

**CITY OF SHOREVIEW
AGENDA
REGULAR CITY COUNCIL MEETING
June 3, 2013
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. May 13, 2013 City Council Workshop Meeting Minutes
2. May 20, 2013 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes—
 - Economic Development Authority, April 8, 2013
 - Economic Development Commission, April 16, 2013
 - Park and Recreation Commission, April 25, 2013
 - Economic Development Authority, May 13, 2013
 - Public Safety Committee, May 16, 2013
4. Verified Claims
5. Purchases

6. License Applications
7. Approval of Application to Conduct Excluded Bingo—Slice of Shoreview
8. Amended Resolution—Vacation of Owasso Street, Lakeview Terrace, 3588 Owasso Street
9. Site and Building Plan Review—RJ Marco Construction, 577 Shoreview Park Road
10. Approval of Liquor License Renewal—Red Ginger China Bistro

PUBLIC HEARING

GENERAL BUSINESS

11. Preliminary Plat/Amendment Planned Unit Development-Development Stage—Target Corporation, 3800 Lexington Avenue
12. Consideration of Ordinances 908 and 909 Implementing Electric and Gas Service Franchise Fees on Xcel Energy

STAFF AND CONSULTANT REPORTS AND RECOMMENDATIONS

SPECIAL ORDER OF BUSINESS

ADJOURNMENT

**CITY OF SHOREVIEW
MINUTES
CITY COUNCIL WORKSHOP MEETING
May 13, 2013**

CALL TO ORDER

Mayor Martin called the workshop meeting of the Shoreview City Council to order at 7:02 p.m. on May 13, 2013.

ROLL CALL

The following attended the meeting:

City Council: Mayor Martin; Councilmembers Johnson, Quigley, Wickstrom, Withhart

Staff: Terry Schwerm, City Manager
Tom Simonson, Assistant City Manager/Community
Development Director
Mark Maloney, Public Works Director
Jessica Shawn, Environmental Officer

Decision
Resources Ltd. Peter Letherman

North Suburban
Communications
Commission Cora Wilson

Comcast Emmett Coleman

Environmental
Quality
Committee Tim Pratt, Chair
Katrina Corum
Scott Halstead
Lisa Shaffer-Schreiber
Susan Rengstorf
Michael Prouty
Daniel Westerman

REVIEW OF DRAFT COMMUNITY SURVEY

The 2013 Community Survey, drafted by Decision Resources Ltd., was reviewed by Councilmembers. Attention was focused on the following questions:

- Councilmember Withhart requested that a question be added to ask how people see programs for seniors. Mayor Martin stated that if the Council agrees, there should be a question about senior services.
- The choice of “outdoor pool” was deleted from question No. 59, as it is included in question No. 70.
- Mayor Martin noted that in question No. 85, residents do not understand the breakdown of the City portion of property taxes. Mr. Letherman stated that the fact that the City portion is 22% of their taxes can be explained only after the question is answered in order to get an unbiased answer.
- Councilmember Withhart requested that No. 108 be deleted because this service is already being provided by the Economic Development Authority (EDA).
- Mayor Martin stated that the most common form of theft is from cars and requested that be added to question No. 122.
- No. 148 was deleted.
- Reference to organized garbage collection occurs in question Nos. 159 and 161. The reference in 159 was deleted and left in No. 161. It was decided to retain the question about organized collection.
- Question No. 182 regarding “Shoreview Today” was deleted.
- Regarding question No. 202, Councilmember Withhart requested an age category of those nearing retirement, such as ages 50 to 64. Mr. Letherman stated that staff will provide the breakdown of ages for question Nos. 201 and 202.

Mr. Schwerm stated that the final draft will be completed within a month. The survey will be conducted in late June and early July, so that results will be available by late August or early September. Results will be incorporated as part of the budget benchmarks.

DISCUSSION REGARDING CABLE FRANCHISE RENEWAL

Mayor Martin stated that the City’s franchise agreement will expire in October 2013. Ms. Cora Wilson from the North Suburban Communications Commission and Mr. Emmett Coleman from Comcast were present to discuss the status of negotiations for a franchise renewal with the Council.

Ms. Wilson stated that CTV is not just about public access but serves public needs with production of local government programs and educational programs. CTV funds up to 100 hours of production to each of the ten member cities. Last year, 612 staff hours, which is also many volunteer hours, provided for programming and 700 hours of technical assistance. Also, assistance was provided to a number of government and non-profit agencies, including a program for St. Anthony Schools on early childhood and Ramsey County homelessness in the suburbs. The Commission works closely with the Department of Education. Youth media programs, started two years ago, are going very well and winning awards. Webstreaming is done for two of the three school districts as well as cities. Updated webstreaming services are planned in June.

The challenge with the franchise renewal is that under the authority of Comcast, nearly all of these public and governmental access services would be stopped. The current offer from

Comcast is \$0.40 per subscriber to cover equipment only. Currently, the Commission is getting \$4 per subscriber for equipment and programming operations. Under federal law, there are two processes for franchise renewal--formal and informal. Under the formal process, Comcast must notify the Commission of their desire to renew the agreement. A needs ascertainment is then done to look at the technical aspects of the system to determine community needs and interests for the 10 cities. Compliance issues were also reviewed, and most have been addressed.

In October 2012, the top two issues were funding and to what extent community television would get into high definition channels. A second issue is the commission's institutional network. The institutional network is critical to how channels are programmed. The concern is that when the franchise agreement expires, no deal will have been reached with Comcast and the Commission will be unable to extend the current franchise agreement.

Therefore, the Commission initiated the formal renewal process while indicating a desire to continue informal negotiations. Once a staff report is submitted to Comcast, they will have 60 days to respond. When Comcast's proposal is received, the Commission will recommend acceptance, denial or continued negotiations. If there is no agreement in October, an option to extend the current franchise agreement would be recommended for a period of time.

Mayor Martin agreed that Inet (institutional network) is needed but its use is not being maximized. Shoreview's cost is subsidizing other cities because the use is not maximized in Shoreview. Ms. Wilson responded that not every city has to use every service all the time. Shoreview is using the resources for its own needs. Inet was provided under the current franchise agreement that was adopted in 1998. It was bundled within the Comcast fiber network, which allowed the cable company to establish a value for the service.

Mayor Martin asked if there are penalties if no agreement is reached. Ms. Wilson stated that only an extension has to be agreed upon. There are no penalties.

Councilmember Withhart asked if it is possible to bid the service and find another provider. Ms. Wilson stated that technically that is possible and under state law, no city is permitted to have an exclusive franchise. Verizon and AT&T did a buildout to compete in some municipal systems, but it is not likely to occur here.

Councilmember Wickstrom added that a number of years ago there were three companies. One dropped out because of the expense to build an entire network within a certain period of time. That is a high barrier for any company, especially with the density of the population and infrastructure of two companies operating simultaneously.

Mr. Emmett Coleman, Comcast, stated that the challenge for Comcast is interpretation of what is included in an agreement. The marketplace is expensive. There is not a single service that does not have to provide how many other companies are active. That impacts the franchise fee and public access fee. The franchise agreement that is currently in place is from 15 years ago. Federal rules have changed in that time. The competitive marketplace has changed. Customers have changed.

The challenges for Comcast are public access and community television and the institutional network. Aspects of the institutional network are not used. The concern is that the network that the North Suburban Cable Commission is part of is 2.5 times the size of the north suburbs. The metro Inet is not a subset of the franchise. It works from Roseville and to other cities not in the network. With respect to public access, the City currently receives a 5% franchise fee and \$4 per month PEG fee, which is the highest in the metro area. What does that mean for Comcast's ability to grow? How are these channels being used? The FCC rule says that if you want public access, funding is supposed to come out of franchise fees. Operating expenses are also supposed to come from the franchise fee. Initiating the formal renewal process is very rare. Conversations have not begun. Comcast wants network parameters set up by October, but the formal process will drive a lot of activity now.

Ms. Wilson stated that with regard to the institutional network, Roseville did initially start providing services within the 10 member cities. In order to grow, Roseville leased fiber beyond the 10 cities. For the past 15 years, the Commission has wanted Comcast to build fiber for the 10 cities. Comcast chose not to do that. The Commission is interested in looking at a mass service proposal, maybe even outside the franchise that would be a 20- to 30-year proposal.

Councilmember Johnson asked how public/private partnerships with communities are pursued. Mr. Coleman stated that each is different. Cable is just one aspect. The company philosophy is to go beyond collaboration and community partners just working with Comcast, such as also partnering with Northwest Youth and Family Services.

Councilmember Quigley stated that there is a big dollar difference. It is unusual for a committee to set a deadline, and it seems destructive to continuing negotiations.

Mr. Schwerm stated that the City currently receives a 5% franchise fee. Until now, the City has chosen to use it for a variety of purposes that are communications related, such as staff costs and printing costs for the City's newsletter and capital costs for Council Chamber equipment. Cities give it back to community programming, but Shoreview has not traditionally done this. Cities in this franchise do not use the franchise fee for community programming. Shoreview relies on public education and government programming through the Commission, which is the \$4.00 PEG fee on the cable bill. If the fee drops substantially, as proposed by Comcast, there will be a reduction in community programming. The \$4.00 is a pass-through fee that Comcast collects and gives to the Commission.

Mayor Martin stated that public access is really important to Shoreview. There are a number of people who watch Council and Planning Commission meetings. Her concern is about keeping rates as low as possible. She does not want to waste money on lawsuits and lawyers. She would rather see an agreement reached and avoid any legal action to save money.

REVIEW OF ENVIRONMENTAL QUALITY COMMITTEE ANNUAL REPORT AND WORK PLAN

Mayor Martin commended members of the Environmental Quality Committee (EQC) for their active role in decisions made by the City, especially with the recommendations made for including sustainable elements in the Maintenance Center expansion project.

Councilmember Wickstrom stated that the educational programs sponsored by the EQC have been excellent and is a great way to educate the public.

Chair Tim Pratt outlined the goals the EQC has adopted for 2013-2014:

- Implement an expanded Green Community Awards program.
- Continue the winter Speaker Series, and further discuss the pros and cons of increasing the number of speakers for 2014-2015 series.
- Continue to publish environmentally themed articles in the ShoreViews and the City website.
- Work to enhance the EQC presence at the Slice of Shoreview by improving exhibit space and updating materials.
- Conduct an annual internal critique of the committee's work in an effort to improve effectiveness.

Beyond these goals, EQC members discussed environmental issues they see facing Shoreview: 1) water quantity and quality; 2) energy consumption; and 3) urban forest.

Susan Rengstorf indicated that one program the EQC would like to see in Shoreview would be organized garbage collection. However, there is opposition. The Minnesota Pollution Control Agency has written an overview of benefits to organized garbage collection. It is most important because of air pollution. Ramsey County has the worst air pollution in the state and is rated between a D and F in air quality. There are a lot of air emissions created by hauler trucks along with noise pollution as well as wear and tear on the roads plus the fuel consumption. The money residents can save with organized garbage collection could be as much as \$100 per year. Maplewood, Lino Lakes and Little Canada have all adopted organized garbage collection. Residents in Maplewood saw their rates decrease by half. Garbage trucks account for 8% of the wear and tear on roads. The City of Roseville estimates the cost of one mile for a 7-ton street rehabilitation at \$500,000. Streets would last 5 to 10 years longer if garbage truck traffic were limited. Residents would save \$20 to \$40 a year in property taxes. Some cities divide the city so that different haulers serve different sections. It was recommended that the upcoming community survey include a question on organized garbage collection. There will be a program on organized collection in the EQC Speaker Series next year.

Water Quantity and Water Quality

The EQC would like to see the City find ways to recharge the aquifers by promoting rain gardens and paying attention to issues of water quality and infrastructure.

Mayor Martin stated that big overview studies are going to be carried out regarding water. One issue is to identify who will have authority to address water issues. On this issue, cities cannot be as influential as a region. There is discussion about the Metropolitan Council becoming more involved. Shoreview has always had a major emphasis on water quality, and it will continue.

Councilmember Wickstrom stated that consideration needs to be given to recycling water, using ponds and other water resources so that less is used from the aquifer. The issue with White Bear Lake and Turtle Lake water levels is a teachable moment. People are concerned, and this is the time to let them know how serious water problems are and adjustments that need to be made. The Metropolitan Council is working on a plan and is seeking input on several issues. One is water. She encouraged EQC members to go to their website or attend one of their meetings. The other issues include transportation, land use, economic development and affordable housing.

Mayor Martin agreed that conservation is needed, but the less water the City sells, the higher water rates will be. Mr. Schwerm noted that the City has created an additional water tier rate which has helped to create more sustainable water revenues. The water issue is more visible at the regional level. He anticipates that higher levels of government will get involved in water availability issues.

Councilmember Quigley commented on the complexity of the issue in dealing with water usage. Many factors enter in including precipitation, infrastructure costs, safety and maintenance costs. Each factor has its own environmental protocol. Lake level augmentation is yet another factor and how it would impact the aquifer. He noted that the issues identified for Shoreview are not included in the 2013 To Do list.

Mayor Martin stated that she sees the EQC role as continuing to provide education and information to the public.

Energy Consumption

Climate is impacting plants and animals. This concern is not going away. Availability, price of fuels and carbon emissions will have to be addressed. Financial incentives are the most effective in getting changes. Taxing authority, selling bonds to create funds and low cost loans for energy efficient items are all financing mechanisms that can be used. However, Fannie Mae and Freddie Mac may stop such initiatives because of how assessments are treated in bankruptcy law.

Councilmember Wickstrom noted that there is also funding from grants.

Councilmember Withhart stated that the HRA already offers low interest loans on energy improvements to homes. Financing is the key.

Urban Forest

A survey of the City's ash forest has been done. Ash trees account for 20% of the trees in the City. The big issue is the emerald ash borer. There are additional steps that the City can take to be ready for the infestation.

Councilmember Withhart stated that the EQC could help private homeowners by educating them on steps to take. A street tree inventory is needed so it is known where the ash trees exist. Mr. Schwerm stated that the City has an intern working for the summer who will work on the tree inventory. The City is subsidizing ash tree injection program to protect against the EAB.

Mayor Martin requested that public works employees also be educated on ash borer information. It was stated that the number one way the infection is spread is through fire wood.

Ms. Jessica Shaum, Environmental Officer, noted that the tree inventory is only of trees on public property. She suggested an initiative through “Night to Unite” to form a volunteer force that would train residents to conduct a tree inventory on private land.

Mayor Martin called a break at 9:42 p.m. and reconvened the meeting at 9:49 p.m.

REVIEW OF NORTH OAKS WATER CONNECTION AGREEMENT PROPOSED CHARLEY LAKE PRESERVE DEVELOPMENT

A new development in North Oaks of 63 residential homes is occurring north of Chippewa Middle School. Shoreview has been asked by North Oaks to supply water to this development. Mr. Maloney stated that Shoreview’s infrastructure can support this request. A Joint Powers Agreement would be executed similar to the one that is used to provide water service to the Village Center. There would be a 25% markup fee to sell water to the Charley Lake Preserve Development.

Mayor Martin asked if homeowners will know about the Joint Powers Agreement and whether North Oaks will adopt Shoreview’s tiered rates. Mr. Maloney responded that one large meter will be installed at the property line. The bill will be sent to the City of North Oaks.

Mr. Schwerm added that Shoreview will use the Shoreview meter reading system based on water consumption at the property line. How North Oaks bills residents is their decision.

OTHER ISSUES

Councilmember Withhart stated that he would be absent from the June 3rd meeting.

Councilmember Quigley stated that he would be absent from the May 20th meeting.

Mayor Martin stated that she would be unable to attend the June 10th Council workshop. It was the consensus of the Council to schedule a workshop meeting either immediately prior to or after the June 17th regular Council meeting.

Mayor Martin noted an invitation to Councilmembers from the Lakeshore Players to attend a production and a gathering at the director’s home following the play on June 8th or June 15th.

Mayor Martin declared the meeting adjourned at 10:20 p.m.

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
May 20, 2013**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on May 20, 2013.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

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

Councilmember Wickstrom arrived late.

Councilmember Quigley was absent.

APPROVAL OF AGENDA

Mayor Martin requested a brief discussion of scheduling during the week of July 4th.

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to approve the May 20, 2013 agenda as amended by Mayor Martin.

VOTE: Ayes - 3 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

Mayor Martin introduced City Attorney Pat Kelly.

CITIZEN COMMENTS

There were none.

COUNCIL COMMENTS

Mayor Martin:

The Shoreview Concerts in the Commons series will begin Wednesday, June 12, 2013, with Dan Perry and the Ice Cream Band. Shoreview Community Foundation members will be present to hand out free ice cream.

The Farmers' Market begins Tuesday, June 11, 2013 from 3:00 pm to 7:00 pm.

Noted that the closing of Highways 10 and 96 has impacted traffic in Shoreview. The City has also learned that Mn/DOT will be closing westbound traffic on I-694 at Lexington. Traffic will be detoured to County Road F to Victoria. The City is monitoring all traffic detours. A three-way STOP sign has been placed at County Road I and Hamline to help traffic in that area.

Hockey rinks at Bucher Park, Wilson Park and Bobby Theisen Park are again open for off-leash dog play areas.

Councilmember Johnson:

The Shoreview Business Exchange will meet on Thursday, June 6, 2013, at the Hilton Garden Inn. This is an opportunity for business owners, City staff, Councilmembers and members of the Economic Development Commission to have dialogue about common issues.

Councilmember Withhart:

Last Saturday was the Spring Cleanup Day. In spite of the bad weather, there was one of the best turnouts ever for a very successful event.

Councilmember Withhart stated that he will be absent for the June 3rd Council meeting.

CONSENT AGENDA

Item No. 6, Acceptance of the Comprehensive Annual Financial Report for the fiscal year ended December 31, 2012, was pulled for a brief discussion.

Councilmember Wickstrom arrived at this time and noted a correction of the spelling of Ms. Schaff's name in the May 6, 2013 meeting minutes. The correct spelling is Schaff, not Shaff.

Councilmember Withhart congratulated Finance Director Jeanne Haapala and her staff for the excellent audit report.

Mayor Martin added that the financial report will be available online and includes a lot of useful information.

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to approve the Consent Agenda for May 20, 2013, and all relevant resolutions for item Nos. 1 through 9, with the noted correction to the May 6, 2013 City Council meeting minutes:

1. May 6, 2013 City Council Meeting Minutes
2. Receipt of Committee/Commission Minutes:
 - Planning Commission, April 23, 2013
 - Planning Commission, April 30, 2013
 - Lake Regulations Committee, May 9, 2013
3. Monthly Reports:
 - Administration
 - Community Development
 - Finance
 - Public Works
 - Park and Recreation
4. Verified Claims in the Amount of \$1,028,790.37
5. Purchases
6. Accept Comprehensive Annual Financial Report for Fiscal Year Ended December 31, 2012
7. Agreement with Ramsey County for Water Patrol Services
8. Conditional Use Permit - Thomas and Linda Ritchie, 5186 Lexington Avenue
9. Conditional Use Permit - Michael Keene, 5345 Hodgson Road

VOTE: Ayes - 4 Nays - 0

PUBLIC HEARINGS

APPROVAL OF OFF-SALE LIQUOR LICENSE - JJ'S WINE AND SPIRITS, 167-169 WEST COUNTY ROAD E

City Attorney Kelly stated that he has reviewed the affidavit of publication, and the public hearing is in order.

City Manager Schwerm stated that an application has been received for a liquor license for a new liquor store. Background checks have been conducted. The store owners are aware of the City's ordinances regarding no access to alcohol by youth. Ms. Lucas is purchasing the stock of Walt's Liquor on Gramsie Road, which will be closing. The City only allows five off-sale liquor licenses. With Walt's Liquor closing, this will be the fifth and final off-sale liquor license location. Insurance documents will be provided prior to issuance of the license. Staff is recommending approval.

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

MOTION: by Councilmember Wickstrom, seconded by Councilmember Withhart to close the public hearing at 7:15 p.m.

VOTE: Ayes - 4 Nays - 0

Councilmember Wickstrom stated that she would like to be sure the applicant understands how seriously the City regards compliance checks and no sales to minors. Ms. Lucas stated that she and her husband have both participated in training on this issue.

Councilmember Withhart asked if this license application is contingent on the closing of Walt's Liquor. Mr. Schwerm stated that the old store will have to close before the new license can be issued.

Ms. Lucas added that the owner of Walt's Liquor has signed a letter of endorsement to her to assure her that the store will close.

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to approve the application for an off-sale liquor license for JJ's Wine and Spirits located at 167-169 West County Road E, Shoreview, Minnesota.

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

AUTHORIZE PROPERTY CONDEMNATION ACTION - RICHARD MCGUIRE, 3339 VICTORIA STREET

Presentation by Asst. City Manager/Community Development Director Tom Simonson

This is a continuation of a public hearing the Council was requested to open last month to formally authorize condemnation of property. There is long standing maintenance and public nuisance problems with the property. The City has had repeated code enforcement and legal actions against this property for over two decades. The City was granted a Court Order in 2000 to "take all steps necessary and reasonable to bring the property into compliance" with City Codes. Since that time, the City has initiated three separate abatement actions--in 1999, 2007 and 2009.

The property owner has executed a Confession of Judgment with Ramsey County to make payments on special assessments and past due property taxes in order to avoid forfeiture. The property is current on annual payments in compliance with the County's schedule. The property owner is delinquent on some utility fees.

An Administrative Search Warrant was executed in March 2013, when it was determined that the property is not habitable. The property was posted as "uninhabitable" with access restrictions and no overnight living allowed.

The City has been negotiating for several years to purchase the property. Good progress has been made in the last month since the opening of this public hearing. It is hoped to continue negotiations and avoid the condemnation process. It is noted that the City does have a CDBG grant from Ramsey County to assist with the purchase of the property. The City is committed to work with the neighbors regarding cleanup and redevelopment of the property. The City has had the property appraised. The value of the land is appraised at \$150,000.

The property owner was notified on March 12, 2013 of these proceedings. The public hearing opened last month has been continued 30 days to this meeting. Staff is recommending going

forward with condemnation proceedings. The Economic Development Authority (EDA) also discussed this matter at their May 13th meeting and supports acquiring the property through negotiations, which are preferred, or condemnation.

Councilmember Wickstrom asked about the delay in negotiations. Mr. Simonson responded that the matter is complicated with the property owner having to find a new location and where items can be stored. There is agreement on financial terms.

Mayor Martin opened the discussion to public comment.

Ms. Nancy Barentine, 3325 Victoria, noted the property owner's van is at the house at night and first thing in the morning and asked if the property owner is living at the property. She also asked the time line for negotiations.

Mr. Richard McGuire stated that he is pleased to complete the process. He is looking forward to moving. In response to Ms. Barentine's question, he stated that he is staying with a friend at night.

