AS AMENDED.

Ayes - 6 Nays - 1 (Proud)

VARIANCE / MINOR SUBDIVISION-EXTENSION

File No.: **2427-11-20**
Applicant: **Jereen Rasmussen**
Location: **4877 Nottingham Place**

Presentation by City Planner Kathleen Nordine

The Planning Commission approved this variance and minor subdivision in September 2011 to reduce the 125-foot lot depth to 104.44 feet for a minor subdivision. The applicant has requested that the approval be extended for one year due to financial issues and delayed closings on the property. Such extension will not have any adverse impact on adjoining properties. The extension will provide time for a new appraisal and closing proceedings on the house and adjacent lot.

MOTION: by Commissioner Proud, seconded by Commissioner Schumer to extend the variance approved for Jereen Rasmussen, to reduce the minimum 125-foot lot depth to 108.44 feet for the proposed lot. The Resolution has been not been recorded at Ramsey County. Said extension is for a one-year period to September 25, 2013. Conditions attached to the variance approval shall remain in effect.

VOTE: Ayes - 7 Nays - 0

NEW BUSINESS

**PUBLIC HEARING - PLANNED UNIT DEVELOPMENT-DEVELOPMENT STAGE
REZONING / PRELIMINARY PLAT**

File No.: 2458-12-21
Applicant: Clyde & Arlene Rehbein
Location: 5618 Heather Ridge Court

Presentation by Senior Planner Rob Warwick

The property consists of 11.7 acres. This plan would result in four lots. The existing house sits on 6.5 acres. Three lots would be developed with new single-family homes. The applicant developed Heather Ridge in the 1970s and 1980s. The east six acres were purchased in 2006 through a subdivision at 5625 Turtle Lake Road. At that time, the property was not rezoned and remained UND, Urban Underdeveloped.

The three lots would consist of 1.5, 1.8 and 1.9 acres. Lot widths vary being narrower at the street and widen out at the rear property line. Access to all lots will be from Heather Ridge Court with shared driveways to minimize impact to the wetland areas. Adjacent properties are developed with single-family residents, townhouses and the City of North Oaks. The former St. Paul Water Utility has property to the east.

Rezoning to PUD is requested because development of the proposed lots does not follow a typical residential subdivision pattern due to the configuration of the lots and environmental constraints. The underlying zoning for this PUD will be RE, Residential Estate, a minimum of 60,000 square feet per lot. RE lots must have 100 feet in width, and houses must have a front yard setback of 30 to 40 feet from the front property line. A 30-foot rear setback is required and side setbacks must be 15 feet. Lot coverage cannot exceed 15%.

The preliminary plat divides the property into four RE lots. All lots comply with RE lot requirements. The building pads proposed for each lot are setback further than required at a point where each lot exceeds 125 feet in width. Lot depth of each is at least 490 feet. The drainage and utility easements will be dedicated along property lines. Wetland drainage easements have not yet been finalized, but are required. Private easements will be required for the shared driveways, including a maintenance agreement. Lots 1 and 2, and Lots 3 and 4 would share the two proposed driveways. Each lot is required to connect to City sewer and water.

The property is located in PDA #4 of the Comprehensive Plan. The proposed development is consistent with City policies for this area to maintain low density residential land use for minimum impact to environmental features. The Rice Creek Watershed District (RCWD) must issue a permit for development. The wetland delineation has not yet been submitted to RCWD. Storm water runoff will be small in the overall area. A grading plan is required with each building permit.

Staff does not believe there will be any adverse impact with this development. The existing wetland provides a buffer between the proposed development and adjoining land uses. The dwelling density is under 4 units per acre. The applicants are willing to enter into a Development Agreement with the City.

The PUD will address shared driveways and utilities. The City will grant flexibility in return for minimum impact to the environment and wildlife. The applicant is use a larger setback standard to preserve wetland features and minimize development impacts.

A tree inventory has been submitted. Loss of trees will be determined when building permits are received. Three replacements per removal of one landmark tree will be required.

Property owners within 350 feet were notified of the proposal. One written and one phone call were received. No concerns were expressed. A neighborhood meeting was held in summer.

Staff finds that the proposed development is consistent with City land use and housing policies. The proposal meets criteria for rezoning to PUD, the preliminary plat. It is recommended the application be forwarded to the City Council with a recommendation for approval.

Commissioner Wenner asked if there would be any net loss of wetland. Mr. Warwick stated that potentially there will be impact to approximately 2,000 square feet for a driveway that would cross wetland to the west. Commissioner Wenner asked the direction of flow of water on this property. He further asked what is to comprise the buffer zone to the wetland. Mr. Warwick answered that the east 6 acres drains north to Kerry Lake. The remaining property drains south to Charlie Lake. He stated that the buffer will covered with an easement. The buffer will be designed to assure that vegetation remains and not be disturbed by development.

Commissioner Ferrington asked if a PUD can be considered without a wetland delineation when Rice Creek Watershed District indicates that development could be significantly impacted. Mr. Warwick stated that the only crossing over wetland is the one driveway. Utilities can be bored

without excavation, which would minimize any disturbance. All the house pads are well above any wetland areas.

City Attorney Filla reported that the affidavit of notice for the public hearing has been given, and the public hearing is in order at this time.

Chair Solomonson opened the public hearing.

Mr. Clyde Rehbein, Applicant, stated that he would like to answer any questions from Commissioners.

Commissioner Ferrington asked if there will be enough land for yard space with wetlands and required buffer. Mr. Rehbein stated that the wetland delineation has been done and turned out to be the same as was done in 2006. He believes the wetlands will be an asset because the building sites are large enough that they will be appreciated for wildlife.

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

VOTE: Ayes - 7 Nays - 0

Chair Solomonson asked if it would be possible to subdivide the six-acre lot in the future. Mr. Warwick stated that there would not be sufficient frontage on Heather Ridge Court, although there is frontage on Turtle Lake Road. However, further subdivision would be limited because of the wetlands.

Commissioner McCool expressed concern about timing and lack of completed wetland delineation. However, because of the large lots he believes there will be sufficient space for development and will support the application.

MOTION: by Commissioner Ferrington, seconded by Commissioner Wenner to recommend the City Council approve the following requests submitted by Clyde and Arlene Rehbein for the subdivision of their property at 5618 Heather Ridge Court into four single-family residential lots. Said recommendation for approval is subject to the following conditions

Rezoning

1. This approval rezones the property from UND, Urban Underdeveloped to PUD, Planned Unit Development.
2. The underlying zoning district for this PUD is RE (60), Residential Estate, with a minimum lot area of 60,000 square feet.
3. Rezoning is not effective until approvals are received for the Final Plat, PUD - Final Stage and development agreements executed.

Preliminary Plat

1. A public use dedication fee shall be submitted as required by ordinance prior to release of the final plat by the City.

2. The final plat shall include drainage and utility easements along the property lines and wetland areas. Drainage and utility easements along the roadway shall be 10' wide and along the side lot lines these easements shall be 5' wide and as required by the Public Works Director.
3. Private agreements shall be prepared for recording the regarding joint driveway, parking and maintenance agreements. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

Planned Unit Development – Development Stage

1. This approval permits the subdivision of the property into four single-family residential lots.
2. The underlying zoning for the PUD is RE (60), Residential Estate with a minimum lot area of 60,000 square feet.
3. Access to Lot 1 is prohibited from Turtle Lake Road. Access to the site shall be provided only via the shared driveways as indicated in the application submittal.
4. Tree Preservation and Replanting plan shall be submitted with each building permit application for Lots 2, 3 and 4. Replacement trees shall be planted in accordance with the City's Woodlands and Vegetation Ordinance.
5. The applicant and future property owners shall maintain a 16.5' buffer along the perimeter of the all wetland areas. Signs marking this buffer area shall be installed to inform future owners that this area is to be protected and not disturbed.
6. Grading, Drainage and Erosion Control shall be submitted with each building permit application for Lots 2, 3 and 4.
7. The structure setbacks from the front property line for the planned unit development shall be a minimum of 200 feet and a maximum of 260 feet.
8. No detached accessory structures shall be permitted on Lots 2 and 3 south of the wetland area.
9. The applicant is required to enter into a Site Development Agreement and Erosion Control Agreement with the City. Said agreements shall be executed prior to the issuance of any permits for this project.
10. This approval shall expire after two months if the Planned Unit Development - Final Stage application has not been submitted for City review and approval, as per Section 203.060 (C)(6).

This approval is based on the following findings:

1. That the proposed development is consistent with the policies of the Comprehensive Plan and with the general purpose and intent of the development regulations.
2. That the development facilitated by the proposed rezoning will not significantly and adversely impact the planned use of the surrounding property.
3. That the applicant is willing to enter into a development agreement as a condition of the rezoning approval.
4. The proposed deviations permit development that retains the natural features of the property and minimizes development impacts on the adjoining residential land uses.

Discussion:

Commissioner Proud noted that a wetland delineation has been done but not yet approved by Rice Creek Watershed District. He agrees that the building pad size will not pose a problem.

VOTE: Ayes - 7 Nays - 0

PUBLIC HEARING - PLANNED UNIT DEVELOPMENT- DEVELOPMENT STAGE/REZONING

File No. **2459-12-22**
Applicant: **Joycelyn Company, LLC / House of Dreams**
Location: **4001 Rice Street**

Presentation by City Planner Kathleen Nordine

Joycelyn Company, Ltd. has submitted an application to convert the existing office building at 4001 Rice Street to a mixed use of office and residential. The request is to rezone the property from OFC, Office to PUD, Planned Unit Development. The property currently consists of 0.75 acres with an office building of 5,160 square feet and parking area with 25 stalls with access from both Rice Street and Hodgson. A dwelling unit would be made from 2,960 square feet of office space that would include one bedroom, kitchen, bath and loft area on a second floor. Parking for this unit would be in the existing parking lot. The owner plans to live in the unit and continue operating the business. The unit may be rented in the future. Adjacent land uses are Commercial, Institutional and Low/High Density Residential. The application also includes an application for Development Stage Review of the PUD. There is access off Hodgson Road and Rice Street.

Staff has reviewed the criteria for a PUD rezoning and although a mixed use is not specifically permitted in property zoned OFC, Office, the primary use will continue to be office. Staff believes the use is compatible and a PUD is suitable. Adjacent land uses will not be impacted by the change, and the applicants have agreed to execute a Development Agreement with the City. As long as the space meets code requirements, the loft may be used for a sleeping area. This would be considered a live/work unit, where people live and work in the same location and reflects the changing economic housing climate. Staff believes this is consistent with the Comprehensive Plan.

Property owners within 350 feet of the property were notified of the proposal. One response was received indicating no concerns. The Fire Marshal and Building Official reviewed the application. Compliance with Building Code requirements for the bathroom, kitchen and egress is required, and a building permit will be required for the remodeling work. Staff is recommending approval with the conditions listed in the staff report.

Commissioner Wenner asked if there is a garage on the site. Ms. Nordine answered that there is no garage. What is required is two parking spaces for the residential unit. An accessory structure is not required. Commissioner Wenner noted that residential use brings a need for

storage. Ms. Nordine stated that a management company handles maintenance. The question is whether the resident would want to store a vehicle outside.

Commissioner Proud asked if a garage could be added without a variance. Ms. Nordine answered that there will be enough room to build a garage. Commissioner Proud suggested time be taken to see how other cities handle such a mixed use request to be sure all conditions are included to cover future possibilities. Ms. Nordine stated that she looked at research on live/work units on the American Planning Association level, but she did not look at other cities' regulations.

Commissioner Ferrington asked how the loft can be prevented from being used as a sleeping area. Ms. Nordine stated that it will be difficult to enforce. The reason for this condition is that there is not sufficient egress from the loft area. Should the unit be rented, a rental license will be required which would also stipulate the loft to not be a sleeping area.

Commissioner McCool stated that he does not see how this can be allowed without an amendment to the Comprehensive Plan. Office zoning does not allow mixed use. Ms. Nordine explained that she interprets mixed use as not parcel related, but as a project. The designation is not appropriate because of the scale of this project. Office will remain the main use.

Commissioner McCool asked if a precedent is being set allowing this office space to be converted. He would not want to see higher tax based properties converted.

Chair Solomonson asked what types of businesses could operate in this space with mixed use zoning. Ms. Nordine stated that only businesses in Office zoning would be allowed.

City Attorney Fills stated that notice was properly given and the public hearing is in order.

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

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

VOTE: Ayes - 7 Nays - 0

MOTION: by Commissioner Ferrington, seconded by Commissioner Wenner, to approve the requests submitted by Joycelyn Company, LTD for the proposed mixed residential/office use of the property at 4001 Hodgson Road and recommend the City Council rezone the property from OFC, Office to PUD, Planned Unit Development and approve the development stage of the PUD. Said approval is subject to the following:

Rezoning

1. This approval rezones the property from OFC, Office to PUD, Planned Unit Development.
2. The underlying zoning district for this PUD is OFC, Office.

3. Rezoning is not effective until approvals are received for the, PUD - Final Stage and development agreements executed.

This approval is based on the following findings of fact:

1. That the proposed mixed residential/office use is consistent with the policies of the Comprehensive Guide Plan and with the general purpose and intent of the development regulations. Office will remain the primary use of the property.
2. The proposed mixed residential/office use will not significantly and adversely impact the planned use of the surrounding property.
3. That the applicant is willing to enter into a development agreement with the City as a condition of rezoning approval

Planned Unit Development – Development Stage

1. The PUD permits the mixed use of this property as Office and Residential. Uses within the building will consist of approximately 2,400 of office space and 3,000 for residential. The residential unit is limited to one-bedroom and shall have separate bath and kitchen facilities from the office use. The space shall not be used for sleeping/bedroom purposes.
2. Parking for the residential unit shall be identified on-site with signage. A minimum of two-stalls must be provided.
3. The structure and uses must comply with the Building Code. A Building Permit is required prior to commencing any remodeling work.
4. A rental license is required for the residential dwelling unit if it is occupied by a person other than the legal owner thereof, pursuant to a written or unwritten agreement, whether or not a fee is required by the agreement.
5. The property owner shall enter a site development or use agreement with the City, clearly specifying the use of the property.

This approval is based on the following findings of fact:

1. The proposal supports the policies in the City’s Comprehensive Plan relating to land use, housing and economic development.
2. The proposed mixed residential and office land use will not adversely impact the planned land use of the surrounding property.
3. The proposal supports the changing needs of the economic and housing community.

VOTE: Ayes - 7 Nays - 0

PUBLIC HEARING - VARIANCE /CONDITIONAL USE PERMIT

File No. 2459-12-23
Applicant: Brad & Elena Oren / Imperial Homes, Inc.
Location: 5277 Hodgson Road

Presentation by Senior Planner Rob Warwick

This application is to demolish the existing 1.5 story home and two accessory structures in order to construct a new two-story house with a 4-car attached garage. The variance would reduce the front setback to 641.1 feet rather than the 680 feet required that is based on the front setbacks of the houses on the two adjoining properties. The lot has an area of 3.97 acres with a width of 200 feet. The Conditional Use Permit, on lots over one acre, is used to allow an attached accessory structure to exceed the maximum area allowed and exceed the combined floor area for all accessory structures. The total floor area of all accessory structures would be 1,891 square feet.

The property is in the RE zoning district. Attached accessory structures can be 1,000 square feet or 80% of the dwelling foundation area. The proposal is for 1,292 square feet or about 54% of the foundation area. Total square feet of accessory structures cannot exceed 90% of the foundation area. The total of 1,891 square feet is 79% of foundation area. The house remains the dominant structure on the property.

The proposed house complies with the 30-foot setback from the top of the bluff. The house to the north is in compliance, but the house to the south predates this regulation and sits near the top of the bluff with no setback, which impacts the required minimum setback by about 15 feet. The garage is side-loaded and so nearer to the front lot line. The increased side setbacks reduce the impact of the proposed new house and garage. Both the house and garage are screened from Hodgson Road with vegetation. The side setbacks are 48 feet from the north and 33 feet on the south side.

The application complies with the Development Code standard and conditional use permit criteria.

Property owners within 350 feet were notified. Two comments were made with no concerns identified. A third comment expressed concern about the attached garage and bluff. That issue has been resolved by the applicant and neighbor.

Staff recommends approval of the variance request, as practical difficulties are present.

Commissioner Wenner asked what has been done to mitigate view of this large house from the lake. Mr. Warwick stated that the 30-foot setback from the bluff is more than the setback for the Ordinary High Water Mark (OHW). The applicant will also use natural colors and materials on the house. The bluff is 50 feet high. The location, trees and materials should be enough so the house will not stand out.

Commissioner McCool asked if a variance will be needed for the accessory structure in the front. Mr. Warwick explained that detached accessory structures are permitted in the front yards on riparian lots.

City Attorney Filla noted that the mailed notice for this public hearing lists an incorrect address of 5722 Hodgson Road instead of 5277 Hodgson Road. He suggested the public hearing be continued to the City Council meeting.

Chair Solomonson opened the discussion to public comments or questions. There were none.

MOTION: by Commissioner Proud, seconded by Commissioner Schumer to continue the public hearing to the October 15, 2012 City Council meeting.

VOTE: Ayes - 7 Nays - 0

MOTION: by Commissioner Schumer, seconded by Commissioner Proud to adopt Resolution 12-86, approving the variance request submitted by Imperial Homes to construct a new residence and attached garage with a front setback of 401.1 feet from the front lot line, and to recommend approval of the Conditional Use Permit to the City Council, subject to the following conditions:

Variance

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. This approval will expire after one year if a building permit has not been issued and work commenced.
3. The project is subject to the permitting requirements of the Rice Creek Watershed District (RCWD), and a building permit shall not be issued by the City prior to satisfaction of the RCWD requirements.
4. Impervious surface coverage shall not exceed 20%.
5. The front setback shall not be less than 641.1 feet.
6. Prior to issuance of a building permit, the applicant shall submit a revised survey showing existing trees and identifying the trees that will be removed and the trees that will be retained. For each Landmark Tree removed, three replacement trees shall be planted. Retained trees shall be protected with protective fencing and a wood chip berm.
7. This approval is subject to a 5-day appeal period.

Conditional Use Permit

1. The project must be completed in accordance with the plans submitted with the applications. The attached garage shall not exceed 1,293 square feet in size, and the total floor area of all accessory structures shall not exceed 1,891 square feet. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. The two sheds along the north side lot line shall be removed prior to the issuance of a Certificate of Occupancy by the City.
3. The accessory structures on the property shall be used for personal use only and no commercial use/commercial related storage is permitted.

This approval is based on the following findings:

1. The proposed improvement is consistent with the policies of the Comprehensive Plan, including the Land Use and Housing Chapters.
2. The proposal complies with the standards for a Conditional Use Permit for detached accessory structures on this lot larger than one acre.
3. **Reasonable Manner.** The proposed house and attached garage are in keeping with this large, deep lot riparian to Turtle Lake. The proposed house is located more than 600 feet from the front lot line, and more than 30 feet from all side lot lines and the top of the bluff.
4. **Unique Circumstances.** Due to lot depth, the proposed house is not visible from the abutting public road, and the alignment with the houses on adjacent properties relative to the front lot line is less important than compliance with the minimum setback from the bluff.
5. **Character of the Neighborhood.** The large setbacks and wooded nature of the lot minimize the effect the house will have on neighboring properties. Other houses nearby in the RE District are of a similar size and two-story design. The character of the neighborhood should not be altered.

VOTE: Ayes - 7 Nays - 0

VARIANCE / MINOR SUBDIVISION

File No. 2461-12-24
Applicant: Silverthorn Properties, LLC
Location: 3595Rice Street

Presentation by City Planner Kathleen Nordine

This application is to divide the property at 3595 Rice Street into two parcels. There is also a request for a variance for one lot to allow a 100 feet of depth rather than the required 125 feet. The current property is 100 feet wide and 282.5 feet deep. It consists of .6 acres. It is a corner lot, with frontage on both Rice Street and St. Marie Street. The site has an existing house, a detached two-car garage, driveway, sidewalk and patio. The garage setback is 17 feet, less than the required 30 feet. Access for the property and garage is off St. Marie Street.

Adjacent land uses are single family residential. Parcel A, the subdivided lot, is 119 feet wide and 100 feet deep. Parcels A and B meets standards in area for a minor subdivision, except for the lot depth variance. The applicant states that the 282-foot depth of the existing parcel does not allow reasonable use of the property. The proposed 100-foot depth continues to allow a 30-foot front and rear setback for the building pad, which is in keeping with the Code.

Staff finds practical difficulty to be present. Unique circumstances are that this property is a large corner lot with frontage on both Rice Street and St. Marie Street. The applicant discussed the purchase of 25 feet from the neighbor in order to eliminate the need for a variance, but due to

financing issues, the purchase was not possible. Staff believes there will be no adverse impact or change of character to the neighborhood. Staff is recommending a recommendation for approval from the Planning Commission to the City Council.

Property owners within 350 feet were notified. One response was received in strong support. Also, there was a telephone call stating no objections.

Chair Solomonson noted that many properties along Rice Street are long and narrow in configuration.

MOTION: by Commissioner Schumer, seconded by Commissioner Wenner to approve the variance and minor subdivision applications for 3595 Rice Street dividing the property into two parcels, creating a new parcel for single family residential use. The lot depth variance is justifiable due to the proposed parcel keeping with the spirit and intent of the Development Code, and that hardship exists due to the existing configuration of the parcel. The proposal supports the City's housing goals regarding reinvestment and neighborhood preservation. Said approval is subject to the following conditions:

Variance

1. This approval is subject to approval of the Minor Subdivision application by the City Council.
2. This approval will expire after one year if the subdivision has not been recorded with Ramsey County.
3. The approval is subject to a 5-day appeal period.

Minor Subdivision

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 drainage and utility easements shall be dedicated to the City as required by the Public Works Director. 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. Payment for City water availability to the new lot in the amount of \$3,241.56. Municipal water and sanitary sewer service shall be provided to Parcel A.
5. An escrow for the work in the City right of way would be required in the amount of \$3,000.
6. 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.
7. Driveways and all other work within the Saint Marie Street right-of-way are subject to the permitting authority of the City of Shoreview.
8. A tree protection and replacement plan shall be submitted prior to issuance of a building permit for Parcel A. The approved plan shall be implemented prior to the commencement of

work on the property and maintained during the period of construction. The protection plan shall include wood chips and protective fencing at the drip line of the retained trees.

9. An erosion control plan shall be submitted with the building permit application and implemented during the construction of the new residence.
10. A final site-grading plan shall be submitted and approved prior to issuance of a building permit.
11. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County.

This approval is based on the following findings:

Variance

1. *The property in question cannot be put to a reasonable use under the conditions allowed by the Development Ordinance.* The subdivision is a reasonable use of the property as both of the proposed lots comply with and exceed the minimum standards of the R-1, District, except for the depth of Parcel A. With a lot area over 11,000 square feet, a lot width of 119 feet and a lot depth of 100 feet, Parcel A does have adequate area for a single family residence. The front and rear setbacks conform to the setbacks of the R1 development district, which are 30 feet. Using those setbacks the building pad for a future house would be about 40 feet deep and 99 feet wide. This pad size is ample for a future house.
2. *The hardship is created by circumstances unique to the property and was not created by the landowner.* The unique circumstance to the property is that it is a corner lot with 100 feet of frontage on Rice Street and 282 feet of frontage on Saint Marie Street. The property's large lot frontage is unique to the surrounding residential development pattern and contributes the need for a variance. The proposed depth of the property, though less than the minimum 125 feet required, is not out of character for the neighborhood.
3. *The variance will not alter the essential character of the neighborhood.* The proposed subdivision does not alter the existing lot configuration as the parcel now meets the definition of a Key Lot. The south rear lot line of the proposed lot abuts the side lot line on the adjacent parcel. The parcel immediately to the west, 176 St. Marie Street, has a similar development pattern in that it is a Key Lot that with the rear lot line abutting the side lot of the property to its south.

Minor Subdivision

1. The subdivision is consistent with the policies of the Comprehensive Plan and in compliance with the regulations of the Development Code.
2. The proposed lots conform to the adopted City standards for the R1 District.

VOTE: Ayes - 7 Nays - 0

CONTINUATION OF PUBLIC HEARING- TEXT AMENDMENT – VEHICLE SALES

File No: 2454-12-17
Applicant: City of Shoreview
Location: City Wide

Presentation by City Planner Kathleen Nordine

This amendment was reviewed by the Planning Commission at the August 28, 2012 meeting. At that time, it was tabled because of questions regarding how vehicle and equipment sales would impact equipment rental businesses. The Amendment would prohibit vehicle and equipment sales in C2 Commercial areas. The intent is not to restrict rental of household equipment. Vehicle and equipment sales would be permitted as a conditional use.

Changes to the Code include the following:

Section 202. Definitions would be added for: 1) construction, 2) heavy equipment sales and rental, 3) vehicle sales and 4) automobile rental and service facility.

Section 203.035 Prohibited Uses would be for construction, heavy equipment sales and rental, and vehicle sales.

Section 205.040B9 would be deleted, as it is the same language as in Section 205.030.

Section 205.043C2 would be added to allow vehicle rental and rental services facilities as conditional uses with stipulated standards.

Staff is recommending forwarding the text amendment to the City Council for approval.

Commissioner McCool stated that he did not see language for outdoor lots. A building to sell ATVs or motorcycles would be prohibited. Secondly, he questioned the limit of five vehicles for rental. Ms. Nordine explained that the definition of vehicle sales would prohibit ATVs, motorcycles and automobiles in the C2 District. The reason for the limit of five rental vehicles is that staff's research showed that a typical suburban rental facility has five cars.

