

**SHOREVIEW CITY COUNCIL WORKSHOP MEETING
MINUTES
January 14, 2013**

ATTENDEES:

City Council: Mayor Martin; Councilmembers Quigley, Wickstrom and Withhart
Councilmember Johnson arrived at 7:40 p.m.

Staff: Terry Schwerm, City Manager
Mark Maloney, Public Works Director
Laura Elliott, Human Resources Director

Northwest Youth
and Family Services: Jerry Hromatka, Executive Director

CALL TO ORDER

Mayor Martin called the meeting to order at 7:00 p.m.

ROLL CALL:

All Councilmembers were present.

DISCUSSION REGARDING CITY CODE AND EMPLOYEE HANDBOOK UPDATES

On recommendation of an Elections Task Force appointed in the early 1990's, the Council adopted a Code of Ethics, a procedure for filing complaints and establishing a permanent Ethics and Elections Commission. However, once the task force was disbanded, no one was appointed to the Ethics and Elections Commission because it is not the correct process for handling elections complaints, and appointed members would have no power to resolve issues. Elections complaints are handled by the County Attorney's office. Such a Commission would only be able to review matters. Complaints about City employees are the responsibility of the City Manager.

Human Resources Director Elliott stated that the City's Code of Ethics is aligned with the recommendations of the Minnesota League of Cities and was approved a year before the legislature adopted Minnesota Statute 471.895 regarding their ethics code.

As part of that Code, each year all Councilmembers and employees are required to make a financial disclosure report that includes financial information that may conflict with City duties. This report also includes financial information on family members. Ms. Elliott explained that proposed changes would delete the financial disclaimer requirement since it has never been implemented. During the City's financial audit, all key staff and elected officials are required to complete a conflict of interest form required by state statute. Staff is also recommending that all references to employees would be deleted from the ordinance since there is a Council approved Code of Ethics already included in the Employee Handbook.

Mayor Martin stated that anything of value is a subjective judgment. The purpose is to not allow employees to be influenced by gifts.

Councilmember Withhart stated that the Planning Commission is a decision making body that affects many people. Asking if there is a conflict of interest should be part of every agenda. He suggested refresher training or a memo to everyone. Also, anyone with a question of conflict of interest should ask the City Attorney at the meeting when the item is considered so it becomes a matter of public information. Mr. Schwerm noted that conflict of interest matters could be reviewed each year with all City committees and commissions.

Councilmember Quigley stated that commission/committee members need to be informed that if they have any link or association with any entity that has contact with the City enterprises, they must discuss it with the City Manager or City Attorney to make sure there is no conflict of interest.

Ms. Elliott stated that the State also passed a statute on gifts. The City's ordinance regarding gifts is stricter in that nothing of value may be received. The state statute allows a gift valued up to a maximum of \$5.00.

The Council discussed the zero value v. \$5.00 value provision at length. The Minnesota League of Cities policy is zero value, and Councilmember Johnson reported that at the recent orientation for newly elected officials, zero value was recommended. However, the problem is that it is difficult to go to an event or meeting and be offered a bottle of water or coffee and have to say no. The question is if one is given something you don't walk away with, is it a gift? The policy needs to be the same for staff and the Council.

The Council asked staff to do some additional research on this issue and bring it back for consideration at a future Council meeting. They also asked that the City Attorney review the prepared modifications to Section 309 of the Municipal Code including:

There will also be a resolution to update three Human Resources policies regarding no smoking, a tuition reimbursement sunset clause, and job titles that will be considered at an upcoming Council meeting.

PRESENTATION BY NORTHWEST YOUTH AND FAMILY SERVICES

Presentation by Executive Director Jerry Hromatka

Northwest Youth and Family Services (NYFS) was started about 40 years ago to serve 10 municipal cities. Today there are 15 municipal paying partners. The primary population served is 5 to 21-year-olds. Over 4,500 youth, families and individuals use the services, which is approximately 2,000 households. The annual budget for NYFS is \$3.6 million. The program focuses on three service areas: outpatient mental health, youth development and day treatment. NYFS does not work with a young person without working with the family. Treatment and

support must be within the context of their lives. NYFS works to connect families to the community.