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to close the public hearing and adopt Resolution 13-49 authorizing condemnation of property at 3339 Victoria Street North to resolve the long-standing public nuisance and mitigate the blighted conditions that exist on the property.

Discussion:

Mr. Simonson explained that the condemnation action starts the countdown. The City will have a short window to allow friendly negotiations before a petition is filed in court, which starts an automatic clock. It is hoped that an agreement can be reached that addresses Mr. McGuire's needs.

Councilmember Withhart stated that this action is not taken lightly. He cannot remember in 23 years of having to decide a condemnation. This is the first one. The deadline will be dictated by the court. Any negotiation must be done before the court decision.

City Attorney Kelly stated that when the City files a petition, it will normally be heard within a three- to four-week period. A Quick-Take process can be used that will be completed in 90 days once a deposit is made with the court. He observed that negotiations with the property owner are going well.

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

GENERAL BUSINESS**TEXT AMENDMENT - RESIDENTIAL BUILDING SETBACKS****Presentation by Asst. City Manager/Community Development Director Tom Simonson**

The purpose of the proposed amendment is to relax certain structure setbacks for single-family residential properties in order to provide flexibility that encourages homeowners to reinvest in their homes with additions. Expansion of older homes can be difficult due to location of the home on the property and floor layout. Also, some neighborhoods have streets with wide rights-of-way. The zoning districts this amendment would apply to would be R1, R2 and RE districts.

The first part of the amendment would reduce the minimum front setback from 30 to 25 feet and would apply to both local and collector streets. This is done already in some neighborhoods where local streets are narrower.

The second provision in the amendment would allow properties adjacent to 60-foot road rights-of-way on local roads to reduce the front yard setback to 20 feet as long as there is a minimum 35-foot setback from the road surface.

The Planning Commission reviewed the amendment at its April 23, 2013 meeting. Discussion on building height resulted in the Planning Commission requesting staff to revise the provision for setbacks of one-story structures from side property lines and provide a better definition of height. The amendment for approval includes the changes recommended by the Planning Commission. Staff is recommending approval.

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to adopt Ordinance No. 907, revising Chapter 200 of the Municipal Code, specifically Section 205.080, 205.081, 205.082, 205.083, 207.050, and 209.080 regarding residential setbacks and to authorize publication of an Ordinance Summary.

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

ACCEPT BASE BID, AUTHORIZE CONSTRUCTION CONTRACT, APPROVE C.O. #1, AND AUTHORIZE PURCHASE OF SIGNAL EQUIPMENT - OWASSO STREET, COUNTY ROAD E, VICTORIA STREET RECONSTRUCTION, CP 09-12**Presentation by Public Works Director Mark Maloney**

As of today, the TIF Development Agreement, Escrow Erosion Agreement, Assessment Agreement, and Site Development Agreement are all in place and backed by a Letter of Credit. The public improvement part of this project will realign Owasso Street with the intersection to County Road E at Victoria Street.

The plans and specifications for this project were approved by the Council in March 2013. The proposed change order for approval is work that was taken out of the contract to be done by the private sector but is now back in the contract. The second approval is for advance purchase of street signal equipment.

Bids were opened April 4, 2013. Three bids were received. The low bid was from Arnt Construction Co., Inc. in the amount of \$1,768,830.49. This compares favorably to the Engineer's Estimate of \$1,859,304. Change Order No. 1 is bid in the amount of \$410,428.55. The total construction contract is \$2,179,259.

Also included is a contract with CP Rail for a railroad crossing and signal at \$345,171; advance purchase of street signal equipment at \$32,250; purchase of right-of-way and easements at \$110,376; engineering for design and construction at \$427,500; and relocation of private utilities at \$28,406. The total project cost is estimated at \$3,122,962.

Funds to support the project are as follows:

TIF	\$1,087,000
Livable Communities Grant (from Metropolitan Council)	\$ 452,550
Ramsey County Assessments (Estimated)	\$ 360,000 \$1,223,412

This provides the total estimated funding of \$3,122,962.

Staff is recommending acceptance of the low bid from Arnt Construction and approve Change Order No. 1 and authorize advance purchase of the signal equipment.

Mayor Martin asked if the change order amount is the same amount that was estimated by the engineer. Mr. Maloney explained that the amount is a little higher but reasonable. This portion of the project is being funded in the same way whether constructed through the public improvement or privately.

Councilmember Withhart noted that the amount of TIF funding will be paid back. City Manager Schwerm stated that it will be paid over a period of 25 years. Councilmember Withhart added that this is the purpose of TIF funding and was recognized with the Livable Communities Grant.

Councilmember Wickstrom asked if the increased traffic on Victoria from the closing of the ramp at I-694 and Lexington will impact this project. Mr. Maloney responded that this project is on a fast track. Some aspects of the scheduling are not set.

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to adopt Resolution No. 13-40, accepting the base bid from Arnt Construction Company for the Owasso Street, County Road E, and Victoria Street Construction Project, City Project 09-12, authorizing the Mayor and City Manager to execute a construction contract in the amount

of \$1,768,830.49, approving change order #1 in the amount of \$410,428.55, and authorizing purchase of street signal equipment.

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

APPROVE PLANS AND SPECIFICATIONS AND ORDER TAKING OF BIDS - 2013 STREET REHABILITATION AND THE GASTON, GROVE, ST. ALBANS WATER MAIN EXTENSION, CITY PROJECTS 13-02 AND 13-03

Presentation by Public Works Director Mark Maloney

This is two projects consisting of the street rehabilitation and water main extension. The water main is tracked as a separate project for the purpose of assessments. The feasibility study has been completed and accepted by the City Council.

Approximately 6.35 miles of street is scheduled in this project for rehabilitation--2.25 miles of MSA roads and 4.1 miles of local streets. The project also includes the entrance roads and parking areas for Wilson and McCullough Parks. The water main portion is to serve 14 lots in the neighborhood of Gaston, Grove and St. Albans.

The rehabilitation will consist of full-depth reclamation with emulsion and a new bituminous surface. This includes curb replacement and storm sewer repair as needed. The water main will be installed using the direct drill method with installation of fire hydrants in the road right-of-way. The direct drill method does not require digging up the road.

The road rehabilitation cost is \$3,200,000 with \$2,500,000 from Street Improvement Funds and \$700,000 from MSA funds. The water main extension is estimated at \$98,000, to be funded through special assessments to 14 benefitting properties. The 2013 Capital Improvement Program allocates \$281,000 for parks, which will pay for the new entrances and parking area improvements. All parts of the project will be administered as one, but costs will be kept separate. The total project cost is estimated at \$3,579,000.

The project schedule:

Bid Open	June 13, 2013
Contract Award	June 17, 2013
Construction Start	July/August 2013
Final Completion	September 2013
Assessment Hearing	September 2014

Staff is recommending approval of the plans and specifications presented and authorize taking of bids for City Projects 13-02 and 13-03.

Councilmember Withhart requested that Mr. Maloney discuss communications with the neighborhood at a future Council workshop.

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to adopt Resolution No. 13-48 approving plans and specifications for the 2013 Street Rehabilitation and the Gaston, Grove, St. Albans Water Main Extension, City Projects 13-02 and 13-03, and ordering the taking of bids on Thursday, June 13, 2013 at 10:00 a.m., at the Shoreview City Hall.

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

AUTHORIZATION FOR JOINT POWERS AGREEMENT WITH NORTH OAKS FOR WATER CONNECTION FOR CHARLEY LAKE PRESERVES

Presentation by Public Works Director Mark Maloney

The proposed joint powers agreement would be for water connection to a large residential development in North Oaks. The project area is located north of Peace United Methodist Church on Hodgson Road. The development would be 63 single-family lots. With access to the Metropolitan Council sewer, no septic systems or private wells are proposed. There is, however, the need for City water.

Staff has reviewed the request and, based on an independent analysis, finds that the Shoreview water system has the capacity to serve this development. No adverse impacts on Shoreview infrastructure and customers are anticipated. A joint powers agreement for this development would be similar to the one established in 1991 for the Village Center. North Oaks is responsible for the infrastructure. The water meters at the property line will be owned by Shoreview. There is a connection fee of \$67,327 and a use charge at 25% of the surcharge per Council policy on the same tier rates as charged in Shoreview. The agreement covers provision of water only to the Charley Lakes Preserve, no other development or area in North Oaks. Staff is recommending approval.

Mayor Martin requested further information on how staff determined that this service will not impact water supply for Shoreview residents. Mr. Maloney explained that Shoreview's supply is based on six deep wells in the Jordan Aquifer. The infrastructure was based on a population of approximately 30,000. The population of Shoreview is approximately 26,000, and the City can comfortably meet adding water service to this development. Mr. Schwerm noted that a benefit to Shoreview is added revenue, which will help moderate rate increases in the future. If this service were not provided, shallower wells would be dug and residents of the new development would also not pay for higher usage of water. This agreement should help keep water use reasonable.

Councilmember Withhart noted that the ground water in North Oaks flows through Shoreview. North Oaks has thousands of septic systems that could impact that ground water. This service will prevent contamination of shallow aquifers that would impact Turtle Lake and will prevent reducing water levels through shallow wells that would also impact Turtle Lake.

Councilmember Wickstrom asked if this demand would mean an additional water tower in the future. Mr. Maloney answered, no. The track the City is on for water treatment is not impacted. No added infrastructure in Shoreview is necessary. Two water meters only will be needed.

Councilmember Johnson noted that the joint powers agreement with North Oaks for Village Center for over 20 years speaks well for the relationship between the two cities, and she is pleased to see this added revenue for Shoreview.

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to authorize the Mayor and City Manager to execute a Joint Powers Agreement with the City of North Oaks for Charley Lakes Preserve water connection.

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

APPROVAL OF LIQUOR LICENSE RENEWALS

City Manager Schwerm reported that liquor license renewals expire June 30, 2013. Approval is being requested for the following licenses: 5 On Sale Intoxicating; 3 Off Sale Intoxicating; 2 Off Sale 3.2 Malt Beverage; 1 On Sale 3.2 Malt Beverage; and 4 On Sale 3.2 Malt Beverage and Wine. Background checks have been completed on managers, which show no violations. Police reports have also been reviewed and show no causes for any concern. License fees have been paid and insurance information received.

Councilmember Withhart stated that he was in Red Ginger yesterday, and although the On Sale 3.2 Malt Beverage and Wine license does not allow it, hard liquor is being offered, although he did not order it. Mr. Schwerm requested holding off on that license renewal to check to see if Red Ginger has the appropriate license. A different license may be required for Red Ginger.

Councilmember Johnson asked the frequency for compliance checks. Mr. Schwerm responded that City Code requires two compliance checks per year. He will verify the results with the Sheriff's Department. There are set penalties in place. Renewal would not be denied until there have been a certain number of violations.

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to approve the following liquor license renewals, with the exemption of Red Ginger China Bistro, for the license term of July 1, 2013 through June 30, 2014:

Green Mill Restaurant	On Sale Intoxicating and Sunday
Meister's Bar and Grill	On Sale Intoxicating and Sunday
Hilton Garden Inn	On Sale Intoxicating and Sunday

Red Robin	On Sale Intoxicating and Sunday
Kozlak's	On Sale Intoxicating and Sunday

Bacchus Wine and Spirits	Off Sale Intoxicating
Back Yard Liquor	Off Sale Intoxicating
Rice Creek Liquor	Off Sale Intoxicating
Target	Off Sale 3.2 Malt Beverage
Rainbow Foods	Off Sale 3.2 Malt Beverage
Island Lake Golf Course	On Sale 3.2 Malt Beverage
Mansetti’s Pizza and Pasta	On Sale 3.2 Malt Beverage and Wine
Wok Cuisine	On Sale 3.2 Malt Beverage and Wine
Chipotle Mexican Grill	On Sale 3.2 Malt Beverage and Wine

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

SPECIAL ORDER OF BUSINESS

Mayor Martin noted that Councilmember Johnson would be absent for the July 1st meeting. All other Councilmembers will be available, and the regular Council meeting on July 1 will be held.

ADJOURNMENT

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to adjourn the meeting at 8:35 p.m.

VOTE: Ayes - 4 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE ___ DAY OF _____ 2013.

 Terry C. Schwerm
 City Manager

- | | | |
|-----|---|-----------------------|
| 2. | Community Reinvestment Fund
(10 loans - Monthly Service Fees) (Date Paid: 02/28/13) | \$60.00 (Fund 307) |
| 3. | Community Reinvestment Fund
(10 loans - Monthly Service Fees/1 new loan) (Date Paid: 03/29/13) | \$75.00 (Fund 307) |
| 4. | Panino's Restaurant (EDA Dinner/January)
(Date Paid: 02/19/13) | \$137.95 |
| 5. | Marianne's Kitchen Restaurant (EDA Dinner/February)
(Date Paid: 02/19/13) | \$75.35 |
| 6. | Kirstin Barsness (EDA Consulting) | \$918.75 (Fund 240) |
| 7. | Deanne Allen (EDA Minutes 01/14/13)
(Date Paid: 02/19/13) | \$200.00 |
| 8. | Bradley & Deike PA (Legal Services)
(Date Paid: 02/19/13) | \$51.00 (Fund 240) |
| 9. | Deanne Allen (EDA Minutes 02/14/13)
(Date Paid: 03/04/13) | \$200.00 Fund 240) |
| 10. | Kirstin Barsness (EDA Consulting)
(Date Paid: 03/18/13) | \$2,887.50 (Fund 240) |
| 11. | Penfield, Inc. (Appraisal McGuire Property)
(Date Paid: 02/19/13) | \$850.00 (Fund 241) |

VOTE: Ayes - 5 Nays - 0

MOTION: by Quigley, seconded by Johnson, to accept the EDA financial reports as submitted.

VOTE: Ayes - 5 Nays - 0

GENERAL BUSINESS

ADOPTION OF 2012 EDA ANNUAL REPORT

Withhart requested that projects benefitting from City assistance include information on how quickly there will be a payback to the City. Simonson said he would make the changes.

MOTION: by Quigley, seconded by Marsh to adopt the EDA 2012 Annual Report with the change requested by President Withhart.

VOTE: Ayes - 5 Nays - 0

The report will be posted on the City website and distributed to other committees and commissions.

FINAL DRAFT EDA WORK PLAN FOR 2013-2014

The EDA Work Plan consists of two major categories of work projects--those related to Housing and Neighborhoods and those relating to Business and Development. The goals of the EDA work plan should be consistent and be incorporated into the economic development goals of the City Council. Simonson reviewed the proposed work plan, which will then be presented to the full Council at their workshop session following the EDA meeting.

HOUSING AND NEIGHBORHOODS

Foreclosures/Vacant Properties

Staff has been reporting on foreclosures since the EDA was established in 2008. Ms. Nordine stated that the difficulty is tracking ownership changes because there is a delay in being able to get the information. Staff does monitor ownership through utility billing.

Withhart asked if there is anything the City can do about the increase in rental properties. Ms. Nordine stated that staff will prepare a report that looks at data from the last few years to see if there are trends showing foreclosures are related to rentals.

Johnson asked if the City has the capability to capture the time frame when residents complain and whether complaints align with foreclosures. Has there been a spike in complaints? Ms. Nordine responded that when foreclosures began, there was an increase in complaints. Now banks are hiring property managers to maintain properties, which have lessened the number of complaints about property maintenance.

Highway Corridor Transition Areas

These areas are certain segments of highway corridors where there is a larger percentage of vacant homes and rental properties. The Board has previously discussed looking at Highway 49 south of Highway 96 in greater detail because it is scheduled for reconstruction by Ramsey County in a couple of years. With that reconstruction, there will be a lot of changes. The road will be widened and will be closer to homes. There are also homes north of Highway 96 on Highway 49 that are in rough shape.

With the direction of the EDA, City staff said they could begin a study this fall in advance of the road improvements.

Hoarding/Garbage House Policy

City Planner Nordine reported that the City is developing a formal process to deal with these properties, which are increasing. Staff spends a lot of time working with these residents, the Fire Department and other social service agencies involved. Information on where people can go for help will be posted. It is a life safety issue, usually caused by mental illness, and has been increasing over the years.

Denkinger asked what is driving the increase in number. Withhart responded that with age, hoarding increases and Shoreview's population is aging.

This issue will be scheduled as an upcoming EDA agenda item for further discussion once staff has completed additional research.

Housing Improvement Areas

Simonson stated that the City has legislative authority to establish areas identified as Housing Improvement Areas. This legislation is scheduled to sunset in June 2013. There is legislation that would repeal the sunset date and extend this authority. It appears that the legislation has a lot of support.

Withhart stated that he wants to be sure certain areas are kept up, such as Fox Glen. Simonson stated that the City can offer tools to help townhouse communities if the associations seek support. However, a workshop that was offered last year was not well attended. Simonson said one issue is that the association's that could most use help due to low capital reserves are sometimes also the most disorganized.

Should legislative authority be extended, the EDA will renew efforts to work with townhouse and condominium communities.

Blighted Properties

Withhart asked if there is a process staff uses to keep up with blighted properties that need to be addressed. Simonson said that the EDA had discussed such a process several years ago but felt they did not want to formalize actions since each case may be handled differently. However, Simonson said that major blighted properties are very complex and can be time consuming to the City so developing guidelines may be good for both the City and property owners.

Withhart said he would like to see a specific formal process developed that includes letters to property owners warning them of a deadline when the City will begin serious action to have the property cleaned up. He suggested the creation of a "tool kit" that the City could provide property owners who may need some guidance on how to make corrections.

Quigley noted that if such properties can be dealt with in a positive way, they could become start-up housing for younger families.

Simonson said the focus right now for staff is addressing the blighted McGuire property at 3339 Victoria Street, which the City will acquire either through a purchase or condemnation action. The EDA will continue to monitor these properties and work on developing a set of guidelines to deal with them.

BUSINESS AND DEVELOPMENT

Children's Hospital Property

This property was never developed as intended by Children's Hospital for a medical clinic campus and still remains vacant. Staff will initiate discussions with the property owner about possible sale of the property for development and see how the City can support meeting the vision set forth in the PUD approved for the site, which was planned for high end office use.

Nardini Fire Equipment Expansion

Nardini has had approvals for expansion plans. Due to the economy, expansion has not taken place. It was the consensus of the Board to remove this item from the work plan until the business owner is ready to proceed. This business can be put on the itinerary for visits made to businesses by the Economic Development Commission as part of the BRE program.

Shoreview Corporate Center

This is the former Deluxe Campus. The three buildings located on County Road F are doing well with improvements recently done by both tenants Hill-Rom and Land O' Lakes. New business tenants are needed for two vacant buildings on Gramsie Road in the corporate park, one of which needs substantial improvements.

Simonson said the campus is owned by a capital firm out of California, but managed locally. At one point the City was informed that the building could require \$12-13 million in improvements to both the interior and exterior, which may not be feasible and making a tear down more likely. Barsness suggested that an inspection could be done to see if the building qualifies to be marketed as a redevelopment opportunity.

Marsh asked if the dollar amount on a TIF district for one building would be viable. Simonson responded that the building in the southwest corner could be included if necessary for a prospective corporate tenant. He said the work plan suggests the City work with the property manager and owners to explore options to fill the building or redevelop for a quality corporate tenant.

Shoreview Town Center

It was the consensus of the Board to review the Shoreview Town Center Master Plan, so that all members are familiar with it. Simonson said the EDC had asked for similar review.

Shoreview Village Mall

The Mall is an underutilized retail center that is a gateway property to the City. Staff will continue to seek discussions with the owner for possible sale of the property for a comprehensive quality redevelopment. The EDA consensus was that the redevelopment is still a major objective.

Westinghouse - PaR Nuclear

Expansion is on hold according to PaR Nuclear officials but they are hopeful that it will still get approval from their parent corporation. The City continues to be ready to assist when the expansion proceeds and staff will continue to communicate with their management.

MOTION: by Quigley, seconded by Marsh, to adopt the EDA Work Plan for 2013-2014.

VOTE: Ayes - 5 Nays - 0

Denkinger asked how much senior housing is too much for a community with an aging population. Simonson stated that it can be argued that senior housing brings affordable housing for seniors, which in turn creates turn-over housing for younger families but that is a difficult matter to evaluate. There are

market studies usually done with each project, and the City typically will support specific types of senior housing that may be lacking such as memory care or assisted living with the most recent Shoreview Senior Living project.

HOUSING PROGRAM DISCUSSION

Home Energy Improvement Loan Program Modifications

Simonson said that in response to the Board's interest in expanding the home loan program to include more than energy-saving improvements, staff has developed revised program guidelines in consultation with the Housing *Resource* Center. City Planner Nordine reported the following proposed additional items that could be included in the loan program:

1. Exterior Structure Repairs could include exterior painting; siding repairs/replacement; rafters, soffit and fascia repair; decks, railings and stairs; landings and porches. Board members added gutters to this list.
2. Interior Structure Repairs could include accessibility improvements for people with disabilities; failed electrical, ventilation or plumbing upgrades to meet code; roof leaks causing significant damage; structural foundation repair for walls or roof; new drain tile and re-grading; and lead paint removal.

The Board noted that there remain 10 septic systems in the community near County Road J. Those with septic systems would have to submit compliance reports to the City. The loan program would not include replacement of a septic system.

3. Repair/Replacement of Site Improvements could include driveways; sidewalks and patios; retaining walls; and detached accessory structures that are classified as a garage.

Marsh suggested general language that would cover a variety of situations, so that every instance that could occur would not have to be listed to qualify for the loan. The Housing *Resource* Center (HRC) can advise the Board of applications for special items that the Board can then approve. Simonson said the HRC has on a few occasions asked the City staff for clarification on some improvement items that do not clearly fit within the stated guidelines and the City can make those determinations as we see fit so long as it is consistent with the purpose and goals of the program.

Quigley suggested a provision to insure that work done by lay people is inspected. Nordine said the construction manager at the HRC reviews all aspects of improvement projects from start to finish including any reimbursements for sweat equity.

Marsh raised the concern about enough funding for this expansion to the loan program, and Denkinger suggested added language that states the limited amount of money available. Simonson responded that the existing guidelines does include a statement that loans are subject to funding availability and the program can be changed or ended at any time. Simonson reviewed the existing fund balance showing that there is about \$150,000 available still from the original \$300,000 earmarked to start the loan program. While loan payments are being made and the fund is replenished over time, staff will monitor the fund with these proposed changes to eligible items, and the EDA may need to consider identifying

additional funding sources to supplement the program if the new guidelines prove popular with homeowners.

It was the consensus of the EDA Board to change the name of the loan program to Shoreview Home Improvement Loan Program.