Commissioner McCool stated that he will vote against this amendment because anyone wanting to build a nice building for sale of vehicles similar to Tousley Ford, would be prohibited from doing so. The vehicle sales language should be modified. His preference would be to discuss this at another meeting.

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

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

VOTE: Ayes - 7 Nays - 0

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to table the text amendment to Chapter 200 of the Municipal Code pertaining to vehicle and equipment sales and rental to address comments raised during the public hearing.

VOTE: Ayes - 7 Nays - 0

MISCELLANEOUS

Commissioners Wenner and Schumer are scheduled to respectively attend the City Council meetings on October 1, 2012 and October 15, 2012.

ADJOURNMENT

MOTION: by Commissioner Schumer, seconded by Commissioner McCool to adjourn the regular Planning Commission Meeting of September 25, 2012, at 11:03 p.m.

VOTE:

Ayes - 7

Nays - 0

MOTION SHEET

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

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

Date	Description	Amount
10/15/12	Accounts payable	\$ 31,992.76
10/18/12	Accounts payable	\$ 163,515.15
10/22/12	Accounts payable	\$ 42,538.50
10/25/12	Accounts payable	\$ 73,533.98
10/29/12	Accounts payable	\$ 2,089.85
11/01/12	Accounts payable	\$ 125,473.92
11/01/12	Accounts payable	\$ 285,024.00
Sub-total Accounts Payable		\$ 724,168.16
Payroll	124644 to 124693 959278 to 959457	\$153,377.03
Sub-total Payroll		\$ 153,377.03
TOTAL		\$ 877,545.19

ROLL CALL:	AYES	NAYS
Huffman		
Quigley		
Wickstrom		
Withhart		
Martin		

11/05/12

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
FIRST FINANCIAL TITLE CO OF MN	REIMB OVPYMT MADE AT CLOSING-UTL #235333	601	36190				-\$83.57	-\$83.57
HAAPOJA, YOLANDA	TBALL AGES 4 & 5	220	22040				-\$47.00	-\$47.00
AARP C/O JANICE BLOMBERG	DD 26 PARTICIPANTS	225	43590	3174		003	\$332.00	\$332.00
AARP C/O TOY, BOY	DD - 28 PARTICIPANTS	225	43590	3174		003	\$346.00	\$346.00
ABLE HOSE & RUBBER INC.	REPAIR SUPPLIES CC POOL	220	43800	2240		003	\$531.40	\$531.40
BEISSWENGERS HARDWARE	REPAIR SUPPLIES CC	220	43800	2240		001	\$19.40	\$19.40
BRADLEY & DEIKE, PA	TIF FOR LEXINGTON AND D	240	44400	3190		003	\$221.00	\$221.00
BRADLEY & DEIKE, PA	TIF FOR TSI	306	44100	4890			\$1,666.00	\$1,666.00
BRADLEY & DEIKE, PA	TIF FOR SINCLAIR	101	22020				\$85.00	\$85.00
BRADLEY & DEIKE, PA	TIF FOR PAR	101	22020				\$986.00	\$986.00
BRADLEY & DEIKE, PA	TIF FOR STONEHENGE LEGAL CHARGES	101	22020				\$272.00	\$272.00
BRADLEY & DEIKE, PA	TIF FOR MIDLAND PLAZA LEGAL	101	22020				\$1,632.00	\$1,632.00
DUNN, PAT	REIMBURSEMENT/UNIFORM PANTS	603	45850	3970			\$28.79	\$57.59
		701	46500	3970			\$28.80	
FAST, TIM	FARMERS MARKET ENTERTAINMENT 10/16/12	225	43590	3174		001	\$125.00	\$125.00
FIRST FINANCIAL TITLE CO OF MN	OVERPAID CLOSING/UTL/4270 VICTORIA ST N	601	36190				\$83.57	\$83.57
FIRST STUDENT, INC	TOUCH A TRUCK	225	43580	3172		001	\$165.00	\$165.00
FORTIN CONSULTING INC	ROAD SALT TRAINING WORKSHOPS	603	45850	4500			\$3,000.00	\$3,000.00
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$15.57	\$15.57
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$15.57	\$15.57
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$16.45	\$16.45
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$15.55	\$15.55
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$15.55	\$15.55
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$15.51	\$15.51
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001	\$16.45	\$16.45
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001	\$24.19	\$24.19
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	\$20.43	\$20.43
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
HAAPOJA, YOLANDA	TBALL AGES 4 & 5	220	22040				\$47.00	\$47.00
MINNESOTA DEPARTMENT OF REV -	LICENSE RENEWAL-DEC.2012-NOV.2013	701	46500	2120			\$25.00	\$25.00
MINNESOTA DEPARTMENT OF REVENU	SALES USE TAX: SEPTEMBER 2012	220	21810				\$7,986.00	\$14,838.00
		701	46500	2120		003	\$98.00	
		601	21810				\$4,505.00	
		101	40550	2010		004	-\$0.28	
		101	40550	2010		001	-\$0.13	
		240	44400	2180		001	-\$0.27	
		220	43800	2240		002	-\$0.05	
		603	45850	4500		001	-\$1.01	
		101	43710	2240			-\$0.12	
		220	43800	2180		001	-\$0.26	
		260	47400	4340			-\$3.93	
		101	40200	2010		006	\$81.31	
		101	40800	2180			\$6.00	
		101	42050	4500			\$2.00	
		101	43710	2240			\$17.39	
		220	43800	2180		001	\$5.00	
		220	43800	2180		005	\$41.50	
		220	43800	2200			\$14.15	

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
		220	43800	2240				\$86.80	
		220	43800	3960				\$223.00	
		225	43510	2170		011		\$53.88	
		225	43520	2170		001		\$6.12	
		225	43555	2170				\$477.26	
		260	47400	4340				\$21.73	
		570	47000	5920				\$7.02	
		601	16500					\$1,125.07	
		602	45550	2280				\$79.52	
		701	46500	2180		001		\$7.30	
MINNESOTA SOCIETY OF CPA'S	MALONEY - AUDITS OF LOCAL GOV'T CONF	101	40500	4500		006		\$123.60	
		601	45050	4500		001		\$77.25	
		602	45550	4500		001		\$77.25	
		603	45850	4500		001		\$30.90	
MOUNDS VIEW PUBLIC SCHOOLS	FACILITY FEE FOR SUMMER CAMPS	225	43580	3170				\$626.28	\$626.28
NEUMANN FARMS, INC	FARMERS MARKET SUPPLIES - LAST DAY	225	43590	2174		001		\$330.00	\$330.00
NIHCA	NIHCA CONFERENCE/EMERT & FUGLESTAD	225	43400	4500				\$99.00	\$99.00
PRESS PUBLICATIONS	MARKETING FOR CC WEDDING SHOWCASE	220	43800	3190		004		\$75.00	\$75.00
Q3 CONTRACTING	ST LIGHT RESTORATION PROJECT 12-06	604	42600	5300				\$1,073.26	\$1,073.26
S & S TREE SPECIALISTS, INC	TREE SERVICES EAB TREATMENT	101	43900	3190		004		\$321.38	\$321.38
S & S TREE SPECIALISTS, INC	TREE SERVICES EAB TREATMENT	101	43900	3190		004		\$160.69	\$160.69
ANSUK, CHAYANAN	FALL SOCCER REF OCT 6 & 13	225	43510	3190		007		\$90.00	\$90.00
PER, CONNOR	FALL SOCCER REF OCT 6 & 13	225	43510	3190		007		\$75.00	\$75.00
SWENSON, JONATHON	FALL SOCCER REF OCT 6 & 13	225	43510	3190		007		\$132.00	\$132.00
THOMAS, ANDREW	FALL SOCCER REF OCT 6 & 13	225	43510	3190		007		\$90.00	\$90.00
TRI TECH DISPENSING	REPAIR ON FREEZER AT WAVE CAFE	220	43800	3890				\$263.35	\$263.35
UPPER CUT TREE SERVICES	PUBLIC TREE REMOVAL W012-31	101	43900	3190		002		\$568.58	\$568.58
WATSON COMPANY	BREAK ROOM SUPPLIES	101	40800	2180				\$155.16	\$155.16
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001		\$999.67	\$999.67
XCEL ENERGY	ELECTRIC: SURFACE WATER	603	45900	3610				\$2,029.17	\$2,029.17
XCEL ENERGY	ELECTRIC: TRAFFIC SIGNAL SHARED W/N OAKS	101	42200	3610				\$26.42	\$26.42
XCEL ENERGY	ELECTRIC: TRAFFIC SIGNAL	101	42200	3610				\$24.66	\$24.66
Total of all invoices:								\$31,992.76	

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
HOME DEPOT, THE	HARDWARE TO REATTACH LARSON/LAPEK SIGNS	101	43710	2240				-\$52.39	-\$52.39
AMAZON.COM	FELLOWES POWERSHREDDER - PARKS DEPT.	101	43400	2010				\$178.98	\$178.98
AMAZON.COM	CAMERA BAG	101	40200	2010		006		\$27.00	\$27.00
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$47.35	\$47.35
ARROWWOOD RESORT.COM	GFOA CONFERENCE LODGING:MALONEY/ROESLER	101	40500	4500		005		\$346.26	\$346.26
AUTOMATION DIRECT	POWER SUPPLY REPLACEMENT	101	40550	2010		001		\$73.87	\$73.87
CBIZ BENEFITS & INSURANCE SVC,	REBA COVERAGE- POLICY 653895	101	40210	3190		012		\$238.10	\$238.10
CENTURY COLLEGE	MICROSOFT 2010 TRAINING MATERIALS	101	42050	4500				\$139.75	\$139.75
CENTURY COLLEGE	PROJECT MANAGEMENT CLASS BOOK: HAAS	220	43800	4500				\$29.95	\$29.95
CLASSIC CATERING/PICNIC PLEASE	VOLUNTEER DINNER FOR COUNCIL/ COMMS	101	40100	4890		001		\$2,416.83	\$2,416.83
CLASSIC COLLISION CENTER	PREMIUM FUEL	701	46500	2120		003		\$104.00	\$104.00
CLASSIC COLLISION CENTER	PREMIUM FUEL	701	46500	2120				\$91.87	\$91.87
COMCAST.COM	MODEM 2 INTERNET CHARGES	230	40900	3190		002		\$126.90	\$126.90
COMCAST.COM	COMPLEX STAFF INTERNET SERVICE: OCT 12	230	40900	3190		002		\$75.81	\$75.81
COMMISSIONER OF REVENUE- WH TA	WITHHOLDING TAX - PAYDATE 10-19-12	101	21720					\$9,258.09	\$9,258.09
COMMUNITY HEALTH CHARITIES - M	EMPLOYEE CONTRIBUTIONS:10-19-12	101	20420					\$103.25	\$103.25
CONLIN, JENNY	FACILITY REFUND	220	22040					\$68.62	\$68.62
CONSTANT CONTACT.COM	EMAIL MARKETING SERVICE	459	43800	3190				\$40.00	\$80.00
		225	43400	4330				\$40.00	
FREY, ARIAH	MINI KICKERS SOCCER	220	22040					\$60.00	\$60.00
FSH COMMUNICATIONS LLC	PAYPHONE TELEPHONE	101	40200	3210		001		\$64.13	\$64.13
GENESIS EMPLOYEE BENEFITS, INC	VEBA CONTRIBUTIONS:10-19-12	101	20418					\$5,670.00	\$5,670.00
GENESIS EMPLOYEE BENEFITS, INC	FLEX - MED/DEPENDENT CARE 10-19-12	101	20431					\$557.66	\$557.66
GENOSKY, LEA	FACILITY REFUND	220	22040					\$48.21	\$48.21
GRAINGER, INC.	REPAIR SUPPLIES FITNESS CENTER	220	43800	2240		002		\$145.96	\$145.96
GRAINGER, INC.	REPAIR SUPPLIES CC	220	43800	2240		001		\$250.85	\$250.85
GRILL, CHARLIE	MILEAGE/BASIC ACCESS	101	42050	4500				\$27.75	\$27.75
GRILL, CHARLIE	MILEAGE/POWER POINT BASIC	101	42050	4500				\$27.75	\$27.75
HEIBNER, CRYSTAL	MINI KICKERS SOCCER	220	22040					\$60.00	\$60.00
HERZOG, WILLIAM	MINI KICKERS SOCCER	220	22040					\$60.00	\$60.00
HOME DEPOT, THE	HARDWARE TO REATTACH LARSON/LAPEK SIGNS	101	43710	2240				\$52.39	\$52.39
ICMA/VANTAGEPOINT TRANSFER-300	EMPLOYEE CONTRIBUTIONS PAYDATE:10-19-12	101	21750					\$4,601.56	\$4,601.56
ICMA/VANTAGEPOINT TRANSFER-705	ROTH CONTRIBUTIONS:10-19-12	101	20430					\$265.00	\$265.00
INTAB	VOTER PENS	101	40300	2180				\$171.96	
JIMMY JOHNS	ROAD SALT PARKING/SIDEWALK MT TRAINING	603	45850	4500		001		\$206.38	\$206.38
JIMMY JOHNS	ROAD SALT PARKING/SIDEWALK MT TRAINING	603	45850	4500		001		\$249.11	\$249.11
KATIE SCHLUNDT/MBPTA TREASURER	BUILDING CODE SEMINAR NELSON-LUKOSKIE	101	44300	4500				\$190.00	\$190.00
LANCETTE, NICOLE	FACILITY REFUND	220	22040					\$200.00	\$200.00
MARKERTEK.COM	OVERHEAD CAMERA REPLACEMENT-COUNCIL CHAM	230	40900	3890				\$113.64	\$113.64
MELVIN, TESSIA	REIMBURSEMENT FOR SUPPLIES/ELECTION/VOL	101	40100	4890		001		\$24.43	\$59.16
		101	40300	2180				\$34.73	
METRO LEASING COMPANY	PUSH PEDAL PULL CARDIO LEASE - OCT 2012	220	43800	3960				\$1,445.35	
MINNESOTA CHILD SUPPORT PAYMEN	PAYDATE:10-19-12	101	20435					\$217.50	\$217.50
MINNESOTA ENVIRONMENTAL FUND	MN ENVIRONMENTAL EMPL CONTRIB:10-19-12	101	20420					\$27.00	\$27.00
MONOPRICE.COM	VIDEO CABLES	101	40550	2010		001		\$87.06	\$87.06
NEOPOST USA INC.	POSTAGE MACHINE SUPPLIES/INK	101	40200	3220				\$158.53	\$158.53
NEWEGG.COM	TOUCH SCREEN MONITORS FOR WATER SLIDE	220	43800	2240		003		\$1,229.96	\$1,229.96
NORTH CENTRAL TRUCK ACCESSORIE	TRUCK BOX COVERS: UNIT 301, 212 & 309	701	46500	2220		001		\$1,100.58	\$1,100.58
NORTHERN TOOL AND EQUIPMENT CO	NOZZLE CONVERSION KIT	101	43710	2400				\$96.18	\$96.18
NORTHERN TOOL AND EQUIPMENT CO	BOBCAT PLOW CYLINDERS	701	46500	2220		002		\$213.73	\$213.73
NORTHSTAR CHAPTER APA	MONTHLY MEETING: KUSCHEL	101	40500	4500		001		\$25.00	\$25.00

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
NOW SPORTS, INC	CONNEX CHAIN	220	43800	2240		002	\$21.37	\$21.37
NPELRA	MEMBERSHIP: ELLIOTT	101	40210	4330			\$150.00	\$150.00
NUGENT, DAN	REFUND CLOSING OVRPYMT-269 LONG LAKE CT	601	36190			003	\$75.41	\$75.41
NUSHIELD.COM	SUN SHIELDS FOR IPADS-CLEAN UP DAY	101	40550	2010		003	\$47.93	\$47.93
ORIENTAL TRADING COMPANY	HALLOWEEN HOOPLA SUPPLIES	225	43580	2172		001	\$381.20	\$381.20
ORIENTAL TRADING COMPANY	HALLOWEEN HOOPLA SUPPLIES	225	43580	2172		001	\$141.50	\$141.50
PUBLIC EMPLOYEES RETIREMENT AS	EMPL/EMPLOYER CONTRIBUTIONS:10-19-12	101	21740				\$28,273.74	\$28,273.74
PUBLIC EMPLOYEES RETIREMENT AS	PERA DEFINED CONTRIBUTIONS: 10-19-12	101	21740				\$243.50	\$243.50
RICOH AMERICAS CORPORATION	MAINTENANCE: COPIES CITYHALL/PARK/MT CTR	101	40200	3850		002	\$3,913.07	\$3,913.07
RICOH AMERICAS CORPORATION	LEASE CITY HALL COPIERS	101	40200	3930		002	\$2,199.88	\$2,199.88
SCHARBER & SONS	TRACTOR MOWER TO REPLACE 580D	701	46500	5400			\$17,073.28	\$17,073.28
SERKLAND, WAYNE	PASS REFUND	220	22040				\$81.80	\$81.80
SQUARE UP.COM	TESTING/TRAINING FOR CLEAN UP DAY	101	40500	4890		008	\$208.00	\$208.00
SQUARE UP.COM	TESTING/TRAINING FOR CLEAN UP DAY	101	40500	4890		008	-\$208.00	-\$208.00
SUBWAY	GROUP FITNESS STAFF MEETING SUPPLIES	220	43800	2180		001	\$112.48	\$112.48
TARGET.COM	ROAD SALT PARKING/SIDEWALK MT TRAINING	603	45850	4500		001	\$34.60	\$34.60
TDS METROCOM	TELEPHONE SERVICES	101	40200	3210		003	\$1,137.16	\$1,426.16
		101	43710	3210			\$253.65	
		601	45050	3210			\$35.35	
THAWTE, INC.	RENEW SSL CERT FOR WEBTRAC SERVER	101	40550	4330		002	\$199.00	\$199.00
TREASURY, DEPARTMENT OF	FEDERAL WITHHOLDING TAX:10-19-12	101	21710				\$21,932.75	
		101	21730				\$23,018.62	
		101	21735				\$6,599.64	\$51,551.01
UNITED WAY - GREATER TWIN CITI	EMPLOYEE CONTRIBUTIONS:10-19-12	101	20420				\$99.00	
USA INFLATABLES/USA GOLF GAMES	INFLATABLE RENTAL -NEW YEARS PARTY	225	43580	3172		002	\$695.14	\$695.14
XCEL ENERGY	ELECTRIC/GAS: COMMUNITY CENTER	220	43800	3610			\$12,751.78	\$15,016.19
		220	43800	2140			\$2,264.41	
XCEL ENERGY	ELECTRIC: STORM SEWER LIFT STATION	603	45850	4890		003	\$10.18	
XCEL ENERGY	ELECTRIC/GAS: MAINTENANCE CENTER	701	46500	3610			\$1,511.44	\$1,599.68
		701	46500	2140			\$88.24	
XCEL ENERGY	ELECTRIC: SIRENS	101	41500	3610			\$26.32	
XCEL ENERGY	ELECTRIC: STREET LIGHTS	604	42600	3610			\$8,658.51	\$8,658.51
XCEL ENERGY	ELECTRIC: SURFACE WATER	603	45900	3610			\$68.90	\$68.90
XCEL ENERGY	ELECTRIC: WATER TOWERS	601	45050	3610			\$18.77	\$18.77
XCEL ENERGY	ELECTRIC: TRAFFIC SIGNAL SHARED W/A HILL	101	42200	3610			\$22.62	\$22.62
XCEL ENERGY	ELECTRIC: SLICE OF SHOREVIEW	270	40250	3610			\$3.46	\$3.46
XCEL ENERGY	ELECTRIC: TRAFFIC SIGNALS	101	42200	3610			\$333.81	\$333.81

Total of all invoices: \$163,515.15

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COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
RAMSTAR MILLS	HYDROWICK LIME TSHIRTS (10)	101	42050	2010				-\$129.98	-\$129.98
ARVIG ENTERPRISES	GRADE CERT RED HAMLINE FIBER RES 12-91	101	22025					\$500.00	\$500.00
CBIZ FINANCIAL SOLUTIONS, INC	REBA CONSULTING FEE	101	40210	3190		013		\$73.40	\$73.40
HORIZON COMMERCIAL POOL SUPPLY	CHEMICALS SEPTEMBER/OCTOBER DRAIN	220	43800	2160		001		\$343.12	\$343.12
HORIZON COMMERCIAL POOL SUPPLY	CHEMICALS FOR SEPTEMBER/OCTOBER DRAIN	220	43800	2160		001		\$586.26	\$586.26
HORIZON COMMERCIAL POOL SUPPLY	CHLORINE FOR WHIRLPOOL	220	43800	2160		001		\$81.69	\$81.69
LIU, BENJAMIN AND HELEN	EROSION RED 3351 EMMERT RES 12-91	101	22030					\$500.00	\$500.00
MELVIN, TESSIA	REIMBURSEMENT: FLOWERS VOLUNTEER DINNER	101	40100	4890		001		\$160.53	\$160.53
MINNESOTA FARMERS MARKET ASSOC	MFMA TRAINING SEMINAR	225	43590	3174		001		\$30.00	\$30.00
MINNESOTA METRO NORTH TOURISM	SEPT HOTEL/MOTEL TAX/3 SITES	101	38420					-\$1,079.17	\$20,504.25
		101	22079					\$21,583.42	
MINNESOTA UC FUND	UNEMPLOYMENT COMPENSATION: 3RD QTR	225	43580	1420				\$32.11	
		225	43530	1420				\$62.04	\$94.15
MN FALL EXPO	MN FALL MAINT. EXPO	101	42200	4500				\$125.00	
		603	45850	4500				\$125.00	\$500.00
		601	45050	4500				\$125.00	
		602	45550	4500				\$125.00	
NATIONAL GYM SUPPLY, INC	FITNESS EQUIPMENT REPAIR SUPPLIES CC	220	43800	2240				\$274.75	
NEW DIMENSION LUXURY RENOVATIO	EROSION RED 232 OAK HILL DR RES 12-91	101	22030					\$1,000.00	\$1,000.00
OLSON, DARREN	EROSION RED 583 ELAINE RES 12-91	101	22030					\$1,000.00	\$1,000.00
RAMSEY CONSERVATION DISTRICT	EROSION AND SEDIMENT CONTROL INSPECTION	603	45850	3190				\$1,262.45	\$1,262.45
RAMSTAR MILLS	HYDROWICK LIME TSHIRTS (10)	101	42050	2010				\$129.98	\$129.98
SCHWERM, TERRY	REIMBURSEMENT FOR ICMA CONFERENCE	101	40200	4500		001		\$1,348.49	\$1,348.49
SPRINT	CELL PHONES	601	45050	3190				\$300.00	\$981.45
		101	44300	3190				\$40.00	
		101	40200	3210		002		\$641.45	
TRAGIAI, PAUL	EROSION RED 206 OWASSO LN E RES 12-91	101	22030					\$1,000.00	\$1,000.00
U.S. BANK	TREADMILL LEASE/ONE SOURCE FIT/OCT 2012	220	43800	3960				\$1,065.99	\$1,065.99
VISION INTERNET PROVIDERS INC	FIRST PAYMENT/VISION INTERNET SERVICE	101	40400	3190				\$10,956.00	\$10,956.00
YOUNG, LESLEY	REIMBURSEMENT:SHORELINER LUNCH/CAVES	225	43590	2174		004		\$232.35	\$232.35
YOUNG, LESLEY	REIMBURSEMENT: SUPPLIES SENIOR PROGRAMS	225	43590	2174		002		\$43.62	\$43.62
								Total of all invoices:	\$42,538.50

