

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
April 15, 2013**

**CALL TO ORDER**

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on April 15, 2013.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVAL OF AGENDA**

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to approve the April 15, 2013 agenda as submitted.

VOTE: Ayes - 5                      Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

At Councilmember Withhart's request, Mayor Martin recognized Mr. Ron Young for winning first place in the 2013 St. Paul Pioneer Press Peeps Diorama Contest. Mayor Martin read the following proclamation:

**WHEREAS**, the Pioneer Press newspaper conducts a Marshmallow Peeps Diorama Contest every year at Easter time; and

**WHEREAS**, the Marshmallow Peep has been filling children's Easter baskets for 60 years; and

**WHEREAS**, the Pioneer Press started conducting this contest in 2004 to fill some space in the Easter Sunday paper when only about 40 entries were received; and

**WHEREAS**, the contest has gained in popularity every year and the idea has spread to other newspapers around the country including such publications as the American Bar Association Journal; and

**WHEREAS**, 220 dioramas were received this year; and

**WHEREAS**, Ron Young, a Shoreview resident, won first place in this year's Peeps Diorama Contest.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Mayor Sandra C. Martin, on behalf of the Shoreview City Council and the entire City of Shoreview, wishes to congratulate Ron Young and hereby present this proclamation to him, the 2013 Pioneer Press Marshmallow Peeps Diorama Contest first place winner.

Mayor Martin recognized Boy Scout Troop 9626 who were attending for a citizenship badge.

### **CITIZEN COMMENTS**

There were none.

### **COUNCIL COMMENTS**

Mayor Martin recognized Councilmember Johnson who was named this year as one of the top 50 women in business by the Minneapolis/St. Paul Business Journal.

Mayor Martin announced that the Community Center Aquatics Staff has, for the third consecutive year, been awarded the Silver International Safety Award by the independent agency of Elliott Associates for guarding skills and emergency plans.

### **Councilmember Withhart:**

The Shoreview Northern Lights Variety Band will hold its Spring Concert on Saturday, April 20, 2013, in Benson Great Hall, at Bethel University, at 7:00 p.m. Tickets are \$10 or \$12 at the door. Tickets can be ordered online at [www.snlyb.com](http://www.snlyb.com). Tickets are also on sale at City Hall.

Walk for Kids and Canines (formerly Run and Romp), sponsored by the Shoreview/Arden Hills Rotary Club, will take place Saturday, May 4, 2013, at the Community Center Pavilion from 9:00 a.m. to Noon.

Spring hydrant flushing is beginning by the Public Works Department. There will be temporary rust in the water for a few hours. Residents may want to check the schedule to know when not to wash clothes.

The Caring Youth Award is given by the Shoreview Human Rights Commission each year. Nominations are due by May 15, 2013. Qualifications are working to honor, respect and make all people feel at home in Shoreview.

### **Councilmember Johnson:**

Spring Cleanup Day will be Saturday, May 18, 2013, from 8:00 a.m. to 3:00 p.m., at the Ramsey County Public Works facility on Highway 96 and Hamline Avenue.

The Environmental Quality Committee will present its final program in this year's Environmental Speaker Series on Wednesday, April 17, 2013, at 7:00 p.m. Tony Runkel from the Minnesota Geological Survey will speak on "Where Does Our Water Come From?"

The Shoreview Human Rights Commission and the Shoreview Community Foundation will be having a conversation on "Creating Communities for All Ages," on May 9, 2013, at the Community Center from 6:00 to 8:00 p.m. A light meal will be served.

**Councilmember Quigley:**

The Shoreview Sister City Association held their annual German Dinner last Saturday evening, which was well attended. A trip to Germany is being planned. Anyone interested can go to [www.sesca.org](http://www.sesca.org) for detailed information.

**Councilmember Wickstrom:**

The Shoreview Historical Society will hold its Heritage Family Program at the Community Center, Sunday, April 21, 2013, from 2:00 to 5:00 p.m. The Trojanowski family, who have lived here since the late 1800s, will be recognized. It is free and open to the public.