MOTION: by Johnson, seconded by Marsh, to approve the additional items that would qualify under the Home Energy Improvement Loan Program as presented and with the changes discussed, and that the program be renamed the Shoreview Home Improvement Loan Program.

VOTE: Ayes - 5 Nays - 0

Rental Licensing Program

Nordine stated that in response to the Board's previous discussions regarding the increase of rental licenses, specifically for dwelling units and how that impacts neighborhoods, staff has looked at potential changes to the ordinance. Currently, the licensing term is one year. There are 540 general dwelling unit rental licenses. Staff spends a great amount of time sending out second and third notices for renewal of the license. One consideration would be to change the license term to two years. The licenses could be split so only half the number are due any one year. The fee is \$75 per year, and that could be changed to \$150 for a two-year license. One concern with this suggestion is the loss of continuity in communicating with license holders.

Withhart suggested sending license holders an annual letter of updated information.

Quigley suggested a provision that the City retains the option to renew the license annually. Nordine noted that there is a revocation process.

Nordine stated that penalty fees could be incorporated into the ordinance for late license renewals and as an incentive to bring utility bills current. Also, a fee could be charged when a unit is converted from owner-occupied to rental. The rationale is because of the time it takes to educate the property owner on the rental process and inspect the property.

Withhart added that there should be a penalty fee for property owners renting without a license, not when there is a conversion. He would rather encourage landlords to be in the rental licensing program.

Staff will develop a fee structure and bring it back to the EDA for review.

Nordine noted that all eight multi-unit complexes in Shoreview are working with the Sheriff's Department in the Crime Prevention Program that includes management training, security assessment and resident training. Landlords who participate in this program are eligible for a reduced licensed fee.

Four of the eight complexes (the senior housing complexes) are designated smoke-free. Staff is considering a similar incentive of a reduced fee to encourage all complexes to be designated as smoke-free.

A cap on rental licenses has been considered and reviewed by the City Attorney. The City has the authority to implement a cap, but it should be related to negative impact to neighborhoods. As no negative impact conditions exist at this time, a rental housing cap is not recommended.

BUSINESS AND DEVELOPMENT UPDATES

Lakeview Terrace (Midland Plaza Redevelopment): Simonson reported that the City is still waiting to execute the final agreements for the project. The project is also waiting for the developer to provide the necessary information for Ramsey County to set the value of the project. The City Council authorized bids and received a bid that is \$100,000 less than the Engineer's Estimate. However, the Council will not be asked to award the bid until the final agreement documents are executed.

McGuire Property Condemnation Action: The City Council will hold a public hearing on formalizing the condemnation authorization. The property owner has been notified of the hearing. The City continues to work for an amicable agreement. A search warrant was administered, and the property was found to be uninhabitable. The property owner can no longer live there. The neighborhood has been notified.

Legislation Update: Simonson stated that the provisions for a sunset repeal on Housing Improvement Areas and special authority for TIF changes did not make it into the draft bill at the House Tax Division and may not be in the final tax bill. This means there may not be any further extension.

Information was distributed to the Board about an Arden Hills project called Lexington Station which includes the redevelopment of the Blue Fox and an interior road that could link to Lexington Avenue with the south access drive of Target.

ADJOURNMENT

MOTION: by Quigley, seconded by Johnson, to adjourn the meeting at 6:52 p.m.

VOTE: Ayes - 5 Nays - 0

SHOREVIEW ECONOMIC DEVELOPMENT COMMISSION

Meeting Minutes

April 16, 2013

ROLL CALL

Chair Josh Wing called the meeting to order at 7:30 a.m. with the following members present: Sue Denkinger, Jim Gardner, Dave Kroona, Dave Lukowitz, and Jonathan Weinhagen. Commissioners Gene Marsh, Ben Stephens and Jeff Washburn had excused absences.

Assistant City Manager/Community Development Director Tom Simonson and Assistant to City Manager/Communications Tessia Melvin were also in attendance.

ACCEPTANCE OF AGENDA

Commissioner Gardner, seconded by Commissioner Denkinger, moved to accept the agenda as presented.

Vote: 6 AYES 0 NAYS

APPROVAL OF MINUTES

Commissioner Weinhagen, seconded by Commissioner Gardner, moved to approve the minutes of March 26, 2013, as written.

Vote: 6 AYES 0 NAYS

INFORMATION EXCHANGE

Member Sharing of Information

Simonson reminded the Commission that the Business Exchange date has been moved due to some scheduling conflicts to Thursday, June 6, at the Hilton Garden Inn from 5-7 p.m. Most EDC members present indicated they will be able to attend the event. Staff will be preparing a press release, website announcement, and mailing to the local business community. Simonson said that he will ask the Mayor to send out personal invitations to our BRE companies, as this appeared to be effective last time. EDC members are also encouraged to mention the event to local businesses.

Simonson provided an update on the Temporary Business and Message Center Sign Regulations. At the April workshop meeting of the City Council, EDC Commission Chair Wing and Planning Commission Chair Solomonson attended at the invitation of the Mayor to participate in the discussion. As a result, the Council adopted at their April 15 meeting a four-month moratorium prohibiting the installation of message center signs. The Council continues to support allowing for electronic message center signs for

business, provide greater flexibility and a streamlined approval process. The Council established a relatively short moratorium period to encourage the Planning Commission to expedite a recommendation for approval.

The Council held a public hearing on the condemnation of the property of Richard McGuire. The City will leave the public hearing open for 30 days and attempt to resolve this issue with McGuire.

In addition, the Council accepted the proposal to hire Decision Resources, Ltd. for the 2013 Community Survey. Since the late 1980's the City has utilized Decision Resources to conduct community surveys every 3-4 years to measure resident satisfaction with City services and programs. The surveys have also been used to determine community interest in new initiatives or programs, or changes to policy.

GENERAL BUSINESS

New EDC Mission Statement

Simonson presented the following vision statement, and asked for EDC comments:

Our economic vision for Shoreview is that of a healthy, thriving high quality community. We recognize that economic vitality is the foundation of community progress, livability, and overall quality of life. To achieve our vision, we will work for on the behalf of the City to maintain Shoreview's reputation as a highly desirable place to work with a well-educated workforce, and stronger supporter of business by facilitating growth and expansion. We will strive to maximize the community's strategic location as a valuable resource, and we will proactively retain our key landmark and emerging businesses, and target new companies that offer good employment prospects, draw from the local labor pool and are good corporate citizens.

Commissioner Lukowitz spoke to his concerns with the vision statement, specifically the last sentence about labor pool and good corporate citizens. He questioned the intent of the mission statement and if it was truly attainable. Commissioner Gardner reminded the Commission that vision and mission statements are written to express what would occur in an ideal world and what this group and the City strive for in our work. The Commission discussed the vision statement and concluded to make minor modifications and omit "draw from the local labor pool and are good corporate citizens."

Simonson presented the following mission statement:

The mission of the Shoreview Economic Development Commission is to support the City Council to retain, expand and recruit diversified business development which provides varied and broad job opportunities for the purpose of maintaining the community's high quality of life, serving through these core roles:

- *Building strong and effective relationships with the local business community*

- *Retaining key landmark and emerging businesses through proactive support*
- *Serving a goodwill ambassadors representing the City of Shoreview*
- *Providing a valuable communication link between the business community and City*
- *Facilitating networking opportunities for local businesses through the Shoreview Business Exchange and other sponsored events*
- *Educating the business community on City policies, goals, and values*
- *Providing resources and services to assist and support the local business community through the City's website and other forms of communication*
- *Working with the City Council and Economic Development Authority in developing and implementing long-range strategic planning for business growth, economic development and redevelopment*

There was much discussion on the mission of the EDC and if it is reflective of the needs of the business community. Commissioner Denkinger commented that the mission statement does include action words and is true to what the EDC should be doing. Commissioner Weinhagen suggested that the role of the EDC is really to build relationships and keep work flowing to the EDA for expansion projects and programs to assist our businesses and economic growth.

The Commission agreed to make minor modifications to include wording that would describe the EDC as an advocate for the business community.

Draft EDC Work Plan for 2013-2014

Simonson presented a draft 2013-2014 work plan to the Commission. There was much discussion on the work plan. Commissioner Gardner asked that staff include an agenda placeholder for Commissioners Marsh and Denkinger to report on the EDA activities at EDC meetings. Chair Wing added that he would like to get a better understanding of where people work and living in the community or elsewhere and begin to understand why. This would include regional economic demographics to illustrate where residents work and analyze their reasoning. Chair Wing added that it is important to the work and mission of the EDC to have knowledge of the work of the EDA and overall Council goals when reaching out to the local business community.

Review of EDA Work plan and Council Goals

Simonson presented the outcomes of the recently adopted EDA work plan and City Council goals, and reviewed each project item. EDC members discuss the need to work in unison with the EDA and Council to support objectives and assist in accomplishing these goals. It was suggested that periodic joint meetings would be helpful.

PROJECT AND DEVELOPMENT UPDATES

Shoreview Town Center. Simonson said at the request of the EDC, staff included background information on the long-range redevelopment concept for the Highway 96 corridor called the Shoreview

Town Center. The consensus of the EDC was to allocate time at an upcoming agenda to discuss the project to update newer members and talk about how the City might reevaluate the strategies of the plan since the last review years ago.

Simonson also provided a brief update on development projects:

Lakeview Terrace Apartments. The Midland Plaza retail center is now completely torn down in preparation for the redevelopment project for construction of the Lakeview Terrace apartments. City staff and the developer are now focusing on executing all of the agreements and contracts in order for the contractor to begin construction of the new upscale apartment building. City engineering staff is working with the developer in coordinating the public improvements associated with the project. The goal is to have the Council authorize all agreements relating to the public improvements and award a bid to a contractor at the first meeting in May, after which time both private and public construction could begin. It is the goal to have the roadwork completed by November. The new apartment building would open June/July of 2014.

PaR Systems. The City has issued an occupancy permit for the new 36,000 square foot facility by PaR Systems. PaR Systems needs the additional manufacturing space to meet continued growth projections, including providing robotic cranes to assist with clean-up of the Fukushima nuclear power plant in Japan. PaR Systems indicated they would like to provide a tour of the new facility to City officials at a later date.

TSI Incorporated. TSI continues its work on their major building addition. Interior finishing work is now underway. They plan to be complete by May of this year.

Red Fox Retail/Trader Joe's. The developer has reached an agreement with TCF Bank for the joint commercial entry monument sign at the corner of Lexington Avenue and Red Fox Road. Besides Trader Joe's and TCF Bank locating on the sign, Super Target will also be identified. The developer intends to complete the building by July to then turn over the store to Trader Joe's to complete interior finishing work. Trader Joe's is expected to open around the end of October.

ADJOURNMENT

Commissioner Denkinger, seconded by Commissioner Gardner, moved to adjourn the meeting at 9:05 a.m.

Vote: 6 AYES 0 NAYS

**PARKS AND RECREATION COMMISSION
MINUTES
APRIL 25, 2013**

CALL TO ORDER

Parks and Recreation Commission Chair Desaree Crane called the April 25, 2013 meeting of the Parks and Recreation Commission to order at 7:03 pm.

ROLL CALL

Members Present: Desaree Crane, Chair; Athrea Hedrick, Carol Jauch, Linda Larson, Charlie Oltman, Kent Peterson

Members Absent: Megan Frye, Catherine Jo Healy

Others Present: Terry Schwerm, City Manager; Shari Kunza, Management Assistant

APPROVAL OF MINUTES

Oltman moved, seconded by Larson, approval of the March 28, 2013 minutes. Motion was unanimously adopted.

REVIEW OF PARKS AND RECREATION DEPARTMENT

Schwerm presented an overview of the current organizational structure of the Parks and Recreation Department. The Parks and Recreation Department has undergone many changes in the last two years. The position of Director has been vacant since the retirement of Jerry Haffeman. The position is not currently included in the budget. Schwerm explained the current organizational chart, with General Manager Michelle Majkozak overseeing the operations of the Community Center and Recreation Programs. Schwerm also discussed the new procedures the Community Center is using for rental operations. The position of Rental Coordinator has been eliminated and replaced with a Rental Team consisting of Managers on Duty, Assistant Community Center Managers, and the Management Assistant. This new structure provides customers with an increased opportunity to make reservations, take tours, and speak to a live person on the phone. We anticipate an increase in the number of rentals and in rental revenue in 2013.

Schwerm provided the Commission with a copy of the Parks and Recreation 2013 budget. The Parks and Recreation budget is approximately \$5.5 million: \$350,000 for Parks and Recreation Administration; \$1.14 million for Park Maintenance; \$2.5 million for the Community Center; and \$1.3 million for Recreation Programs. The Commission discussed the 2014 budget and the potential options for Community Center expansion.

REVIEW OF COMMUNITY SURVEY QUESTIONS

The Shoreview City Council has approved Decision Resources to conduct a phone survey of Shoreview residents. Schwerm asked the Commission for input on the questions asked about the Community Center, parks, trails, and programs. The Commission members will contact Terry if they have suggestions for new questions. There was discussion on whether telephone survey was the best option to get information. Schwerm informed the Commission that Decision Resources provides a random sampling of Shoreview residents with a low turn-down rate. Decision Resources does include households using cell phones as their primary phone and the survey has an accuracy rate of +/-5%, in 95 out of 100 cases.

REVIEW OF APPLICANT FOR PARKS AND RECREATION COMMISSION

The Parks and Recreation Commission currently has one vacancy. Thomas Lemke has expressed interested in joining the Commission. The Commission reviewed his application. Peterson motioned, seconded by Oltman to recommend to the Shoreview City Council that Thomas Lemke be appointed to the Parks and Recreation Commission. Motion passed unanimously.

STAFF REPORTS

Schwerm reviewed the monthly report with the Commission noting the following:

- Staff has a pre-construction meeting with Odesa for the construction of Bucher Park. Work is expected to begin in mid-May.
- The April weather has delayed the opening of our fields and high school and youth teams are starting their season late and consolidating their games into a shorter period of time. Staff is working hard at getting a number of fields ready for the week of April 29.
- Pool staff has once again received the Silver International Aquatics Safety Award from Ellis and Associates for their outstanding lifeguard work.

COMMISSION REPORTS

The Commission discussed the traffic the City is encountering with the closure of the intersection at 96 and 10.

Peterson mentioned the Minnesota Walk for Williams Syndrome being held at the Shoreview Community Center pavilion on Saturday, May 12.

Jauch informed the Commission about the fundraising efforts of Turtle Lake Elementary School to build a new playground. Turtle Lake is holding a Let's Play 5K and Fun Run on Saturday, June 1 to raise funds for the new playground.

ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:35 pm.

**SHOREVIEW ECONOMIC DEVELOPMENT AUTHORITY
MEETING MINUTES
May 13, 2013**

CALL TO ORDER

President Ben Withhart called the meeting to order on May 13, 2013, at 5:02 p.m.

ROLL CALL

The following members were present: Ben Withhart, Emy Johnson, Gene Marsh and Terry Quigley.

Board Member Sue Denkinger arrived at 5:12 p.m.

Also Present:

Tom Simonson, Assistant City Manager/Community Development Director

Kathleen Nordine, City Planner

Kirstin Barsness, Barsness Consulting Services

APPROVAL OF AGENDA

MOTION: by Quigley, seconded by Johnson, to approve the May 13, 2013 meeting agenda as submitted.

VOTE: Ayes - 4 Nays - 0

APPROVAL OF MINUTES

MOTION: by Quigley, seconded by Johnson, to approve the April 8, 2013 meeting minutes as submitted.

VOTE: Ayes - 4 Nays - 0

FINANCES AND BUDGET

Approval Claims and Purchases/Monthly Financial Report

Simonson noted that Fund 307 includes an accounting of the interest that potentially would be paid back to the borrower, if the borrower lives in the home for which the loan was made for 10 years.

All funds are on course with this year's projections. In July or August, preliminary budget numbers with a five-year operating plan specific to the EDA will be available.

MOTION: by Johnson, seconded by Marsh, to approve the financial reports and approve the following payment of claims and purchases:

1. Community Reinvestment Fund \$81.00 (Fund 307)
(11 Loans - Monthly Service Fees/1 New Loan) (Date Paid: 04/30/13)
2. Greater Metropolitan Housing Corporation \$1,600.00 (Fund 307)
(Admin. Fees - 2 New Loans) (Date Paid: 04/11/13)
3. Nicole Hill - Mileage Reimbursement \$26.56 (Fund 240)
(Economic Gardening Meeting) (Date Paid: 04/30/13)

VOTE: Ayes - 5 Nays - 0

Quigley asked if there is a separate audit for the EDA. Ms. Barsness responded that the EDA is considered an enterprise fund and audited with other City funds. Auditors highlight any concerns, which are then addressed. Simonson added that the auditors do watch EDA activity and did ask about the timing of TIF districts, which staff explained.

EDA Funding Support for New Position

Simonson reported that staff has been considering a new position that would assist the work of the EDA and be part of the Community Development Department. Simonson said there has been a growing need for additional staff support due to new programs and initiatives such as rental licensing and housing. The department has also been short-staffed for over the past year due to a medical leave, which has also added to the need for additional help. Savings from the medical leave along with reassigning funding currently used for a full-time intern position would be utilized to support the new position.

Simonson said he has had discussions with the City Manager, Human Resources Manager, and Finance Director to develop a feasible plan for adding the position. The position is proposed to be split 50/50 between the EDA/HRA and Community Development, both in funding and work areas. The impact to the EDA would be \$16,000 from the EDA fund and \$16,000 from the HRA fund. Because fund balances are healthy, along with the future levies, it is not anticipated that this position will have a major budget impact.

Simonson said that Niki Hill has been in the intern position with the City for over a year. She has excellent skills in planning and GIS, and staff is proposing to offer her the position, effective in June, 2013 pending support from the EDA.

Johnson expressed concern about the pay level and not letting the position become a glorified administrative assistant, when the skills offered and needed are at a higher level. Simonson said that originally they were considering a technician level position, but concluded that the work duties would be at a higher level.

Withhart asked about the status of the intern position if the new staff position were to go forward. Simonson responded that they are proposing to use the intern funds available towards

the new position. Withhart suggested that City staff consider the potential need to continue the intern position that has proven valuable over the past five years.

Quigley stated that he and the board have discussed on numerous occasions that there would be a need for additional staffing support when considering the heavy demands of a very aggressive work plan and mission.

MOTION: by Quigley, seconded by Marsh, to approve EDA funding for a new position to be split between EDA/HRA and Community Development.

Further Discussion:

Denkinger asked if there is some assurance that the new position would provide sufficient support and benefit to the EDA considering it will be shared with Community Development. Simonson said that he oversees the department, including the work of the EDA, so he is confident there can be a balance.

Withhart suggested a review of the position on the EDA agenda after six months.

VOTE: Ayes - 5 Nays - 0

GENERAL BUSINESS

Housing Program Topics

Adopted Shoreview Home Energy Improvement Loan Program: Staff has been working with representatives of the Housing Resource Center (HRC) on implementing the revised guidelines recently adopted by the Council on the recommendation of the EDA. The new guidelines now will include exterior and interior structure repairs as well as repair or replacement of some site improvements. These changes required the name of the loan be changed to the Shoreview Home Improvement Loan Program. The program is being advertised in the Shoreview newsletter, traditional and social media and as well as the other services at HRC available to residents.

Quigley asked if treatment of mold would qualify for the loan. Simonson stated that would likely be eligible. Mold control is now covered in Building Code regulations and is not as much of a problem as it used to be.

Withhart suggested a review of income limits to see if they could be made a little higher in order to allow more people to apply. Barsness responded that the income limit is what was set by the City, which are higher than metro limits. Changes can be made but there has to be some level of reasonableness due to the City's use of tax increment to fund the loan program.

Simonson stated that another part to eligibility is home value. For this loan, eligibility is based on 2010 County records because the values were higher than then now, providing greater access to residents. The limit is \$314,000, or 120% of the median value of a single family home in Shoreview.

Withhart suggested possibly raising the home value to 140% of the Shoreview median value. Simonson stated that with the new guidelines, it is anticipated that eligibility will broaden and hopefully generate more interest. He suggested that given the limited funds, it may be best to keep the current income and house values in place, to allow time to promote the expanded list of eligible improvements. If successful, the EDA may have to consider exploring ways to supplement the loan fund.

Report on Rental and Foreclosure Properties: Simonson reported that staff has done an analysis of rental properties to see if the number is related to foreclosures becoming rentals. City Planner Nordine added that staff also looked at how many rental licenses are impacted by foreclosure and how many properties with licenses also pulled building permits to reinvest in the units. Between 2008 and 2012, there were 345 foreclosures of which 60 had or subsequently obtained a rental license. This means that approximately 17% of foreclosed units were linked to rental licenses. Between 2008 and 2012, 451 building permits were issued to rental property owners. The purpose of the permits was broken down into four categories: 1) 64 for interior repair or replacement; 2) 45 for interior remodeling; 3) 127 for exterior structural repair; and 4) 24 for exterior site improvement. This information shows that a rehab program for rental properties is not warranted at this time.

Withhart asked how improvements to rental properties compare to owner occupied properties. Nordine stated that staff will provide a research comparison. Simonson added that this analysis will be done periodically, including comparisons with other cities, to track any trends.

Quigley suggested using rental software to track improvements and to see what other tools might be available for tracking rental properties.

Information on Hoarding/Garbage House Response: Simonson reported that staff has done research as well as hold a series of meetings with agencies involved in this problem. Many cities are struggling with this issue. A lot of information has been presented at various meetings, but someone needs to take the lead in developing policy and guidelines to address the issue. At this time the problem is being handled through the abatement process. The City has seen an increase in these cases, but many of them have been successfully addressed through cooperative agreements with the property owner/resident to avoid costly litigation. However, staff also believes the City may be better served by creating a more formal and comprehensive process to address these growing issues that can negatively impact a neighborhood.

Withhart stated that it is important to identify someone from social services and mental health who will deal with those parts of the issue. This problem also touches on fire code and building code violations. A protocol needs to be developed with someone identified as the lead contact who will keep everyone working together. Sometimes the situation is so serious that to not respond means someone could die.

Nordine noted that this problem is considered a disorder and covered by medical insurance, similar to other forms of mental illness. There are not many professionals who work in this area, which makes it hard to link an individual who needs help with the right professional.

Johnson suggested posting information on the website so residents know the City is concerned about this issue.

Withhart noted that there has been a good response to the City's SHINE program. If a resident knows there is a garbage house next door, the resident should be able to call the City and get help for that person. However, this problem has many dimensions and will take a team of professionals to respond, including the Fire Department, law enforcement, Health Department, social services and City Code enforcement. Bringing a larger pool of communities together to form a team makes sense and expands resources.