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
VANDELACH, AUDREY	REFUND DAMAGE DEPOSIT	220	22055					-\$25.00	-\$25.00
OLSON, WAYNE	REFUND VARIANCE APPLICATION FEE	101	34830		418			-\$100.00	-\$100.00
HENRICKSON, LISA	REFUND FOR THE SLICE OF SHOREVIEW	270	38300		307			-\$100.00	-\$100.00
HAAVISTO, TINA	REFUND DAMAGE DEPOSIT	220	22040					-\$25.00	-\$25.00
GHOSH, MANJU	REFUND CANCELLED PASS	220	22040					-\$7.50	-\$7.50
BRADLEY & DEIKE, PA	TIF FOR LEXINGTON AND D	240	44400	3190		003		-\$221.00	-\$221.00
BRADLEY & DEIKE, PA	TIF FOR TSI	306	44100	4890				-\$1,666.00	-\$1,666.00
BRADLEY & DEIKE, PA	TIF FOR SINCLAIR	101	22020					-\$85.00	-\$85.00
BRADLEY & DEIKE, PA	TIF FOR PAR	101	22020					-\$986.00	-\$986.00
BRADLEY & DEIKE, PA	TIF FOR STONEHENGE LEGAL CHARGES	101	22020					-\$272.00	-\$272.00
BRADLEY & DEIKE, PA	TIF FOR MIDLAND PLAZA LEGAL	101	22020					-\$1,632.00	-\$1,632.00
ANCOM COMMUNICATIONS	SD RADIO BATTERY	225	43535	2170		002		\$88.17	\$88.17
AWARDS BY HAMMOND INC	AWARDS FOR VOLUNTEER DINNER	101	40100	4890		001		\$373.42	\$373.42
AWWA	AWWA MEMBERSHIP FOR 2013	601	45050	4330				\$1,705.00	\$1,705.00
BRADLEY & DEIKE, PA	TIF FOR TSI	306	44100	4890				\$1,309.00	\$1,309.00
BRADLEY & DEIKE, PA	TIF FOR PAR	101	22020					\$918.00	\$918.00
BRADLEY & DEIKE, PA	TIF FOR STONEHENGE LEGAL CHARGES	101	22020					\$272.00	\$272.00
C & E HARDWARE	CABLE TIES FOR METRO COUNT	101	42050	2010				\$3.63	\$3.63
CITY OF SHOREVIEW	REPLENISH PETTY CASH - CITY HALL	601	45050	4500		002		\$15.00	\$99.38
		210	42750	2180				\$24.63	
		210	42750	2180				\$24.75	
		101	40210	4890		009		\$35.00	
COLA REFRESHMENTS	WAVE CAFE BEVERAGE FOR RESALE	220	43800	2590		001		\$463.37	\$463.37
GENEVA, DONALD	PASS REFUND	220	22040					\$390.00	\$390.00
GHOSH, MANJU	ICE SKATING LEVEL 1	220	22040					\$78.00	\$78.00
GHOSH, MANJU	REFUND CANCELLED PASS	220	22040					\$7.50	\$7.50
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.39	\$16.39
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.39	\$16.39
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.52	\$15.52
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.52	\$15.52
GRANDMA'S BAKERY	BAKERY FOR RESALE/SAFETY RECOGNITION	220	43800	2590		001		\$14.91	\$80.56
		101	40210	4890		008		\$65.65	
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.51	
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.00	\$52.41
		220	43800	2591				\$37.41	
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$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		\$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
HAAVISTO, TINA	REFUND DAMAGE DEPOSIT	220	22040					\$25.00	\$25.00
HEYEN, SHEILA	PASS REFUND	220	22040					\$130.77	\$130.77
HUANG, YAN	SOCCER - TL GR 1-3	220	22040					\$30.00	\$30.00
JIMMY'S CONFERENCE & CATERING	BEVERAGES FOR VOLUNTEER DINNER	101	40100	4890		001		\$289.24	\$289.24
LAKE OWASSO ASSOCIATION	2012 AQUATIC INVASIVE FUNDING PARTICIPAT	603	45850	4890				\$1,875.00	\$1,875.00
LFAGUE OF MINNESOTA CITIES	MN CITIES STORMWATER COALITION FEE	603	45850	4890				\$965.00	\$965.00
MARK, JULIE	FACILITY REFUND	220	22040					\$300.00	\$300.00
LUKEN, ROBERT	PASS REFUND	220	22040					\$360.00	\$360.00
MATHESON TRI-GAS INC	CO2 FOR WHIRLPOOL	220	43800	2160		002		\$89.13	\$89.13
MEIER, DEAH	FACILITY REFUND	220	22040					\$300.00	\$300.00

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
MELVIN, TESSIA	REIMBURSEMENT:ELECTION TRAINING SUPPLIES	101	40300	2180			\$8.52	\$8.52
MINNESOTA DEPARTMENT OF COMMER	2012 UNCLAIMED PROPERTY	220	22055				\$25.00	\$225.00
		270	38300				\$100.00	
		101	34830				\$100.00	
MN DEPT OF HEALTH	STATE CONNECTION FEE - 7/1/12 TO 9/30/12	801	21820				\$13,508.00	
ORKIN EXTERMINATING CO., INC.	PEST CONTROL LARSON HOUSE	101	40800	3190			\$76.73	\$76.73
ORKIN EXTERMINATING CO., INC.	PEST CONTROL LARSON HOUSE	101	40800	3190			\$76.73	\$76.73
ORKIN EXTERMINATING CO., INC.	PEST CONTROL LARSON HOUSE	101	40800	3190			\$76.73	\$76.73
PLUG'N PAY TECHNOLOGIES INC.	SEPT/ECOMM/CC FEES	220	43800	4890		002	\$3.10	\$32.02
		225	43400	4890			\$28.92	
PLUG'N PAY TECHNOLOGIES INC.	SEPT/RETAIL/CC FEES	220	43800	4890		002	\$104.30	
		225	43400	4890			\$55.67	\$159.97
Q3 CONTRACTING	CONTRACT PMT 1 2012 ST LIGHTS PROJ 12-06	604	42600	5300			\$17,129.45	
SCHOOL, AFSA HIGH	FACILITY REFUND	220	22040				\$6.92	\$6.92
SIGNATURE AQUATICS, INC	POOL HEATER FINAL PAYMENT	405	43800	3810			\$12,833.54	\$12,833.54
SOLA, REBECCA	MILEAGE REIMBURSEMENT: MRPA MEETING	101	43400	3270			\$49.28	\$49.28
TARGET COMMERCIAL INVOICE	KIDS CARE SUPPLIES	225	43560	2170			\$273.46	\$273.46
TARGET COMMERCIAL INVOICE	SCHOOL'S OUT CAMP SUPPLIES	225	43580	2170		002	\$264.59	\$264.59
U S BANK/REVTRAK	SEPT 2012 CREDIT CARD FEES	101	44300	4890			\$438.58	\$6,933.77
		220	43800	4890		002	\$1,754.74	
		225	43400	4890			\$1,714.11	
		601	45050	4890		003	\$1,513.17	
		602	45550	4890		003	\$1,513.17	
UNIVERSITY OF MINNESOTA	APWA CONF:MALONEY/WESOLOWSKI/DUNN/CURLEY	101	42200	4500			\$300.00	
		101	42050	4500			\$470.00	
VERMONT SYSTEMS, INC	USER GROUP MEETING \$50 LESS 11.37 CREDIT	225	43400	4500			\$38.63	\$38.63
WANG, LI	ICE SKATING ADULT	220	22040				\$68.00	\$68.00
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001	\$1,053.24	\$1,053.24
WILS - WOMEN IN LEISURE SERVIC	WILS REGISTRATION: SOLA & YOUNG	225	43400	4500			\$38.00	\$38.00
XCEL ENERGY	ELECTRIC/GAS: WELLS	601	45050	3610			\$12,935.67	\$13,137.21
		601	45050	2140			\$201.54	
XCEL ENERGY	ELECTRIC/GAS: PARKS	101	43710	3610			\$854.82	
		101	43710	2140			\$190.17	\$1,044.99
XCEL ENERGY	ELECTRIC: LIFT STATIONS	602	45550	3610			\$365.57	
ZHANG, HUA	ICE SKATING PRIVATE	220	22040				\$68.00	\$68.00
							Total of all invoices:	\$73,533.98

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
AMERI PRIDE LINEN & APPAREL SE	UNIFORM RENTAL CC	220	43800	3970			\$48.32	\$48.32
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110			\$345.00	\$345.00
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110			\$79.52	\$79.52
DYNAMEX DELIVERS NOW/ROADRUNNE	DELIVERY TO EAGAN POST OFFICE - 9/28/12	601	45050	3220		001	\$18.96	\$37.91
		602	45550	3220		001	\$18.95	
GRAINGER, INC.	REPAIR SUPPLIES CC H2O FILTER	220	43800	2240		001	\$100.26	\$100.26
MIDWEST SPECIAL SERVICES, INC	COMMUNITY CENTER CLEANING	220	43800	3190		004	\$112.22	\$112.22
POSTMASTER	DEPOSIT IN IMPRINT PERMIT 5606-SHOREVIEW	602	45550	3220		001	\$500.00	\$1,000.00
		601	45050	3220		001	\$500.00	
SCHAUM, JESSICA	MILEAGE REIMBURSEMENT	101	42050	3270			\$57.39	\$57.39
YALE MECHANICAL INC	REPLACED POOL H2O TEMP SENSOR	220	43800	3810		007	\$309.23	\$309.23
							Total of all invoices:	\$2,089.85

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
WALSH, AGNES F.	ELECTION JUDGE SERVICES	101	40300	1050				-\$75.00	-\$75.00
AARP C/O TOY, BOY	DEF DRIVING 29 PARTICIPANTS	225	43590	3174		003		\$374.00	\$374.00
ALLEN, DEANNE	MINUTES - 9/25 PC, 10/1 CC, 10/15 CC	101	40200	3190		001		\$400.00	\$550.00
		101	44100	3190				\$150.00	
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$135.41	
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$135.41	\$135.41
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$135.52	\$135.52
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$67.82	\$67.82
AUTOMATIC SYSTEMS CO, INC	SALES TAX OMITTED FROM INVOICE 25634S	601	45050	2280		005		\$185.56	\$185.56
BARNESS, KIRSTIN	ECONOMIC DEVELOPMENT CONSULTING	240	44400	3190				\$393.75	\$2,887.50
		101	22020					\$1,925.00	
		306	44100	4890				\$568.75	
BATTERIES PLUS - ROSEVILLE 029	BATTERIES FOR MANHOLE POLE CAMERA	602	45550	2280		003		\$49.76	\$49.76
BEISSWENGERS HARDWARE	REPAIR SUPPLIES CC	220	43800	2240		001		\$18.58	
BEISSWENGERS HARDWARE	REPAIR SUPPLIES CC CHAIR LEG TIPS	220	43800	2240		001		\$3.16	
COMMISSIONER OF REVENUE- WH TA	WITHHOLDING TAX - PAYDATE 11-02-12	101	21720					\$8,742.64	\$8,742.64
COMMUNITY HEALTH CHARITIES - M	EMPLOYEE CONTRIBUTIONS:11-02-12	101	20420					\$103.25	\$103.25
DELTA DENTAL	DENTAL COVERAGE: NOV 2012	101	20415					\$6,788.37	\$7,001.93
		101	20411					\$213.56	
ECOLAB EQUIPMENT CARE	FAN REPLACEMENT ON AUTOFRYER #1	220	43800	2590		002		\$594.94	\$594.94
FIRST STUDENT, INC	SHORELINER TRIP WABASHA CAVES	225	43590	3174		004		\$290.00	\$290.00
FORM ANALYSIS, LLC	FORMS 2012 W2/1099	101	40500	2010		005		\$627.04	\$627.04
GENESIS EMPLOYEE BENEFITS, INC	VEBA CONTRIBUTIONS:11-02-12	101	20418					\$5,640.00	\$5,640.00
GENESIS EMPLOYEE BENEFITS, INC	FLEX - MED/DEPENDENT CARE 10-26-12	101	20431					\$315.84	\$812.17
		101	20432					\$496.33	
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.48	\$15.48
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.49	\$15.49
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.52	\$15.52
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.52	\$15.52
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.37	\$16.37
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.37	\$16.37
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
HEGGIE'S PIZZA LLC	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001		\$240.50	\$240.50
ICMA/VANTAGEPOINT TRANSFER-300	EMPLOYEE CONTRIBUTIONS PAYDATE:11/02/12	101	21750					\$4,299.03	\$4,299.03
ICMA/VANTAGEPOINT TRANSFER-705	ROTH CONTRIBUTIONS:11-02-12	101	20430					\$265.00	\$265.00
JOHNSON, JULIE	ICE SKATING LEVEL 3	220	22040					\$204.00	\$204.00
KIMLEY-HORN ASSOCIATES	WETLAND SERVICES	603	45850	3190				\$1,950.02	
KRAMER, CRYSTAL	FACILITY REFUND	220	22040					\$150.00	\$150.00
LOFFLER	MAINTENANCE AND OVERAGE CHARGES	101	40200	3850		001		\$221.58	\$221.58
LOFFLER COMPANIES, INC.	LEASE: CITY HALL COPIER	101	40200	3930		001		\$251.29	\$251.29
MADISON NATIONAL LIFE	LONG TERM DISABILITY INSUR: OCTOBER 2012	101	20412					\$1,716.62	\$1,716.62
MINNESOTA CHILD SUPPORT PAYMEN	PAYDATE:11-02-12	101	20435					\$217.50	\$217.50
MINNESOTA ENVIRONMENTAL FUND	MN ENVIRONMENTAL EMPL CONTRIB:11-02-12	101	20420					\$27.00	\$27.00
NCPERS MINNESOTA	PERA LIFE INSURANCE: NOV 2012	101	20413					\$240.00	\$240.00
NORTHSTAR INSPECTION SERVICE	INSPECTION SERVICES OCTOBER 2012	101	44300	3190				\$617.50	\$617.50
PLUMMASTER, INC	REPAIR SUPPLIES CC	220	43800	2240		001		\$176.86	\$176.86
PLUMMASTER, INC	REPAIR SUPPLIES CC	220	43800	2240		001		\$52.81	\$52.81
PUBLIC EMPLOYEES RETIREMENT AS	EMPL/EMPLOYER CONTRIBUTIONS:11-02-12	101	21740					\$27,648.47	\$27,648.47
SAM'S CLUB DIRECT	GENERAL SENIOR SUPPLIES	225	43590	2174		002		\$199.36	\$199.36

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
SAM'S CLUB DIRECT	HALLOWEEN HOOPLA EXPENSES	225	43580	2172		001		\$303.98	\$303.98
TREASURY, DEPARTMENT OF	FEDERAL WITHHOLDING TAX:11-02-12	101	21710					\$20,800.00	
		101	21730					\$21,822.46	\$48,859.20
		101	21735					\$6,236.74	
UNITED RENTALS (NORTH AMERICA)	CONCRETE PLANER	101	43450	2250		003		\$1,752.46	\$3,752.98
		603	45850	2400		001		\$1,771.48	
		101	42200	2400		001		\$229.04	
UNITED WAY - GREATER TWIN CITI	EMPLOYEE CONTRIBUTIONS:11-02-12	101	20420					\$99.00	
VACKER, INC	HRC-GUERIN GAS STATION SIGN SERVICES	459	40800	5200				\$980.00	
		459	40800	5200				\$2,242.00	
		459	40800	5200				\$63.39	\$3,285.39
WALSH, AGNES F.	ELECTION JUDGE SERVICES	101	40300	1050				\$75.00	\$75.00
WATSON COMPANY	WAVE CAFE COFFEE FOR RESALE	220	43800	2590		001		\$167.40	\$272.50
		101	40800	2180				\$105.10	
WATSON COMPANY	COFFEE SERVICE FOR RESALE	220	43800	2590		003		\$195.93	
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001		\$1,533.53	\$1,533.53
YANG, MAY-PA	FACILITY REFUND	220	22040					\$100.00	\$100.00
YOUNG, LESLEY	REIMBURSEMENT HALLOWEEN HOOPLA	225	43580	2172		001		\$45.54	\$80.70
		225	43580	2172		001		\$35.16	

								Total of all invoices:	\$125,473.92
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COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
AMERI PRIDE LINEN & APPAREL SE	UNIFORM RENTALS - MAINTENANCE CENTER	101	42200	3970				\$46.58	\$186.34
		601	45050	3970				\$46.58	
		602	45550	3970				\$46.58	
		603	45850	3970				\$23.30	
		701	46500	3970				\$23.30	
AMERI PRIDE LINEN & APPAREL SE	UNIFORM RENTALS	101	42200	3970		001		\$36.25	\$181.24
		601	45050	3970		001		\$36.25	
		602	45550	3970		001		\$36.25	
		603	45850	3970		001		\$36.25	
		701	46500	3970		001		\$36.24	
AMERI PRIDE LINEN & APPAREL SE	UNIFORM RENTALS - MAINTENANCE CENTER	101	42200	3970				\$43.89	
		601	45050	3970				\$43.88	
		602	45550	3970				\$43.88	
		603	45850	3970				\$21.94	
		701	46500	3970				\$21.94	\$175.53
AMERICAN FASTENER	TOOL FOR HYDRANTS	601	45050	2400				\$92.56	\$92.56
AMERICAN FASTENER	SUPPLIES	701	46500	2180		001		\$319.31	\$319.31
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$1,251.84	
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$2,013.46	\$2,013.46
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$1,840.83	\$1,840.83
BAUER BUILT TIRE AND BATTERY I	REAR TIRES FOR UNIT 306	701	46500	2220		001		\$1,860.69	\$1,860.69
BAUER BUILT TIRE AND BATTERY I	TIRES FOR UNIT 502	701	46500	2230		001		\$632.22	
BAUER BUILT TIRE AND BATTERY I	TIRES FOR STOCK	701	46500	2230		001		\$616.03	\$616.03
BEISSWENGERS HARDWARE	SAW BLADES	101	43710	2240				\$62.28	\$62.28
BEISSWENGERS HARDWARE	CHAIN SAW OIL	603	45850	2180		001		\$51.72	\$51.72
BEISSWENGERS HARDWARE	LEAF BAGS FOR RCF	101	43710	2240				\$30.98	\$30.98
BIFF'S, INCORPORATED	FALL CLEAN UP BIFFS	210	42750	3640				\$111.77	\$111.77
BOYER TRUCK PARTS INC.	PARTS FOR UNIT 208	701	46500	2220		001		\$24.39	\$24.39
BRAKE & EQUIPMENT WAREHOUSE	PARTS FOR UNIT 502	701	46500	2220		001		\$202.98	\$202.98
C & E HARDWARE	HOSE ADAPTERS FOR SHOP	701	46500	2180		001		\$13.35	\$13.35
C & E HARDWARE	MOUSE TRAPS	601	45050	2280		005		\$7.49	\$7.49
C & E HARDWARE	DUST MASKS	101	42200	2180		001		\$18.20	\$18.20
C & E HARDWARE	CAULK	601	45050	2280		005		\$4.92	\$4.92
C & E HARDWARE	SIGN SUPPLIES	101	42200	2180		003		\$9.63	\$9.63
C & E HARDWARE	POND SUPPLIES	603	45850	2180		001		\$2.51	\$2.51
C & E HARDWARE	SHOP SUPPLIES	101	42200	2180		001		\$3.73	\$3.73
COORDINATED BUSINESS SYSTEMS	MITA LASER MAINTENANCE	101	40550	3860		004		\$233.87	\$233.87
CURB CREATIONS, INC.	LANDSCAPE AT COMMONS CURBING	405	43710	3810				\$2,385.00	\$2,385.00
DAKOTA SUPPLY GROUP	3' AND 1.5" METER FOR PAR BUILDING	601	45050	2510				\$3,142.02	\$3,142.02
DASCOM SYSTEMS GROUP LLC	ADD CAROUSEL DISPLAYS TO CAFE AREA	422	40550	5800				\$855.00	\$855.00
DASCOM SYSTEMS GROUP LLC	ADD CAROUSEL DISPLAYS IN CAFE AREA	422	40550	5800				\$6,629.46	\$6,629.46
DULTMEIER SALES	PARTS FOR CALCIUM TANKS	701	46500	2220		002		\$80.32	\$80.32
DUSTY'S DRAIN CLEANING	TELIVISE 1008 INGERSON	602	45550	3190				\$200.00	\$200.00
DUSTY'S DRAIN CLEANING	TELIVISE 412 TANGLEWOOD	602	45550	3190		002		\$200.00	\$200.00
E.H.RENNER, INC	WELL AND BOOSTER INSPECTIONS	601	45050	3190		003		\$500.00	\$500.00
EMBEDDED SYSTEMS, INC	SIREN REPAIR	101	41500	3890				\$164.13	\$164.13
EMBEDDED SYSTEMS, INC.	REPAIR TORNADO SIREN #5	101	41500	3890				\$310.69	\$310.69
EMERGENCY AUTOMOTIVE	STROBE TUBES	701	46500	2180		001		\$28.07	\$28.07
FIRST LAB, INC.	RANDOM SCREEN	101	40210	3190		001		\$45.95	\$45.95
FLEET FARM/GE CAPITAL RETAIL B	PARTS FOR TIGER MOWER	701	46500	2220		002		\$13.36	\$13.36
FLEET FARM/GE CAPITAL RETAIL B	HYD. COUPLERS FOR STOCK	701	46500	2180		001		\$72.37	\$72.37

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
GRAINGER, INC.	REPAIR SUPPLIES CC	220	43800	2240		001		\$723.19	\$723.19
GREEN LIGHTS RECYCLING INC	REPAIR SUPPLIES -- LAMPS FOR CC	220	43800	2240		001		\$618.69	\$618.69
H & L MESABI, INC.	PLOW BOLTS & NUTS	701	46500	2180		001		\$66.82	\$66.82
HAWKINS, INC.	CHEMICAL FOR BOOSTER	601	45050	2160		001		\$2,946.46	\$2,946.46
HERC-U-LIFT	SERVICE & REPAIR OF SKYJACK	701	46500	2220		002		\$133.05	\$802.53
		701	46500	3190		002		\$669.48	
HEWLETT-PACKARD COMPANY	SERVER REPLACEMENTS	422	40550	5800				\$17,605.73	\$17,605.73
HEWLETT-PACKARD COMPANY	PC REPLACEMENTS	422	40550	5800				\$682.93	\$682.93
HUGO EQUIPMENT COMPANY	RED MAX BACKPACK LEAF BLOWER	101	43710	2400				\$470.24	\$470.24
LAKE JOHANNA FIRE DEPT	REIMBURSEMENT OF COMPUTERS	405	41200	3190				\$2,032.05	\$2,032.05
LILLIE SUBURBAN NEWSPAPERS INC	WINTER JOBS BULLET LIST	101	40210	3360		001		\$984.00	\$984.00
LOCATORS & SUPPLIES	PAINT FOR LOCATING	601	45050	2280		001		\$93.58	\$233.95
		602	45550	2280		001		\$140.37	
MADSEN FIXTURE AND MILLWORK, I	BOOTHES FOR WAVE CAFE AREA	459	43800	5300				\$11,547.00	\$11,547.00
MENARDS CASHWAY LUMBER **FRIDL	FURNACE FILTERS AND ANTIFREEZE	101	43710	2240				\$78.81	\$78.81
MINNESOTA SAFETY COUNCIL	ALL EMPLOYEE SAFETY TRAINING	101	40210	3190		011		\$263.44	\$263.44
MODERN FENCE & CONST. INC.	COMMONS BACKSTOP REPLACEMENT	405	43710	3810				\$7,500.00	\$7,500.00
MOORE MEDICAL, LLC	FIRST AID SUPPLY POOL AREA	220	43800	2200		001		\$238.26	\$238.26
MOUNDS VIEW PUBLIC SCHOOLS	CHIPPEWA POOL RENTAL FALL SHUTDOWN	220	43800	2200		004		\$141.18	\$141.18
NAPA AUTO PARTS	SHOP SUPPLIES	701	46500	2180		001		\$29.37	\$29.37
NAPA AUTO PARTS	SOCKET	701	46500	2400		001		\$15.30	
NAPA AUTO PARTS	PARTS FOR UNIT 502/LESS CREDIT	701	46500	2220		001		\$11.47	\$11.47
POST USA INC.	POSTAGE MACHINE SUPPLIES/SEALER REPLACED	101	40200	3220				\$43.82	\$43.82
NEUMAN POOL, INC.	LAMP, SEALKIT, STRAINER, BOARDS FOR POOL	220	43800	3810		007		\$5,089.10	\$5,089.10
NORTH SUBURBAN ACCESS CORPORAT	WEBSTREAMING	230	40900	3190		004		\$918.00	\$918.00
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40200	2010		001		\$54.82	\$109.94
		101	40200	2010		002		\$55.12	
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40200	2010		002		\$164.97	\$352.73
		101	40200	2010		001		\$187.76	
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40500	2010		007		\$51.28	
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40200	2010		002		\$40.07	\$40.07
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40800	2180				\$11.66	\$81.70
		101	40200	2010		002		\$70.04	
OFFICE DEPOT	CUSTOM STAMP	101	40500	2010		008		\$65.18	\$65.18
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40200	2010		002		\$67.83	\$67.83
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40500	2010		008		\$15.50	\$15.50
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40200	2010		002		\$53.37	\$53.37
OPTUMHEALTH FINANCIAL SERVICES	SEPT COBRA,ADMIN FEES, RETIREES	101	40210	3190		003		\$54.20	\$54.20
ORKIN EXTERMINATING CO., INC.	PEST CONTROL SERVICES	220	43800	3190				\$162.15	\$162.15
OXYGEN SERVICE COMPANY	WORK GLOVES AND MECHANIC GLOVES	101	42200	2180		001		\$108.11	\$324.34
		603	45850	2180		001		\$108.11	
		701	46500	2180		001		\$108.12	
OXYGEN SERVICE COMPANY	TANKS FOR SMALL TORCHES	601	45050	2280		003		\$52.50	\$52.50
PARTS ASSOCIATES, INC.	SHOP SUPPLIES	701	46500	2180		001		\$185.94	
PERMITWORKS	SOFTWARE MAINTENANCE ON CODE ENFORCEMENT	101	40550	3860		014		\$1,007.67	\$1,007.67
PLUMBMASTER, INC	REPAIR SUPPLIES FITNESS CENTER	220	43800	2240		002		\$996.25	\$996.25
PRAIRIE EQUIPMENT COMPANY LLC	INVERTERS	601	45050	2280		001		\$542.93	\$542.93
TEC DESIGN	REPAIR VIDEO CAMERA	101	40550	3860		004		\$598.44	
RAMSEY COUNTY	LAW ENFORCEMENT - OCTOBER 2012	101	41100	3190		001		\$153,395.28	\$153,395.28
RAMSEY COUNTY	911 SERVICES - OCTOBER 2012	101	41100	3198				\$8,062.67	\$8,062.67
RAMSEY COUNTY	FLEET SUPPORT FEE - OCTOBER	101	41500	3890				\$24.96	\$24.96

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
REHBEIN'S BLACK DIRT	BLACK DIRT	101	43710	2260			\$60.92	\$60.92
REINDERS, INC.	HOLIDAY LIGHTS AND EXTENSION CORDS	101	43710	2240			\$1,795.14	\$1,795.14
SHORT ELLIOTT HENDRICKSON, INC	ANNUAL BRIDGE INSPECTION - CONSULTING	101	42200	3190			\$84.08	\$84.08
SIGNATURE AQUATICS, INC	WATERSLIDE REFURBISH PAYMENT	405	43800	3810			\$12,871.72	\$12,871.72
SIGNATURE AQUATICS, INC	WATERSLIDE REPAIRS	220	43800	3810		007	\$1,142.10	
ST. PAUL, CITY OF	ASPHALT	101	42200	2180		002	\$144.07	\$144.07
ST. PAUL, CITY OF	ASPHALT	101	42200	2180		002	\$144.07	\$144.07
ST. PAUL, CITY OF	ASPHALT	101	42200	2180		002	\$72.03	\$72.03
SUBURBAN RATE AUTHORITY	2012 MEMBERSHIP ASSESSMENT SECOND HALF	101	40100	4330		006	\$1,200.00	\$1,200.00
T.A. SCHIFSKY & SONS, INCORPOR	ASPHALT	101	42200	2180		002	\$158.65	\$158.65
T.A. SCHIFSKY & SONS, INCORPOR	ASPHALT	101	42200	2180		002	\$77.35	\$77.35
TARGET COMMERCIAL INVOICE	BENEFITS FAIR SUPPLIES	101	40210	4890		001	\$24.91	\$24.91
TERMINAL SUPPLY CO	SUPPLIES	701	46500	2180		001	\$37.83	\$37.83
TWIN SOURCE SUPPLY	TRASH BAGS	701	46500	2183		002	\$61.59	\$61.59
W.D.LARSON COMPANIES LTD, INC.	FILTERS	701	46500	2180		001	\$29.14	\$29.14
WORKS COMPUTING INC	ADD NETWORK STORAGE	422	40550	5800			\$8,700.12	\$8,700.12
YALE MECHANICAL INC	REPAIRS TO PAVILION FURNACE	101	43710	3190			\$670.13	\$670.13
YOCUM OIL COMPANY INC.	UNLEADED FUEL	701	46500	2120		001	\$4,531.35	\$4,531.35
YOCUM OIL COMPANY INC.	UNLEADED FUEL	701	46500	2120		001	\$4,488.85	\$4,488.85
YOCUM OIL COMPANY INC.	ON ROAD DIESEL FUEL	701	46500	2120		002	\$3,176.30	\$3,176.30
YOCUM OIL COMPANY INC.	OFF ROAD DIESEL FUEL	701	46500	2120		003	\$1,588.15	\$1,588.15
ZIEGLER, INCORPORATED	PARTS FOR UNIT 306	701	46500	2220		002	\$103.99	\$103.99
							Total of all invoices:	\$285,024.00

Purchase Voucher

City of Shoreview
 4600 Victoria Street North
 Shoreview MN 55126

Voucher Number	30,957
Vendor number	01308 1 2012
Vendor name	MINNESOTA METRO NORTH TOURISM
Address	CITY OF BLAINE FINANCE DEPARTMENT 10801 TOWN SQUARE DRIVE BLAINE, MN 55449

Date	Comment line on check	Invoice number	Amount
09-30-12	SEPT HOTEL/MOTEL TAX/3 SITES	9/30/12	\$20,504.25

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

0. T
8,772.77 +
8,246.99 +
4,563.66 +
21,583.42 T
21,583.42 x
0.05 =
1,079.17 *
21,583.42 +
1,079.17 -
20,504.25 T

Return to: _____

Account Coding	Amount
101 38420	-\$1,079.17
101 22079	\$21,583.42

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

Reviewed by: Fred Espe
 (signature required) Fred Espe

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	30,729
Vendor number	01337 2 2012
Vendor name	RAMSEY COUNTY
Address	90 PLATO BLVD W. PO BOX 64097 ST. PAUL MN 55164-0097

Date	Comment line on check	Invoice number	Amount
10-10-12	LAW ENFORCEMENT - OCTOBER 2012	SHRFL-001168	\$153,395.28

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
101 41100 3190 001	\$153,395.28

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

Reviewed by: Terri Hoffard
 (signature required) Terri 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	

PROPOSED MOTION

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to adopt Shoreview's Water Emergency and Conservation Plan, dated September 2007, as previously approved by the Minnesota Department of Natural Resources.