The Historical Society has obtained memorabilia from the Holmberg house, which was recently purchased. The owner, Mr. Josh Wing, will also save some of the unique architectural features to be used in another house.

The Ramsey County Sheriff's Office will begin a Community Affairs training that touches on a number of skills in crime prevention. Anyone interested can go to [www.co.ramsey.mn.us/departments/sheriff/volunteer/communityaffairs](http://www.co.ramsey.mn.us/departments/sheriff/volunteer/communityaffairs) or call 266-7332.

**CONSENT AGENDA**

MOTION: by Councilmember Withhart, seconded by Councilmember Quigley, to approve the Consent Agenda for April 15, 2013, and all relevant resolutions for item Nos. 1 through 8.

1. April 1, 2013 City Council Meeting Minutes
2. Receipt of Committee/Commission Minutes:
  - Environmental Quality Committee, March 25, 2013
  - Bikeways and Trailways committee, April 4, 2013
3. Monthly Reports:
  - Administration
  - Community Development
  - Finance
  - Public Works
  - Park and Recreation
4. Verified Claims in the Amount of \$966,107.71
5. Purchases
6. License Applications

7. Acceptance of Gift from Shoreview 12x12 AA Group
8. Approval of Cleanup Day Agreement with City of Arden Hills

VOTE:           Ayes - 5                           Nays - 0

## **PUBLIC HEARING**

### **AUTHORIZE CONDEMNATION ACTION - RICHARD G. MCGUIRE, 3339 VICTORIA STREET**

#### **Presentation by Assistant City Manager/Community Development Director Tom Simonson**

The Council is asked to hold a public hearing to formally authorize condemnation of the property located at 3339 Victoria Street. There have been long-standing maintenance and public nuisance issues. Preliminary approval for this action was given by the Council in August 2012.

The City has had repeated code enforcement and legal actions against this property for over two decades. In 2000, the City was granted a Court Order to “take all steps necessary and reasonable to bring property into compliance” with City Codes. Since that time, there have been three abatement actions on the property that were assessed back to the property owner. The special assessments and past due property taxes resulted in the owner entering into a Confession of Judgment with Ramsey County to avoid forfeiture. A payment plan was executed with Ramsey County, which is current. However, utility bills are delinquent.

The City has conducted numerous inspections, the latest in March 2013. Accessory structures are not being maintained and have broken windows, deteriorated roofs, missing doors, windows not glazed, and several structures appear to be structurally unsound. There is junk, debris, tools, tires and household goods stored outdoors in the side and rear yards.

Housing maintenance has become an increasing problem. On March 25, 2013, the City obtained an Administrative Search Warrant for the Fire Marshal, Building Official and County Sheriff to enter the house and determine interior conditions. The problems found included a deteriorating roof; damaged and rotting siding; decaying fascia/soffits; broken windows; inadequate plumbing, heating and electrical systems; obstructions; defects in walls, flooring, and stairways; and excessive storage and cleanliness issues. The property has been posted “uninhabitable” with access restrictions.

The City has been trying to negotiate a good faith attempt to purchase the property since 2010. The purchase agreement has not been executed, and the property owner provided revised terms last week, which are being reviewed. The City will continue to negotiate concurrent with the condemnation process. The City obtained a CDBG grant in the amount of \$139,000 through Ramsey County to assist with the property purchase. If the grant is accepted, a component of affordable housing must be part of the redevelopment. An appraisal was completed with the property valued at \$150,000. The City is required to pay relocation costs.

The property owner was notified March 12, 2013. Notice was published in the City's legal newspaper and on the City website.

The Council is requested to open the public hearing and continue it to the next regular meeting after 30 days, which would be May 20, 2013.

The Economic Development Authority has also been working on this issue for the past two years and is supportive of both negotiations for purchase or condemnation.

City Attorney Filla stated that he has reviewed the affidavits that indicate the public hearing to be in order at this time.

Mayor Martin opened the public hearing.