Quigley asked if there would be a possibility for grant funding. Nordine responded that staff is looking at what the impact of this problem is on Shoreview before involving more communities. Shoreview has done more than other communities in Ramsey County. She noted that other than Coon Rapids, which has done the most in the Twin Cities area to address the issue, Shoreview probably has been most proactive after reviewing what other cities do. To have an effective procedure, there must be cooperation and coordination in working with other involved agencies to come up with a streamlined approach. Simonson said there may be some merit to having a dialogue with other cities if it could leverage qualifying for grant funding to assist with the resources needed.

Withhart stated that he would like to seek the help of neighboring communities in determining the appropriate response to these situations so they will buy in to a cooperative program and get involved.

Denkinger stated that in order to talk about a process to address this issue, a clear definition of hoarding is needed. There is a lot of uncertainty, and it will be critical to have a clear definition to develop a full plan. She agreed that the more people are engaged in determining the process, such as neighboring communities, the more they will buy in to a cooperative approach for adopting guidelines to address the issue. Nordine stated that there is research that defines different levels of the disorder. She would like to see a course of action for each level.

Withhart stated that he does not believe there are enough resources for the City to develop its own guidelines internally. He favors convening a special summit with the Sheriff's Department and contract cities and the City take the lead to sponsor the discussion. A facilitator is needed to guide the group discussion to the next step in determining a process. Nordine responded that it will be important to hear from the Sheriff's Department and Fire Department as they work across the borders of different communities and what is important to them. They would likely not want to see a different procedure in each city but a consistent approach.

Marsh questioned whether Shoreview would be taking on too much by taking the lead on such a complex issue. He would not want other cities to look to Shoreview as a resource provider that would take resources away from Shoreview.

Johnson suggested this issue could also be discussed by the Public Safety Committee. She also suggested that cities which contract with Northwest Youth and Family Services be involved.

After considerable discussion, it was the consensus of the Board to direct staff to convene a meeting with neighboring communities. The Fire Department and Health Department should also be invited. The idea would be to come to discuss a common problem, possible solutions but with no commitment to anything formal. The purpose of the meeting would be to consider best methods to address the issue through a formal policy and other procedures that cities could adopt, including the use of community resources, such as fire, police and social services.

Staff agreed to continue to explore the appropriate forum for a workshop or dialogue with area cities and agencies on this issue. Simonson said he will report back to the EDA in the next few months on the progress and outcomes of the joint discussions.

STATUS UPDATE ON MCGUIRE PROPERTY

Simonson reported that the public hearing was opened for condemnation proceedings on the McGuire property at the April 15, 2013 City Council meeting. The public hearing will be continued for 30 days before action is taken at the May 20, 2013 Council meeting. There has been communication with Mr. McGuire in the last month. The City has given Mr. McGuire a revised offer to avoid condemnation proceedings and solve this problem in a friendly manner, if possible. Earlier this day, Mr. McGuire gave the City his version of the purchase agreement. If an agreement is not signed and the Council takes action to proceed with condemnation, the City will file a petition with the court, which will be a 90-day process. Staff will continue to try to settle the issue even after a petition is filed. The EDA board noted this was a classic example of why a best practice is needed to avoid any situation getting to this point, where the City creates a “tool box” of resources and action plan to address these types of blighted properties.

OTHER DISCUSSION

Lakeview Terrace: Simonson stated that there are some issues in that the public improvement portion for the road realignment went out for bid, and the City has to award the bid that was accepted on May 20, 2013. However, the developer is still working through obtaining documentation on Freddie Mac’s release of the property, which will probably not be solved by May 20th. The developer cannot secure financing until the property is released. There is some risk to the City once the contract is awarded and not certainty the project will go ahead. Without the developer’s participation, the City has no right to do the road realignment. If there is further delay, the entire schedule is jeopardized. One option might be to see if the contractor would extend the bid award to the first Council meeting in June. Once the contract is awarded, the railroad and Xcel Energy work have to be done. Staff will continue to work with the developer to expedite the execution of the agreements and approvals necessary for the project to start.

Legislative Update: The sunset provision for Housing Improvement Areas, which is set to expire in June 2013, is being addressed by the Legislature. One bill allows a 15-year extension; another bill repeals the sunset provision. This may be a tool that can be used in the future if the bill gets approved.

The Senate supports the extension of temporary TIF authority for cities from the 2010 Jobs Bill, which the City has utilized for major business and retail developments. The House bill does not have this provision. The bill is now going to the Tax Services Committee. Although not critical, it would be nice to have this provision extended, but Simonson noted it appears doubtful the Legislature will extend further.

Future Agenda Item: Simonson noted a letter received from Josh Wing, Chair of the Economic Development Commission, regarding issues he has faced with his minor subdivision redevelopment and his suggestion that the EDA consider streamlining the City's requirements. If there is support, the EDA could discuss at a future meeting.

ADJOURNMENT

MOTION: by Quigley, seconded by Johnson, to adjourn the meeting at 6:51 p.m.

VOTE: Ayes - 5 Nays - 0

PUBLIC SAFETY COMMITTEE

May 16, 2013

CALL TO ORDER: The Public Safety meeting came to order at 7:00 p.m.

ROLL CALL:

Those in attendance were: Justine Greene, Henry Halvorson, Jorgen Nelsen, Marc Pelletier, Walter Johnson, and Jon Kamrud (Allina), Tim Boehlke (Lake Johanna Fire Department) and Gordy Anderson (Sheriff's Office).

APPROVAL OF MINUTES: Minutes of the March 21, 2013 meeting were approved.

CITIZENS' COMMENTS: None

ALLINA TRANSPORT:

- Jon Kamrud handed out first quarter statistics for 2013. He noted that response times went up slightly, but with a review of road construction problems a decision was made to post a rig near Lexington and I-694. Results for April were improved cutting average response time by about 1½ minutes. They are looking at a place near Lexington and County Road E for a more permanent posting position.
- They will add another 24 hour per day ambulance in the northern area around October. The number of calls have been going up and this is true for other ambulance services in the area too.
- Q: Has there been any legislative movement on making it easier for a city to drop an ambulance service in favor of setting up its own?
A: No, not that he is aware of. PSAs (Public Service Areas) for ambulance service are controlled by the EMS Regulatory Board, and their decisions can be appealed, but with effort. Cities that want to run their own services often find it not attractive when fully examined.

FIRE DEPARTMENT:

- Tim Boehlke reported that they had been granted \$338,000 by FEMA to purchase new air packs. Each costs \$4,500 or more, and 60 are needed. The cities need to match 10% of the grant. A committee is looking at models and vendors.
- A grass rig is being modified with a medical pod for better capabilities on medical calls. These smaller trucks are usually used for such calls.
- Stations 2 and 4 remodeling is underway with construction dust needing to be continually cleaned. They should be completed by July 1st.
- All fire trucks in Ramsey County will be changed back to 3 digit numbers to avoid confusion in mutual aid calls and other situations where two trucks from different departments may now have the same numbers.

- There were two recent complicated HAZMAT calls, one at the Wells Fargo processing center. It was well managed by unified command of the Sheriff's officers, Fire Department and Allina personnel. There was a potential criminal element involved and many people work in that building. The material of interest was not hazardous. However, the next day a person in North Oaks threatened suicide with cyanide, and did have some in possession.
- There have also been a number of serious traffic accidents including one where a 5 year old boy was unconscious and required extraction from the car.
- All fire officers in Ramsey County are undergoing command training relating to a variety of scenarios, some quite involved.

SHERIFF'S REPORT:

- Gordy Anderson noted that 5 or 6 officers are undergoing training by the State Patrol to enable them to perform the "pit maneuver" to stop cars. They will then train other deputies. Currently they are not authorized to do this.
- Ten new deputies have gone through their first training. In times past they would then work as court or jail deputies and need more training as they moved to patrol. However, they will now receive that training too, and will be better at situations that may arise in these first positions.
- Thefts from autos spiked in an areas north and south of highway 96 between Lexington and Hodgson Road. They think they know who one of the people is. Anderson provided a map with theft locations noted.
- He also told about "Code Red Alerts", a system that can make many phone calls to a neighborhood to notify or alert people of certain situations. This was recently used in looking for a missing elderly woman in northern Shoreview. A number of people did call in noting that they had seen her, although she was later found in St. Paul.
- Anderson also noted the HAZMAT event at Wells Fargo and mentioned that he had never been involved with anything of that scale, but it was well managed.
- He noted that there have been incidents in the Twin Cities where credit card skimmers have been place inside gas station pumps where they wouldn't seen. Apparently there was one incident in New Brighton, but generally pumps have been checked for this.
- Ten hour shifts seem to be well liked by most deputies. Commander Sheridan will probably have more feedback by the end of June.

SPECIAL ITEM – COMMITTEE MISSION:

The committee continued a discussion began at the last meeting. Progressive discussion ensued. Among the points, it was noted that the mission statement says that the committee shall assist and advise the City Council on all policy matters related to public safety. But, we can't very well do this. Fire is supervised by the Fire Board, Police by the Contract Cities' City Managers, and Medics by State Law. Other comments:

- The committee was inaugurated in the early 1980's to look into these services, but "that problem has been solved".

- The committee should be a watchdog for suggestions of major policy changes in order to protect good service to citizens.
- The committee should be engaged in safety awareness and education, holding public seminars or informational meetings with guest speakers now and then. Members of the committee are willing to work on these things if there is a useful impact. Just listening to reports, although interesting, isn't enough.
- The committee should be a way citizens can approach the City for safety concerns, but does the public know the committee exists? Probably not.
- The Sheriff's map of recent car break-ins was thought to be an example of the kind of information that the committee may be able to help with publicizing.
- Henry Halvorson looked at mission statements from four cities in different parts of the country. Their main thrusts involved safety education.

NEW BUSINESS:

There was not time to talk about proposed questions for the Quality of Life survey. Anyone with comments should e-mail them to the City Manager.

LAISON REPORT: None

ADJOURNMENT: The meeting adjourned at 9:50 p.m.

MOTION SHEET

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

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

Date	Description	Amount
05/20/13	Accounts payable	\$78,382.14
05/23/13	Accounts payable	\$82,848.41
05/24/13	Accounts payable	\$80,309.40
05/30/13	Accounts payable	\$115,992.27
06/03/13	Accounts payable	\$149,288.23
Sub-total Accounts Payable		\$ 506,820.45
05/31/13	Payroll 125393 to 125457 962068 to 962279	\$169,163.37
Sub-total Payroll		
TOTAL		\$ 675,983.82

ROLL CALL:	AYES	NAYS
Johnson		
Quigley		
Wickstrom		
Withhart		
Martin		

06/03/13

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
A & L SUPERIOR SOD, INC	SOD	601	45050	2280		002		\$7.18	\$7.18
A & L SUPERIOR SOD, INC	SOD	601	45050	2280		002		\$52.07	\$52.07
ALLIED WASTE SERVICES #899	APRIL ALLIED WASTE SERVICES	210	42750	3190				\$29,369.52	
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$407.44	\$407.44
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$1,598.23	\$1,598.23
BEISSWENGERS HARDWARE	REPAIR SUPPLIES POOL	220	43800	2240		003		\$44.25	\$44.25
BLING BANDITS	MERCHANDISE FOR RESALE	220	43800	2591		002		\$100.00	\$100.00
BOB'S GARAGE INC	GUERIN GAS STATION PROJECT	459	40800	5200				\$185.92	\$185.92
BRYNTESEN, MARY	PRESCHOOL PHOTOS	225	43555	2170				\$18.64	\$18.64
COCA COLA REFRESHMENTS	WAVE CAFE BEVERAGE FOR RESALE	220	43800	2590		001		\$485.93	\$485.93
CUB FOODS	PRESCHOOL SUPPLIES	225	43555	2170				\$8.53	\$8.53
CUB FOODS	PRESCHOOL SUPPLIES	225	43555	2170				\$223.14	\$223.14
GABE'S BY THE PARK	COMO & GABES SENIOR TRIP	225	43590	3174		004		\$170.00	\$170.00
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.47	\$15.47
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.47	\$15.47
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.41	\$16.41
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		\$15.58	\$15.58
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.58	\$15.58
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.58	\$15.58
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		\$296.60	\$296.60
IDENTITY STORES, LLC	BIRTHDAY SUPPLY FOR RESALE	220	43800	2591		001		\$1,508.40	\$1,508.40
JEFF ELLIS & ASSOCIATES, INC	AQUATIC SAFETY AUDIT-SPRING	220	43800	3190		007		\$850.00	\$850.00
JEFF ELLIS & ASSOCIATES, INC	RENEWAL LIFEGUARD LICENSES	220	43800	3190		007		\$727.00	\$727.00
JEFF ELLIS & ASSOCIATES, INC	LIFEGUARD LICENSE UPGRADE	220	43800	3190		007		\$40.00	\$40.00
LANDMARK TOURS	CANADIAN ROCKIES - 4 PAX	225	43590	3174		004		\$13,716.00	\$13,716.00
MALONEY, DEBORAH	EXP REIMBURSE-GFOA ACCOUNTING ACADEMY	101	40500	4500		012		\$313.51	\$313.51
MASTER-LINK SPORTS INC	QUARTERLY SERVICE	220	43800	3190		003		\$1,140.00	\$1,140.00
MATHESON TRI-GAS INC	CO2 FOR WHIRLPOOL	220	43800	2160		002		\$89.24	\$89.24
METRO LEASING COMPANY	PUSH PEDAL PULL CARDIO LEASE-APRIL 2013	220	43800	3960				\$1,445.35	\$1,445.35
MINNESOTA METRO NORTH TOURISM	APR 2013 HOTEL/MOTEL TAX	101	22079					\$21,473.25	\$20,399.59
		101	38420					-\$1,073.66	
POSTMASTER	DEPOSIT IN PERMIT IMPRINT 5606-SHOREVIEW	602	45550	3220		001		\$500.00	
		601	45050	3220		001		\$500.00	\$1,000.00
PRINTING RESOURCES INC	UTILITY BILL STOCK	601	45050	2010		001		\$478.27	
		602	45550	2010		001		\$478.26	\$956.53
PURE BLUE SWIM SHOP	MERCHANDISE FOR RESALE	220	43800	2591		002		\$1,954.04	
SCHELEN-GRAY AUTO ELECTRIC	ALT FOR UNIT 212	701	46500	2220		001		\$149.61	\$149.61
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590		001		\$994.89	

Total of all invoices: \$78,382.14

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COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
PURE BLUE SWIM SHOP	MERCHANDISE FOR RESALE	220	43800	2591		002		-\$1,954.04	-\$1,954.04
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110				\$148.26	\$148.26
ARDEN HILLS, CITY OF	CREDIT CARD TRANSACTIONS SPRING CLEANUP	210	34390					\$617.00	\$617.00
BERTRAM, ROCHELLE	SPRING TEA CENTERPIECES	225	43590	2174		003		\$112.00	
BROWN, RAYMOND	SOFTBALL UMPIRE MAY 14 & 21	225	43510	3190		001		\$92.00	\$92.00
CARLSON, KELLY	BASEBALL LEA -GR K&1	220	22040					\$42.00	\$42.00
CORBO, JAMES	SOFTBALL UMPIRE MAY 15 & 22	225	43510	3190		001		\$92.00	\$92.00
DYNAMEX DELIVERS NOW/ROADRUNNE	DELIVERY TO EAGAN POST OFFICE - 4-29-13	601	45050	3220		001		\$20.62	\$41.24
		602	45550	3220		001		\$20.62	
Donna Osterbauer	REIMBURSE FOR MAIL BOX DAMAGE (PLOWING)	101	42200	2181		003		\$50.00	
EDINA REALTY	REFUND CLOSING OVRPYMT-3300 OWASSO HT RD	601	36190			003		\$102.03	\$102.03
FRANKLIN COVEY	CALENDAR REFILLS: MAJKOZAK	220	43800	2010		001		\$47.90	\$47.90
FRONTIER PRECISION, INC	LATH FOR CONSTRUCTION	572	47000	5920				\$319.50	\$319.50
GENESIS EMPLOYEE BENEFITS, INC	FLEX - MED/DEPENDENT CARE 05-24-13	101	20431					\$1,941.23	\$2,216.23
		101	20432					\$275.00	
GOVERNMENT FINANCE OFFICERS AS	GFOA CERTIFICATE REVIEW FEE	101	40500	4890		010		\$435.00	
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.58	\$15.58
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.58	\$15.58
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.58	\$16.58
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$16.61	\$16.61
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.73	\$15.73
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.77	\$15.77
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590		001		\$15.77	\$15.77
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
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		\$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
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
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
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591		001		\$19.99	\$19.99
GREENHAVEN PRINTING	MAY/JUNE SHOREVIEWS	101	40400	3220		001		\$2,456.30	\$7,243.06
		101	40400	3390		002		\$4,786.76	
GRILL, CHARLES	CLEANUP DAY SUPPLIES	210	42750	2180				\$21.50	
HANSON, JEAN MARIE	REFUND CLOSING OVRPYMT - 234 OAKWOOD DR	601	36190			003		\$127.48	
HEALTH PARTNERS	HEALTH INSURANCE: JUNE 2013	101	20410					\$50,875.60	\$51,325.35
		101	20411					\$449.75	
HILL, NICOLE	APA MEMBERSHIP REIMBURSEMENT	101	44100	4500				\$50.00	\$50.00
JOHNSON, KATHY	REFUND CLOSING OVRPYMT 246 OAKWOOD DR	601	36190			003		\$140.00	\$140.00
JONES, MICHAEL	SOFTBALL UMPIRE MAY 14 & 21	225	43510	3190		001		\$92.00	\$92.00
KHANG, TENG	FACILITY REFUND	220	22040					\$226.30	\$226.30
LITTLE, GLORIA K	REFUND CLOSING OVRPYMT-1050 ROYAL COURT	601	36190			003		\$8.54	\$8.54
MALIKOWSKI, RODNEY P.	SOFTBALL UMPIRE MAY 16	225	43510	3190		001		\$46.00	\$46.00
MENARDS CASHWAY LUMBER **FRIDL	REPAIR SUPPLIES PARKS	101	43710	2240				\$37.77	\$37.77
MENARDS CASHWAY LUMBER **FRIDL	LIGHTS	601	45050	2280		005		\$12.31	\$12.31
METROPOLITAN AREA MANAGEMENT A	MAMA APRIL MEETING	101	40200	4330		003		\$20.00	\$20.00
MIKRE, GREG	PASS REFUND	220	22040					\$160.69	\$160.69

COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
NORGARD, DEBORAH	REFUND CLOSING OVRPYMT-594 SHERWOOD RD	601	36190			003		\$99.49	\$99.49
PAGE, GEOFFREY	AQUATICS - LEVEL 3	220	22040					\$63.00	\$63.00
PARISH, DARLENE	FACILITY REFUND	220	22040					\$300.00	\$300.00
PARTY AMERICA CORPORATE OFFICE	SPRING TEA - SENIOR SUPPLIES	225	43590	2174		002		\$66.91	\$112.53
		225	43590	2174		003		\$45.62	
PCM-G INC	NETWORK STORAGE FOR RED ZONE PROJECT	422	40550	5800				\$3,509.42	\$3,509.42
PORTER, DANIEL	SOFTBALL UMPIRE MAY 13,16,20	225	43510	3190		001		\$138.00	\$138.00
PURE BLUE SWIM SHOP	SHIPPING/HANDLING - INVOICE 22422	220	43800	2591		002		\$80.60	\$80.60
RIOPEL, ALLEN	PINNING - SESSION II	220	22040					\$10.00	\$10.00
RUGRODEN, JOHN L.	SOFTBALL UMPIRE MAY 15 & 22	225	43510	3190		001		\$92.00	\$92.00
SAARION, CARL	SOFTBALL UMPIRE MAY 14 & 21	225	43510	3190		001		\$92.00	\$92.00
SAM'S CLUB DIRECT	SPRING TEA - SENIOR SUPPLIES	225	43590	2174		002		\$51.47	
		225	43590	2174		003		\$193.81	\$245.28
SHORT ELLIOTT HENDRICKSON, INC	OWASSO - VICTORIA - E CONSTRUCTION	571	47000	5910				\$4,681.61	\$4,681.61
SIGNATURE LIGHTING INC	STREET LIGHT REPAIR-483 POPLAR DR	604	42600	3810				\$1,559.47	\$1,559.47
SIGNATURE LIGHTING INC	STREET LIGHT REPAIR-5815 TURTLE LAKE RD	604	42600	3810				\$608.70	\$608.70
SIGNATURE LIGHTING INC	STREET LIGHT REPAIR-5540 KNOLL DR	604	42600	3810				\$855.15	\$855.15
SIGNATURE LIGHTING INC	ST LIGHT ENGINEER SERVICES PROJ 13-01&02	573	47000	5950				\$3,840.00	\$4,800.00
		574	47000	5950				\$960.00	
SIMPLEXGRINNELL LP	REPLACED 1 FIRE SPRINKLER TAMPER SWITCH	220	43800	3810		003		\$777.00	
SPRINT	CELL PHONES FOR APRIL-MAY	601	45050	3190				\$300.00	\$996.30
		101	44300	3190				\$40.00	
		101	40200	3210		002		\$656.30	
SUMMIT FIRE PROTECTION	PERMIT REFUND 2013-00738	101	32900					\$28.00	
		101	20802					\$.50	\$33.50
		101	34850					\$5.00	
TARGET COMMERCIAL INVOICE	SPRING TEA - SENIOR SUPPLIES	225	43590	2174		002		\$43.94	
		225	43590	2174		003		\$52.58	
TWOMBLY, AMY	AQUATICS - LEVEL 2.5	220	22040					\$132.00	\$132.00
U.S. BANK	TREADMILL LEASE/ONE SOURCE FIT/MAY 2013	220	43800	3960				\$1,065.99	
YOUNG, LESLEY	SPRING TEA EXPENSES	225	43590	2174		003		\$114.95	
Yang, True	REFUND FOR SLICE ART VENDOR	270	34900		306			\$100.00	\$150.00
		270	34900		312			\$50.00	