ROLL CALL:	AYES	NAYS
HUFFMAN	_____	_____
QUIGLEY	_____	_____
WICKSTROM	_____	_____
WITHHART	_____	_____
MARTIN	_____	_____

REGULAR COUNCIL MEETING
NOVEMBER 5, 2012

TO: MAYOR, CITY COUNCIL, CITY MANAGER
FROM: MARK J. MALONEY, PUBLIC WORKS DIRECTOR
DATE: OCTOBER 31, 2012
SUBJ: ADOPTION OF WATER EMERGENCY AND CONSERVATION PLAN

INTRODUCTION

In 2007 the City updated its Water Emergency and Conservation Plan per requirements of Mn. Statutes 103G.291. Upon reviewing their records, the Minnesota Department of Natural Resources has recently determined that the City needs to adopt the plan by official action. City Council action is requested at this time to comply with the requirements of the Minnesota Department of Natural Resources.

DISCUSSION

In conjunction with the most recent update of the water supply portion of the City's Comprehensive Plan, the City prepared a separate Water Emergency and Conservation Plan (WECP) which was approved by the Metropolitan Council in May, 2008. The WECP is a 117-page technical document that provides a summary of the City's municipal water operations and emergency and water conservation measures that were in place at the time of the report. It is incorporated by reference in Shoreview's Comprehensive Plan. In addition to the requirements for WECP review and approval by the Metropolitan Council, State Statutes require the Minnesota Department of Natural Resources (DNR) to review and approve such plans. The City was notified earlier this year that, while both the Metropolitan Council and DNR previously reviewed and approved the WECP as part of the City's Comprehensive Plan, the DNR didn't have records of the Shoreview's approval of the WECP. The DNR is asking City Staff at this time to certify that the City Council has officially adopted the WECP dated 2007. A copy of the correspondence from the DNR is attached for reference.

It is important to note that the DNR is not asking for or requiring the City to consider any revisions to the WECP at this time; it appears that the DNR is simply getting caught up with its records. The DNR correspondence makes reference to the topic of possible interaction between the levels of Snail and Turtle Lakes and the City's municipal water supply system, which has become a popular topic with the publicity given to the USGS study concerning the low levels of White Bear Lake. Since the date of the correspondence (April 2012) the City has cooperated with the USGS in their sampling and analysis of the well water that, according to their representative Perry Jones, "These results do not show a strong relation between the well water and any surface-water source near the wells, such as Turtle Lake".

It's possible at the time of the next mandated update of Shoreview's Water Emergency and Conservation Plan (in 2017) that more may be understood regarding groundwater mechanics in

the area and/or the regional, State and Federal regulatory authority and roles in the dialog. But at this time, there are no recommended changes or additions to the WECP.

RECOMMENDATION

Staff recommends consideration of the attached motion that adopts Shoreview's Water Emergency and Conservation Plan, dated September 2007, as previously approved by the Minnesota Department of Natural Resources.

Minnesota Department of Natural Resources

Region 3 Ecological and Water Resources
1200 Warner Road, St. Paul, MN 55106
Telephone: (651) 259-5845 Fax: (651) 772-7977



April 18, 2012

Mark Maloney
Public Works/City Engineer
City of Shoreview
4600 Victoria Street N
Shoreview, MN 55126

RE: Water Supply Plan Approval, City of Shoreview, Ramsey County

Dear Mr. Maloney:

Our office has completed the review of your Water Supply Plan (formerly called Water Emergency and Conservation Plan) for public water supply authorized under DNR Water Appropriation Permit #1974-5038. I am pleased to advise you that in accordance with *Minnesota Statutes*, Section 103G.291, Subdivision 3, and on behalf of the Commissioner of Natural Resources, I hereby approve your Plan. This approval is effective upon the Department's receipt of a completed copy of the attached "Certification of Adoption" form. **Please return the form to my office as soon as the City officially adopts the Plan.**

The City's average percent unaccounted for water for the last 5-years was above the AWWA 10% threshold. It is our understanding that the City will address the errors in tracking the unaccounted for water. The calculated average residential per capita demand per day and peak demand rates were slightly above the metropolitan average. The city should continue implementing its education programs and consider expanding efforts to target peak period reduction and to clearly describe goals that would lower the peak demands. We strongly recommend implementation of time of day sprinkling restrictions. The city is commended for its plan to begin tracking some of the municipal uses not previously accounted for. The DNR and Metropolitan Council encourage the City to educate its customers on how they can reduce household water use. For more information on water conservation programs please see the Council's water conservation toolbox at: http://www.metrocouncil.org/environment/Watersupply/conservationtoolbox_programs.htm

In Table 9 of the plan, it would also be good to list trigger benchmarks for each condition stage to assure proper response. The City of Shoreview does have a good conservation rate according to Minnesota Statutes, Section 103G.291.

Please note that Turtle and Snail Lakes are nearest to the pumping center of the city's wells, which may be contributing to long term lake level decreases. More study is needed and the city may be asked to provide more frequent measurement and reporting of static water levels in all active and primary wells in the city.



Mr. Mark Maloney
April 18, 2012
Page Two

Thank you for your efforts in planning for the future of the City of Shoreview's water supply and for conserving the water resources of the State of Minnesota. If you have any questions or need additional assistance with the City's water appropriation permit, please contact me at 651-259-5802.

Sincerely,



Molly Shodeen
Area Hydrologist

Enclosures (1)

cc: Metropolitan Council, Lanya Ross
Rice Creek Watershed District, Nick Tomczik
Ramsey Conservation District, Ryan Johnson
DNR Central Office SWUDS

DNR Water Appropriation Program, Julie Ekman
DNR Ground Water Unit, Evan Drivas
DNR Ground Water Monitoring Coord., Mike MacDonald
EWR Regional Manager, Terri Yearwood

**CERTIFICATION OF ADOPTION
WATER EMERGENCY AND CONSERVATION PLAN**

City or Water System Name:

Name of Person Authorized to Sign
Certification on Behalf of the System:

Title:

Address:

Telephone:

Fax:

E-mail:

I certify that the Water Emergency and Conservation Plan approved by the Department of Natural Resources has been adopted by the city council or utility board that has authority over water supply services.

Signed:

Date:

Fax (651/296-0445) or mail this certification to:

MN Department of Natural Resources
Division of Ecological and Water Resources
1200 Warner Road
Saint Paul, MN 55106

PROPOSED MOTION

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to authorize the trade in of the 2011 S630 Bobcat Skidsteer Loader and authorize the purchase a new unit from the State of Minnesota Purchasing Contract, for a total cost after trade-in, of \$1,603.13, which includes sales tax.

ROLL CALL:	AYES	NAYS
HUFFMAN	_____	_____
QUIGLEY	_____	_____
WICKSTROM	_____	_____
WITHHART	_____	_____
MARTIN	_____	_____

TO: MAYOR, CITY COUNCIL, CITY MANAGER
FROM: MARK J. MALONEY, PUBLIC WORKS DIRECTOR
DATE: NOVEMBER 5, 2012
SUBJ: AUTHORIZATION TO TRADE-IN / PURCHASE A SKIDSTEER LOADER

INTRODUCTION

In 2011 the City purchased a S630 Bobcat skid steer loader off of the State of Minnesota Cooperative Purchasing Venture Contract from Tri-State Bobcat. City Council approval is necessary at this time for authorization to trade in the current skid steer and purchase its replacement unit from Tri-State Bobcat, through the State of Minnesota Cooperative Purchasing Venture Contract #52041.

DISCUSSION

The existing skidsteer loader is used extensively by public works maintenance personnel in conjunction with various types of excavating projects, pond maintenance, street patching, snow removal and tree planting/landscaping projects. There are typically significant costs to maintain this type of intensely used equipment, including routine maintenance, tire repairs and replacements etc. As is the case with all equipment, those costs increase with each passing year and become difficult to predict in the budgeting process.

Tri-State Bobcat of Little Canada, Minnesota offers a trade-in program to state and local government agencies which allows the agency to receive predictable trade in value for their one or two year old piece of equipment and purchase a new piece of equipment from the state contract. Because there is an incentive for the businesses in equipment sales to have an active inventory of recent year trade-ins which are attractive to the private sector of the construction industry, they are willing to enter into this type of arrangement with a governmental agency. The trade in value will go up each year as to ensure the program participants pay no more than \$1,500 per year age of the equipment. This type of program is not exclusive to Tri-State Bobcat; other equipment dealers offer programs similar to this and are utilized by other government agencies. A number of local government entities, including White Bear Lake, Maplewood, Vadnais Height and many others participate in this program with Tri-State Bobcat. Ramsey County has participated in this type of program for many years and they have been very pleased with the benefits they have enjoyed with the program. Given the past level of customer service, and proximity of their business, City staff believes that this arrangement with Tri-State is in the best interest of the City.

Given the virtual certainty of costly repairs that occur in later years of the life of this type of equipment, it makes sense for the City to participate in this program. It essentially eliminates the need for the City to risk expensive repairs - even to ever replace the tires, which in itself would

pay for the program annually. The agreement protects the City from future obligation; that is, the equipment and program will be evaluated each year and recommendations will be made according to those evaluations. A request for authorization to purchase the skid steer from the State of Minnesota contract will be submitted with the understanding that replacement costs will be no more than \$1,500 annually. All existing attachments will transfer to the new unit which will be of similar size and capabilities.

RECOMMENDATION

Staff recommends consideration of the attached motion that authorizes the trade in of the current 2011 S630 Bobcat Skidsteer Loader and authorizes the purchase a new unit from the State of Minnesota Purchasing Contract, for a total cost after trade-in of \$1,603.13, which includes sales tax.

PROPOSED MOTION

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to approve Resolution No. 12-96 reducing the following escrows:

Erosion Control and Development Cash Deposits for the following properties in the amounts listed:

755 Larson Ln	Norway Builders	\$ 1,000.00
5415 Carlson Rd	Windsor/Brent & Beth Nelson	\$ 2,500.00
4979 Hodgson Rd	Urban Companies	\$ 2,000.00
3244 Owasso Hts Rd	Larson Contracting	\$ 500.00
3620 Rustic Pl	Moser Homes Inc/Shoreview	\$ 1,500.00
3241 Victoria St N	Mike Torkelson/Shoreview	\$ 1,500.00

ROLL CALL: AYES _____ NAYS _____

HUFFMAN _____

QUIGLEY _____

WICKSTROM _____

WITHHART _____

MARTIN _____

REGULAR COUNCIL MEETING
NOVEMBER 5, 2012

TO: MAYOR, CITY COUNCIL, CITY MANAGER
FROM: THOMAS L. HAMMITT
SENIOR ENGINEERING TECHNICIAN
DATE: NOVEMBER 1, 2012
SUBJECT: DEVELOPER ESCROW REDUCTIONS

INTRODUCTION

The following escrow reductions have been prepared and are presented to the City Council for approval.

BACKGROUND

The property owners/builders listed below have completed all or portions of the erosion control and turf establishment, landscaping or other construction in the right of way as required in the development contracts or building permits.

755 Larson Ln	Erosion control completed
5415 Carlson Rd	Erosion control & trees completed
4979 Hodgson Rd	Erosion control completed
3244 Owasso Hts Rd	Erosion control completed
3620 Rustic Pl	*Tree escrow to the City of Shoreview
3241 Victoria St N	*Tree escrow to the City of Shoreview

*The developer provided an escrow for replacement trees where trees were removed by construction of a new house, per code. These lots are heavily wooded and the new homeowners do not want additional trees planted. The escrow amounts will be transferred to the appropriate City Forestry fund for future tree planting on public property in lieu of planting on the lot.

RECOMMENDATION

It is recommended that the City Council approve releasing all or portions of the escrows for the following properties in the amounts listed below:

755 Larson Ln	Norway Builders	\$ 1,000.00
5415 Carlson Rd	Windsor/Brent & Beth Nelson	\$ 2,500.00
4979 Hodgson Rd	Urban Companies	\$ 2,000.00
3244 Owasso Hts Rd	Larson Contracting	\$ 500.00
3620 Rustic Pl	Moser Homes Inc/Shoreview	\$ 1,500.00
3241 Victoria St N	Mike Torkelson/Shoreview	\$ 1,500.00

PROPOSED

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

HELD NOVEMBER 5, 2012

* * * * *

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 November 5, 2012 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. 12-96

**RESOLUTION ORDERING ESCROW REDUCTIONS
AT VARIOUS LOCATIONS IN THE CITY**

WHEREAS, various builders and developers have submitted cash escrows for erosion control, grading certificates, landscaping and other improvements, and

WHEREAS, City staff have reviewed the sites and developments and is recommending the escrows be returned.

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

The Shoreview Finance Department is authorized to reduce the cash deposit in the amounts listed below:

755 Larson Ln	Norway Builders	\$ 1,000.00
5415 Carlson Rd	Windsor/Brent & Beth Nelson	\$ 2,500.00
4979 Hodgson Rd	Urban Companies	\$ 2,000.00
3244 Owasso Hts Rd	Larson Contracting	\$ 500.00
3620 Rustic Pl	Moser Homes Inc/Shoreview	\$ 1,500.00
3241 Victoria St N	Mike Torkelson/Shoreview	\$ 1,500.00

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 5th day of November, 2012.

PROPOSED MOTION

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to adopt Resolution No. 12-95 approving plans and specifications for Water System Improvements – Weston Woods Booster Station, City Project 12-02, and ordering the taking of bids on Tuesday, December 18, 2012 at 11:00 a.m., at the Shoreview City Hall.

ROLL CALL:	AYES	NAYS
HUFFMAN	_____	_____
QUIGLEY	_____	_____
WICKSTROM	_____	_____
WITHHART	_____	_____
MARTIN	_____	_____

REGULAR COUNCIL MEETING
November 5, 2012

TO: MAYOR, CITY COUNCIL, CITY MANAGER

FROM: TOM WESOLOWSKI, CITY ENGINEER

DATE: NOVEMBER 1, 2012

SUBJECT: APPROVE PLANS & SPECIFICATIONS FOR WATER SYSTEM IMPROVEMENTS – WESTON WOODS BOOSTER STATION, CITY PROJECT 12-02

INTRODUCTION

The City Council previously approved plans and specifications and authorized bidding for the project at the June 26, 2012 meeting. Three bids were received that were all significantly higher than the engineer's estimate. At the July 2, 2012 the Council rejected all bids with the understanding that staff would revisit the project to determine if construction costs could be reduced while still providing an equivalent benefit to the Weston Woods residents.

Revised plans and specifications have been prepared, and the project is on schedule to proceed to the public bidding phase. City Council authorization for public bidding is required at this time.

DISCUSSION

Staff worked with the consultant that designed the project to determine why the bids received for the project were significantly higher than the estimate. It was determined that the proposed location of the booster station was the main cause for the high bids. As shown on the attached map the location was west of Lexington requiring the installation of a fairly long underground electrical service. It was also located south of West Cliff Curve, which required significant restoration of disturbed area. The costs for these items were significantly higher than expected.

To reduce the overall cost of the project the booster station has been moved to a location as shown on the attached map. The new location is much closer to Lexington Avenue and West Cliff Curve, which will significantly reduce the length of the underground electrical service required and disturb a much smaller area requiring minimal restoration. It is also expected that bidding the project at this time of the year will create a more competitive bidding environment.

Staff has met with representatives from the Townhome Association and they approve of the new location of the booster station.

RECOMMENDATION

It is recommended that the City Council adopt Resolution 12-95 approving the plans and specifications for Water System Improvements – Weston Woods Booster Station, City Project 12-02 and authorize the taking of bids.

Legend

- County Offices
 - City Halls
 - Schools
 - Hospitals
 - Fire Stations
 - Police Stations
 - Recreational Centers
 - Parcel Points
 - Parcels
- GISRASTER.GISPUB.IMAGE,
High : 255
Low : 0



Notes

Weston Woods Booster



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

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF SHOREVIEW, MINNESOTA
HELD NOVEMBER 5, 2012**

* * * * *

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 November 5, 2012, at 7:00 p.m. The following members were present: and the following members were absent:

and the following members were absent:

Member introduced the following resolution and moved its adoption.

RESOLUTION NO. 12-95

**APPROVING PLANS AND SPECIFICATIONS
AND ORDERING THE TAKING OF BIDS FOR
WATER SYSTEM IMPROVEMENTS – WESTON WOODS BOOSTER STATION
CITY PROJECT 12-02**

WHEREAS, plans and specifications for Water System Improvements – Weston Woods Booster Station, C.P. 12-02, have been prepared and presented to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SHOREVIEW, MINNESOTA, THAT:

1. The plans and specifications for Water System Improvements – Weston Woods Booster Station, City Project 12-02, are hereby approved.
2. The City Manager shall prepare and cause to be inserted in the official newspaper an Advertisement for Bids for the making of such improvement under such approved plans and specifications. The advertisement shall be published at least twice, at least three weeks prior to the bid opening, shall specify the work to be done, that the bids are the responsibility of the bidder, and shall state that bids are to be received by the City until 11:00 a.m., local time, on Tuesday, December 18, at which time they will be publicly opened in the Council Chambers of the City Hall by two or more designated officers of the City.

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 5th day of November, 2012.

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 5th day of November, 2012, 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 approving plans and specifications for City Project 12-02 and authorizing bidding of the project.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 6th day of November 2012.

Terry Schwerm
City Manager

SEAL

PROPOSED MOTION

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to authorize the Mayor and City Manager to execute ICWC Contract with the Minnesota Department of Corrections for the provision of a full time offender work crew for 2013.

ROLL CALL: AYES _____ NAYS _____

HUFFMAN	_____	_____
QUIGLEY	_____	_____
WICKSTROM	_____	_____
WITHHART	_____	_____
MARTIN	_____	_____

REGULAR COUNCIL MEETING
NOVEMBER 5, 2012

TO: MAYOR, CITY COUNCIL, AND CITY MANAGER
FROM: MARK MALONEY, PUBLIC WORKS DIRECTOR
DATE: NOVEMBER 5, 2012
SUBJ: AUTHORIZE CONTRACT – MN. DEPT. OF CORRECTIONS (DOC)

INTRODUCTION

The adopted 2012-2013 budget includes funding for outsourced labor activities. The City has negotiated a contract with the Minnesota Department of Corrections (DOC) for a full time offender work crew and supervisor for 2013. City Council authorization for the contract is requested at this time.

DISCUSSION

The City has utilized a fulltime work crew provided by the Department of Corrections since 2011. This crew has performed the general maintenance and cleaning of the Maintenance Center which has allowed the City to eliminate a contract with an outside cleaning firm. In addition, the work crew performs routine labor functions that support both Public Works and Parks Maintenance activities throughout the year including painting fire hydrants, tree and brush removal, rain garden plantings, roadway median clean-up, clearing walkways and transit stop facilities during the winter, etc. The proposed 2013 budget anticipates the continued use of this resource in areas of city responsibility including Park and Trail Maintenance, Forestry and cleaning services for the Maintenance Center. The total negotiated value of the contract is \$80,699, the same as 2012. The State Department of Corrections is not raising their price for contract labor for 2013. A copy of the proposed contract is attached for reference.

RECOMMENDATION

City Council authorization for execution of the contract with the Minnesota Department of Corrections is requested at this time.

STATE OF MINNESOTA INCOME CONTRACT

This contract is between the State of Minnesota, acting through its Commissioner of Corrections, Institution Community Work Crew Program ("State"), and the City of Shoreview, 4600 Victoria Street North, Shoreview, Minnesota 55126 ("Purchaser").

Recitals

1. Under Minn. Stat. §241.278 the State is empowered to enter into income contracts.
2. The Purchaser is in need of an Institution Community Work Crew (ICWC) on an as needed basis.
3. The State represents that it is duly qualified and agrees to provide the services described in this contract, if a ICWC is available when requested by Purchaser.

Contract

1 Term of Contract

- 1.1 **Effective date:** January 1, 2013, or the date the State obtains all required signatures under Minnesota Statutes Section 16C.05, subdivision 2, whichever is later.
- 1.2 **Expiration date:** December 31, 2013, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2 State's Duties

The State will:

- 2.1 Provide a crew leader who will supervise up to ten (10) offender crewmembers during four (4) 10-hour days per week, including the hours crew leaders spend for daily preparation, communication and travel. The crew leader will take directions as to the location and nature of the work to be completed on a given day as requested by the Purchaser's Authorized Representative or designee.
- 2.2 Train each work crew in safety principles and techniques set forth by applicable federal, state and local agency requirements. Purchaser agrees that the State has the authority to refuse selected projects if it considers the projects beyond the skill level of the crewmembers and/or unsafe to perform.
- 2.3 Provide required personal safety equipment and clothing needed for specific work.
- 2.4 Screen projects to ensure that appropriate staff are assigned.
- 2.5 Submit reports to the Purchaser upon request.

3 Purchaser's Duties

The Purchaser will

- 3.1 Obtain all necessary permits or licenses or special authority for all projects that utilize ICWC labor.
- 3.2 Assign all work and coordinate material purchases and delivery through the ICWC crew leader for projects to be performed by the State.
- 3.3 Hire any subcontractors utilized in the project.
- 3.4 Provide utilities at the work site and set up accounts for the purchase of materials and rental of specialized tools or equipment needed for the work.
- 3.5 Meet with the State as necessary to provide project information needed by the State in the performance of its' duties.

4 Payment

The Purchaser will pay the State for all services performed by the State under this contract as follows: Payment shall be made by the Purchaser to the State in the amount of forty thousand three hundred forty-nine and 50/100 dollars (\$40,349.50) on March 1, 2013 and forty thousand three hundred forty-nine and 50/100 dollars (\$40,349.50) on August 1, 2013. Any overtime hours will be billed at the rate of sixty-seven and 50/100 dollars (\$67.50) per hour.