**Mr. Richard McGuire**, property owner, stated that 2.5 years ago there was an agreement on the purchase price of \$220,000. The purchase agreement did not include all his costs that would have to be paid so he would know what he would net from the sale. That is why the purchase agreement was not signed. Also, because of health issues, he has not had money to fix anything on the property.

Mr. Simonson stated that the 30-day period before final Council action will give the City an opportunity to continue to negotiate an agreement with Mr. McGuire.

**MOTION:** by Councilmember Quigley, seconded by Wickstrom, to hold the public hearing, take testimony and continue this matter to the May 20th City Council meeting per State Statute.

**VOTE:** Ayes - 5                      Nays - 0

## **GENERAL BUSINESS**

### **CONSIDERATION OF A SIGN MORATORIUM - ELECTRONIC MESSAGE CENTER SIGNS**

#### **Presentation by Assistant City Manager/Community Development Director Tom Simonson**

The City is reviewing sign regulations to propose amendments regarding temporary business signs, electronic message center signs and the Comprehensive Sign Plan process to provide more flexibility. An application for a Comprehensive Sign Plan has been received from Willow Creek for an electronic message center. In the process of its review, the Planning Commission recommended a sign moratorium because the current regulations are under review.

At the April 8th City Council workshop, there was a discussion about a moratorium with the Chairs of the Planning Commission and Economic Development Commission. The consensus of the Council was to implement a short-term moratorium of 4 months maximum. If regulations are adopted before 4 months, the moratorium can be terminated.

The moratorium would give the City reasonable time to study the needs of the business community and use of message center signs and how they may impact nearby residential areas, traffic and public safety.

The Willow Creek application would be tabled with the review period of 120 days suspended pending the life of the moratorium. Action cannot be taken until the moratorium ends.

**MOTION:** by Councilmember Withhart, seconded by Councilmember Wickstrom to adopt Ordinance 906 establishing a development moratorium prohibiting the installation of message center signs, and to authorize the publication of the Ordinance.

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

Mayor Martin noted that the short 4-month moratorium is with the intention that the ordinance amendments can be brought to the Council for approval as soon as possible.

### **ACCEPTANCE OF PROPOSAL WITH DECISION RESOURCES FOR COMMUNITY SURVEY**

#### **Presentation by City Manager Terry Schwerm**

Decisions Resources, Ltd. has been conducting community surveys for the City every three or four years since the late 1980s. In the past two years, with a biennium budget, the cost has been incorporated into the City budget. The last survey was done in 2010.

A proposal has been received from Decision Resources for a random sample survey of 400 residents by telephone. The results are within plus or minus 5% of the entire City. Decision Resources is in a unique position to compare this year's results with past surveys. They also provide comparisons with other cities.

It is anticipated that the survey will take from 6 to 8 weeks. The total cost for 190 questions is \$26,000. Staff is recommending acceptance of the proposal.

Councilmember Withhart asked if the Council would have an opportunity to interact with Decision Resources before the survey is done to provide input on questions and hear how cell phones are handled. Mr. Schwerm answered, yes.

Councilmember Quigley asked what happens if a resident is not reached because the number is not recognized and the phone not answered. He asked if the survey is ever publicized. Mr. Schwerm stated that a resident who has been selected will be contacted up to 10 times with messages left to explain the call.

Councilmember Johnson asked if other bids have been received from other firms that could provide the same quality of service. Secondly, emails will reach younger families while phones

will reach older people. Mr. Schwerm responded that whether email can be used is a question for Decision Resources, Ltd. There is only one other firm, the National Civic Association Survey, that uses a different methodology of having people send in written surveys. He does not believe the results are as accurate.

Mayor Martin added that because of the way the questions are asked, comparisons are quite accurate.

MOTION: by Councilmember Johnson, seconded by Councilmember Withhart to accept the proposal from Decision Resources, Ltd. to conduct a community survey.

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

**ADJOURNMENT**

MOTION: by Councilmember Withhart, seconded by Councilmember Quigley to adjourn the meeting at 8:05 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 6<sup>TH</sup> DAY OF MAY 2013.

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Terry C. Schwerm  
City Manager