Total of all invoices: \$82,848.41

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COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
DEYOUNG, JIM	SOFTBALL UMPIRE MAY 16	225	43510	3190		001	\$30.00	\$30.00
HIEBERT, JIM	SOFTBALL UMPIRE MAY 16 (1/2 PAY)	225	43510	3190		001	\$15.00	\$15.00
HOFFARD, THERESA	MILEAGE REIMBURSEMENT	101	40200	3270			\$24.86	\$24.86
IDEAL ADVERTISING, INC.	TBALL & BASEBALL HATS	225	43510	2170		008	\$1,020.00	\$1,020.00
MAREK, MATT	SOFTBALL UMPIRE MAY 16 (1/2 PAY)	225	43510	3190		001	\$15.00	\$15.00
MAYER ARTS, INC	BALLET CLASS - SPRING SESSION 2	225	43580	3170			\$1,470.00	\$1,470.00
MINNESOTA DEPARTMENT OF AGRICU	FORESTRY INTERN PESTICIDE LICENSE	101	43900	4500			\$15.00	\$15.00
RICE CREEK WATERSHED DISTRICT	BLUE THUMB PARTNER MEMBERSHIP	603	45850	4890			\$1,000.00	\$1,000.00
RICOH AMERICAS CORPORATION	LEASE CITY HALL COPIERS	101	40200	3930		002	\$2,194.74	\$2,194.74
RICOH USA INC.	REPLACE 4 BIZHUB COPIERS	422	40550	5800			\$19,254.20	\$19,254.20
RICOH USA INC.	COPIER MAINTENANCE: 4/15/13 - 7/14/13	101	40200	3850		002	\$3,597.00	\$3,597.00
RICOH USA INC.	MAINTENANCE: S/N L3765900755	101	40200	3850		002	\$85.16	\$85.16
RICOH USA INC.	MAINTENANCE: S/N L3774900012	101	40200	3850		002	\$420.44	\$420.44
RICOH USA INC.	MAINTENANCE: COPIERS	101	40200	3850		002	\$1,276.63	\$1,276.63
SAM'S CLUB DIRECT	WAVE CAFE FOOD FOR RESALE	220	43800	2591		001	\$103.32	
		220	43800	2590		001	\$282.74	
SCORE SPORTS-AMERICAN SOCCER C	SOCCER BALLS	225	43510	2170		007	\$524.66	\$524.66
TDS METROCOM	TELEPHONE SERVICES	101	40200	3210		003	\$1,127.19	\$1,406.93
		101	43710	3210			\$245.54	
		601	45050	3210			\$34.20	
UPPER CUT TREE SERVICES INC	PUBLIC STUMP REMOVALS W013-7 AND 13-8	101	43900	3190		002	\$595.88	
UPPER CUT TREE SERVICES INC	PRIVATE TREE REMOVAL W013-4	101	43900	3190		003	\$509.92	\$509.92
XCEL ENERGY	SIRENS: ELECTRIC	101	41500	3610			\$65.76	\$65.76
XCEL ENERGY	STORM SEWER LIFT STATION: ELECTRIC	603	45850	4890		003	\$66.32	\$66.32
XCEL ENERGY	SURFACE WATER: ELECTRIC	603	45900	3610			\$52.56	\$52.56
XCEL ENERGY	STREET LIGHTS: ELECTRIC	604	42600	3610			\$14,479.12	\$14,479.12
XCEL ENERGY	SLICE OF SHOREVIEW: ELECTRIC	270	40250	3610			\$11.62	\$11.62
XCEL ENERGY	TRAFFIC SIGNAL SHARED W/ARDEN HILLS:ELEC	101	42200	3610		001	\$39.46	\$39.46
XCEL ENERGY	WATER TOWERS: ELECTRIC	601	45050	3610		001	\$57.20	\$57.20
XCEL ENERGY	COMMUNITY CENTER: ELECTRIC/GAS	220	43800	2140			\$7,763.79	\$22,802.32
		220	43800	3610			\$15,038.53	
XCEL ENERGY	WELLS: ELECTRIC/GAS	601	45050	3610		001	\$7,876.16	
		601	45050	2140		001	\$458.36	\$8,334.52
XCEL ENERGY	TRAFFIC SIGNALS: ELECTRIC	101	42200	3610		001	\$559.04	

Total of all invoices: \$80,309.40
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COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
ARMSTRONG, JENNIFER	CARDIO GROOVE	220	22040					\$83.00	\$83.00
BAKER, DEBORAH	PASS REFUND	220	22040					\$272.42	\$272.42
BEISSWENGERS HARDWARE	REPAIR SUPPLIES CC	220	43800	2240		003		\$32.59	\$32.59
COMMISSIONER OF REVENUE- WH TA	WITHHOLDING TAX - PAYDATE 05-31-13	101	21720					\$9,538.56	\$9,538.56
CULHANE, MARIE	BASEBALL WARMUP	220	22040					\$17.50	\$17.50
DECORATIVE CONCEPTS LLC	WHIRLPOOL RAMP AND STAIR REPAIRS	220	43800	3810		007		\$1,200.00	\$1,200.00
DELTA DENTAL	DENTAL COVERAGE: JUNE 2013	101	20415					\$6,698.38	\$6,919.44
		101	20411					\$221.06	
DELUXE FORMS.COM	DEPOSIT SLIPS CHECKING ACCT	101	40500	2010		007		\$108.40	
FLEMING, AMY	BBALL GR 6-7 SESS 2	220	22040					\$100.00	\$100.00
FSH COMMUNICATIONS LLC	PAYPHONE TELEPHONE	101	40200	3210		001		\$64.13	\$64.13
GANGL, MEGAN	TREKKERS SITZER	220	22040					\$62.00	\$62.00
GENESIS EMPLOYEE BENEFITS, INC	VEBA CONTRIBUTIONS:05-31-13	101	20418					\$75.00	\$75.00
GENESIS EMPLOYEE BENEFITS, INC	FLEX - MED/DEPENDENT CARE 05-31-13	101	20431					\$218.68	\$218.68
HARRY S. CRUMP LLC	ADMINISTRATIVE HEARING-DANGEROUS DOG	101	41100	3199				\$500.00	\$500.00
ICMA/VANTAGEPOINT TRANSFER-300	EMPLOYEE CONTRIBUTIONS PAYDATE: 5/31/13	101	21750					\$5,190.44	\$5,190.44
ICMA/VANTAGEPOINT TRANSFER-705	ROTH CONTRIBUTIONS:05-31-13	101	20430					\$450.00	\$450.00
IDEAL ADVERTISING, INC.	HAT ORDER	225	43510	2170		008		\$34.00	\$34.00
JAIN, SANGEETA	SAFETY - LIFEGUARD T	220	22040					\$235.00	\$235.00
JEWELL, TED W.	SOFTBALL UMPIRE MAY 23	225	43510	3190		001		\$46.00	\$46.00
MALIKOWSKI, RODNEY P.	SOFTBALL UMPIRE MAY 23	225	43510	3190		001		\$46.00	\$46.00
MECHURA, ELLEN	AQUATICS - LEVEL 2	220	22040					\$66.00	\$66.00
MINNESOTA DEPARTMENT OF HEALTH	STATEWIDE HOSPITALITY FEE-FOOD LICENSE	220	43800	3190		004		\$35.00	\$35.00
MINNESOTA DEPARTMENT OF HEALTH	GASTON, GROVE,ST ALBANS 13-03 PLAN RVW	440	47000	5950				\$150.00	\$150.00
NCPERS MINNESOTA	PERA LIFE INSURANCE: JUNE 2013	101	20413					\$240.00	\$240.00
OLSON, JEAN	DEFENSIVE DRIVING 4	220	22040					\$18.00	\$18.00
ON CALL SERVICES INC	REPAIRS TO INDOOR PLAYGROUND	220	43800	3810		006		\$325.00	\$325.00
PLUMMASTER, INC	REPAIR SUPPLIES CC	220	43800	2240		001		\$425.81	\$425.81
PORTER, DANIEL	SOFTBALL UMPIRE MAY 23	225	43510	3190		001		\$46.00	\$46.00
PUBLIC EMPLOYEES RETIREMENT AS	EMPL/EMPLOYER CONTRIBUTIONS: 05-31-13	101	21740					\$28,707.64	\$28,707.64
SNYDER, GARY	TENNIS- ADULT BASICS	220	22040					\$144.00	\$144.00
SWENSON, YVONNE	PASS REFUND	220	22040					\$584.09	\$584.09
TREASURY, DEPARTMENT OF	FEDERAL WITHHOLDING TAX: 05-31-13	101	21710					\$22,511.92	\$59,075.08
		101	21730					\$29,632.80	
		101	21735					\$6,930.36	
TYCO INTEGRATED SECURITY LLC	6-1-13 - 8-31-13 SERVICE	101	40210	3190		008		\$92.66	\$92.66
UTKE, KATHRYN	KICKBALL (COREC)	220	22040					\$130.00	\$130.00
WALLY'S UPHOLSTERY	VINYL FOR FITNESS PADS	220	43800	2240		002		\$759.83	\$759.83

Total of all invoices: \$115,992.27

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COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line	Amount	Invoice Amt
ABELMAN CO	UNIFORM PANTS	101	43710	3970				\$80.97	\$80.97
ALLEN, DEANNE	EDA MINUTES - MAY 2013	240	44400	3190				\$200.00	\$200.00
ALLEN, DEANNE	MINUTES - 5/13 CC, 5/20 CC	101	40200	3190		001		\$400.00	\$400.00
AMERI PRIDE LINEN & APPAREL SE	UNIFORM RENTALS - MAINTENANCE CENTER	101	42200	3970				\$40.05	\$160.23
		601	45050	3970				\$40.05	
		602	45550	3970				\$40.05	
		603	45850	3970				\$20.04	
		701	46500	3970				\$20.04	
AMSAN BRISSMAN KENNEDY	FIELD MARKING PAINT PARKS	101	43710	2260				\$50.05	\$50.05
AMSAN BRISSMAN KENNEDY	ACTION PACKER STORAGE BINS	101	43710	2240				\$527.74	
ARAMARK REFRESHMENT SERVICES	COFFEE & SUPPLIES MAINTENANCE CENTER	701	46500	2183		003		\$221.29	\$221.29
AUTO PLUS	OIL FOR BALL CART	701	46500	2130		001		\$15.79	\$15.79
BARSNESS, KIRSTIN	MAY 2013 ECONOMIC DEVELOPMENT CONSULTING	240	44400	3190				\$1,137.50	\$2,537.50
		101	22020					\$1,400.00	
BAUER BUILT TIRE AND BATTERY I	TIRES FOR UNIT 603	701	46500	2230		001		\$516.57	\$516.57
BRADLEY & DEIKE, PA	CONSULTING	101	22020					\$1,139.00	\$1,139.00
BRAKE & EQUIPMENT WAREHOUSE	PARTS FOR MOWER TRAILER	701	46500	2220		002		\$82.24	\$82.24
BRAKE & EQUIPMENT WAREHOUSE	BRAKE PARTS FOR UNIT 104	701	46500	2220		001		\$162.47	\$162.47
C & E HARDWARE	SAW BLADES	701	46500	2180		001		\$24.63	\$24.63
C & E HARDWARE	PARTS FOR TRAILER	701	46500	2220		002		\$47.13	\$47.13
C & E HARDWARE	SHOP SUPPLIES	701	46500	2180		001		\$9.85	\$9.85
C & E HARDWARE	POND SUPPLIES	603	45850	2180		001		\$2.69	\$2.69
CDW GOVERNMENT, INC	FLASH MEMORY FOR POOL SLIDE	101	40550	2180		001		\$30.67	\$30.67
CENTRAL WOOD PRODUCTS	WOOD MULCH FOR PARKS AND GROUNDS	101	43710	2260				\$1,864.97	\$1,864.97
COMMERCIAL ASPHALT CO	ASPHALT	101	42200	2180		002		\$183.99	\$183.99
CRYSTEEL DIST. INC.	TOOL BOX AND RACK FOR UNIT 106-13	701	46500	5400				\$913.14	\$913.14
DYNAMIX MUSIC	SUMMER 2013 GROUPFITNESS DYNAMIX MUSIC	225	43530	2170				\$42.00	\$42.00
ECOLAB INSTITUTIONAL	HYDROFOAMER TO CLEAN RCF RESTROOMS	101	43710	2180				\$71.76	\$71.76
EIDE SAW AND TOOL SERVICE	BAND SAW BLADES	701	46500	2180		001		\$77.93	\$77.93
ELECTRO WATCHMAN INC.	SECURITY MONITORING MAINTENANCE CENTER	701	46500	3196				\$80.00	\$80.00
GARELICK STEEL COMPANY	STEEL FOR SUUPLIES	701	46500	2180		001		\$57.71	\$57.71
GARELICK STEEL COMPANY	MISC STEEL	701	46500	2180		001		\$47.03	\$47.03
GARELICK STEEL COMPANY	MISC STEEL	701	46500	2180		001		\$52.90	\$52.90
GRAINGER, INC.	SQUARE NOSE SHOVELS	101	43710	2400				\$238.71	\$238.71
H & L MESABI, INC.	SNOW BLOWER SHOES	701	46500	2220		002		\$115.43	\$115.43
HERC-U-LIFT	SKYJACK LIFT INSPECTION	701	46500	3190		002		\$137.82	\$137.82
HUGO EQUIPMENT COMPANY	MOWER BLADE BOLTS	701	46500	2220		002		\$44.87	\$44.87
HUGO EQUIPMENT COMPANY	MOWER BLADES	701	46500	2220		002		\$314.02	\$314.02
INTERNATIONAL CITY/CO MGMT ASS	DUES - SIMONSON	101	40200	4330		002		\$979.60	\$979.60
JRH ENTERPRISES, INC	ANNUAL OSHA TRUCK LIFT INSPECTION	701	46500	3190		002		\$595.00	\$595.00
MAC QUEEN EQUIPMENT INC.	PARTS FOR S-2 SWEEPER	701	46500	2220		002		\$207.32	\$207.32
MARK J. TRAUT WELLS INCORPORAT	MAINTENANCE SERVICE AND REPAIR BOOSTER 1	601	45050	3190		003		\$17,328.00	\$17,328.00
MENARDS CASHWAY LUMBER **FRIDL	GOPHER CONTROL	101	43710	2260				\$12.76	\$12.76
MENARDS CASHWAY LUMBER **FRIDL	4X4 TREATED POSTS AND A LEVEL	101	43710	2240				\$43.96	\$43.96
MENARDS CASHWAY LUMBER **FRIDL	DRAIN REPAIR PARTS FOR DRINKING FOUNTAIN	101	43710	2240				\$4.44	\$4.44
MFFD INC	FUEL ADDITIVE ENHANCER	701	46500	2120		004		\$866.08	\$866.08
MIDWEST LOCK & SAFE INC	REPLACE ELECTRONIC DOOR LOCK RCF	101	43710	3190				\$726.01	\$726.01
MINNESOTA CITY/COUNTY MGMT ASS	2013 MCMA APMP DUES/MELVIN/SCHWERM	101	40200	4330		004		\$130.00	\$297.00
		101	40200	4330		004		\$167.00	
MINNESOTA CITY/COUNTY MGMT ASS	MEMBERSHIP - SIMONSON	101	40200	4330		004		\$176.96	
MINNESOTA REAL ESTATE JOURNAL	SUBSCRIPTION - SIMONSON	240	44400	4330				\$136.00	\$136.00

Purchase Voucher

City of Shoreview
 4600 Victoria Street North
 Shoreview MN 55126

Voucher Number	34,767
Vendor number	01276 1 2013
Vendor name	HEALTH PARTNERS
Address	NW 3600 PO BOX 1450 MPLS MN 55485-3600

Date	Comment line on check	Invoice number	Amount
05-21-13	HEALTH INSURANCE: JUNE 2013	43426359/43426360	\$51,325.35

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

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.

Return to: _____

Account Coding	Amount
101 20410	\$50,875.60
101 20411	\$449.75

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

Reviewed by: J. Kuschel
 (signature required) Jodee Kuschel

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 quotes received	

Purchase Voucher
 City of Shoreview
 4600 Victoria Street North
 Shoreview MN 55126

Vendor number	10206 1
Vendor name	XCEL ENERGY
Address	PO BOX 9477 MINNEAPOLIS MN 55484-9477

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

Return to:

Voucher	Date	Comment line on check	Invoice number	Account coding	Amount
34,817	05-22-13	COMMUNITY CENTER: ELECTRIC/GAS	5148429483	220 43800 2140 220 43800 3610	7,763.79 15,038.53
				VOUCHER TOTAL:	\$22,802.32
34,813	05-07-13	STREET LIGHTS: ELECTRIC	5164964189	604 42600 3610	\$14,479.12
34,828	05-15-13	WELLS: ELECTRIC/GAS	5158229131	601 45050 3610 001 601 45050 2140 001	7,876.16 458.36
				VOUCHER TOTAL:	\$8,334.52
34,829	05-13-13	TRAFFIC SIGNALS: ELECTRIC	5162326923	101 42200 3610 001	\$559.04
34,810	05-08-13	STORM SEWER LIFT STATION: ELECTRIC	5172997607	603 45850 4890 003	\$66.32
34,809	05-07-13	SIRENS: ELECTRIC	5155157183	101 41500 3610	\$65.76
34,816	05-14-13	WATER TOWERS: ELECTRIC	5168285301	601 45050 3610 001	\$57.20
34,812	05-08-13	SURFACE WATER: ELECTRIC	5194231539	603 45900 3610	\$52.56
34,815	05-13-13	TRAFFIC SIGNAL SHARED W/ARDEN HILLS:ELEC	5155611264	101 42200 3610 001	\$39.46
34,814	05-13-13	SLICE OF SHOREVIEW: ELECTRIC	5168772674	270 40250 3610	\$11.62
Total:					\$46,467.92

6.875%

Is sales tax included on invoice?	Included
If no, amount subject to sales use tax	\$
Reviewed by:	<i>Debbie Egblom 5/22/13</i>
(signature required) Debbie Egblom	
Approved by:	<i>Terry Schwerm</i>
(signature required) Terry Schwerm	

Purchase Voucher

City of Shoreview
4600 Victoria Street North
Shoreview MN 55126

Voucher Number	34,908
Vendor number	00545 1 2013
Vendor name	PUBLIC EMPLOYEES RETIREMENT ASSOC.
Address	P.O. BOX 75608 ST. PAUL MN 55175-0608
EFT TRANSACTION - NO CHECK PRINTS	

Date	Comment line on check	Invoice number	Amount
05-31-13	EMPL/EMPLOYER CONTRIBUTIONS: 05-31-13	05-31-13	\$28,707.64

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

This Purchase Voucher is more than \$25,000.00; was the state's cooperative venture considered before purchasing through another source?

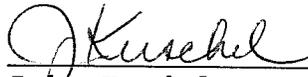
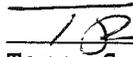
Purchase was made through the state's cooperative purchasing venture.

Purchase was made through another source. The state's cooperative purchasing venture was considered.

Cooperative purchasing venture consideration requirement does not apply.

Return to: _____

Account Coding	Amount
101 21740	\$28,707.64

Is sales tax included on invoice?	MN 6.875%
If no, amount subject to sales use tax	\$
Reviewed by:	
(signature required)	Jodee Kuschel
Approved by:	
(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	34,910
Vendor number	01446 1 2013
Vendor name	TREASURY, DEPARTMENT OF
Address	INTERNAL REVENUE SVC - EFT/NO CHECK EFTPS ENROLLMENT PROCESSING P.O. BOX 4210 IOWA CITY IA 52244

Date	Comment line on check	Invoice number	Amount
05-31-13	FEDERAL WITHHOLDING TAX: 05-31-13	06-05-13	\$59,075.08

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

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.

Return to: _____

Account Coding	Amount
101 21710	\$22,511.92
101 21730	\$29,632.80
101 21735	\$6,930.36

Is sales tax included on invoice?	MN 6.875%
If no, amount subject to sales use tax	\$
Reviewed by: (signature required) <u>J Kuschel</u>	
Approved by: (signature required) <u>Terry Schwerm</u>	

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	34,894	Council approved February 19, 2013
Vendor number	00847 1	2013
Vendor name	RDO EQUIPMENT CO	
Address	12500 DUPONT AVENUE S BURNSVILLE MN 55337	

Date	Comment line on check	Invoice number	Amount
05-10-13	NEW REPLACEMENT BACKHOE	E02642	\$99,912.90

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
701 46500 5400	\$99,912.90

Is sales tax included on invoice?	MN 6.875% <i>Local</i>
If no, amount subject to sales use tax	\$

Reviewed by: *Dan Curley*
 (signature required) Dan Curley

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	

LICENSE APPLICATIONS

Moved by Councilmember

Seconded by Councilmember

To approve the License Applications as listed on the attached report dated June 03, 2013.

ROLL CALL:	AYES	NAYS
Johnson	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

June 03, 2013
Regular Council Meeting

CITY OF SHOREVIEW - LICENSE APPLICATIONS
June 03, 2013

LICENSE #	BUSINESS NAME	TYPE
2013-0059	Treecology	Tree Trimmer

The above licenses are recommended for approval:



License/Permit Clerk

PROPOSED MOTION

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to approve the application from the Arden Hills/Shoreview Rotary Club to conduct excluded bingo at Island Lake Park at the Slice of Shoreview festival on July 26-28, 2013.

ROLL CALL:	AYES	_____	NAYS	_____
Johnson		_____		_____
Quigley		_____		_____
Wickstrom		_____		_____
Withhart		_____		_____
Martin		_____		_____

TO: MAYOR AND COUNCILMEMBERS

**FROM: TERRI HOFFARD
DEPUTY CLERK**

DATE: MAY 22, 2013

SUBJECT: APPLICATION TO CONDUCT EXCLUDED BINGO

Attached is a copy of the application from Arden Hills/Shoreview Rotary Club to conduct excluded bingo at Island Lake Park at the Slice of Shoreview on July 26-28, 2013. This event is a fund-raiser for the Rotary. In the past, the City has approved similar requests.

It is recommended that the City Council approve this request from the Arden Hills/Shoreview Rotary Club to conduct excluded bingo at Island Lark Park on July 26-28, 2013.

LG240B Application to Conduct Excluded Bingo

No Fee

ORGANIZATION INFORMATION

Organization name: Arden Hills/Shoreview Rotary; Previous gambling permit number; Minnesota tax ID number, if any; Federal employer ID number (FEIN), if any

Type of nonprofit organization. Check one. [] Fraternal [] Religious [] Veterans [x] Other nonprofit organization

Mailing address: 2233 Hamline Avenue North, Roseville, MN 55113, Ramsey County

Name of chief executive officer [CEO]: John Suzukida; Daytime phone number: (651) 482-8378; E-mail address

NONPROFIT STATUS

Attach a copy of ONE of the following for proof of nonprofit status. [x] Nonprofit Articles of Incorporation OR a current Certificate of Good Standing. [] IRS income tax exemption [501(c)] letter in your organization's name. [] IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter]

EXCLUDED BINGO ACTIVITY

1. [x] No [] Yes Has your organization held a bingo event in the current calendar year? 2. The proposed bingo event will be: [x] one of four or fewer bingo events held this year. Dates 7/26/13, 7/27/13, 7/28/13 OR [] conducted on up to 12 consecutive days in connection with a: [] county fair. [] civic celebration. [] Minnesota state fair. 3. Person in charge of bingo event: Ken Hola; Daytime phone: (651) 765-8614 4. Name of premises where bingo will be conducted: Island Lake Park 5. Premises street address: Victoria Street and I-694 6. City: Shoreview; County: Ramsey

Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. Otherwise, bingo hard cards, bingo paper, and bingo number selection devices must be obtained from a distributor licensed by the Minnesota Gambling Control Board. To find a licensed distributor, go to www.gcb.state.mn.us and click on Distributors under the WHO'S WHO? LIST OF LICENSEES, or call 651-639-4000. Be sure to complete page 2

CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge.