For many years kids helped to run the Penny Pincher Thrift Store. Today the thrift store business is too competitive. Now the focus is to help kids achieve an education and help them to apply what is learned in the classroom to real life. They have learned to say “No.” NYFS teaches them how to say “Yes” to something and help them to become involved in community services through volunteering and providing an opportunity for them to feel successful. The Senior Chore Program gets help to seniors. There are over 45 kids working for seniors, which is employment.

Corporate partnerships include Land O’ Lakes and Boston Scientific. Money is received from a number of foundations. NYFS owns its buildings and brings in \$180,000 in leases each year. Approximately 55% of the budget is financed through contracts; 15% is from contributions and grants. Funding also comes from the state and partner cities. NYFS also collaborates with a number of outside agencies, such as Minnesota Youth Intervention Program Association and a number of others.

NYFS collaborates with 15 partner cities from Columbia Heights to Mahtomedi. Residents are assured of services and are charged on a sliding fee scale. The programs and support offered for education and getting kids ready to become part of the effective work.

In the last year, NYFS has served 114 households in Shoreview. The total cost of contracted services was \$191,000. As a partner, the City pays just over \$40,000 per year. Cost increases are based on the Consumer Price Index (CPI) but are not above 3%.

STATUS REGARDING ENVIRONMENTAL PROGRAM - MINNESOTA GREEN STEP CITIES AND REGIONAL INDICATORS PROGRAM

Presentation by City Manager Schwerm

In 2012, the City participated in two environmental programs to measure and analyze existing efforts for sustainability and best practices in the environment: 1) Regional Indicators Program; and 2) Minnesota GreenStep Cities, a volunteer program through the League of Minnesota Cities. Minnesota GreenStep looks at City practices and measures them against 28 identified best practices. It was found that Shoreview will qualify as a three-star City, the highest designation available at this time. Shoreview is using 22 of the 28 best practices.

The Regional Indicators Program looks at the City as a whole-energy use and cost, refuse, recycling, green house gas emission data. This program is sponsored regionally by the Urban Land Institute.

At the February 4th City Council meeting, there will be a resolution to join the Minnesota GreenStep Cities program. The City’s Environmental Quality Committee (EQC) has made the recommendation. There is no cost. These programs will help the City to better communicate the City’s efforts at using environmental sustainable practices.

Councilmember Wickstrom suggested also looking at the Blue Star Program, a state award for storm water management which also lets residents know how much the City is doing.

DISCUSSION REGARDING STREET REHABILITATION REQUEST

Presentation by Public Works Director Mark Maloney

The City recently received a complaint from Mr. Peter Breyfogle regarding two-inch deep ruts that present a danger to bikers. These ruts appeared after the City used equipment to grind off layers of edge line paint before sealcoating. Staff has found ruts of 1/4 to 1/2 inch. The issue of liability and negligence has been raised. The City has been experimenting with methods to find the most cost-effective approach for this work to be done in-house with City equipment. The method used last year will not be used again. The roads in question, Snail Lake Boulevard, Gramsie and Victoria, have been sealcoated three times. At some point the paint must be taken off for the sealcoat to adhere. One layer of paint is not a problem, but on these roads there were thick layers of paint. Victoria and Gramsie are scheduled for total reclamation in 2016.

Mr. Maloney does not recommend trying to patch or resurface these areas because he does not believe there is a liability or safety issue. It is typical for city streets to have varying degrees of imperfections in roadway surfaces with the wear and tear and deterioration from weather. The biggest issue is that there would be six miles of grooves to fill because it must be done on both sides, which makes the cost of a project to fill in the ruts significant, estimated at \$60,000.

Mayor Martin stated that the problem does not appear to justify the expense of a project now when the road is scheduled to be renovated in two years.

It was the consensus of the Council to have staff send a letter to Mr. Breyfogle explaining the City's position.

OTHER ISSUES

Mr. Schwerm stated that Gordon Hughes, Former City Manager of Edina, will lead the City Council in a goal-setting session on February 11, 2013, at 5:00 p.m. This will replace the February workshop meeting.

The meeting adjourned at 9:39 p.m.