The total obligation of the Purchaser for all compensation and reimbursements to the State under this contract is eighty thousand six hundred ninety-nine and 00/100 dollars (\$80,699.00), plus any additional overtime hours, as its share of the cost of providing a crew leader and placing the work crews into service on the ICWC Program during the term of this agreement. The Purchaser's share includes time scheduled for training, vacation, sick leave and holidays based on the terms and condition of the crew leaders AFSCME bargaining agreement.

5 Authorized Representatives

The State's Authorized Representative is Terry Byrne, District Supervisor, or his successor.

The Purchaser's Authorized Representative is Mark Maloney, Public Works Director/City Engineer, or his successor.

6 Amendments, Waiver, and Contract Complete

6.1 *Amendments.* Any amendment to this contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original contract, or their successors in office.

6.2 *Waiver.* If the State fails to enforce any provision of this contract, that failure does not waive the provision or its right to enforce it.

6.3 *Contract Complete.* This contract contains all negotiations and agreements between the State and the Purchaser. No other understanding regarding this contract, whether written or oral, may be used to bind either party.

7 Liability

Each party will be responsible for its own acts and behavior and the results thereof.

8 Government Data Practices

The Purchaser must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this contract. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the Purchaser or the State.

If the Purchaser receives a request to release the data referred to in this Clause, the Purchaser must immediately notify the State. The State will give the Purchaser instructions concerning the release of the data to the requesting party before the data is released.

9 Publicity

Any publicity regarding the subject matter of this contract must not be released without prior written approval from the State's Authorized Representative.

10 Audit

Under Minn. Stat. § 16C.05, subd. 5, the Purchaser's books, records, documents, and accounting procedures and practices relevant to this contract are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a total of six years.

11 Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this contract. Venue for all legal proceedings out of this contract, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

12 Termination

Either party may terminate this agreement at any time, with or without cause, upon 30 days' written notice to the other party.

1. PURCHASER

The Purchaser certifies that the appropriate person(s) have executed the contract on behalf of the Purchaser as required by applicable articles, bylaws, resolutions, or ordinances.

By
Title
Date

By
Title
Date

2. STATE AGENCY

With delegated authority

By
Title
Date

3. Commissioner of Administration

As delegated to Materials Management Division

By
Date

Distribution
DOC Financial Services Unit – Original (fully executed) contract
Purchaser
State's Authorized Representative
Budget Officer of Authorized Representative
Department of Administration – Materials Management Division

**MOTION
TO APPROVE PLANNED UNIT DEVELOPMENT –
DEVELOPMENT STAGE
HEATHER RIDGE TOWNHOUSE ASSOCIATION –
5656 DONEGAL CIRCLE**

MOVED BY COUNCIL MEMBER: _____

SECONDED BY COUNCIL MEMBER: _____

To approve the requests submitted by the Heather Ridge Townhouse Association for the proposed redevelopment of the west tennis court at 5656 Donegal Circle and recommend the City Council approve the development stage of the PUD. Said approval is subject to the following:

1. The property shall be developed in accordance with the concept contemplated as part of this application. Revisions to the submitted plans may be permitted to respond to comments received from the City. Said revisions shall be submitted as part of the Final Stage PUD application.
2. The applicant shall obtain a building permit for the construction of the gazebo's and storage shed. Structures shall comply with the Building Code.
3. The PUD – Final Development Application deadline will be extended to November 5, 2013 in lieu of the traditional 60 day timeline.

This approval is based on the following findings of fact:

1. The use is in harmony with the general purposes and intent of the Development Code and Comprehensive Plan.
2. The proposed conversion of the active recreational space to a passive recreation space is consistent with the PUD since the area will remain as recreation space for the association.
3. The proposed conversion supports the changing recreational needs of association members.

ROLL CALL:

	AYES	_____	NAYS	_____
Huffman		_____		_____
Quigley		_____		_____
Wickstrom		_____		_____
Withhart		_____		_____
Martin		_____		_____

Regular City Council Meeting
November 5, 2012

TO: Mayor, City Council, City Manager
FROM: Nicole Hill, Planning Intern
DATE: October 25, 2012
SUBJECT: File No. 2462-12-25, Amendment to PUD, Heather Ridge Townhouse Association –Donegal Circle – Outlot A

Request

The Heather Ridge Townhouse Association submitted an application to amend the Planned Unit Development previously approved for the Heather Ridge development. The Association is proposing to repurpose/redevelop one of the existing tennis courts located in the common area, Outlot A, on Donegal Circle in the Heather Ridge Townhouse Addition to a passive recreation space. Since the tennis court on the property is part of the Planned Unit Development, an amendment is needed for the redevelopment. The Planning Commission recommended approval of the request at their October 23rd, 2012 meeting.

Site History

In 1978, Clyde Rehbein, of C. R. Investments, approached the City with plans to develop a Residential Planned Unit Development (PUD) north of Turtle Lake Road and east of Hodgson Road. These plans were approved via the Planned Unit Development (PUD) process and Heather Ridge was developed with 218 dwelling units and has a density range of 2 to 4 units per acre. The styles of townhomes within the development vary and include ramblers, split entries and two-stories

The Outlot-A site was included in this PUD to provide common area and the tennis court recreational facility for properties in the development. These facilities are private and the Homeowner's Association was designated responsible for the maintenance of this site.

Project Description

The property is located on the southwest corner of Donegal Circle and has an area of 27,878 square feet, with approximately 12,800 square feet of impervious surface with the two existing tennis courts. The location is surrounded by residential townhomes and the property is zoned Planned Unit Development.

The Heather Ridge Townhouse Association is requesting to demolish the existing west tennis court to prepare the site for redevelopment. After the demolition, the applicant is proposing to create a passive recreation space. The Association has a conceptual idea to pour a concrete patio which would be tinted tan and stamped to resemble slate. The existing fence will remain and a new fence will be installed to separate to the remaining tennis court from the passive recreation space. Two gazebos would then be installed and be available for use to Association members. The gazebos will have an area of 12ft x 16ft and have a height of 12 ft, 7 inches. A storage-shed with an area of either 12ft x 16ft or 12 x 18ft and a height of 10' ft is also proposed adjacent to

this area. The plans as to the redevelopment of the former west tennis lot are not finalized at this time, but merely conceptual to give an idea of what may occupy the space. The decision will ultimately be up to the members of the Heather Ridge Townhouse Association and will be voted on at their meeting in May 2013.

Planned Unit Development – Development Stage

In accordance with the Development Code Requirements, the Development Stage of the PUD is intended to provide the City with site and building plans. Development Stage PUD establishes a scheme or guideline for building design, lighting, landscaping, parking, access and signage. Any substantial changes to the previous approvals require review and approval through the PUD process again. An amendment to the PUD is required since the proposed change affects a condition of the special use permit and alters the character and use of the common space.

The applicant states that the existing complex is 25 + years old. They would like to develop a more desirable environment by creating a park like atmosphere for the homeowners. At their May 2011 Homeowners Annual Meeting, a committee was nominated to research different ideas to repurpose the tennis courts. At their May 2012 Homeowners Annual Meeting the committee presented several options and the result was overwhelmingly to vote on the park like areas on the west court as presented to them. The vote passed by a large majority. See the attached statement.

Staff Review

Planned Unit Development – Development Stage

Again, the applicant is seeking to amend the Planned Unit Development previously approved for the Outlot A property. They would like to repurpose/redevelop one of the existing tennis courts located on Donegal Circle in the Heather Ridge Townhouse Addition to meet the changing needs of their community. These recreational facilities were required as part of the Planned Unit Development previously approved for the Heather Ridge development; therefore, an amendment is needed to the PUD for the redevelopment.

As stated above, the adjacent land uses, as part of the Planned Unit Development, are residential townhomes. The demolition of the west tennis court and creation of a park-like environment is compatible with the adjoining land uses and will not have a significant adverse impact on them.

The original intent of the recreational facilities was to provide active recreation space for association residents. From Staff's perspective, the proposed change to the west tennis court supports the changing needs of the Heather Ridge community. They no longer see a need for both courts and the conversion of one of the courts to a passive recreation use will better meet the needs of the residents. In Staff's opinion, the proposal is consistent with the criteria for planned unit developments.

Public Comment

Property owners within 350' were notified of this request. Numerous comments were received from residents within the Heather Ridge Townhouse development. Of the comments that have been received: six residents support the change, two are against, and six support of change to the tennis court(s) but not in the manner that is proposed. The comments are attached. The comments have been shared with the Heather Ridge Townhome Association so they may be able to address the wants/needs of their members.

Planning Commission Review

The Planning Commission reviewed this request at their October 23rd meeting and recommended approval with a 6 – 0 vote. The Commission discussed the conceptual nature of the application and supported the change from the active recreational use to a passive recreational use. Commission members did question the Heather Ridge Townhouse Association board members regarding the details of the site design and provided input for their consideration as they move forward in developing the final design with their association members. A few members questioned the need for the storage shed and placement adjacent to Donegal Circle. If the shed is placed where it is proposed, some of the members stated it should be landscaped or screened to minimize the visual impact from the roadway and nearby residents.

While the Commission expressed some concern that a detailed plan submitted for the Final Stage PUD would not be reviewed by them, they were comfortable with the proposed change from an active recreational use to a passive recreational use. Condition No. 1 was revised to reflect this. Any plan revisions that occur due to the City's review and the Association's review would be reviewed with the Final Stage of the PUD.

Recommendation

The redevelopment of the west tennis court supports the existing Heather Ridge Planned Unit Development common land use goals, in response to changing resident needs. In accordance with the approved special use permit, Outlot A must remain a recreational space for Association residents. While the change in use requires an amendment to the PUD, the Association needs to resolve the design details raised by residents prior to the submittal of the Final Stage PUD application. With the Heather Ridge Townhome annual meeting not until May of 2013, staff is recommending an extension of the timeline to submit the PUD – Final Stage application from 60 days to 1 year. Staff is recommending the City Council approve the amendment to the PUD subject to the following conditions:

Planned Unit Development – Development Stage

1. The property shall be developed in accordance with the concept contemplated as part of this application. Revisions to the submitted plans may be permitted to respond to comments received from the City. Said revisions shall be submitted as part of the Final Stage PUD application.

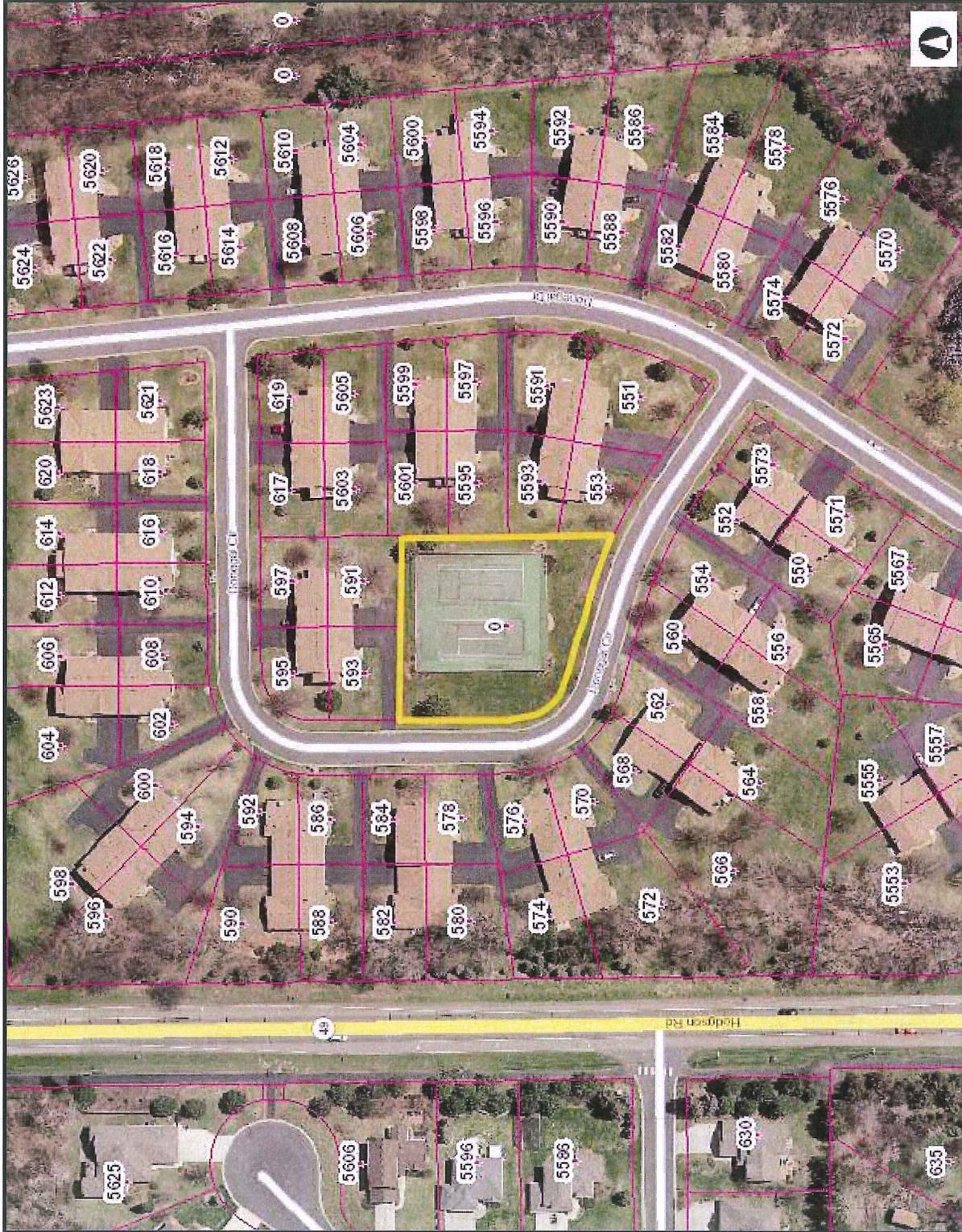
2. The applicant shall obtain a building permit for the construction of the gazebo's and storage shed. Structures shall comply with the Building Code.
3. The PUD – Final Development Application deadline will be extended to November 5, 2013 in lieu of the traditional 60 day timeline.

Attachments

1. Location Map
2. Special Use Permit 685-78-26, including the Land Use Component
3. Applicants Description and Submitted Plans
4. Request for Comment
5. Planning Commission Minutes, October 23rd
6. Proposed Motion



Outlot A - Heather Ridge Townhouse Association



270.9 0 135.45 270.9 Feet

NAD_1983_HARN_Adj_MN_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

- County Offices
 - City Halls
 - Schools
 - Hospitals
 - Fire Stations
 - Police Stations
 - Recreational Centers
 - Parcel Points
 - Parcels
- GISRASTER:GISPUB.IMAGE

High : 255
Low : 0

Notes

Parcel for proposed redevelop / repurpose of West Tennis Court.

ZONING DISTRICT	R-2, Single Family Residential
COMPREHENSIVE PLAN DESIGNATION	Residential, 2-4 units per acre
SPECIAL USES PERMITTED	Development of a Residential Planned Unit Development (PUD) in accordance with the PUD Plan (Land Use, Facilities, and Building Components) and Preliminary Plat dated _____ as prepared by James R. Hill, Inc., signed by the City Planner, and subject to the conditions of this Special Use Permit.

SPECIAL CONDITIONS OR RESTRICTIONS:

1. The applicant shall create a Homeowner's Association prior to final plat for the quad homes or carriage homes. The documents creating the homeowner's association and the association's bylaws shall be reviewed by the City Attorney prior to recording and shall include the following:
 - a. The homeowner's association shall be responsible for the exterior maintenance of all quad homes and carriage homes in the plat.
 - b. The homeowner's association shall maintain all open green space in common areas, including weed control, mowing, etc.
 - c. The homeowner's association shall be responsible for maintaining the central green islands in Heather Ridge Drive.
 - d. The homeowner's association shall be responsible for the maintenance of the tot lot and tennis courts.
 - e. Membership in the homeowner's association must be mandatory for each owner and any successive buyer. The dues for such membership must be established to adequately meet the expenses of maintenance and fulfillment of all responsibilities of the homeowner's association as set forth in this Special Use Permit.
 - f. The homeowner's association shall be responsible for the contracting one trash disposal company to remove refuse for the quad homes and carriage homes.
2. Prior to or at the time of final plat, the applicant shall cause restrictive covenants to be recorded against the subject property which shall be reviewed by the City Attorney prior to recording and shall include the following:
 - a. No boats, trailers, campers or motor homes shall be parked outside any quad home or carriage home, nor in the guest parking areas.

- b. No accessory structures shall be permitted on any quad home or carriage home lot.
- c. No parking shall be permitted in the common driveway approaches of the quad homes.
3. All quad and carriage home lots shall be sodded. All other areas shall be clearly designated on the Landscaping Plan as sodded or seeded.
4. All berming shall be according to the Grading Plan and all plantings shall be according to the Landscaping Plan submitted with the PUD proposal. As each Phase is completed, the Developer shall be required to complete all berming and landscaping.
5. The berming along Highway 49 shall be completed with Phase 1 construction and the area shall be seeded immediately. Landscaping in the area shall be completed as the units in Phase 2 and Phase 3 are constructed.
6. The developer shall construct the tot lot and tennis courts in the location specified on the Land Use Component and according to detail.
7. Adequate house number identification shall be provided for all homes that is uniform in design and visible from the street.
8. All mailboxes shall be constructed and installed in a uniform manner.
9. Except as provided in Section 214.025 (B) of the Shoreview Zoning Code, no dwelling units shall be constructed prior to Final PUD approval.
10. If the subject property is platted in phases, each plat shall be in accordance with the phasing plan submitted as part of the PUD Proposal.
11. Any attachments to this permit shall be considered as part of this permit and shall have the same force and effect as if fully set down herein.
12. Any request by the applicant for major deviation from the approved PUD Plans, as determined by the City Planner, shall require an amendment to the Special Use Permit.
13. In the event any real property in the Heather Ridge Addition is conveyed in total or in part, the buyers thereof shall be bound by the provisions of this Special Use Permit. Subsequent structure additions may be made provided the provisions of the Special Use Permit are adhered to.
14. This Special Use Permit shall expire according to Section 218.120, Ordinance No. 427, of the Shoreview Zoning Code.
15. In reference to Section 218.120, Ordinance No. 427 of the Shoreview Zoning Code pertaining to the expiration of this Special Use Permit, substantial construction shall be defined as the completion of the grading and utilities in Phase I.

16. It shall be the responsibility of the applicant, at least two months prior to the expiration of the Special Use Permit, to request in writing that the Planning Department investigate the need for an extension. The City Planner shall make a determination as to whether or not there has been substantial construction. If it is determined that there has not been substantial construction, the City Planner shall notify the City Council and the applicant.

APPROVED BY THE CITY COUNCIL OF SHOREVIEW, MINNESOTA, THIS 4TH DAY OF
October, 1982.

APPLICANT

Clyde Rehbein, Pres.
Clyde Rehbein
C. R. Investments, Inc.

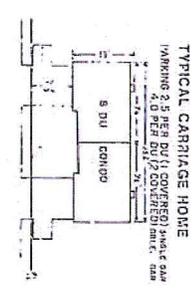
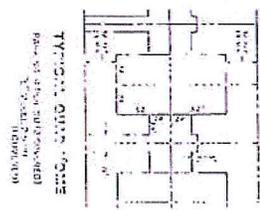
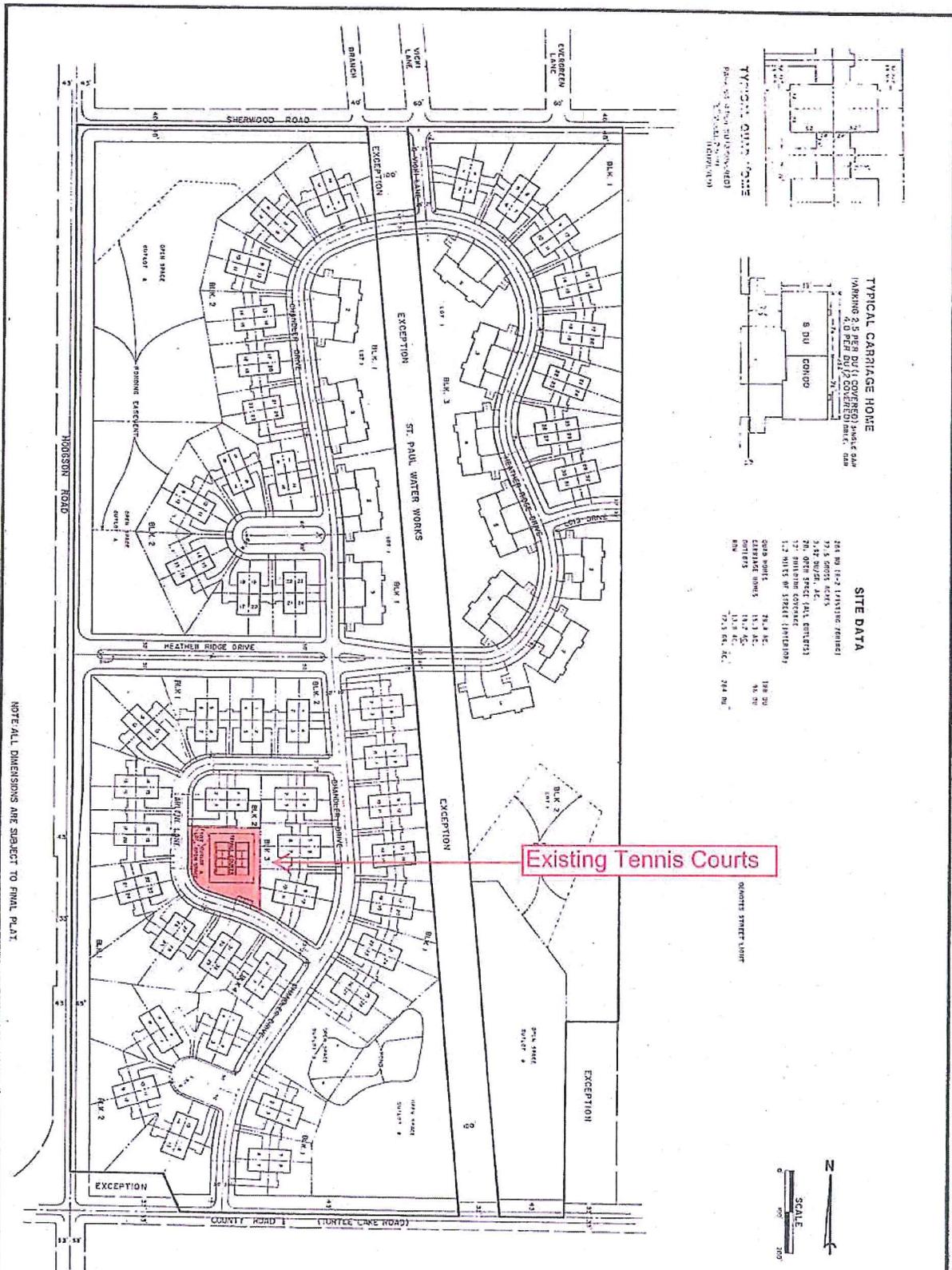
Lawrence M. Steiner
Lawrence M. Steiner

CITY OF SHOREVIEW

Richard A. Wedell
Richard A. Wedell, Mayor

Gary L. Dickson
Gary L. Dickson, City Manger

Date Prepared: 8/19/82
Date Revised: 9/28/82



SITE DATA

244 RD (1-2) EXISTING PERMITS
 77.3 ACROSS ACRES
 5,437 SQ/FT. A.C.
 70' DIRT ROAD (244 RD/251)
 1.2 ACRES OF STREET (10' WIDE)

GRAB SHOTS: 78.4 AC.
 EXISTING DMS: 11.1 AC.
 DMS: 11.5 AC.
 RM: 70.3 AC. AC. 244 RD.
 244 RD.



NOTE ALL DIMENSIONS ARE SUBJECT TO FINAL PLAT

DRAWN BY	
DATE	4/1/22
REVISIONS	
BOOK/PAGE	
PROJECT NO	2115
FILE NO	
SHEET 3 OF 6	

HEATHER RIDGE
 SHOREVIEW, MN.
 P.U.D. PRELIMINARY PLAN - LAND USE COMPONENT
 FOR
C. R. INVESTMENTS, INC.
 810 BUCHER AVE, SHOREVIEW, MN. 55112

I hereby certify that I am a duly Licensed Professional Engineer in the State of Minnesota and that I am the author of the above described plan and that the same is a true and correct copy of the original on file in my office.

James R. Hill, inc.
 PLANNERS / ENGINEERS / SURVEYORS
 8200 HANCOCK AVE S • BLOOMINGTON, MN 55420 • 612-884-3029

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
651-490-4600 phone
651-490-4699 fax
www.shoreviewmn.gov

Received Oct 17, 2012

October 2, 2012

REQUEST FOR COMMENT

Dear Shoreview Property Owner:

Please be advised that on **Tuesday, October 23 at 7:00 p.m.**, the Shoreview Planning Commission will review a PUD-Development Stage application for **5656 Donegal Drive – Outlot A**, submitted by the **Heather Ridge Townhouse Association**. The applicant proposes to redevelop/repurpose the existing west tennis court located on Donegal Circle in the Heather Ridge Townhouse Addition, in Shoreview MN, to a park-like environment. The tennis court will be replaced with concrete and two gazebos will be constructed. A storage shed is also proposed. 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. Comments received by **October 18th** will be distributed to the Planning Commission with the Planning Commission 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. The meeting is held in the City Council Chambers at Shoreview City Hall, 4600 North Victoria Street.

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. I can also be reached via e-mail at nhill@shoreviewmn.gov.