Chief executive officer's signature _____ Date _____

Print name _____

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

**CITY APPROVAL
for a gambling premises
located within city limits**

On behalf of the city, I approve this application for excluded bingo activity at the premises located within the city's jurisdiction.

Print city name _____

Signature of city personnel _____

Title _____ Date _____

Local unit of government must sign

**COUNTY APPROVAL
for a gambling premises
located in a township**

On behalf of the county, I approve this application for excluded bingo activity at the premises located within the county's jurisdiction.

Print county name _____

Signature of county personnel _____

Title _____ Date _____

TOWNSHIP - If required by the approving county.

On behalf of the township, I acknowledge that the organization is applying for excluded bingo activity within the township limits. [A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.166, Subd 2.]

Print township name _____

Signature of township officer _____

Title _____ Date _____

MAIL APPLICATION AND ATTACHMENT

Send the application and a copy of your proof of nonprofit status to:

Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

You will receive a document from the Gambling Control Board with your excluded permit number for the bingo activity. Your organization must keep its bingo records for 3-1/2 years.

Questions?

Call the Licensing Section of the Gambling Control Board at 651-639-4000.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney

General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MOTION

MOVED BY COUNCIL MEMBER: _____

SECONDED BY COUNCIL MEMBER: _____

To adopt Resolution 13-50 authorizing the vacation of Owasso Street as legally described in the Resolution.

ROLL CALL: AYES _____ **NAYS** _____

Johnson	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

Regular City Council Meeting
June 3, 2013

TO: Mayor, City Council and City Manager
FROM: Kathleen Nordine, City Planner
DATE: May 30, 2013
SUBJECT: File 2471-12-34, Vacation, 3588 Owasso Street (Lakeview Terrace – Tycon Co.)

Introduction

At the December 17th City Council meeting, the Council held a public hearing and adopted Resolution 12-117 authorizing the vacation of Owasso Street. After further review by representatives for Lakeview Terrace/Tycon Companies, the resolution needs to be modified to include an accurate legal description for Owasso Street.

Vacation

The redevelopment site for Lakeview Terrace was platted as Lakeview Terrace No. 2 and incorporates the existing Owasso Street into the development parcels. This roadway, and adjoining utility easements need to be vacated as shown in the submitted plans and deeded to the developer. The legal description of the area being vacated has been drafted and accepted by Ramsey County. A new resolution that includes this legal description needs to be adopted. The area of vacation will then be deeded to the Developer.

Recommendation

The Staff is recommending the City Council adopt Resolution 13-50 vacating Owasso Street as legally described and depicted in the Attachments.

Attachments:

1. Resolution #13-50 , including Attachment A and A1
2. Resolution #12-117
3. Motion

T:/pcf2012/2471-12-34lakeview/6-03-13ccreport

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF SHOREVIEW, MINNESOTA
HELD JUNE 3, 2013**

* * * * *

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 at 7:00 PM.

The following members were present:

And the following members were absent:

Member introduced the following resolution and moved its adoption.

**RESOLUTION NO. 13-50
VACATION OF OWASSO STREET
LAKEVIEW TERRACE/TYCON COMPANIES**

WHEREAS, this vacation was initiated pursuant to the State Statute and the City of Shoreview, and

WHEREAS, the Shoreview City Council held a public hearing on December 17, 2012. Notice was published and mailed pursuant to law. All persons present at said meeting were given an opportunity to be heard and present written statements. The Council also considered the recommendation of the City Staff that this vacation be approved.

WHEREAS, the City approved the Final Plat and Final Planned Unit Development for the redevelopment of Midland Plaza, 3588 Owasso Street, with an upscale 104-unit apartment complex.

WHEREAS, the redevelopment of this property requires the vacation of Owasso Street and adjoining easements and the realignment of the Owasso Street so that it is aligned with the County Road E/Victoria Street intersection.

Resolution 13-50
Lakeview Terrace/Tycon Companies
Owasso Street Vacation

WITNESS MY HAND officially as such Manager and the corporate seal of the City of
Shoreview, Minnesota, this 3rd day of June, 2013.

Terry C. Schwerm
City Manager

SEAL

ATTACHMENT A

Those parts of Owasso Street described in Ramsey County Document Numbers 1708651 and 3099853, which lies within the following described property:

Those parts of Lots 15 and 16, and that part of vacated Emmert Street, OWASSO PARK, according to the recorded plat thereof on file and of record in the office of the Ramsey County Recorder, Ramsey County, Minnesota, and that part of the North Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 30 North, Range 23 West, Ramsey County, Minnesota, described as follows:

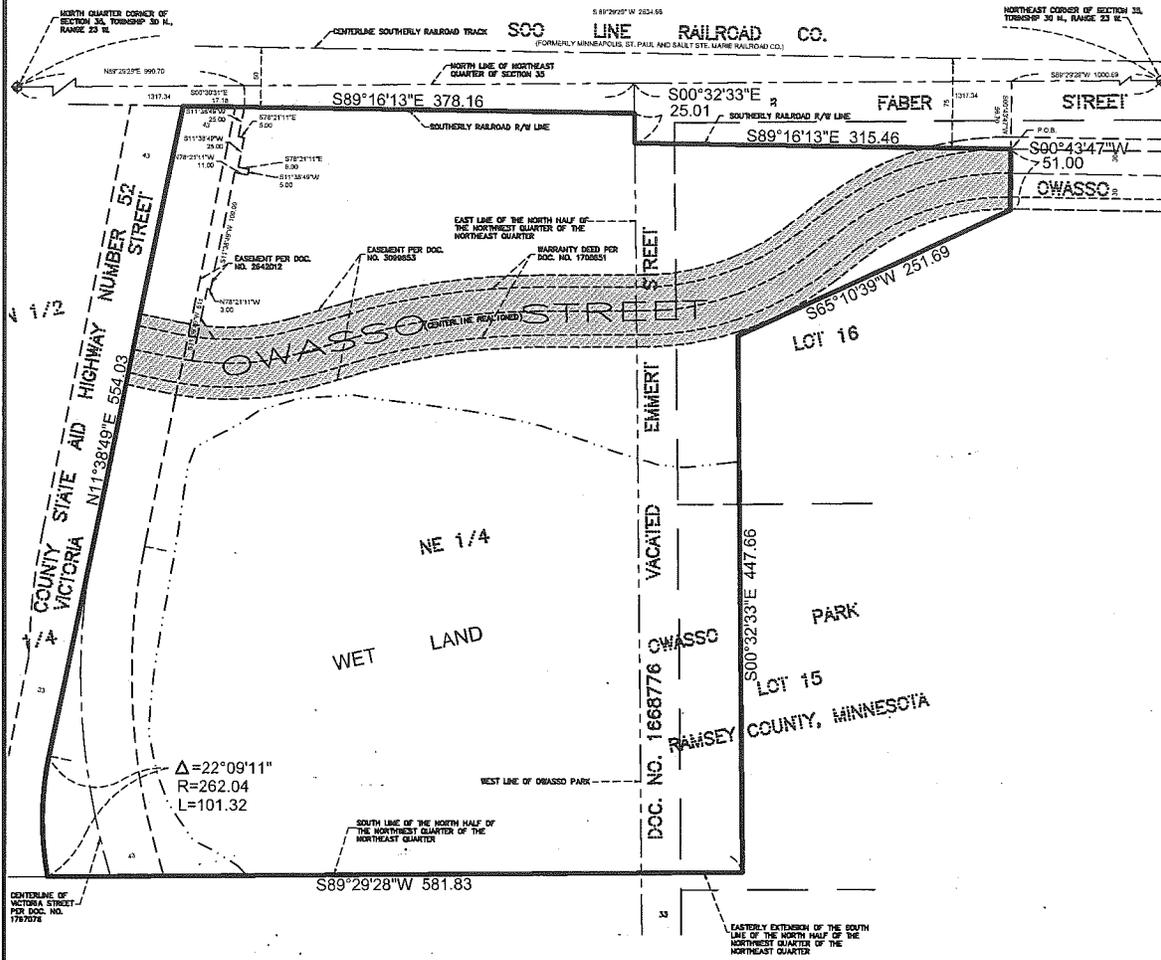
Commencing at the northeast corner of said Section 35; thence on an assumed bearing of South 89 degrees 29 minutes 29 seconds West, along the north line of the Northeast Quarter of said Section 35, a distance of 1000.69 feet; thence South 00 degrees 43 minutes 47 seconds West, a distance of 56.70 feet to the southerly right of way line of the Minneapolis, St. Paul and Sault Ste. Marie Railroad, being a line that is parallel with and distant 75 feet southerly, as measured at right angles, from the centerline of the southerly railroad track, being the point of beginning of the land to be described; thence continue South 00 degrees 43 minutes 47 seconds West, a distance of 51.00 feet; thence South 65 degrees 10 minutes 39 seconds West, a distance of 251.69 feet; thence South 00 degrees 32 minutes 33 seconds East, a distance of 447.66 feet to the easterly extension of the southerly line of said North Half of the Northwest Quarter of the Northeast Quarter; thence South 89 degrees 29 minutes 28 seconds West, along said extension, and along said south line of the North Half of the Northwest Quarter of the Northeast Quarter, a distance of 581.83 feet to the centerline of Victoria Street, as it was located prior to its realignment; thence northeasterly a distance of 101.32 feet, along said centerline of Victoria Street, being a curve not tangent with the last described line, said curve is concave to the east, has a radius of 262.04 feet, and a central angle of 22 degrees 09 minutes 11 seconds, the chord of said curve bears North 00 degrees 34 minutes 14 seconds East, and has a chord distance of 100.69 feet; thence North 11 degrees 38 minutes 49 seconds East, along said centerline, tangent to said curve, a distance of 554.03 feet to the southerly right of way line of said Minneapolis, St. Paul and Sault Ste. Marie Railroad, being a line parallel with and distant 50 feet southerly, as measured at right angles, from the centerline of the southerly railroad track; thence South 89 degrees 16 minutes 13 seconds East, along said southerly railroad right of way line, a distance of 378.16 feet to the east line of the North Half of the Northwest Quarter of the Northeast Quarter of said Section 35; thence South 00 degrees 32 minutes 33 seconds East, along said east line, a distance of 25.01 feet to said southerly railroad right of way line being a line parallel with and distant 75 feet southerly, as measured at right angles, from the centerline of said southerly railroad track; thence South 89 degrees 16 minutes 13 seconds East, along said southerly railroad right of way line, a distance of 315.46 feet to the point of beginning.

AND

That part of Owasso Street described in Ramsey County Document Number 2642012, which lies easterly of the following described line:

Commencing at the north quarter corner of said Section 35; thence on an assumed bearing of North 89 degrees 29 minutes 29 seconds East, along the north line of the Northeast Quarter of said Section 35, a distance of 990.70 feet; thence South 00 degrees 30 minutes 31 seconds East, a distance of 17.18 feet to the northeast corner of the easement described in said Ramsey County Document Number 2642012; thence South 11 degrees 38 minutes 49 seconds West, along the easterly line of the said easement described in Ramsey County Document Number 2642012, a distance of 25.00 feet; thence South 78 degrees 21 minutes 11 seconds East, along said easterly line, a distance of 5.00 feet; thence South 11 degrees 38 minutes 49 seconds West, along said easterly line, a distance of 25.00 feet; thence South 78 degrees 21 minutes 11 seconds East, along said easterly line, a distance of 9.00 feet; thence South 11 degrees 38 minutes 49 seconds West, along said easterly line, a distance of 5.00 feet; thence North 78 degrees 21 minutes 11 seconds West, along said easterly line, a distance of 11.00 feet; thence South 11 degrees 38 minutes 49 seconds West, along said easterly line, a distance of 100.00 feet; thence North 78 degrees 21 minutes 11 seconds West, along said easterly line, a distance of 3.00 feet to the point of beginning of the line to be described; thence South 11 degrees 38 minutes 49 seconds West, along said easterly line and it's southwesterly extension, a distance of 61 feet, more or less, to the centerline of Owasso Street realigned and there terminating.

ATTACHMENT A1



- ⊕ DENOTES FOUND COUNTY MONUMENT.
- DENOTES AREA TO BE VACATED FROM DOC. NO. 1708651 AND DOC. NO. 3099853.
- DENOTES AREA TO BE VACATED FROM DOC. NO. 2642012.



THE BEARINGS SHOWN HEREON ARE BASED ON THE ASSUMPTION THAT THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 30 NORTH, RANGE 23 WEST, HAS A BEARING OF S89°29'29"W.

SKETCH FOR:
MIDLAND TERRACE
 C/O MAX SEGLER, TYCON CO.

JOHNSON & SCOFIELD INC.
 SURVEYING AND ENGINEERING
 507 VERMILLION STREET, HASTINGS, MN 55033
 (651)438-0000

Date: April 26, 2013			
BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS		12-561	S--

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF SHOREVIEW, MINNESOTA
HELD DECEMBER 17, 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 at 7:00 PM.

The following members were present: Martin, Quigley, Wickstrom, Withhart

And the following members were absent: Huffman

Member Quigley introduced the following resolution and moved its adoption.

**RESOLUTION NO. 12--117
VACATION OF OWASSO STREET
LAKEVIEW TERRACE/TYCON COMPANIES**

WHEREAS, this vacation was initiated pursuant to the State Statute and the City of Shoreview, and

WHEREAS, the Shoreview City Council held a public hearing on December 17, 2012. Notice therefore was published and mailed pursuant to law. All persons present at said meeting were given an opportunity to be heard and present written statements. The Council also considered the recommendation of the City Staff that this vacation be approved, and

WHEREAS, the City approved the Final Plat and Final Planned Unit Development for the redevelopment of Midland Plaza, 3588 Owasso Street, with an upscale 104-unit apartment complex, and

WHEREAS, the redevelopment of this property requires the vacation of Owasso Street and adjoining easements and the realignment of the Owasso Street so that it is aligned with the County Road E/Victoria Street intersection, and

Resolution 12-117
Lakeview Terrace/Tycon Companies
Owasso Street Vacation

WHEREAS, whereas right-of-way for Owasso Street will be platted with the Lakeview Terrace No. 2 Plat as required.

NOW, THEREFORE, BE IT RESOLVED THAT THE SHOREVIEW CITY COUNCIL hereby adopts Resolution 12-117 vacating Owasso Street and the adjoining easements.

1. Prior to the release of the Final Plat, Lakeview Terrace No. 2, for recording, the applicant shall provide the City with the legal description of that portion of Owasso Street being vacated (see Attachment A).

The motion was duly seconded by Member Withhart and upon a vote being taken thereon, the following voted in favor thereof: Martin, Quigley, Wickstrom, Withhart

And the following voted against the same: None

Adopted this 17th day of December 2012.


Sandra C. Martin, Mayor
Shoreview City Council

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 17th day of December, 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 adopting Resolution 12-117.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 17th day of December, 2012.


Terry C. Schwerm
City Manager

SEAL

PROPOSED MOTION

MOVED BY COUNCIL MEMBER: _____

SECONDED BY COUNCIL MEMBER: _____

To approve the Site and Building Plan review application, including the Site Development and Erosion Control Agreements, submitted by RJ Marco Construction, Inc. on behalf of Newvesco, LLC for a building addition at 577 Shoreview Park Road. Said approval is subject to the following:

1. This approval permits the construction of a 5,500 square foot addition onto the existing building at 577 Shoreview Park Road. The addition shall be used as warehouse.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director, prior to the issuance of a building permit for this project.
3. 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. The Site Development Agreement shall address the construction of additional parking as shown in the proof of parking with a change of use or occupancy.
4. The items identified in the memo from the City Engineer must be addressed prior to the issuance of a building permit.
5. The landscape plan shall be revised by replacing the proposed Colorado Spruce with Black Hills Spruce. Plant materials shall be maintained and replaced if they die.
6. The location and area of the outside storage area may be revised pursuant to the approved plans. Conditions identified in Resolution 98-49, the conditional use permit for this storage area, with the exception of Condition No. 1, shall remain in effect.
7. The existing intermodal storage containers and temporary storage shelter shall be removed immediately.
8. 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.
2. The proposed development complies with the standards identified in the City's Development Code.
3. The proposed improvements will not conflict with or impede the planned use of adjoining property.

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

Johnson	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

Regular City Council Meeting
June 3, 2013

TO: Mayor, City Council and City Manager
FROM: Kathleen Nordine, City Planner
DATE: May 30, 2013
SUBJECT: File No. 2486-13-13, Site and Building Plan Review, RJ Marco Construction Inc./Newvesco, LLC – 577 Shoreview Park Road

Introduction

RJ Marco Construction submitted a Site and Building Plan Review application for a proposed 5,500 square foot addition onto the existing building at 577 Shoreview Park Road. The existing parking lot area, outside storage area and stormwater facilities will be modified for this addition. Site and Building Plan review is required to ensure that the proposal is consistent with the City's Development Regulations for this site.

Project Description

The 2-acre development site is located on Shoreview Park Road, east of the Deluxe Campus and south of Interstate 694. The property is zoned I, Industrial as is the property to the south and west. To the east, the Deluxe Campus is zoned PUD, Planned Unit Development. The property is developed with a 9,240 square foot building previously used as office and warehouse space. In addition, there is an outside storage area with a crushed rock surface located south of the building.

The building will be occupied by Allied Electric (Generators) and additional space is needed for their warehouse operations, therefore, a 5,500 square foot addition is proposed. The one-story addition is proposed on the south side of the existing building in area currently used for parking and outside storage. The parking lot will be modified and expanded to accommodate the parking demand. Stormwater infrastructure improvements proposed consist of an infiltration basin/holding pond to manage run-off from the development.

Conditional Use Permit

The previous owner, Weber Electric, received a conditional use permit in 1998 to construct an outside storage area. This storage area is 12,000 square feet in size and enclosed with a 6-foot tall black vinyl coated chain link fence. Outside storage areas in the Industrial zoning district requires a conditional use permit. As required, landscaping was installed to visually screen this area from Shoreview Park Road, however, this landscaping has not been maintained. A copy of the conditional use permit is attached.

While the proposed addition requires this storage area to be shifted slightly closer to the road and modified in shape, it will not exceed the existing square footage. The Staff did not require an amended conditional use permit for this reason.

Site and Building Plan Review

The intent of the Site and Building Plan review is to provide the City with the opportunity to review the proposed development in accordance with the development code standards

Building Placement

The existing building has space dedicated for office and warehouse uses. The proposed addition expands the warehouse area and is located on the western portion of the property. The addition complies with the required structure setbacks from the Shoreview Park Road right-of-way and the western side property line. A minimum structure setback of 50 feet is required from Shoreview Park Road; 172 feet is proposed. From the western side property line, the addition will maintain the 10-foot setback as established by the existing building

Parking Lot Design

Access to the property will remain via a single driveway off Shoreview Park Road. The parking area will be re-designed to access the proposed loading dock area on the east side of the building and to provide additional parking. Sixteen parking stalls would be constructed which is less than the minimum number of stalls required (25). The plan does identify areas where proof of parking could be constructed if needed. With the proof of parking, 29 stalls could be provided on-site.

The loading dock area is located on the east side of the building facing towards the interior of the parking lot, which is an improvement from the current south facing loading area. The loading area is screened from view of the road through the orientation, distance from the roadway and the use of landscaping

Architectural Design

The proposed addition is designed as a one-story with a height of 30'8". The exterior wall finishes proposed would match the existing structure. These materials include decorative concrete block, metal flashing and glass windows. Accent decorative concrete block and the windows are intended to provide a visual break to the expanse of the building wall.

Grading and Drainage

The property is located in the former Grass Lake Watershed Management area. The City is still acting as the local government unit for stormwater management in this area until later this summer when the Ramsey Washington Metro Watershed District will assume this role.

The City Engineer has reviewed the proposed grading and drainage plan and found it to be consistent with the City's Surface Water Management Plan. Stormwater run-off from the developed portion of the site will be directed to an infiltration basin/holding pond located in the front along Shoreview Park Road. The property owner will be required to provide a long term maintenance plan and execute a maintenance agreement with the City to ensure the infiltration basin continues to function in accordance with the approved design.

Public Comment and Agency Review

The City notified property owners within 350 feet of development site of the Site and Building Plan review application. No comments have been received.

Attached is a comment from the City's Building Official who has indicated that the building is subject to Chapter 1306 of the Minnesota Building Code for Special Fire Protection Systems. The existing building and the proposed addition are required to have a fire suppression system.

Planning Commission Review

The Planning Commission reviewed this application at their May 28th meeting. The Commission is supportive of the proposed changes and reinvestment in the property. The parking was discussed as the proposed parking plan will provide less than the minimum parking required by code and identifies proof of parking area. While the proposed parking will meet the needs of the occupant, some concern was expressed regarding future use of the building by another tenant who may demand more parking. Language was added to Condition No. 3 stating that parking would be reviewed with any change in use of the building. Also, Condition No. 5 was modified by adding language clarifying that landscape materials must be replaced if they die.

The Commission recommended the Council approve the proposed development plans with a 6 – 0 vote.

Recommendation

The submitted plans were reviewed in accordance with the Development Code and Site and Building Plan review criteria for this site. The proposed use is consistent with the I, Industrial District and the proposed addition, including site modifications, comply with the City's Development standards. Staff is recommending the City Council approval of the Site and Building Plan Review application, including the Site Development and Erosion Control Agreements, subject to the following conditions:

1. This approval permits the construction of a 5,500 square foot addition onto the existing building at 577 Shoreview Park Road. The addition shall be used as warehouse.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director, prior to the issuance of a building permit for this project.
3. 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. The Site Development Agreement shall address the construction of additional parking as shown in the proof of parking with a change of use or occupancy.

4. The items identified in the memo from the City Engineer must be addressed prior to the issuance of a building permit.
5. The landscape plan shall be revised by replacing the proposed Colorado Spruce with Black Hills Spruce. Plant materials shall be maintained and replaced if they die.
6. The location and area of the outside storage area may be revised pursuant to the approved plans. Conditions identified in Resolution 98-49, the conditional use permit for this storage area, with the exception of Condition No. 1, shall remain in effect.
7. The existing intermodal storage containers and temporary storage shelter shall be removed immediately.
8. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

Attachments:

1. Memo from City Engineer
2. Email – Building Official
3. Site Development and Erosion Control Agreement
4. Res. 98-49 – Conditional Use Permit
5. Location Map
6. Submitted Statement and Plans.
7. Motion

T:/2013pcf/reports/2486-13-13 577 shoreviewparkroad/ccreport

Date: May 15, 2013
To: Kathleen Nordine, City Planner
From: Tom Wesolowski, City Engineer
Subject: Site and Building Plan Review – R J Marco Construction, 577 Shoreview Park Road

The City of Shoreview Engineering Department has reviewed the plans dated May 6, 2013 and has the following comments regarding the plans:

1. The developer has submitted storm water management calculations for existing and proposed drainage. The calculations were prepared by a licensed engineer from the State of Minnesota and meet the requirements of the City's Surface Water Management Plan (SWMP).
2. The proposed storm water management system consists of diverting run-off from the impervious areas over land to an infiltration basin/holding pond. The pond area is proposed to infiltrate a portion of the run-off from the development and reduce the volume of flow to a level less than what currently leaves the site, which exceeds the requirements of the City's SWMP.
3. I talked with the consulting engineer, Lee Elfering, and asked if they had soil borings on the site to see if the soils are adequate for infiltration. He stated that they did take soil borings on the site and one boring in the area for the proposed infiltration basin. He did not have the results of the borings, but will submit them once he has received the information. If the soils are not adequate for infiltration he will revisit the treatment BMPs for the site.
4. The property owner should provide a long term maintenance plan and maintenance agreement to the City for the storm water BMP's constructed on the site.

If you have any questions or would like to discuss the comments please contact Tom Wesolowski at 651-490-4652



Kathleen Nordine <knordine@shoreviewmn.gov>

577 Shoreview Park Road Site and Building

↑ message

Steve Nelson <snelson@shoreviewmn.gov>

Wed, May 15, 2013 at 8:42 AM

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

Kathleen:

One item to note for the approval process for the addition to 577 Shoreview Park Road. The City has adopted Chapter 1306 of the Minnesota Building Code for Special Fire Protection Systems, subpart 2 requiring fire suppression installation in the building. This would require the addition and existing portion to have fire suppression installed. I am not sure if the building has an existing system, but want them to be aware prior to approval.

Steve Nelson

*Building Official
City of Shoreview
4600 N Victoria Street
Shoreview, MN 55126
651-490-4691*

**SITE DEVELOPMENT AGREEMENT
RJ MARCO CONSTRUCTION, INC
NEWVESCO, LLC
577 SHOREVIEW PARK ROAD**

(I) THIS AGREEMENT is made and entered into by and between the City of Shoreview, a municipal corporation and political subdivision of the State of Minnesota (hereinafter the "City") and, RJ Marco Construction, Inc./Newvesco, LLC. their successors and assigns (hereinafter the "Developer").

(II) On June 3, 2013 the City gave approval to develop certain property currently located on at 577 Shoreview Park Road within the City and legally described as follows (hereinafter the "Subject Property"):

*The West 203.21 feet of that part of the Southwest Quarter of Section 25, Township 30, Range 23, described as follows: Commencing at a point 231 feet westerly of the easterly line of the Southwest Quarter of the Southwest Quarter and 640.49 feet northerly of the northerly right-of-way line of County Road E, as measured parallel to said easterly line (for descriptive purposes said easterly line has an assumed bearing of North 00 degrees 02 minutes East); thence North 68 degrees 29 minutes 16 seconds West, 429.34 feet; thence North 00 degrees 02 minutes East, 456.73 feet more or less, to the southerly right of way line of Trunk Highway No. 694-393; thence southeasterly on last said right-of-way line 422. 44 feet more or less, to the intersection with a projection of a line at North 00 degrees 02 minutes East from the point of beginning; thence South 00 degrees 02 minutes West, 476.99 feet more or less, to the point of beginning,
Ramsey County, Minnesota*

(commonly known as 577 Shoreview Park Road)

(III) Pursuant to City Ordinances, the Developer is required:

- A) To make certain improvements to the property legally described and addressed above.
- B) B. To provide the City with a form of surety, approved by the City's Attorney, insuring completion of any required improvements, which remain incomplete at the time of the Developer's request for final site and building approval.
- C) C. To follow certain procedures, as determined by the City, to control soil erosion during the development of the subject property.

(IV) In consideration of the City's grant of permission allowing the Developer to develop the subject property, and in consideration of the mutual agreements contained herein, the City and the Developer agree as follows:

- A) **Applicability.** This agreement is applicable to the property legally described and addressed above.

B) **Improvements.** All improvements shall be constructed in accordance with the approval of the City Council, the City's ordinances and regulations and pursuant to approved plans and specifications submitted for the Site and Building Plan Review. The approved plans include the construction of a 5,500 square foot warehouse addition onto the existing office/warehouse building. Other improvements include parking, stormwater management and landscaping. All requirements attached to said project by the City's Council on June 3, 2013, as conditions of Site and Building Plan Review approval, are to be satisfied whether or not identified in this document.

C) **Landscape Installation.** Prior to issuance of a building permit, the Developer shall submit a landscape plan for approval by the City Planner. The Developer agrees to install all plant materials as shown on the approved landscape plan and to be consistent with the standards established in the Development Regulations of the City of Shoreview. All landscape materials placed, as part of this landscape plan shall be replaced with like material if they should die.

The City Planner shall estimate the cost of landscape improvements to be completed, calculating one hundred and twenty five percent (125%) of the estimated cost of the plant materials to be installed. A surety of **\$4,375.00** is required prior to the issuance of any permits for this project.

D) **Erosion Control.** An Erosion Control Plan/Storm Water Pollution Prevention Plan (SWPPP) shall be prepared under the seal of a Registered Professional Engineer on behalf of the Developer and shall be submitted to the Public Works Director. The Developer agrees to comply with the recommendations of the Public Works Director for the subject property and shall incorporate these recommendations in to the plans and specifications. ***No site grading shall occur prior to the installation of approved erosion control measures and execution of required agreements and submission of sureties.***

The development is subject to the Erosion Control Agreement (**Exhibit C**) for the Planned Unit Development, and the Developer agrees to the terms and conditions of that Agreement.

E) **Site Restoration.** All disturbed areas shall be restored in accordance with the best management practices identified in the NPDES permit and shall be consistent with the City's Surface Water Management Plan and Surface Water Pollution Prevention Plan. All disturbed areas shall be seeded and disk anchored mulched or sodded within 7 days of final grade unless development is completed between November 15th to April 15th, then said disturbed areas shall be seeded and disk anchored mulched or sodded by May 15th. All common drainage swales shall be sodded or seeded and protected with wood fiber blanket.

1. All slopes 4:1 or greater must be seeded and fiber blanketed immediately after final grading. After installation of the wood fiber blanket is completed the City requires

inspection for proper installation. The developer shall contact the City staff to arrange the site inspection.

- F) **Other Permits.** The applicant is subject to the permitting requirements of other agencies for this development, including Ramsey County, and shall demonstrate compliance before any City permits are issued for this site.
- G) **Stormwater Management.** All stormwater management infrastructure on the site is private and shall be maintained by the Developer, shall utilize stormwater best management practices, and be designed to minimize the need for maintenance and reduce the chance of failure.
- H) **Conditional Use Permit 98-49.** The Conditional Use Permit as approved in Res. 98-49 shall remain in effect with this development. Conditions of the permit as outline within the Resolution shall be adhered to. The outside storage area as referenced in Condition No. 1 shall be installed as identified in the plans submitted with this Site and Building Plan approval. Said storage area shall be used for the exterior storage or rental generators, trucks and equipment associated with the tenant.
- I) **Change in Use or Occupancy.** Permitted use of the building is warehouse and office uses as depicted on the plans on file with the City and submitted with this Site and Building Plan application. The Developer shall notify the City a minimum of 30 days in advance of any change in use or occupancy of the building. Change in use or occupancy includes but is not limited to; the transfer of the property to any party that has acquired legal ownership of the property, the leasing or subleasing of space to another party and the physical alteration of the building changing the building code occupancy classification. Any change in use or occupancy of the building as determined by the City Planner may require the installation of the proof of parking as shown on the submitted plans, Site and Building Plan Review or an amendment to the Conditional Use Permit.
- J) **All Costs Responsibility of Developer.** The Developer agrees to pay for all costs incurred of whatever kind or nature in order to construct the improvements required by the City's regulations. The City shall not be obligated to pay the Developer or any of its agents or contractors for any costs incurred in connection with the construction of the improvements, or the development of the property. The Developer agrees to hold the City harmless from any and all claims of whatever kind or nature which may arise as a result of the construction of the improvements, the development of the property or the acts of the Developer, its agents or contractors in relationship thereto.
- K) **Special Development Terms.** The project is subject to the conditions as approved by the City Council on June 3, 2013, (**Exhibit B**) whether or not specified in this Agreement.
- L) **Maintenance of Utilities.** The Developer agrees that on-site utilities are private. Maintenance of the private utilities is the sole responsible of the Developer. The Developer

or any future property owner is responsible for locating any and all private utilities on this site. The City will not locate private utilities at anytime. The private utilities include storm sewer and infiltration basins, sanitary sewer service, water main with associated valves and hydrants, and water main service.

1. The Developer is responsible for all repair and maintenance of the private water system or other utility system. A portion of the private water system is not metered, and all un-metered water is the property of the City. In the event of a leak in an un-metered portion of the private water system, after two-days notice, the City has the right to shut-off the water until repairs to the private system have been completed, inspected, and approved by the City.

M) **Stormwater Management: Private Stormwater Ponds and Infrastructure.** All stormwater management infrastructure is private and shall utilize stormwater best management practices as described in the Minnesota Stormwater Manual, Volume 1.1. This infrastructure shall be designed to minimize the need for maintenance and to reduce the chance of failure.

1. The Developer shall provide, prior to issuance of any permits for the property, a Storm Water Management Plan for the maintenance of the stormwater infrastructure within the development site. The Management Plan shall include all items required in this Agreement. The Management Plan shall include timelines for the anticipated cleaning and future reconstruction of the infiltration basins.
2. Maintenance
 - a. All stormwater infrastructure shall be maintained according to the measures outlined in the City's Surface Water Management Plan and Storm Water Prevention Plan (SWPPP).
 - b. Unless otherwise indicated in this agreement, the Developer shall be responsible for the maintenance of stormwater management facilities, including all related financial responsibilities.
3. Non-Routine Maintenance
 - a. Maintenance includes those infrequent activities needed to maintain ponding and infiltration areas and/or stormwater ponding infrastructure so that these improvements continue to function in accordance with the approved plans and specifications. Examples of such activities include pond dredging or major repairs to stormwater structures.
 - b. Non-routine maintenance shall be performed on an as-needed basis based on information gathered during regular inspections.

4. If maintenance activities are not completed in a timely manner or as specified in the approved plan, then the City may hire a contractor or complete the necessary maintenance at the Developer's expense unless otherwise indicated in this agreement.

N) **As-Builts and Grading Certification** An as-built survey, prepared by a surveyor licensed and registered by the State of Minnesota, shall be submitted upon completion of the permitted work. The as-built survey shall include details of:

1. The final site grading and all improvements;
2. Any public or private infrastructure, including the storm sewer system, the water main system and the sanitary sewer system that was not shown on the as-builts submitted for the Planned Unit Development and Plat. Profiles are required.

The as-builts shall conform to the standards specified in **Exhibit A**. The Developer shall deposit an escrow in the amount of **\$2,000.00** as surety for the as-built survey. The Developer shall provide the City with as-builts of the private infrastructure, including water, sanitary sewer, storm sewer and services.

O) **Pre-construction Meeting**. The City will require a pre-construction meeting to be conducted prior to any work being performed on the project. The City staff, Developer, Project Manager, and Contractor shall attend the meeting. The City encourages that sub-contractors attend the pre-con meeting. The meeting will be conducted at the City of Shoreview City Hall.

P) **Construction Management**. The Developer and its contractors and subcontractors shall work to minimize impacts from construction on the surrounding neighborhood by:

1. **Definition of Construction Area**. The limits of the Project Area shall be defined with heavy-duty erosion control fencing of a design approved by the Public Works Director. Any grading, construction or other work outside this area requires approval by the Public Works Director and property owner.
2. **Parking and Storage of Materials**. Adequate on-site parking for construction vehicles and employees must be provided or provisions must be made to have employees park off-site and be shuttled to the Project Area. No parking of construction vehicles or employee vehicles shall occur on Shoreview Park Road. No fill, excavated material or construction materials shall be stored in the public right-of-way.
3. **Hours of Construction**. Hours of construction, including moving of equipment shall be limited to the hours between 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 7:00 p.m. on Saturdays. No work is permitted on Sundays or holidays without the prior approval of the City.

4. Site Maintenance. The developer shall ensure the contractor maintains a clean work site. Measures shall be taken to prevent debris, refuse and other materials from leaving the site. Construction debris and other refuse generated from the project shall be removed from the site in a timely fashion and/or upon the request by the City. Developer shall sweep Shoreview Park Road on an as needed basis, but at least once weekly. More frequent sweepings may be required, as directed by the City Engineer. The City has the right to direct the developer to sweep other streets, including Shoreview Park Road, within the construction area, if necessary. The City does not sweep streets for private development projects. Developer must have a contract for sweeping and use a water-discharge broom apparatus for street sweeping.

Q) **Default** The occurrence of any of the following after written notice from the City and thirty (30) days to cure (or such longer period as may be reasonable) shall be considered an "Event of Default" in the terms and conditions contained in this Agreement:

1. The failure of the Developer to comply with any of the terms and conditions contained in this agreement;
2. The failure of the Developer to comply with any applicable ordinance or statutes with respect to the development and operation of the subject property.

R) **Remedies** Upon the occurrence of an Event of Default, the City, in addition to any other remedy, which may be available to it, shall be permitted to do the following:

1. City may make advances or take other steps to cure the default, and where necessary, enter the subject property for that purpose. The Developer shall pay all sums so advanced or expenses incurred by the City upon demand, with interest from the dates of such advances or expenses at the rate of 10% per annum. No action taken by the City pursuant to this section shall be deemed to relieve the Developer from curing any such default to the extent that it is not cured by the City or from any other default hereunder. The City shall not be obligated, by virtue of the existence or exercise of this right, to perform any such act or cure any such default.
2. The Developer shall save, indemnify, and hold harmless, including reasonable attorneys fees, the City from any liability or other damages, which may be incurred as a result of the exercise of the City's rights pursuant to this section.
3. Obtain an order from a court of competent jurisdiction requiring the developer to specifically perform its obligations pursuant to the terms and provisions of this Agreement.
4. Exercise any other remedies, which may be available to it, including an action for damages.
5. Withhold the issuance of a building permit and/or prohibit the occupancy of any building(s) for which permits have been issued.

In addition to the remedies and amounts payable set forth or permitted above, upon the occurrence of an Event of Default, the Developer shall pay to the City all fees and expenses, including reasonable attorney's fees, incurred by the City as a result of the Event of Default, whether or not a lawsuit or other action is formally taken.

(V) **IN WITNESS WHEREOF**, the City and the Developer have executed this Agreement.

Approved by the City Council of Shoreview, Minnesota, this June 3, 2013.

RJ Marco Construction, Inc.

CITY OF SHOREVIEW

Sandra C. Martin, Mayor

Title

Terry Schwerm, City Manager

Newvesco, LLC

Title

EXHIBIT 'A'

Record Plan Requirements

As-built plans are required for all public and private improvements.

After the completion of Developer-installed public improvements, the City Engineer shall be provided with two blue-line sets of record drawing plans of the project for review purposes.

Upon final approval of the blue-line record drawing plans of the project, the City Engineer shall be provided with one full size set (22"x 34") of mylar copies of the approved record drawing plans of the project. All record plans shall be mylar sepia from inked and clearly legible drawings, accurately drawn to scale. Proper notes and statements as required in this manual shall be placed on the plans.

The City will also be provided with the as-built drawings on disk in the City-approved format as follows:

Electronic As-Builts

1. Required on compact disk or DVD.
2. All information must be in AutoCAD R14 version or newer in DWG format.
3. Approved final plat sheet and AutoCAD drawings submitted in Ramsey County coordinates.
4. As-built construction plan sheets and drawing files shall have descriptive layer names or a key for the layer names.
5. Overall development plan with all utilities (curb stops, clean outs, MHs, fees CBs, GVs, etc.) in Ramsey County coordinates.
6. Show Ramsey County monuments used for the survey.

After completion of construction, all manholes, catch basins, hydrants and other elements of the project shall be re-measured with an as-built field survey. The plans shall be corrected and modified to show the correct distances, elevations, dimensions, alignments, and any other change in the specific details of the plans. All changes and modifications on the record plan shall be drawn to scale to accurately represent the work as constructed. Incorrect elevations, distances, etc. shall be crossed out from the original plan sheets and corrected as necessary to complete the record plan.

At a minimum, record plans shall include:

General

1. All construction contractor names should be noted on each page.
2. Record Plan stamp with date should be shown on each page.
3. All utilities in Ramsey County coordinates system.
4. All ties should be less than 100'.
5. Grading limits and elevations.
6. Bench marks used and TNH elevations.

Grading Plan As-Builts

1. Existing ground elevations at all lot corners
2. Spot elevations at all house pads (hold down elevations)
3. Spot elevations of pond bottom (50' maximum grid)
4. Drainage and utility easement and outlot spot elevations
5. Pond water elevations and date taken.
6. Prior to close out, as-builts of ponding areas must be done to verify depths after house construction is complete.

Sanitary Sewer, Water Main

1. As-built elevations (invert & rims), pipe lengths, and grades for all lines
2. Note describing pipe type and size for each run and for services
3. Wye stationing and location from TV reports
4. Elevation of riser
5. Cross out proposed elevations and write as-built above – DO NOT remove proposed elevations from plan.
6. All curb boxes and sanitary sewer services shall be tied with at least two ties, using the following priorities:
 - The building or structure being served, with address
 - Fire hydrants
 - Manholes, catch basins
 - Neighboring structures, with the address noted
 - Other permanent structures (bridges, telephone boxes, pedestals, transformers)
 - Power poles, streetlights, etc.
7. All gate valves shall be tied with at least two ties, using the following priorities:
 - Fire hydrants
 - Manholes
 - Catch basins
 - Neighboring structures, with the address noted
 - Buildings or other permanent structures (bridges, telephone boxes, pedestals, transformers)
 - Power poles, streetlights, etc.

8. As-built elevations of each hydrant at top nut
9. Any deviations of fittings from those shown on the plan
10. Note describing pipe type and size for mainline and for services
11. Stationing of corporation stop on water main

Storm Sewer

1. As-built elevations (invert & rim), pipe lengths, and grades for all lines
2. Note describing pipe type and size for each run.
3. Cross out proposed elevations and write as-built above – DO NOT remove proposed elevations from plans.
4. As-built plans on all ponding areas are required. Plans shall indicate finished contours at two-foot intervals, normal water elevation, high water elevation, and the acre-feet of storage for each ponding area, along with the final storm sewer plans. Upon completion of pond construction, ponds shall be cross-sectioned to confirm that they have been constructed to the proper volume and shape. As-built record plans shall be prepared for all ponding areas just prior to closing project out.

Streets

1. Show where fabric has been placed in the streets on the plan portion of the as-builts.
2. Show locations where subgrade corrections were done on the projects as approved by a soils engineer.

EXHIBIT 'B'
SPECIAL DEVELOPMENT TERMS
RJ MARCO CONSTRUCTION, INC./NEWVESCO, LLC
577 SHOREVIEW PARK ROAD

1. This approval permits the construction of a 5,500 square foot addition onto the existing building at 577 Shoreview Park Road. The addition shall be used as warehouse.
2. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director, prior to the issuance of a building permit for this project.
3. 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. The Site Development Agreement shall address the construction of additional parking as shown in the proof of parking with a change of use or occupancy.
4. The items identified in the memo from the City Engineer must be addressed prior to the issuance of a building permit.
5. The landscape plan shall be revised by replacing the proposed Colorado Spruce with Black Hills Spruce. Plant materials shall be maintained and replaced if they die.
6. The location and area of the outside storage area may be revised pursuant to the approved plans. Conditions identified in Resolution 98-49, the conditional use permit for this storage area, with the exception of Condition No. 1, shall remain in effect.
7. The existing intermodal storage containers and temporary storage shelter shall be removed immediately.
8. The Building Official is authorized to issue a building permit for the project, upon satisfaction of the conditions above.

EXHIBIT 'C'

EROSION CONTROL ESCROW AGREEMENT

(A) THIS AGREEMENT is made and entered into by and between the City of Shoreview, a municipal corporation of the State of Minnesota (hereinafter the "City"), and RJ Marco Construction, Inc./Newvesco, LLC., its successors and assigns (hereinafter the "Developer").

(B) The City and the Developer have executed a Site Development Agreement that obligates the Developer to control soil erosion during the development of the subject property. To secure erosion control during the development of this site, the Developer has submitted a cash surety to the City of Shoreview in the amount of **\$2,500.00**. The Developer has submitted this financial surety to the City on the following conditions:

1. The developer shall not receive interest on the amount of the surety.
2. The developer agrees that the surety may be utilized by the City to ensure compliance with the terms of the Development Contract regarding erosion control and/or to maintain all utility construction on the site, including the cleaning of road surfaces and storm sewer systems, until the Engineering Department has determined that erosion control has been satisfied. The surety may also be utilized for problems created off the site directly or indirectly as result of on-site conditions.
3. The developer agrees, upon written notification from the Public Works Director that proper erosion control methods are not being taken, to remedy the problem identified within 48 hours. In the event the remedy is not satisfactorily in place within that time period, the Developer acknowledges that the City may utilize the surety to complete the necessary work.
4. Any funds not so utilized by the City shall be returned to the Developer once the Public Works Director has determined in its reasonable discretion that the need for erosion control has been satisfied, or the funds have been replaced by a successor in interest.
5. Any soils transported to this site or exposed on the site shall be seeded consistent with a plan approved by the Public Works Director.

This agreement shall not supersede any specifications required by the Public Works Director on the approved grading plan.

(C) The Developer agrees to reimburse the City at a rate of \$55.00 per hour for each hour or fraction thereof used by a City employee in the administration of the Escrow Agreement. The

RJ MARCO CONSTRUCTION, INC./NEWVESCO, LLC

577 SHOREVIEW PARK ROAD

JUNE 3, 2013

Page 13 of 13

obligations imposed by this paragraph shall commence on the date of execution of the Escrow Agreement by the Developer.

IN WITNESS WHEREOF, the City and the Developer have executed this agreement this 3rd day of June, 2013

Developer:

RJ Marco Construction, Inc.