Sincerely,

Nicole Hill
Planning Intern

Comments:

I do not like the looks of a fence around the whole area - the comm. Hee says it would be necessary to keep people out at night. Would rather just see the tennis court & the rest in grass & benches

Name: Clareal Bente

Address: 568 Donegal Circle

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
651-490-4600 phone
651-490-4699 fax
www.shoreviewmn.gov

October 2, 2012

Received Oct 17, 2012

REQUEST FOR COMMENT

Dear Shoreview Property Owner:

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Sincerely,

Nicole Hill
Planning Intern

Comments:

I support this plan!

Name: David Vanveste
Address: 596 Donegal Circle

Planning Intern

Received Oct 16, 2012

Comments:

Yes. Approval - with some input

Name:

Walter Johnson

Address:

556 Donegal Ave

T:\2012 Planning Case Files\2462-12-25 5656 Donegal Dr-OutLot A - Heather Ridge\Neighborhood Notice for Comment.docx

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
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October 2, 2012

REQUEST FOR COMMENT

Dear Shoreview Property Owner:

Please be advised that on **Tuesday, October 23 at 7:00 p.m.**, the Shoreview Planning Commission will review a PUD-Development Stage application for **5656 Donegal Drive – Outlot A**, submitted by the **Heather Ridge Townhouse Association**. The applicant proposes to redevelop/repurpose the existing west tennis court located on Donegal Circle in the Heather Ridge Townhouse Addition, in Shoreview MN, to a park-like environment. The tennis court will be replaced with concrete and two gazebos will be constructed. A storage shed is also proposed. Please see the attached plans.

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Sincerely,

Nicole Hill
Planning Intern

Phone Call - Received 10/12

Comments:

concerned about whether all home-owners
within the association were notified. Believes
they all should have a say because they
will all be paying for it.

Name: June Allen

Address: 651-481-0815

Nicole Hill
Planning Intern

Received 10/15/12

Comments:

I think if the tennis-court isn't used to capacity that may indicate it needs re-surfacing. As for the gazebos, I love the idea, but don't think it's practical. Most people prefer to entertain at home.

Name: June A. Cullen
Address: 5561 Donegal Drive

T:\2012 Planning Case Files\2462-12-25 5656 Donegal Dr-OutLot A - Heather Ridge\Neighborhood Notice for Comment.docx

Received

10/12/12

N4

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



Shoreview

City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
651-490-4600 phone
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www.shoreviewmn.gov

October 2, 2012

REQUEST FOR COMMENT

Dear Shoreview Property Owner:

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Sincerely,

Nicole Hill
Planning Intern

Comments:

I am in favor of the proposed change -

Name:

Toni Stedman

Address:

595 Donegal Cir

Shoreview, MN 55126

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
651-490-4600 phone
651-490-4699 fax
www.shoreviewmn.gov

October 2, 2012

Received 10/12/12

REQUEST FOR COMMENT

Dear Shoreview Property Owner:

Please be advised that on Tuesday, October 23 at 7:00 p.m., the Shoreview Planning Commission will review a PUD-Development Stage application for 5656 Donegal Drive – Outlot A, submitted by the Heather Ridge Townhouse Association. The applicant proposes to redevelop/repurpose the existing west tennis court located on Donegal Circle in the Heather Ridge Townhouse Addition, in Shoreview MN, to a park-like environment. The tennis court will be replaced with concrete and two gazebos will be constructed. A storage shed is also proposed. Please see the attached plans.

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Sincerely,

Nicole Hill
Planning Intern

Comments:

Change can be a good thing. However, I don't see how 2 gazebos on a slab of concrete with a cut out to 4 bushes surrounded by a chain link fence overlooking the back of a storage shed can be considered "park like". I understand the need of a shed. A gathering area would be nice. How about removing the fence, putting bushes, putting up an arbor & put the shed somewhere out of the way.

Name: Jan Silworth
Address: 5601 Donegal Dr

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



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651-490-4600 phon.
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Received 10/11/12

October 2, 2012

REQUEST FOR COMMENT

Dear Shoreview Property Owner:

Please be advised that on **Tuesday, October 23 at 7:00 p.m.**, the Shoreview Planning Commission will review a PUD-Development Stage application for **5656 Donegal Drive – Outlot A**, submitted by the **Heather Ridge Townhouse Association**. The applicant proposes to redevelop/repurpose the existing west tennis court located on Donegal Circle in the Heather Ridge Townhouse Addition, in Shoreview MN, to a park-like environment. The tennis court will be replaced with concrete and two gazebos will be constructed. A storage shed is also proposed. 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. Comments received by **October 18th** will be distributed to the Planning Commission with the Planning Commission 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. The meeting is held in the City Council Chambers at Shoreview City Hall, 4600 North Victoria Street.

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. I can also be reached via e-mail at nhill@shoreviewmn.gov.

Sincerely,

Nicole Hill
Nicole Hill
Planning Intern

Comments:

*thank you for the opportunity to comment.
I would suggest removing the tennis Cts
all together. I live @ 553 Donegal Circle next
door to the Courts for the past 3 years &
have never seen anyone use them. Basket Ball,*

Name: *Kris Graham*
Address: *553 Donegal Cir*
612-644-4999

*Putting
Putting
For Golf
Prt. w*

T:\2012 Planning Case Files\2462-12-25 5656 Donegal Dr-OutLot A - Heather Ridge\Neighborhood Notice for Comment.docx

*or feather ball would be used more - one
in addition & suggest larger*

And one smaller Garage would work.
Will it all be fixed in?
How about off street parking too.

Plant more trees!



Nicole Hill <nhill@shoreviewmn.gov>

5656 Donegal Drive-Outlot A Heather Ridge Townhouse Assoc

1 message

benson2001.excite <benson2001@excite.com>

Wed, Oct 10, 2012 at 3:21 PM

To: nhill@shoreviewmn.gov

Hello Ms.Hill,

I recently received your "request for comment" on the above referenced proposed PUD-Development Stage application. (5597 Donegal is my property) Just a few thoughts: The gazebo is appealing in its design and seems as though it would be a welcome and useful addition to the Heather Ridge area. My concern is that of potential use of the area. I guess this would fall into the area of signage, rules of use and possible abuse. There are a significant number of renters in the area with an increasing number of teens wandering about the subdivision. The new gazebo is a potential 'hang-out' and, at the risk of sounding like a crabby old man (I'm neither but whatever....) I don't want a crew of aimless potheads loitering around the only free shelter in the proximity!(As in "Hey. lets meet at the gazebo for a quick hit after school".) Heck, I used to creep around similar structures trying to stay out of the wind at that age and although the phones may have changed-teens have not. My questions are: What signage will be present at the site? What means of policing the area for appropriate use will be used?

Thanks.

Greg Benson
(941) 587-6164

14.0000

Planning intern

Received Wed - 10/10

Comments:

It's a shame the tennis courts weren't used.

Maybe this new idea will bring life to that area
once again. Go for it!

Name: Barbara Andel

Address: 5553 Donegal Dr.

T:\2012 Planning Case Files\2462-12-25 5656 Donegal Dr-OutLot A - Heather Ridge\Neighborhood Notice for
Comment.docx

To: Nicole Hill

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
651-490-4600 phone
651-490-4699 fax
www.shoreviewmn.gov

Received 10/9/12

October 2, 2012

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Sincerely,

Nicole Hill
Planning Intern

Comments:

I am not in favor of this plan as shown. No costs are outlined - are the residents to be responsible for costs especially insurance and possible maintenance costs?
I do live in H.R. on Donegal Dr.

Name: _____

Address: _____

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



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Sincerely,

Nicole Hill
Planning Intern

Comments:

much bigger & more costly project than I was led to believe, therefore I am not in favor of it

Name: Charis Olmstead
Address: 586 Donegal Cir

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
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Received 10/9/12

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Sincerely,

Nicole Hill
Planning Intern

Comments:

Looks great! Courts are never used and look bad. This will be much nicer.

Name: *Tom Miller*
Address: *5576 Donegal Dr.*

City Council:
Sandy Martin, Mayor
Blake Huffman
Terry Quigley
Ady Wickstrom
Ben Withhart



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4600 Victoria Street North
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Received 10/9/12

October 2, 2012

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Sincerely,

Nicole Hill
Planning Intern

Comments:

see over comments, attached

Name: *Bob & Vernie Koskunen*
Address: *5567 Donegal Drive*

10/5/12

Dear Planning Commission,

Regarding the repurpose/alteration to Heather Ridge:

We agree the surface of the tennis court needs repair. However, the cost projected for repurposing 1/2 half of the court with two gazebos isn't justified, in our opinion. At most, only one gazebo should be installed to determine if even that will generate enough use to justify the expenditure.

At our May 2012 Annual Meeting,
31 families voted for the project
22 families voted against
but \rightarrow 123 other families didn't even bother to submit a vote, which suggests a serious lack of interest.

Costs must be held down.

Thank you

Bob & Jennie Koskinen
Heather Ridge Homeowners of 15 years
5567 Bonafal Drive
Shoreview



Nicole Hill <nhill@shoreviewmn.gov>

Heather Ridge Outlot A Comment

1 message

Tim O'Brien <timobrien10@comcast.net>
To: nhill@shoreviewmn.gov

Sat, Oct 6, 2012 at 8:43 AM

I don't think the tennis courts are being used, because it is not as popular a sport as it once was.

I would prefer to eliminate the tennis courts altogether. Take down the fences, remove the asphalt, etc.

I would like to see grass and trees planted, which would be less expensive. Make it a real park.

I like the gazebo idea, but don't see the need for two.

Thanks-

Tim O'Brien

5610 Donegal Dr.

**SHOREVIEW PLANNING COMMISSION MEETING
MINUTES
October 23,, 2012**

CALL TO ORDER

Chair Solomonson called the meeting of the October 23, 2012 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

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

Commissioner Wenner was absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Schumer, seconded by Commissioner Proud to approve the October 23, 2012 agenda as submitted.

VOTE: Ayes - 6 Nays - 0

APPROVAL OF MINUTES

Commissioner Ferrington noted a correction to the second motion under Approval of the Agenda, the second motion should read the September 25th agenda as amended.

MOTION: by Commissioner Schumer, seconded by Commissioner Thompson to approve the minutes of the September 25, 2012 Planning Commission meeting, as amended.

Ayes - 6 Nays - 0

NEW BUSINESS

**PUBLIC HEARING – AMENDMENNT TO PLANNED UNIT DEVELOPMENT –
DEVELOPMENT STAGE**

File No.: 2462-12-25
Applicant: Heather Ridge Townhouse Association
Location: 013023330247 (Heather Ridge Court-Out Lot A)

Presentation by City Planner Kathleen Nordine

This application is a request to amend the PUD for Heather Ridge Townhouse Association in order to develop Outlot A, which has tennis courts and is located in the common area. An

amendment is needed because the original approval required tennis courts. The property was originally developed in 1978 with a PUD. In 1982, a Special Use Permit was issued with a condition that the developer provide a tot lot and tennis courts.

The proposal is to remove all but one tennis court in order to create a patio area with two gazebos. A storage area is also proposed to store maintenance equipment. The fence for the one tennis court would remain. A new fence would be put in around the patio area.

Staff believes the request to be compatible with adjacent land uses and would have no adverse impact. The tennis courts that were required are seldom used. The new use would continue to be a recreational area consistent with original approvals, and the new use would better serve the changing needs of Heather Ridge Court. Staff is recommending approval with the conditions listed into the staff report.

Property owners within 350 feet were notified of the proposal. Numerous responses were received the majority of which support the change. There is some opposition due to cost.

Commissioner Ferrington noted that the 350 feet for notice did not include all residents within the townhouse community. She asked if the plan would have to be reviewed by the Planning Commission again, if, as plans are finalized, other changes are made, even though they are recreational. Ms. Nordine explained that the amendment is to change this area from an active recreational area to a passive one. A significant change would require further review by the Planning Commission.

Commissioner Thompson noted that some of the residents' comments state that the tennis courts were not often used because they are not well maintained.

Commissioner McCool asked if the proposed storage shed would be screened to the rear. Ms. Nordine answered, no.

Chair Solomonson asked how close the shed would be to the road, as it is 10 feet in height and without screening.

City Attorney Filla stated that he has reviewed the Affidavit of Publication, which indicates that the Public Hearing is in order.

Chair Solomonson declared the public hearing to be open.

Ms. Lindsey Garfield, Chair of Committee for the Design. and **Ms. Jean Andahl**, Vice President of Heather Ridge Court Townhouse Association were present for questions.

Commissioner Thompson asked the process of notifying all residents in the Association.

Ms. Garfield added that the plan was presented and approved at the last Association meeting. All homeowners are informed. **Ms. Andahl** explained that flyers were put on doors of those

notified. Nothing can be done until the 2013 meeting. A plan was necessary to move through the City process.

Commissioner McCool asked how the proposed shed would be used and about possible landscaping. **Ms. Andahl** stated that it would relieve storage congestion in existing garages and provide space for gas grills which are planned to be purchased. It would be used to provide electricity to the recreational area. The shed would be locked and used on request. Its appearance would be architecturally compatible with the townhouses with the same siding and shingles. If necessary, it would be custom made. There is a large spruce on the north side of the shed. There would be landscaping added around it. If neighbors do not want the shed placed at the proposed location, there will be no shed. This means that there would be no place to store gas grills and the Association would not buy them.

Commissioner Ferrington asked the process for finalizing this plan with homeowners. **Ms. Garfield** explained that once approved by the Planning Commission and City Council, the Association would have to vote at the annual meeting in May 2013. A two-thirds majority would approve the plan and funding. Once the Association votes, any changes would mean another vote. Bids will be obtained prior to the annual meeting in order to present a cost analysis.

Commissioner Proud asked how undesirable behavior would be addressed. **Ms. Andahl** stated that restrictions requested by homeowners would be put in place. **Ms. Garfield** added that rules and regulations would be posted. The Association is not a policing body. The Board will police the area, but if there is a problem, the Ramsey County Sheriff would be called. Commissioner Proud questioned whether Ramsey County would have jurisdiction over private rules established by the Association. **Ms. Andahl and Ms. Garfield** plan to meet with the Sheriff's Department regarding enforcement.

Chair Solomonson asked the reason for a fence around the gazebos when they will be placed within the fenced tennis court area. **Ms. Garfield** explained that the existing fence is a sport court fence. The fence is for security. If the fence remains, and grass is used instead of a patio, there is added cost for maintenance and entry to the area. If the tennis courts were being used at the same time as the patio, a fence would prevent interference from tennis balls.

Ms. Andahl asked if a pickle ball court can be put in without review by the Planning Commission. Chair Solomonson stated that it is just a matter of restriping and not an issue.

Ms. Ann Dorth, 5601 Donegal Drive, stated that she supports the changes but is concerned about how much is being put in a small space. Two gazebos is too many. A picnic shelter or arbor would be less clutter.

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

VOTE: Ayes - 6 Nays - 0

Commissioner Ferrington stated that she supports the plan, as it addresses needs in the association.

Commissioner McCool stated that he does not support a storage shed in this area. The outlet is supposed to be a community area for recreation, although he sympathizes with the need for storage. If the shed would be completely screened and tucked away, he could support it. There seems to be potential incompatibility with the number of activities planned. However, he is in favor of repurposing the area.

Commissioner Thompson stated that she is reluctant to change the use from active recreation to passive. It would be easy to repurpose the existing area to pickle ball without an amendment. There are 123 families who have not responded. Input is needed from everyone to move forward.

Chair Solomonson stated that he agrees with the concept for hybrid design that converts part of this area to passive recreation. The design will be worked out with the townhouse association. He also has concerns about the shed being close to the road and the design of the gazebos.

Commissioner Schumer expressed support. He would like to not see a fence around the gazebos, but that will be decided by the Association.

MOTION: by Commissioner Schumer, seconded by Commissioner Ferrington to approve the requests submitted by the Heather Ridge Townhouse Association for the proposed redevelopment of the west tennis court at 5656 Donegal Circle and recommend the City Council approve the development stage of the PUD. Said approval is subject to the following:

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. Said revisions shall be submitted as part of the Final Stage PUD application.
2. The applicant shall obtain a building permit for the construction of the gazebos and storage shed. Structures shall comply with the Building Code.

This approval is based on the following findings of fact:

1. The proposal supports the policies in the City's Comprehensive Plan relating to land use, housing and economic development.
2. The proposed passive recreation space will not adversely impact the land use of the surrounding property.
3. The proposal supports the changing needs of the Heather Ridge community.

Discussion:

Commissioner McCool stated that he cannot support the plan as presented because of the shed's location with no screening. He offered an amendment to the end of the first sentence of

condition No. 1 to state, "except the storage shed shall be removed." Commissioner Proud seconded the amendment for purposes of discussion.

Commissioner Proud spoke against the amendment because he believes a design can be developed that would incorporate a shed that is landscaped and placed in a better location. He suggested changing Condition No. 1 to state, "...similar to the plan submitted with this application."

City Attorney Filla suggested language that would stipulate not to exceed two tennis courts and that the shed be further off the property line.

Commissioner McCool withdrew his first amendment and Commissioner Proud withdrew his second.

MOTION FOR AMENDMENT: by Commissioner McCool, seconded by Commissioner Proud to revise the first and second sentences of Condition No. 1 to read as follows: "The property shall be developed in accordance with the concept contemplated as part of this application." and "Revisions to the submitted plans shall be permitted to respond to comments received from the City."

VOTE ON THE AMENDMENT:

Ayes - 6 Ayes - 0

VOTE ON MOTION AS AMENDED:

Ayes - 6 Ayes - 0

SITE & BUILDING PLAN REVIEW

File No: **2466-12-29**
Applicant: **Tom Houck**
Location: **4610 North Milton Street**

Presentation by City Planner Kathleen

This application is for a 952 square foot addition on the east side of the existing building for production space for the applicant's business, Houck Transit Advertising. The property consists of 23,572 square feet. The existing building is 4,000 square feet. Parking is shared with the property to north at 4620 Milton Street. A temporary storage shelter was approved in 1978. There was no deadline for removal, and it remains to this day. The proposed addition would be built over existing impervious surface. It would be one story with a flat roof. Currently, the lot coverage is at 75% and may be increased to 80%, if Best Management Practices are used. This project would increase impervious surface to 71%.

**MOTION
TO APPROVE**

MOVED BY COUNCIL MEMBER: _____

SECONDED BY COUNCIL MEMBER: _____

To approve the Site and Building Permit Review application submitted by Tom Houck for a building addition at 4610 N. Milton Street, subject to the following conditions:

1. The site shall be developed in accordance with the plans submitted. Minor modifications may be made to the plans, subject to approval by the City Planner. Significant changes to the plans require review and approval through the Site and Building Plan review process.
2. Approval of the final drainage, utility, and erosion control plans by the Public Works Director.
3. The parking lot shall be striped to identify parking spaces on the property. Said parking spaces and aisle width shall comply with Section 206.020, Parking, of the Development Code.
4. Lighting on site shall comply with Section 204.030, Glare, of the Development Code. Details of the proposed light fixtures shall be submitted to the staff prior to the issuance of a building permit.
5. The applicant shall enter into an Erosion Control Agreement prior to the issuance of any building permits for this project.
6. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

This approval is based on the following findings of fact:

1. The proposed land use and building addition is consistent with the City's Comprehensive Plan policy regarding improvements to existing buildings in the Shoreview Town Center area.
2. The building addition complies with the development standards for the I, Industrial Zoning District.
3. The use is in harmony with the general purposes and intent of the Development Code and Comprehensive Plan.

ROLL CALL:

	AYES	NAYS
Huffman	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

Regular City Council Meeting
November 5, 2012

TO: Mayor, City Council and City Manager

FROM: Kathleen Nordine, City Planner

DATE: November 1, 2012

SUBJECT: File No. 2466-12-29, Site and Building Plan Review – Tom Houck, 4610 Milton Street

Introduction

Tom Houck submitted a Site and Building Plan Review application to construct an addition onto the existing building at 4610 Milton Street. The addition is proposed on the east side of the existing structure and will provide needed space for Mr. Houck's business, Houck Transit Advertising. Site and Building Plan review is required when exterior improvements are proposed on commercial and industrial properties.

The application was complete as of October 3, 2012.

Site and Project Description

The property is located on the east side of Milton Street and has a lot area of 23,572 square feet and a lot width of 135'. The property is developed with an industrial building that is approximately 4,000 square feet in size. An off-street parking area, with access off of Milton Street is located on the north side of the building. A service drive is located on the building's east side and provides access to the property to the south. A storage trailer is currently being stored on the property and will remain behind the building.

When this area was developed in the late 1960's, the three parcels at 4620, 4610 and 4606/04 were owned by the same individual. The City did approve a building addition in 1981 for the property at 4620 Milton Street which required additional parking. Parking was approved on the south side of the building with access from 4610 Milton Street, and encroaches on the 4610 property. Mr. Houck has stated that easements have been executed for this parking arrangement.

In 1978, the City granted approval for the construction of a temporary storage shelter that encroaches over the southern property line. This shelter still remains and abuts up to the structures on 4610 and 4606/04 Milton Street. The City approvals did not specify a timeframe for removal.

The applicant is proposing to construct a 940 square foot addition located on the east side of the existing building. This one-story addition will provide production space needed for the business operations. The exterior of the building is designed to match the existing building with stucco, concrete block and glass windows.

Comprehensive Plan

The property is located in Policy Development Area #6, Town Center, and Targeted Redevelopment Area #1. The Shoreview Town Center Plan anticipates the redevelopment of the commercial and industrial area along Highway 96 between Lexington Avenue and Victoria Street, transforming the land uses to a mixed use area of residential, civic and commercial uses. The land use designation is MU – TC, Mixed Use, and Town Center.

While the plan anticipates changes away from the industrial uses, it also recognizes these properties have been developed and will continue in use until action is taken to facilitate the plan. Therefore, a policy has been established that permits improvements on existing properties, provided the land use remains the same.

Development Code Requirements

The property is zoned I, Industrial. Parcels within this district are not subject to a minimum lot size but must have a minimum width of 100 feet. Structures must maintain a minimum setback of 50-feet from a front property line, 20-feet from a rear property line and 10-feet from a side property line. Parking areas must be setback a minimum of 20-feet from a front property line and 5-feet from a side property line. Parking ratios are established based on the use of the building.

Impervious surface coverage cannot exceed 75% but may be increased to 80% if best management practices are used.

Adjacent properties to the north, south and west are zoned I, Industrial and developed with industrial uses. The property to the east is owned by the City of Shoreview and is the site of the City's Maintenance Facility. This property is zoned R1, Detached Residential but guided for institutional use.

Staff Review

The submitted plans have been reviewed in accordance with the City's development standards. The proposed addition will provide additional production space for the applicant's business and is a permitted use in the I, Industrial District. The key development issues are discussed below:

Site Design

The proposed addition will be located on the east side of the existing building. This addition has an area of 940 square feet and is one-story in height. From the rear property line, the addition will be setback 20.3 feet and from the southern side lot line a 10-foot setback is proposed. The addition complies with the minimum setbacks established for structures in the Industrial district.

Parking

Parking is provided on-site in an off-street parking area that is shared with the property to the north, 4620 Milton Street. While the parking lot is not striped, it appears that approximately 22 cars could be parked on-site. Six parking stalls are required for the applicant's building, including the addition. Staff is recommending a condition be attached to an approval requiring striping of the parking lot.

Architectural Design

The one-story addition is designed with exterior finishes that match the existing building. Exterior wall finishes on the north side of the building include stucco, metal fascia and glass. The east and south side of the addition would be finished with a concrete masonry unit painted to match the building. The east and south sides are not visible from the street and are adjacent to the storage yard for the City's maintenance facility. The roof is flat and the overall height of the addition is 12.7 feet, consistent with the existing building height.

Stormwater Management

The property is located in the Rice Creek Watershed District. The District did review this proposal and stated that a permit will not be required due to the minimal impact the proposal has on stormwater runoff. The project, however, is still required to comply with district rules.

The proposed impervious surface coverage for this site is 71.3% and is slightly greater than the existing impervious surface coverage of 70.8%. This is less than the maximum 75% permitted for industrial properties.

Stormwater runoff from the roof will be directed to the north and east towards the parking area.

Public/Agency Comment

Property owners within 350' were notified of this request. No comments were received.

Rice Creek Watershed District did respond as stated above. Attached is a copy of their letter.

Planning Commission Review

The Commission reviewed the application at their October 23rd meeting. The Commission supported the proposed addition recommending approval of the request with a 6 to 0 vote. The discussion addressed the "temporary" storage building between the 4610 and 4604 buildings and the temporary storage trailer on-site.

Regarding the temporary storage building, Mr. Houck indicated that his purchase of the property included this temporary building and use for cold storage. He uses the building along with the adjoining property owner.

The trailer is used to store materials for his business and will be relocated to the south side of the building, alongside the new addition. In this location, the trailer will not be visible from any street right-of-way. He indicated that the trailer is essential for storage and that it is not feasible to increase the size of the building expansion. While the use of trailers as storage structures is not permitted per the City's ordinances, there are a number of businesses within the industrial area that use trailers for storage. From the City's perspective, these are acceptable provided they are limited in number and placed discreetly on the property. Some Commission members encouraged the applicant to remove the trailer.

Recommendation

The submitted application has been reviewed in accordance with the Comprehensive Plan and Development Code. The continued industrial use of the building and the proposed addition is

consistent with the City's policies regarding improvements in the Town Center area. The addition also complies with the City's development standards for industrial properties. Staff is recommending the City Council approve the Site and Building Plan Review subject to the following conditions:

1. The site shall be developed in accordance with the plans submitted. Minor modifications may be made to the plans, subject to approval by the City Planner. Significant changes to the plans require review and approval through the Site and Building Plan review process.
2. Approval of the final drainage, utility, and erosion control plans by the Public Works Director.
3. The parking lot shall be striped to identify parking spaces on the property. Said parking spaces and aisle width shall comply with Section 206.020, Parking, of the Development Code.
4. Lighting on site shall comply with Section 204.030, Glare, of the Development Code. Details of the proposed light fixtures shall be submitted to the staff prior to the issuance of a building permit.
5. The applicant shall enter into an Erosion Control Agreement prior to the issuance of any building permits for this project.
6. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

Attachments

1. Location Map
2. Email from City Engineer
3. Applicants Submitted Plans
4. Request for Comment
5. Planning Commission Minutes, October 23rd
6. Proposed Motion

t:\2012pcf\2466-12-29\4610milton houck\ccreport



Application review

Shoreview

Tom Wesolowski <twesolowski@shoreviewmn.gov>
To: "NORDINE, KATHLEEN" <knordine@shoreviewmn.gov>

Fri, Oct 5, 2012 at 12:00 PM

Kathleen,

I have reviewed the applications for 4610 Milton Street N. and 3615 Victoria St. and have no comments.

—
Tom Wesolowski
City Engineer
City of Shoreview
twesolowski@shoreviewmn.gov
Direct Tel: 651-490-4652
Fax: 651-490-4696



4610 Milton Street - Houck



NAD_1983_HARN_Adj_MN_Ramsey_Feet
 © Ramsey C Enterprise GIS Division

Legend

- County Offices
- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcels
- GISRASTER.GISPUB.IMAGE
- High : 255
- Low : 0

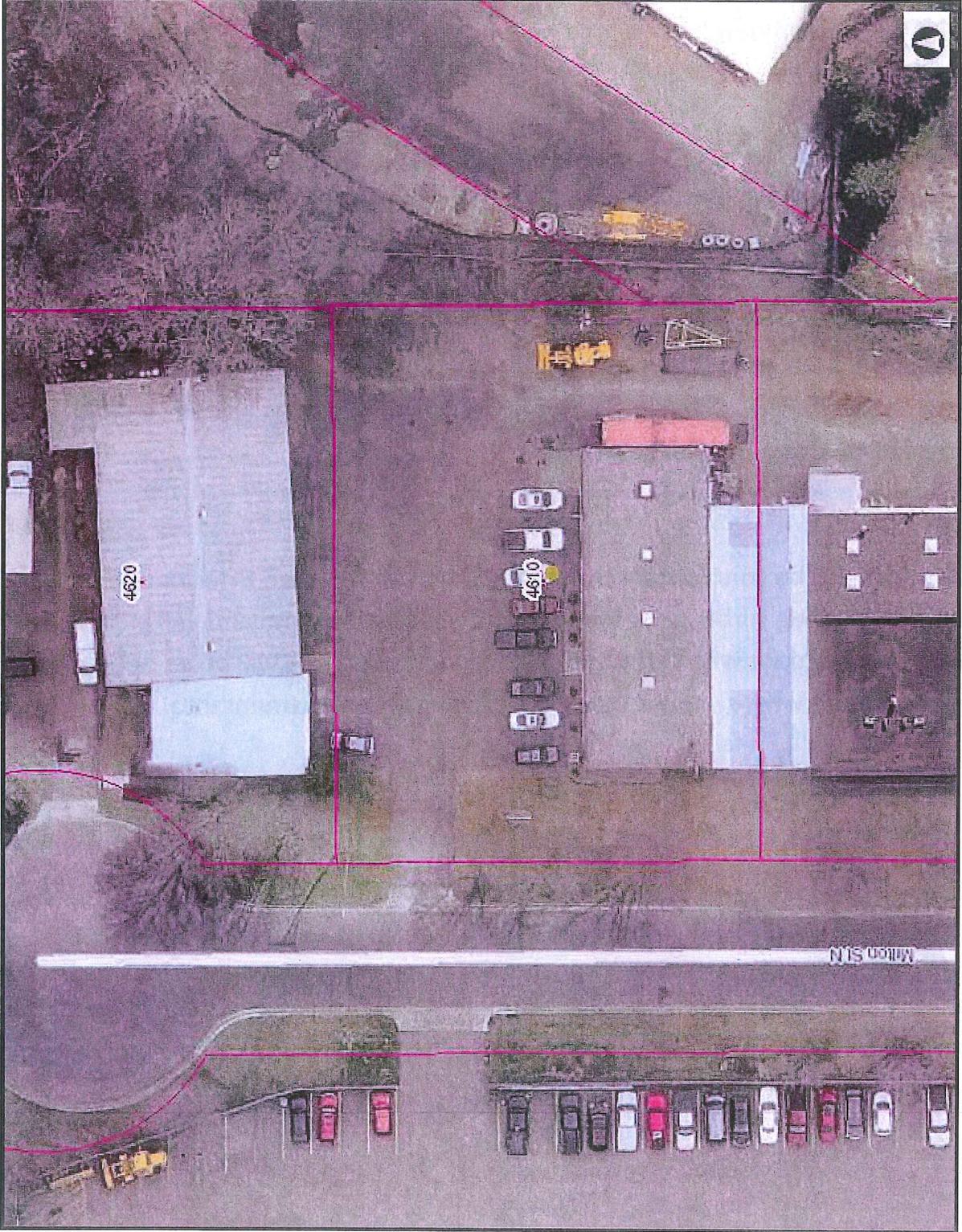
Notes

SITE AND BUILDING PLAN REVIEW

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



4610 Milton Street - Houck



Legend

- County Offices
- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcels
- GISRASTER.GISPUB.IMAGE
- High : 255
- Low : 0

Notes

SITE AND BUILDING PLAN REVIEW

92.7 Feet

46.33

0

92.7

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

NAD_1983_HARN_Adj_MN_Ramsey_Feet
© Ramsey County Enterprise GIS Division

9-24-2012

To: City of Shoreview

From: HMCA, LLC. & Thomas Houck

RE: Building Addition

Property owner HMCA, LLC. and applicant Thomas Houck, President of Houck Transit Advertising, Inc. wishes to add 952 square feet to the rear (East) of the existing building for the purpose of increasing space for existing operation.

The entire addition will be replacing black top surface. There will be no increase in occupancy of the building and no additional parking spaces will be needed. Also, no additional signage will be added.

Structure will be concrete block construction with flat roof. Exterior will match existing building with stucco exterior with metal upper trim and will include a glass exterior door with reflective glass windows. Interior will be an open room configuration where we will move our existing art department into.

Sincerely,



TOM HOUCK

CERTIFICATE OF SURVEY

for MEZZENGA CONSTRUCTION
of 4610 MILTON STREET N.

IMPERVIOUS SURFACE AREA:

- TOTAL SITE AREA (EXCLUDING ROAD EASEMENT) = 23,572 SQ. FT.
- EXISTING BUILDINGS = 5,274 SQ. FT.
- EXISTING BITUMINOUS AND GRAVEL DRIVEWAY = 11,228 SQ. FT.
- EXISTING CONCRETE PAD = 179 SQ. FT.
- EXISTING IMPERVIOUS AREA = 16,681 SQ. FT.
- EXISTING IMPERVIOUS % = 70.8%
- EXISTING BUILDINGS AND PROPOSED ADDITION = 6,214 SQ. FT.
- PROPOSED BITUMINOUS AND GRAVEL DRIVEWAY = 10,419 SQ. FT.
- EXISTING CONCRETE PAD = 179 SQ. FT.
- PROPOSED IMPERVIOUS AREA = 16,812 SQ. FT.
- PROPOSED IMPERVIOUS % = 71.3%

LEGEND

- DENOTES POWER POLE
- x 902.36 DENOTES EXISTING SPOT ELEVATION
- DENOTES CHAIN LINK FENCE
- DENOTES EXISTING CONTOURS (1 FOOT INTERVAL)
- ▨ DENOTES CONCRETE SURFACE
- ▩ DENOTES BITUMINOUS SURFACE
- ▧ DENOTES GRAVEL SURFACE

PROPERTY DESCRIPTION

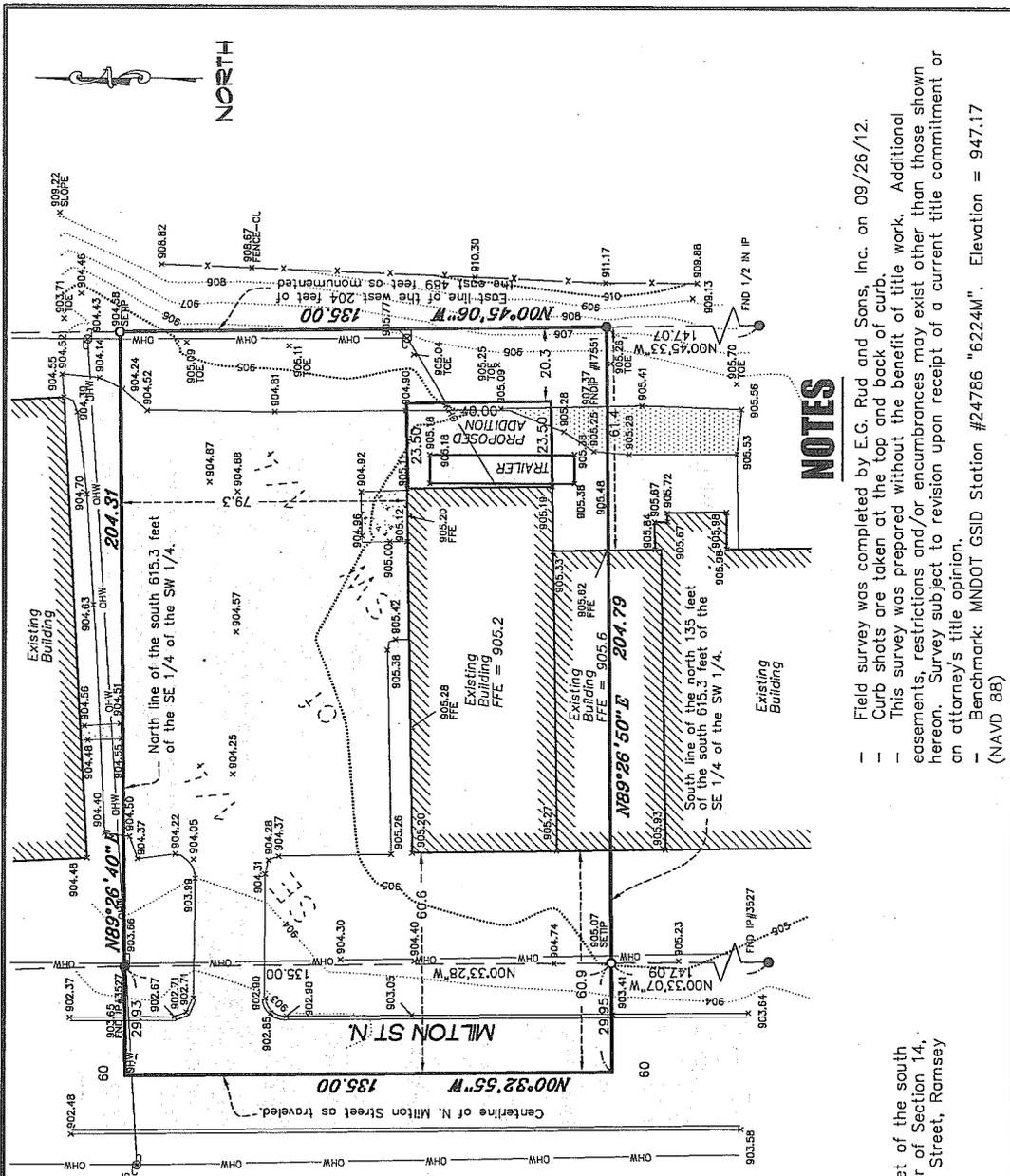
The west 204 feet of the east 489 feet of the north 135 feet of the 615.3 feet of the Southeast Quarter of the Southwest Quarter of Section 14, Township 50, Range 23, lying east of the centerline of Milton Street, Ramsey County, Minnesota.

04/10/12: impervious calcs: MMD

Bearings shown are on Ramsey County datum.

Scale 1" = 30'
Job No.: 12512AB
Drawn By: MMD
Project Manager: JER

S:\work\3312\proj\12512AB.dwg, 07/2012 9:54:19 AM, Aduwe 5/17/12



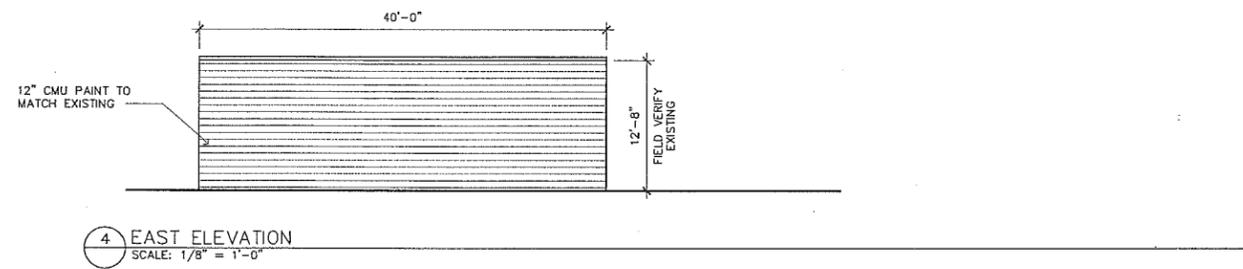
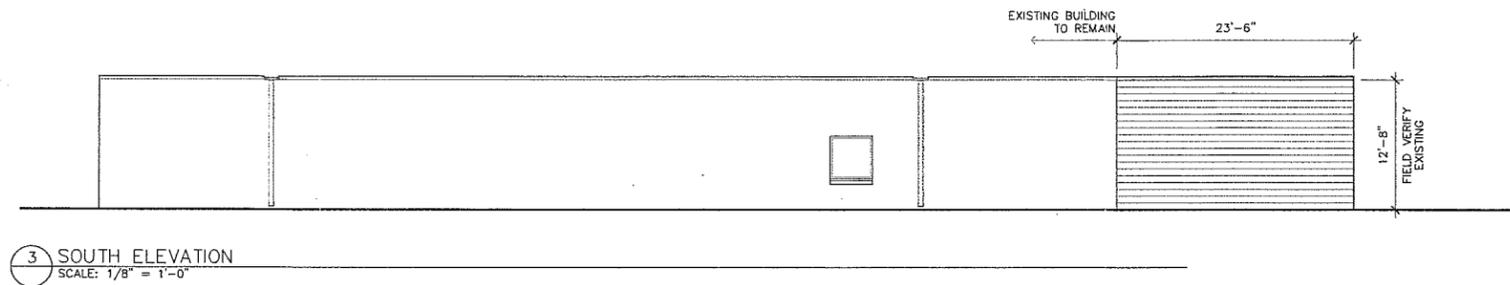
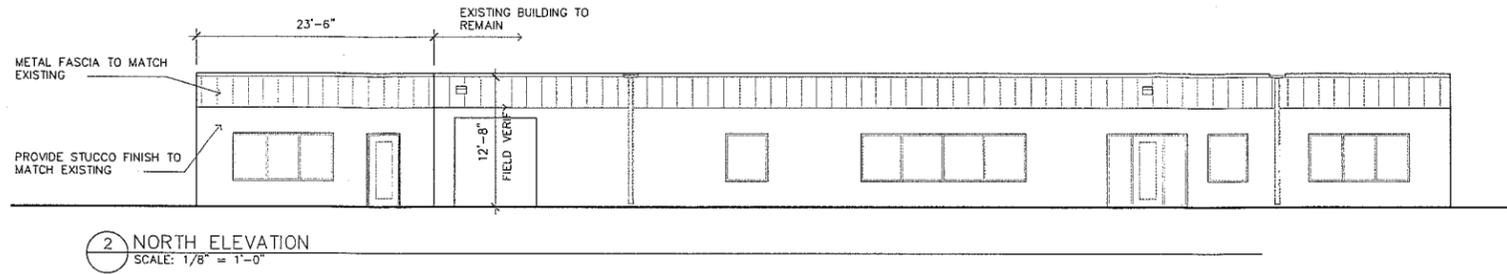
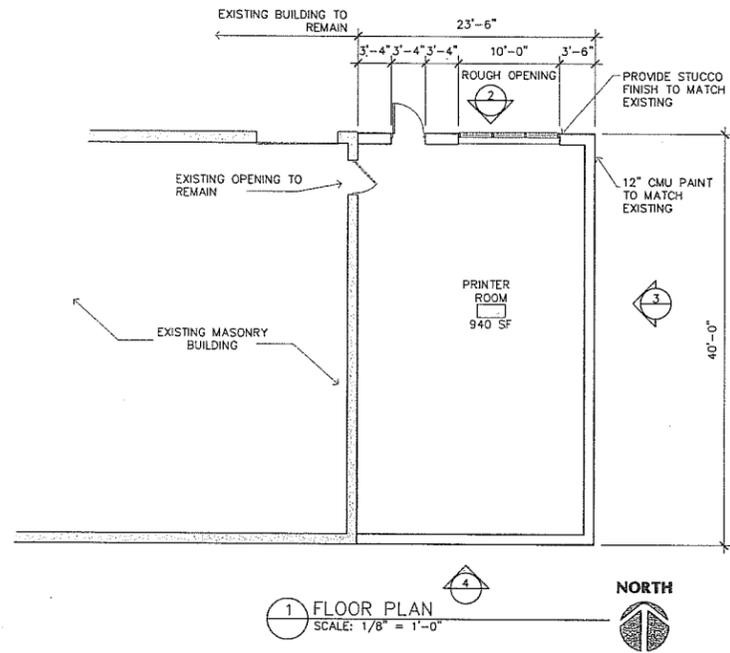
NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 09/26/12.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Benchmark: MNDOT GSID Station #24786 "6224M". Elevation = 947.17 (NAVD 88)

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota. Dated this 4th day of October, 2012.

License No. 41578

E. G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel: (651) 361-9200 Fax: (651) 361-5701
www.egrud.com



LAMPERT ARCHITECTS

420 Summit Avenue
St. Paul, MN 55102
Phone: 763.755.1211 Fax: 763.757.2849
lampert@lampert-arch.com

ARCHITECT CERTIFICATION:
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 ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY NOT FOR CONSTRUCTION
LEONARD LAMPERT
PRINCIPAL ARCHITECT
13669
LIC# 0000000000

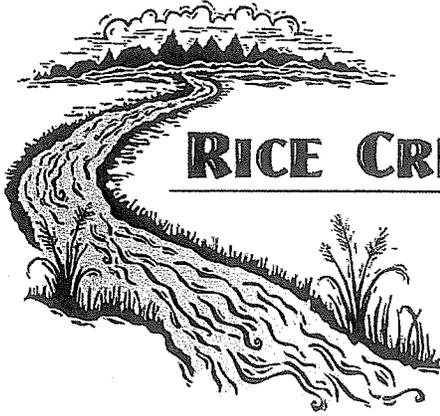
HOUCK ADVERTISING
ADDITION
Shoreview, Minnesota

Copyright 2012
Leonard Lampert Architects, P.A.
Project Designer: CJOHN
Drawn By: cwj
Checked By: LL
Revisions

NO.	DATE	DESCRIPTION
10.01.12		CITY SUBMITTAL

Sheet Number

A1



RICE CREEK WATERSHED DISTRICT

4325 Pheasant Ridge Dr. NE #611 • Blaine, MN 55449-4539

Phone: 763-398-3070 • Fax: 763-398-3088

www.ricecreek.org

October 4, 2012

RCWD FILE #12-102R

Houck Transit Advertising
4610 Milton Street N
Shoreview, MN 55126

Re: Proposed Building Addition

To Whom It May Concern,

Mike Mezzenga of Mezco, Inc. recently contacted us regarding plans for a proposed 24' x 40' building addition (960 sq. ft.) at your site in Shoreview, MN. The RCWD has completed a preliminary review of the project which will also result in the removal of approximately 1,200 sq. ft. of impervious surface to accommodate the building addition, resulting in a net decrease in impervious surface lot coverage and stormwater runoff rate and volume. The RCWD's Rule C (Stormwater Management) does not specifically contain a "de minimis" project size exemption to eliminate regulation of these minor projects. Under Rule C, as written and strictly interpreted, installation of even a new 10 square foot impervious area on this property would technically require permitting and stormwater treatment. Regulating such small projects has become overly burdensome to both landowners and the RCWD.

Given the minor nature of the proposed project, and the net positive effect on stormwater runoff rate and volume leaving the site, the RCWD will not be enforcing Rule C for this project. However, please note that future reconstruction of the parking lot or full site redevelopment may trigger regulation under Rule C. Further, this project's scope does not trigger a permit requirement under any other RCWD Rules (wetland, floodplain, erosion control, etc.).

Please note that this decision does not indemnify you from enforcement action if a violation of District Rules or other laws is found to have occurred as a result of this project. Please take care to ensure that any soils disturbed during construction are stabilized within 14 days of project completion. Be sure to install storm sewer inlet sediment protections and perimeter sediment control (silt fence, etc.) to prevent any disturbed soils from washing into Martha Lake. Permits may be required from other agencies including, but not limited to, the City of Shoreview.

BOARD OF
MANAGERS >

Barbara A. Haake
Ramsey County

Steven P. Wagamon
Anoka County

Harley M. Ogata
Ramsey County

Patricia L. Preiner
Anoka County

John J. Waller
Washington County

If you have any additional questions or concerns about this determination, please contact me directly at (763) 398-3072 or kaxtell@ricecreek.org.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Axtell", written in a cursive style.

Kyle Axtell

Water Resource Specialist

Cc: Mike Mezzenga – Mezco, Inc.
City of Shoreview

PROPOSED MOTION

MOVED BY COUNCIL MEMBER _____

SECONDED BY COUNCIL MEMBER _____

To approve the amendments to the site leases allowing site modifications to the wireless telecommunications facilities, and to authorize the execution of amendments to the existing ground leases for these four sites:

- Sprint Spectrum Realty LP: 745 County Road E and 5880 Lexington Avenue
- T-Mobile Central USA LLC: 745 County Road E and 5880 Lexington Avenue

All subject to the following conditions:

1. The Amendment to the Site Lease Agreement shall be executed by both parties prior to becoming effective.
2. Prior to execution, the proposed plans shall be revised in accordance with comments by the City staff and engineering consultant, SEH, Inc.
3. Tenant acknowledges that the modifications to be performed are limited to those shown on the plans.
4. The review comments of SEH, Inc. and City staff shall be incorporated into the final plans.
5. A copy of the approved plans, including the review comments of SEH, Inc., shall be kept on-site during the construction of the modifications.
6. Tenant shall secure all necessary building and electrical permits prior to the commencement of any work.
7. Tenant shall arrange required inspections with the City and the City's consultant, SEH, Inc.
 - a. A preconstruction meeting prior to the onset of construction.

- b. SEH is required to witness the shop surface preparation and painting.
- c. SEH is required to approve the field welding.
- d. SEH shall witness the field surface preparation and painting of all welds and damage to the tower as a result of the installation of the Tenant's equipment.
- e. One final inspection upon completion of the construction.
- f. Any re-inspections necessary as determined by SEH, Inc.

8. City staff must be present at all times Tenant requests to be inside the water tower. 24-hour notice is required. Tenant shall reimburse the City for this staff time.

ROLL CALL: **AYES** _____ **NAYS** _____

Huffman	_____	_____
Withhart	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Martin	_____	_____

Regular City Council Meeting
November 5, 2012

TO: MAYOR, CITY COUNCIL, CITY MANAGER
FROM: ROB WARWICK, SENIOR PLANNER
DATE: OCTOBER 30, 2012
SUBJECT: SITE LEASE AMENDMENTS, SPRINT SPECTRUM REALTY LP AND T-MOBILE USA, NORTH AND SOUTH WATER TOWERS

BACKGROUND

There are existing Wireless Telecommunication Antenna Permits and Site Lease Agreements with Sprint Spectrum Realty LP and T-Mobile USA at City's north and south water towers, which are located at 745 County Road E (south) and 5880 Lexington Avenue (north). Each of the four leases identifies a specific description and plan set that details the equipment that is permitted within the larger (horizontal and vertical) area of the water tower, including the antennas.

The two wireless providers propose updating their equipment to provide greater capacity and network improvements associated with 4th generation wireless service ('4G'). Because each existing lease references a specific set of construction plans, the four site lease agreements must all be amended for the proposed equipment configurations.

PROJECT DESCRIPTIONS

At each of the sites, the Sprint and T-Mobile propose improvements to equipment, cabinets, cables and antennas at each these four Wireless Telecommunications Facilities. There are no changes proposed to the existing ground areas used for equipment cabinets.

Sprint, South Tower(Site MS03XC661)

The Lease Agreement is dated Feb. 26, 1997, and is now in the final 5-year renewal term. Sprint's leased area is 15- by 20-feet and has been developed with a metal equipment platform with two equipment cabinets. This leased area is screened with three pine trees. The 1997 lease was amended in 2000, when Sprint upgraded equipment at the site. There are now six Sprint antennas (2 per sector) installed at a height of 90-feet, and these will be replaced with three antennas (1 per sector).

Sprint, North Tower (Site MS03XC653)

The Lease Agreement is dated Feb. 26, 1997 and is also in the final 5-year renewal term. Sprint's leased area is 30- by 24-feet and is developed with a metal platform for the equipment cabinets. This leased area is screened with pine trees. The 1997 lease was amended in 2001, when Sprint upgraded equipment at the site. There are now six Sprint antennas (2 per sector) installed at a height of 140-feet, and these will be replaced with three antennas (1 per sector).

T-Mobile, South Tower

The Lease Agreement is dated Feb. 11, 1997 and is in the final 5-year renewal term. T-Mobile's leased area is located inside the tower pedestal. The 10- by 15-foot leased area is developed with two equipment cabinets and several H-frames that support equipment. T-Mobile's nine existing antennas are located on top of the tank and cables to the antenna are run inside the dry tube/access to the tower top. T-Mobile proposes to install nine antennas, three per sector.

T-Mobile, North Tower

The Lease Agreement is dated Jan. 1, 2005 and is now in the first of three 5-year renewal terms. T-Mobile's leased area is 30- by 24-foot and has been developed with a metal platform for the equipment cabinets. This leased area is screened with pine trees. There are now six antennas (two per sector) installed at a height of 120-feet, and these will be replaced with nine antennas (three per sector).

AMENDMENTS TO LEASE AGREEMENTS

The proposed plans will be designated as an Exhibit to each of the respective lease agreements and are subject to review by SEH, Inc., the consulting engineer used by the City to assure the integrity of the water towers. SEH, Inc. has provided comments for the T-Mobile plans, but the required revisions have not been re-submitted to the City for review. SEH, Inc. comments on the Sprint plans are pending, but it is expected that revisions will also be required. The revisions will be subject to review by SEH and approval by City staff.

Staff and the City Attorney reviewed the existing leases and identified provisions that should be updated. The existing leases are very similar in form and format, and as a result, the proposed amendments are also very similar. The provisions that are recommended in each of the amendments for modification are summarized below.

- Leased Premises. Add the plans, as approved, as an Exhibit to each lease, so defining the 'Leased Premises'.
- Renewal Terms. For the three lease agreements dated 1997, add 3 more 5-year renewal terms to the lease, so extending the term for these lease to about 19 years from the present. This is comparable to the length of the original lease agreements.
- Replacements. Defining the term 'Replacement' as equipment of similar size, weight and type, and specifically excluding antennas exceeding the number shown on the plans proposed here.
- Replacements/Restoration. The City is currently responsible for paying the costs of review and inspection of work completed by the Tenant for their wireless facility. The amendment addresses this:
 - For replacements or updates, when new welds or penetrations of the water tower are proposed, the Tenant would pay for the review and inspection costs incurred by the City. These costs are approximately \$6,500 for an upgrade project that includes new welds and/or bolted attachments to the water tower, including plan review and inspection by the City's consulting engineer.

- In the event of lease termination by the Tenant, the costs of inspection of the restoration/repairs to the water tower will be borne by the Tenant.
- Drawings. The existing leases require the Tenant to provide the City with as-built plans and a detailed inventory of the equipment installed on the Leased Premises. The amendment includes an increased rent payment for each month that as-builts are not submitted. This provides a mechanism to encourage Tenants to fulfill their lease obligations rather than the City entering an action of lease default.
- Access. The amendments include a provision that Tenants will reimburse the City for providing access inside of the Water Tower. Since 2001, this has been an important consideration as part of securing the integrity of the water system.
- Restoration. Adds a requirement for Tenants to deposit a surety to guarantee restoration/repair needed upon lease termination. This work is estimated to cost approximately \$20,000 for three sites and \$25,000 for the T-Mobile South Tower site, where their cabinets/equipment is located inside the tower base, and cables are run through the dry tube in the tank.
- Notices. Finally, notice information is updated, including a requirement that each Tenant provide a local contact responsible for the daily operation of the site.

No changes are proposed the lease provisions regarding Rent. In 2012, annual rent for the four sites average approximately \$26,750. Each of the leases includes an annual rent escalator of 4%.

RECOMMENDATION

The proposed changes do not appear to impact any other existing users on the water towers. Approval of the Amendments to the four Site Lease Agreements is necessary to accommodate the proposed network improvements.

Staff recommends approval of the attached Amendments to the Site Lease Agreements for Sprint Spectrum Realty LP and T-Mobile USA. Approval should be subject to the following conditions:

1. The Amendment to the Site Lease Agreement shall be executed by both parties prior to becoming effective.
2. Prior to execution, the proposed plans shall be revised in accordance with comments by the City staff and the City's engineering consultant, SEH, Inc.
3. Tenant acknowledges that the modifications to be performed are limited to those shown on the approved plans.
4. The review comments of SEH, Inc. and City staff shall be incorporated into the final plans.
5. A copy of the approved plans, including the review comments of SEH, Inc., shall be kept on-site during the construction of the modifications.

6. Tenant shall secure all necessary building and electrical permits prior to the commencement of any work.
7. Tenant shall arrange required inspections with the City and the City's consultant, SEH, Inc.
 - a. A preconstruction meeting prior to the onset of construction.
 - b. SEH is required to witness the shop surface preparation and painting.
 - c. SEH is required to approve the field welding.
 - d. SEH shall witness the field surface preparation and painting of all welds and damage to the tower as a result of the installation of the Tenant's equipment.
 - e. One final inspection upon completion of the construction.
 - f. Any re-inspections necessary as determined by SEH, Inc.
8. City staff must be present at all times Tenant requests to be inside the water tower. 24-hour notice is required. Tenant shall reimburse the City for this staff time.

Attachments:

- 1) Proposed Motion
- 2) Location Maps
- 3) Submitted Plans and Amendments to Lease Agreements
Sprint, 745 County Road E
Sprint, 5880 Lexington Ave.
T-Mobile, 745 County Road E
T-Mobile, 5880 Lexington Ave.

AMENDMENT NO. 1 TO SITE LEASE AGREEMENT

THIS AMENDMENT NO. 1 TO SITE LEASE AGREEMENT ("Amendment") is made this _____ day of _____, 2012, by and between the City of Shoreview, a Minnesota municipal corporation with a mailing address of 4600 North Victoria Street, Shoreview, Minnesota 55126 ("Landlord") and T-Mobile Central LLC, successor in interest to VoiceStream Minneapolis, Inc., f/k/a APT Minneapolis, Inc. ("Tenant"), with its principal offices located at 12920 S.E. 38th Street, Bellevue, WA 98006.

RECITALS

Landlord and Tenant, or their predecessors in interest, are parties to that certain Site Lease Agreement South Tower dated February 11, 1997 ("Lease"), whereby Landlord has leased a portion of Landlord's Property (as defined in the Lease) to Tenant for the purpose of installing, maintaining, and operating an Landlord-approved antenna array, equipment cables and appurtenances as situated substantially as shown on Exhibit A-1 attached to the Lease. Landlord and Tenant desire to amend the Lease to (1) revise the Leased Premises to allow updating of antennas, equipment, and cabinets for Tenant, (2) revise Paragraph 3 of the Lease, (3) revise Paragraph 4.F. of the Lease, (4) revise Paragraph 4.G. of the Lease, (5) revise Paragraph 4.I. of the Lease, (6) revise Paragraph 7 of the Lease, (7) revise Paragraph 11.D. of the Lease, and (8) update Landlord's and Tenant's addresses in Paragraph 19.

AMENDED TERMS

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby amend the following numbered paragraphs of the Lease to read:

1. Leased Premises. A portion of the water tower ("Water Tower") located on the property owned by the Landlord and illustrated on those certain site plan drawings, prepared by _____ dated _____ and consisting of _____ pages _____, attached hereto as Exhibit B.

The modifications proposed in Exhibit B are subject to the approval of the Landlord pursuant to Section 4.F. of the Lease prior to any alteration. Tenant also acknowledges that it is obligated to provide as-built drawings of its Wireless Telecommunications Facility and a detailed equipment inventory thereof to Landlord upon completion of this alteration, pursuant to Section 4.G. of the Lease.

3. Term and Renewals. The "Initial Term" of this Lease shall commence on the date on the first paragraph of this Lease ("Effective Date") and end on December 31, 2002. Subject to the terms and conditions of this Lease, Tenant shall have the right to extend this Lease for six (6) additional five (5) year renewal periods ("Renewal Term") commencing on January 1 following the expiration date of the Initial Term or of any subsequent Renewal Term.

This Lease shall be automatically renewed for each successive Renewal Term unless Tenant sends written notice of non-renewal to the Landlord no later than ninety (90) days prior to the expiration of the Initial Term or any Renewal Term, such notice to be provided in accordance with Paragraph 19 of the Lease.

4.F. Replacements. Tenant may update or replace the Wireless Telecommunication Facility from time to time as Tenant determines to be necessary for the continued safety and operational capacity of the Wireless Telecommunication Facility. A Replacement shall be considered the direct replacement of the same equipment with the same size, weight and location as the approved equivalent shown on Exhibit B. Updating the Premises with different equipment, size, weight, configuration, location or technology shall require technical review and an amendment to the Lease. Replacements shall not include receiving and transmitting antennas exceeding those shown on Exhibit B. Additional antennas or equipment, other than as shown and located on Exhibit B, require an amendment to this Lease. Prior to any major updating or replacement of the Wireless Telecommunication Facility, Tenant shall notify Landlord and provide detailed plans and specifications of such updated replacement equipment to Landlord. Such plans and specifications shall be reviewed and approved by Landlord's city engineer and/or a third party consultant reasonably acceptable to Tenant, selected and paid for by Landlord. If any plans and specifications for updating or replacement of equipment include any welds, penetrations or other modifications to the tower structure, then such reasonable consultant fees and inspection costs shall be paid for by Tenant, according to reasonable and customary rates of like inspections. Such approval may not be unreasonably withheld, delayed or conditioned. Any and all objections to such plans and specifications shall be made in writing within fifteen (15) business days after submission. Failure to object within such fifteen (15) business day period shall be deemed to be consent by Landlord of all plans and specifications.

4.G. Drawings. Tenant shall provide Landlord with as-built drawings of the wireless telecommunications facility installed on the Leased Premises and with a complete and detailed inventory of all wireless communications facility equipment and the actual location of said facilities on the Leased Premises. The as-built Drawings and the equipment inventory provided to Landlord by Tenant shall be kept current in the event Tenant makes any future alterations to the Wireless Telecommunications Facility.

If Tenant fails to provide as-built Drawings and an equipment inventory within thirty (30) days after Landlord approval of the installation of the Wireless Telecommunications Facility, Tenant shall pay a penalty to Landlord in the amount of One Thousand Five Hundred and No/100 Dollars (\$1,500.00) per month for each month or portion thereof that Tenant fails to provide Drawings as specified. Landlord will provide notice to Tenant prior to assessing any penalty, such notice to be provided in accordance with Paragraph 19 of the Lease. The

terms of this Paragraph shall survive the termination or expiration of this Lease due to Tenant's obligation for restoration (see Paragraph 11.D.).

- 4.I. Access. Tenant, at all times during this Lease shall have access to the Leased Premises in order to install, operate, maintain its Wireless Telecommunication Facility. Tenant shall notify Landlord and the Ramsey County Sheriff's Office, via telephone, twenty-four (24) hours prior to entering the Water Tower, except in an emergency. In the event of an emergency, Tenant shall notify Landlord and the Ramsey County Sheriff's Office, via telephone as soon as possible, but prior to entering the Water Tower. Landlord will supply Tenant with the information needed to contact Landlord and the Ramsey County Sheriff's Office for such notification, including notifications for after-hours access. In the event it is necessary for Tenant to have access to the Water Tower, Landlord may charge Tenant for whatever reasonable and customary expense including employees' wages that Landlord may incur in providing such access to Tenant.

7. Additional Maintenance Expenses. Tenant shall pay all reasonable expenses incurred by Landlord in maintaining the Leased Premises, including painting or other maintenance of the Wireless Telecommunication Facility, that are directly caused by Tenant's occupancy of the Leased Premises. Landlord will supply Tenant with invoices and/or receipts of such incurred expenses. Landlord and Tenant agree that Landlord may schedule periods of water tower maintenance, upon 60 days notice to Tenant, and Tenant shall protect its equipment installed on the water tower, and, if necessary, remove its equipment. During any period of scheduled maintenance, Tenant shall be allowed, if necessary for continued operations, to place a temporary cell site and antenna structure on the Landlord's property, but Landlord shall not be responsible for any interruption of Tenant's operations during such period.

- 11.D. Site Restoration. In the event that this Lease is terminated and not renewed, Tenant shall have ninety (90) days from the termination or expiration date to remove its Wireless Telecommunication Facility, and related equipment from the Leased Premises, and restore the Leased Premises to the condition existing upon the commencement date hereof subject to the approval of the City's Engineer, normal wear and tear excepted. Tenant agrees to pay reasonable and customary fees for the Landlord's consultant to inspect the restoration and Tenant specifically acknowledges that welds and penetrations will be fully repaired and restored to the reasonable satisfaction of the Landlord. In the event that Tenant's Wireless Telecommunication Facility and related equipment are not removed to the reasonable satisfaction of the Landlord within such ninety (90) day period, they shall be deemed abandoned and become the property of the Landlord. Tenant shall have no further rights to such equipment but shall reimburse Landlord for all costs incurred by Landlord to remove such equipment and restore the Leased Premises as provided for herein.

In order to secure Tenant's restoration obligation, Tenant shall file a performance bond or other form of security with the City as approved by the City's attorney in

an amount equal to 125% of the City Engineer's estimate of the cost of such restoration. At the present time, it is estimated that the cost of restoring the Premises will be approximately \$25,000 (Twenty-Five Thousand and No/100 Dollars). The City reserves the right to re-evaluate the estimated cost of restoration at the second year anniversary of the commencement of the Lease and at each two-year interval thereafter during the term of the Lease or any renewal thereof. If the estimated cost of restoration increases, Tenant shall increase the amount of the performance bond or other acceptable form of security.

19. Notices. All notices hereunder must be in writing and shall be deemed validly given if delivered personally or if sent by certified mail, return receipt requested, addressed as follows (or any other address that the party to be notified may have designated to the sender by like notice):

A. If to Landlord, to:
**City Manager
City of Shoreview
4600 North Victoria Street
Shoreview, MN 55126
(651) 490-4600**

With a copy to:
**Senior Planner
City of Shoreview
4600 North Victoria Street
Shoreview, MN 55126
(651) 490-4681**

B. If to Tenant, to:
**T-Mobile Central LLC
12920 S.E. 38th Street
Bellevue, WA 98006
Attn: Lease Compliance
Site No. A1N0049A**

With a copy to:
**T-Mobile Central LLC
2001 Butterfield Road
Suite 1900
Downers Grove, IL 60515
Attn: Property Management
Re: Site #A1N0049A**

- C. Tenant shall provide Landlord with the name, address, telephone number and email address of the local contact responsible for daily operations at the site and for any emergency operations that may arise during the term of the Lease. This contact information shall be updated as needed and Tenant's failure to provide current local contact information shall be cause for Default.**

Exhibit B

[see attached]

DRAFT

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: TERRY SCHWERM, CITY MANAGER

DATE: NOVEMBER 2, 2012

SUBJECT: DISCUSSION WITH RAMSEY COUNTY SHERIFF MATT BOSTROM

Ramsey County Sheriff Matt Bostrom has asked to attend the November 5th City Council meeting to present information about the Sheriff's Department. He has about a 10 minute presentation and will also answer any questions that Council members may have about the Sheriff's Department and their services.

PROPOSED MOTION

MOTION BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

To approve Resolution No. 12-97 renewing a 3-year agreement with Ramsey County for the provision of law enforcement services by the Ramsey County Sheriff's Department.

ROLL CALL:	AYES _____	NAYS _____
HUFFMAN	_____	_____
QUIGLEY	_____	_____
WICKSTROM	_____	_____
WITHHART	_____	_____
MARTIN	_____	_____

City Council Meeting
November 5, 2012

TO: MAYOR AND COUNCILMEMBERS

**FROM: TERRY SCHWERM
CITY MANAGER**

DATE: NOVEMBER 2, 2012

**SUBJECT: RENEWAL OF LAW ENFORCEMENT SERVICES AGREEMENT
WITH RAMSEY COUNTY**

INTRODUCTION

The City's current agreement with Ramsey County for the provision of law enforcement services by the Ramsey County Sheriff's Department expires at the end of 2012. The Council is being asked to consider a new 3-year agreement with the County for these services.

BACKGROUND

The City of Shoreview, along with the cities of Arden Hills, Gem Lake, Little Canada, North Oaks, Vadnais Heights, and White Bear Township contract with Ramsey County for the provision of laws enforcement services. The current agreement for these services expires at the end of 2012.

During the past few months, the cities that contract for law enforcement services have worked together to update the agreement. All of the cities intend to continue contracting with the Ramsey County Sheriff's Department. The minor changes in the agreement better reflect the current services that are provided, such as including animal control services, or are housekeeping in nature.

As in the past, the annual budget is determined by working with the other contract cities and the Sheriff's Department to determine priorities and goals. The budget is adopted by consensus of the contract cities group and then incorporated into each individual city's operating budget.

The agreement begins on January 1, 2013 and is in effect through December 31, 2015. All of the other contract cities and White Bear Township will enter into the same agreement with the County.

RECOMMENDATION

Based on the foregoing information, it is recommended that he City Council approve the renewal of a 3-year agreement with Ramsey County for the provision of law enforcement services by the Ramsey County Sheriff's Department.

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF SHOREVIEW, MINNESOTA
HELD NOVEMBER 5, 2012**

* * * * *

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 November 5, 2012 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. 12-97
RESOLUTION APPROVING LAW ENFORCEMENT SERVICES
AGREEMENT WITH RAMSEY COUNTY**

WHEREAS, the City of Shoreview, along with the cities of Arden Hills, Gem Lake, Little Canada, North Oaks, Vadnais Heights, and White Bear Township, contract with Ramsey County for law enforcement services; and

WHEREAS, the current contract for law enforcement services expires at the end of 2012; and

WHEREAS, the cities and township that contract for law enforcement services from Ramsey County have worked with the County Attorney's office to update the agreement; and

WHEREAS, the new contract will begin on January 1, 2013 and be in effect through December 31, 2015; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREVIEW, MINNESOTA, that it hereby approves the law enforcement services agreement between the City of Shoreview and Ramsey County for the period January 1, 2013 through December 31, 2015; and

BE IT FURTHER RESOLVED that the Mayor and City Manager are authorized to execute the agreement.

The motion of the foregoing resolution was duly seconded by Member _____ and upon a 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 the 5th day of November, 2012.

**AGREEMENT FOR
LAW ENFORCEMENT SERVICES**

This is an Agreement between the County of Ramsey (hereinafter referred to as the "COUNTY"), and the City of Shoreview (hereinafter referred to as the "MUNICIPALITY"), to provide law enforcement services to the MUNICIPALITY for the period commencing January 1, 2013.

WHEREAS, the COUNTY has a statutory obligation to provide police protection within Ramsey County; and

WHEREAS, the COUNTY has previously contracted to provide law enforcement services to the cities of Arden Hills, Gem Lake, Little Canada, North Oaks, Shoreview, Vadnais Heights, and to White Bear Township (hereinafter collectively referred to as the "MUNICIPALITIES"), and

WHEREAS, the MUNICIPALITY has determined that it is in the best interests of the MUNICIPALITY to continue to contract with the COUNTY for law enforcement services, thereby allowing for the allocation of overhead and other administrative costs over a larger population; and

WHEREAS, the parties to this Agreement intend to contract for law enforcement functions within the political boundaries of the MUNICIPALITY through the Ramsey County Sheriff; and

WHEREAS, the COUNTY is agreeable to rendering such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by the provisions of Minnesota Statutes Sections 471.59 and 436.05, and Laws 1959, Chapter 372.

NOW, THEREFORE, IN CONSIDERATION OF the mutual undertakings set forth herein, the COUNTY and the MUNICIPALITY agree as follows:

A. SCOPE OF SERVICES

1. The COUNTY agrees, through the Ramsey County Sheriff's Office, to provide law enforcement services to the MUNICIPALITY which will include, but not be limited to, the following:
 - a. Patrol services with random patrolling of residential areas, businesses, parks, and other public property areas;
 - b. Enforcement of Minnesota State Statutes and the ordinances of the MUNICIPALITY;
 - c. Traffic enforcement including the regular use of radar or laser as a speed deterrent;

5. Services shall be provided 24 hours per day and shall be performed by the number of deputies and other personnel budgeted for in the COUNTY'S Approved Budget for these services to the MUNICIPALITIES.
6. To facilitate the COUNTY'S performance pursuant to this Agreement, the MUNICIPALITY agrees that the COUNTY shall have full cooperation and assistance from the MUNICIPALITY, its officers, agents and employees. The MUNICIPALITY shall designate a liaison to the Ramsey County Sheriff's Office. The liaison shall attend meetings of the Sheriff's Contract Communities Committee and shall represent its respective MUNICIPALITY at the meetings. The purpose of these meetings is to develop short-term and long range plans and to coordinate and analyze police service, to develop budget parameters for distributing costs among the MUNICIPALITIES, and other related public service issues. The Sheriff's Contract Communities Committee shall also review any disputes which arise between the MUNICIPALITIES and/or Sheriff's Office and recommend a resolution.
7. The COUNTY shall furnish and supply all necessary labor, supervision, equipment, communication facilities and dispatching, and supplies necessary to provide services pursuant to this Agreement.
8. All deputy sheriffs, clerks, dispatchers, and all other COUNTY personnel performing duties pursuant to this Agreement shall at all times be considered employees of the COUNTY for all purposes.
9. The name of each of the MUNICIPALITIES that contract with the Sheriff's Office for law enforcement services shall be affixed to all squad cars and other major pieces of equipment used primarily within these MUNICIPALITIES.

B. ASSUMPTION OF LIABILITIES/INSURANCE

1. Except as otherwise provided, the MUNICIPALITY shall not be called upon to assume any liability for the direct payment of any salaries, wages, or other compensation to any COUNTY personnel performing services pursuant to this Agreement for said MUNICIPALITY, and the COUNTY hereby assumes said liabilities.
2. Except as herein otherwise specified, the MUNICIPALITY shall not be liable for compensation or indemnity to any COUNTY employee for injury or sickness arising out of the performance of services pursuant to this Agreement, and the COUNTY hereby agrees to hold harmless the MUNICIPALITY against any such claim.

Enforcement Services and assessed against the COUNTY. Upon notification to the COUNTY of any such contingent cost liability, the COUNTY will notify the MUNICIPALITY in a timely manner.

C. TERM OF AGREEMENT/TERMINATION

1. The term of this Agreement shall commence on January 1, 2013, and shall continue through December 31, 2015 ("Term").
2. If either party intends not to renew this Agreement at the end of its Term, the party must notify the other party and other MUNICIPALITIES in writing at least nine (9) calendar months prior to the end of the contract Term. If either party has not approved a successor agreement at the end of the Term, the COUNTY will continue to provide law enforcement services in accordance with this Agreement.
3. Either party may terminate this Agreement at the end of a calendar year and prior to the end of the Term of the Agreement by notifying the other party to this Agreement and the other MUNICIPALITIES in writing of their intent to terminate the Agreement at least nine (9) calendar months prior to the end of the calendar year.
4. Notice to the COUNTY shall be given to the County Manager and Ramsey County Sheriff, and Notice to the MUNICIPALITY shall be given to the MUNICIPALITY'S City Manager. Notice to the other MUNICIPALITIES will be given in accordance with the notice provisions of the contracts between the COUNTY and the other MUNICIPALITIES.

D. COST AND PAYMENT

1. The MUNICIPALITY agrees to pay the COUNTY the actual cost of providing all services covered by this Agreement. Actual cost shall mean the MUNICIPALITY'S pro rata share of the COUNTY'S total cost of providing patrol and police protection services as described in this Agreement to the MUNICIPALITIES with which the COUNTY has agreements for the current contract year, including, but not limited to the following: salaries of employees engaged in performing said services, including vacation and sick leave; mileage; uniforms; public employees retirement contributions; workers' compensation, automobile, general liability and police professional liability insurance costs or the cost of self-insurance; general overhead, including indirect expenses and supplies, radio unit expense, and health and welfare expense. The term "costs" as used herein shall not include items of expense attributable to services or facilities normally provided or available to all cities within the COUNTY as part of the COUNTY'S obligation to enforce state law. Computation of actual costs hereunder shall be made by the Ramsey County Budgeting & Accounting Division based on information provided by the Sheriff.

4. The MUNICIPALITY may contract with the COUNTY for additional law enforcement services above and beyond those provided in this Agreement.
5. Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing, signed by authorized representatives of the COUNTY and the MUNICIPALITY and attached to the original of this Agreement.

IN WITNESS WHEREOF, the MUNICIPALITY, by resolution duly adopted by its Council has caused this Agreement to be signed by Mayor Sandra C. Martin and City Manager Terry C. Schwerm, and the seal of the MUNICIPALITY to be affixed hereto on the 5th day of November, 2012, and the COUNTY, by resolution of its Board of County Commissioners, has caused this Agreement to be signed by the Chair and Chief Clerk of said Board on the ____ day of _____.

COUNTY OF RAMSEY

CITY OF SHOREVIEW

By: _____
 Rafael Ortega, Chair
 Board of Ramsey County Commissioners

By: _____
 Sandra C. Martin
 Mayor

By: _____
 Bonnie Jackelen, Chief Clerk
 Board of Ramsey County Commissioners

By: _____
 Terry C. Schwerm
 City Manager

APPROVAL RECOMMENDED:

 Matt Bostrom
 Sheriff of Ramsey County

APPROVED AS TO FORM:

 Assistant Ramsey County Attorney

**SPECIAL ORDER OF BUSINESS
NOVEMBER 5, 2012**

1.

2.

3.

4.

5.

**ADJOURNMENT MOTION
NOVEMBER 5, 2012**

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to adjourn the meeting at _____ on November 5, 2012. Mayor Martin declared the meeting adjourned.

ROLL CALL: AYES _____ NAYS _____