CITY OF SHOREVIEW

Sandra C. Martin, Mayor

Title

Terry Schwerm, City Manager

Newvesco, LLC

Title

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF SHOREVIEW, MINNESOTA
HELD JUNE 1, 1998**

* * * * *

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 at 7:00 PM.

The following members were present: Huffman, Landwehr, Reiter, Wickstrom, Martin.
And the following members were absent: None.

Member Landwehr introduced the following resolution and moved its adoption.

**RESOLUTION NO. 98-49
CONDITIONAL USE PERMIT**

WHEREAS, Weber Electric, Inc., applied for a conditional use permit to construct an outside storage area at:

West 203.21 feet of that part of the Southwest $\frac{1}{4}$ of Section 25, Township 10, Range 23, described as follows: Commencing at a point 231 feet Westerly of the Easterly line of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and 640.69 feet northerly of the Northerly right-of-way line of County Road E as measured parallel to said Easterly line (for descriptive purposes only, said Easterly line has an assumed bearing of North 0 02' East); thence North 68 29' 16" West; 395.55 feet to the actual point of beginning of the parcel to be described; thence North 68 29' 16" West, 429.34 feet; thence North 0 02' East, 456.73 feet, more or less, to the Southerly right-of-way line of Trunk Highway No. 694-393; thence Southeasterly on last said right-of-way line, 422.44 feet, more or less, to the intersection with a projection of a line at North 0 02' East from point of beginning; thence South 0 02' West, 476.99 feet, more or less, to the point of beginning.

(This property is more commonly known as 577 Shoreview Park Road, Shoreview, Minnesota.)

WHEREAS, Section 202.060 (C)(1) states outdoor storage areas are a conditional use in Industrial Zoning Districts; and

WHEREAS, the applicant has proposed to construct an outdoor storage area at 577 Shoreview Park Road which is within an Industrial Zoning District; and

WHEREAS, the Planning Commission held a public hearing on the proposed outside storage area and found that the proposed use was consistent with the Comprehensive Guide Plan and that the proposed use would not have a detrimental effect on the character and development of the neighborhood; and

WHEREAS, the City Council is authorized by state law and the City of Shoreview Development Code to make final decisions on conditional use permit requests.

NOW, THEREFORE, BE IT RESOLVED BY THE SHOREVIEW CITY COUNCIL, that the above-described conditional use permit be approved on the basis of the following findings of fact:

1. The proposed outside storage area would not have a have a negative effect upon the health, safety and general welfare of the occupants of surrounding lands, including, but not limited to, the factors of noise, glare, odors, and existing and anticipated traffic conditions, including parking facilities on adjacent streets.
2. The proposed outside storage area would be an improvement to the existing condition and would not have a detrimental effect on property values in the surrounding areas.
3. The proposed outside storage area is located on a parcel designated as LT-1, Light Industrial, in the Comprehensive Guide Plan. This designation includes storage and warehousing. Therefore, the proposed outside storage would conform to the Comprehensive Guide Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE SHOREVIEW CITY COUNCIL that a Conditional Use Permit for an outside storage area is hereby approved, subject to the following conditions:

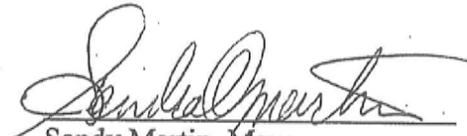
1. The outside storage area shall be constructed in accordance with the revised site plan submitted on May 15, 1998.
2. The City Forester shall approve the species mix, height, and density of proposed plantings based on year-round screening needs.

3. All landscaping materials shall comply with the minimum standards set forth in Section 206.050 of the Development Ordinance. Said landscaping shall be properly maintained. Plantings that become diseased or die shall be promptly replaced.
4. No outside storage of materials, supplies, or equipment outside of the designated outside storage area shall be permitted.
5. Existing semi-trailers currently used for storage shall be removed from the site upon completion of the storage area.
6. The Building Official is authorized to issue a building permit if approved by the City Council.

The motion was duly seconded by Wickstrom and upon a vote being taken thereon, the following voted in favor thereof: Huffman, Landwehr, Reiter, Wickstrom, Martin.

And the following voted against the same: None.

Adopted this 1st day of June, 1998


Sandy Martin, Mayor
Shoreview City Council

ATTEST:


Terry Schwerm, City Manager

SEAL



RJ Marco - 577 Shoreview Park Road



630.8 0 315.42 630.8 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

- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

Notes

Site and Building Plan Review

RJ MARCO CONSTRUCTION, INC.

TO: Department of Community Development
City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126

RE: Newvesco
577 Shoreview Park Rd

The proposed work to be performed includes the following:

- Removal of mature cottonwood trees and replace with evergreens and American Lindens
- Regrade South end of site to drain area into new infiltration and rate control pond
- Add new asphalt parking area to accommodate (10) new spaces
- Construction of 5,500 square foot decorative rock-faced CMU warehouse with two overhead doors at grade and one overhead door at dock height

SITE ADDRESS

577 Shoreview Park Road, Shoreview, MN 55126

DESCRIPTION OF SUBJECT PROPERTY

The West 203.21 feet of that part of the Southwest Quarter of Section 25, Township 30, Range 23, described as follows: Commencing at a point 231 feet westerly of the easterly line of the Southwest Quarter of the Southwest Quarter and 640.69 feet northerly of the northerly right-of-way line of County Road E. as measured parallel to said easterly line (for descriptive purposes only said easterly line has an assumed bearing of North 00 degrees 02 minutes East); thence North 68 degrees 29 minutes 16 seconds West, 395.55 feet to the actual point of beginning of the parcel to be described; thence North 68 degrees 29 minutes 16 seconds West, 429.34 feet; thence North 00 degrees 02 minutes East, 456.73 feet more or less, to the southerly right of way line of Trunk Highway No. 694-393; thence southeasterly on last said right-of-way line, 422.44, more or less, to the intersection with a projection of a line at North 00 degrees 02 minutes East from the point of beginning; thence South 00 degrees 02 minutes West, 476.99 feet, more or less, to the point of beginning, Ramsey County, Minnesota.

NOTES

This survey does not purport to show all underground utilities. The source of information from plans and markings will be combined with observed evidence of utilities to develop a view of those underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary.

Utilities were marked in the field but were not marked to the building as requested. Information shown is derived from best sources.

Gopher State One Call Ticket Number 130650238 referenced for this site.

The contractor shall determine the exact location of any and all existing utilities before commencing work. The contractor shall be fully responsible for any and all damages arising out of his failure to exactly locate and protect all existing utility facilities.

Contact GOPHER STATE ONE CALL at 651-454-0002 for precise onsite location of utilities prior to any excavation.

Land Title, Inc. as agent for Stewart Title Guaranty Company Commitment No. 398829, effective date February 15, 2013 was relied upon as to matters of record.

The subject property appears to lie within Zone X, (area of areas outside the 1-percent annual chance floodplain, areas of 1% annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone. Insurance purchase is not required in these zones.), per the National Flood Insurance Program, Flood Insurance Rate Map Community Panel No. 27123C0020G, dated June 4, 2010 as acquired from the Federal Emergency Management Agency Web Site.

Area Information: Lot Area = 94,358 s.f. - 2.166 acres - Gross Area
7,206 s.f. - 0.165 acres - Right-of-way
87,152 s.f. - 2.001 acres - Net Area

Current zoning and setback information: (Not provided by Title Company)

Zoning: Industrial

Building Setbacks: Front Yard - 50 feet
Rear Yard - 20 feet
Side Yard - 10 feet

Building Height: 35 feet.

*Zoning and Setback information provided by the Planning Department of the City of Shoreview.

Survey coordinate and bearing basis: Ramsey County

No modifications to this survey or sketch may be performed by any person other than the surveyor signing this certification or persons under his direct supervision. This drawing and data is protected by federal copyright laws. Its reproduction and redistribution without proper consent is prohibited.

Benchmark: GSD Station #24972 - Mn/DOT 6285L

Elevation: 915.25 (NAVD88)

TITLE COMMITMENT NOTES:

12. Road easement over that part of the southwesterly 33 feet of the above described tract which lies southeasterly of a line beginning at a point on the southwesterly line of the above described tract distant 30.42 feet southeasterly of the southwesterly corner thereof; thence northeasterly on a line at right angles to the southwesterly line of the above described tract for a distance of 33 feet and said line there terminating. - No Document number - shown hereon

13. Lack of access to Trunk Highway 10-62, together with right of State of Minnesota to construct and maintain temporary snow fences, as set forth in Final Certificate of Document No. 1599286. - Shown hereon

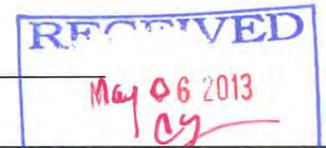
14. Lack of access to Trunk Highway 393, together with right of State of Minnesota to construct and maintain temporary snow fences, as set forth in Final Certificate of Document No. 1610311. - Shown hereon

This is to certify to Newvesco, LLC, a Minnesota limited liability company, Land Title Inc., and Stewart Title Guaranty Company that this map or plan and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a)(b), 7(a)(b1), 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21.

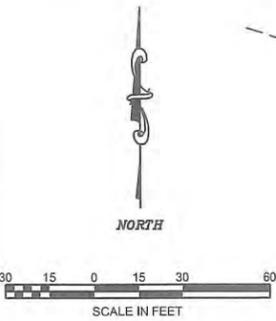
The field work was completed on September 21, 2012.

Dated the 24th day of September, 2012.

David B. Pemberton, Professional Land Surveyor
Minnesota License 40344

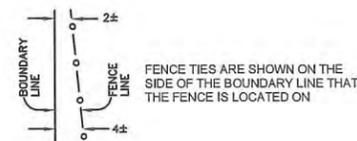


TWP.30 - RGE.23 - SEC.25 RAMSEY COUNTY BOOK XXX/PAGE XXX	ALTA/ACSM LAND TITLE SURVEY	FILE NO. 44765-002
SHOREVIEW, MINNESOTA	PREPARED FOR: NEWVESCO, LLC. LAND TITLE INC. STEWART TITLE GUARANTY COMPANY	1 1



LEGEND

- AIS Denotes Advertising-Informational Sign
- AC Denotes Air Conditioning Unit
- BFE Denotes Basement Floor Elevation
- CB Denotes Catch Basin
- CBOX Denotes Curb Box
- COL Denotes Building Column
- BEE Denotes Building Entrance Elevation
- TB Denotes Tele/Comm. Box/Ped
- CHH Denotes Communication Handhole
- CMH Denotes Communication Manhole
- CONC Denotes Concrete Surface
- CMP Denotes Corrugated Metal Pipe/Size
- DIP Denotes Ductile Iron Pipe/Size
- EB Denotes Electric Box
- EHH Denotes Electric Handhole
- TRAN Denotes Electric Transformer
- EMH Denotes Electric Manhole
- EM Denotes Electric Meter
- FF Denotes Fire Hookup
- FES Denotes Flared End Section/Size
- GASV Denotes Gas Valve
- GFE Denotes Garage Floor Elevation
- GM Denotes Gas Meter
- GDL Denotes Ground Light
- GP Denotes Guard Post
- GYW Denotes Guy Wire
- HCS Denotes Handicap Parking Sign
- HYD Denotes Fire Hydrant
- LP Denotes Light Pole
- MB Denotes Mailbox
- NOP Denotes No Parking Sign
- OHU Denotes Overhead Utility Line
- PKS Denotes Parking Sign
- PIV Denotes Post Indicator Valve
- RCP Denotes Re-inforced Concrete Pipe/Size
- RD Denotes Roof Drain
- SCN Denotes Sanitary Cleanout
- SMH Denotes Sanitary Manhole
- SV Denotes Septic Vent
- STP Denotes Stop Sign
- STMH Denotes Storm Manhole
- TRS Denotes Traffic Control Sign
- TL Denotes Traffic Light
- UGC Denotes Underground Communication Line
- UGE Denotes Underground Electric Line
- UGC Denotes Underground Gas Line
- SAN Denotes Underground Sanitary Sewer
- ST Denotes Underground Storm Sewer
- UP Denotes Utility Pole
- ULP Denotes Utility/Light Pole
- TNH Denotes Top Nut of Hydrant
- WMH Denotes Water Manhole
- WV Denotes Water Valve
- WET A-1 Denotes Wetland Delineation/Flag Identifier
- Denotes Existing Contour
- Denotes Proposed Contour
- Denotes Found Monument - As Denoted
- Denotes Found Cast - Iron - Monument
- Denotes 1/2" by 14" Iron Pipe Set and Marked by License No. 40344 or ad denoted



DELUXE CORPORATION ADDITION

BRIAN K. SMITH ADDITION



FIELD CREW	NO.	BY	DATE	REVISIONS
LAKE				
DRAWN BY				
DBP				
CHECKED BY				
DBP				
DATE				
03/15/13				

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ENGINEERS SURVEYORS
PLANNERS

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-8000

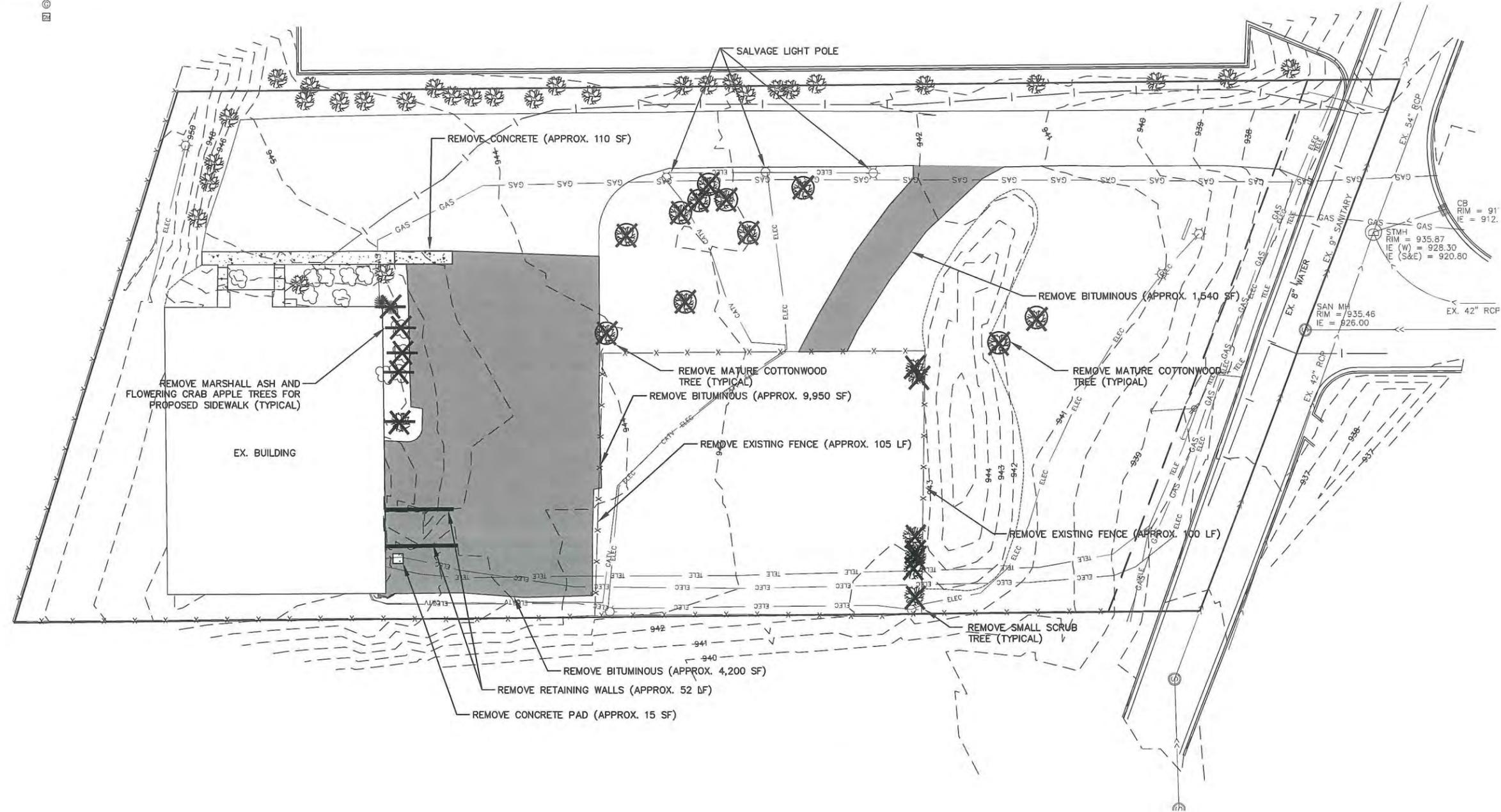
TWP.30 - RGE.23 - SEC.25 RAMSEY COUNTY BOOK XXX/PAGE XXX	ALTA/ACSM LAND TITLE SURVEY	FILE NO. 44765-002
SHOREVIEW, MINNESOTA	PREPARED FOR: NEWVESCO, LLC. LAND TITLE INC. STEWART TITLE GUARANTY COMPANY	1 1

EXISTING CONDITIONS AND REMOVALS



LEGEND

- | | | | |
|---------------------------|--|---------------|--|
| EXISTING STORM SEWER | | UTILITY POLE | |
| EXISTING STORM MANHOLE | | GUY OR ANCHOR | |
| EXISTING CATCH BASIN | | STREET LIGHT | |
| EXISTING FES | | GUARD POST | |
| EXISTING SANITARY SEWER | | SIGN | |
| EXISTING SANITARY MANHOLE | | BITUMINOUS | |
| EXISTING WATER MAIN | | CONCRETE | |
| EXISTING GATE VALVE | | | |
| EXISTING HYDRANT | | | |
| TELEPHONE PEDESTAL | | | |
| TELEPHONE CABLE | | | |
| TELEPHONE MANHOLE | | | |
| FIBER OPTIC CABLE | | | |
| FIBER OPTIC HAND HOLE | | | |
| OVERHEAD WIRES | | | |
| GAS MAIN | | | |
| GAS VALVE | | | |
| GAS METER | | | |



ELFERING & ASSOCIATES
 10062 FLANDERS CT NE
 BLAINE, MN 55449
 PH: 763-780-0450

NO.	DATE	REVISION DESCRIPTION

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 PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 SIGNATURE: *[Signature]* DATE: 5/6/13
 PRINTED NAME: LEE ELFERING LIC. NO. 4613

NEWESCO LLC.
R.J. MARCO
 EXISTING CONDITIONS AND REMOVALS

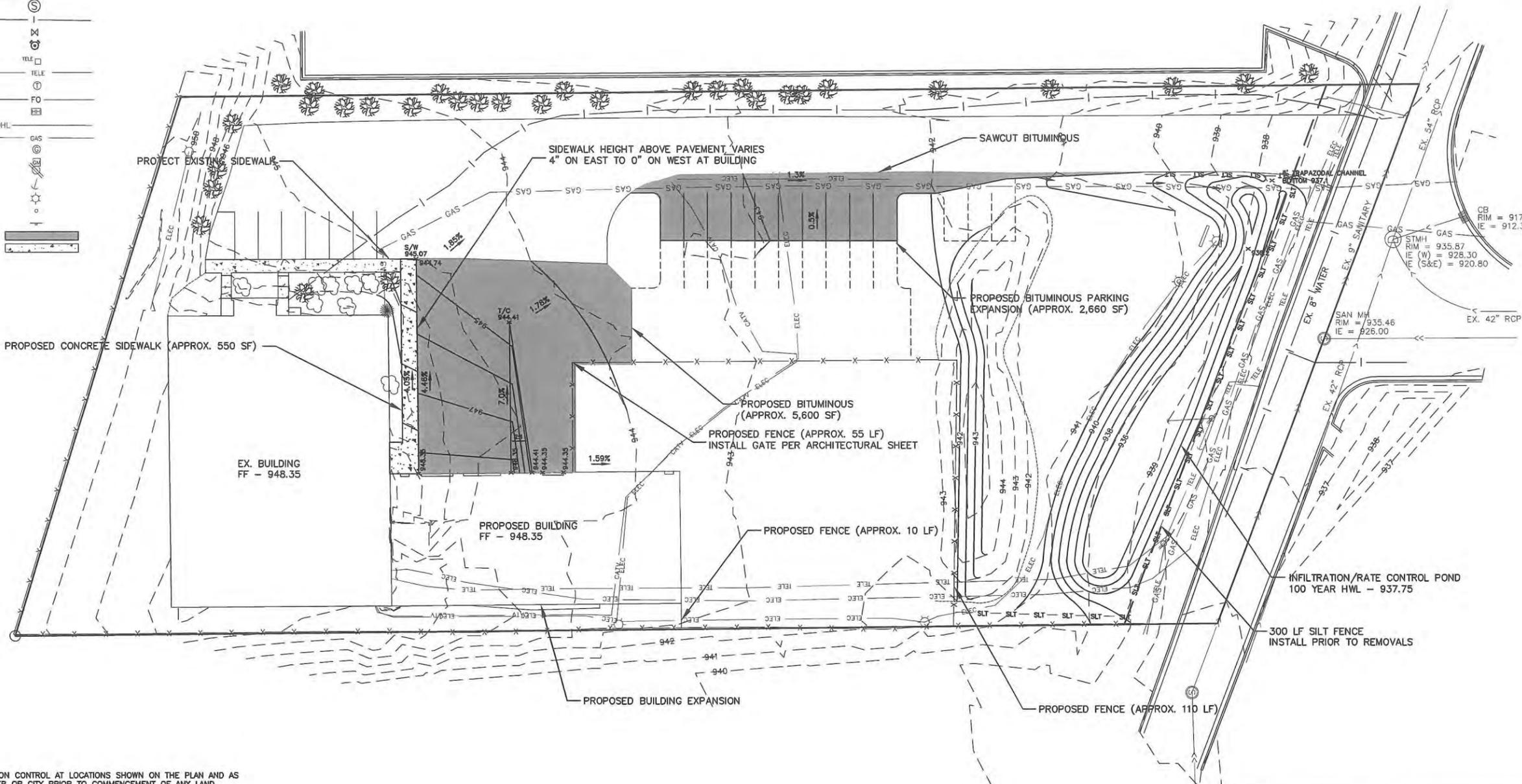
DESIGNED BY: KJE
 DRAWN BY: SMM
 APPROVED BY: KJE
 JOB NUMBER: 900018E
 CAD DATE: 5/6/13
 CAD FILE: BASE.DWG

GRADING AND EROSION CONTROL PLAN



LEGEND

- EXISTING STORM SEWER
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- EXISTING FES
- EXISTING SANITARY SEWER
- EXISTING SANITARY MANHOLE
- EXISTING WATER MAIN
- EXISTING GATE VALVE
- EXISTING HYDRANT
- TELEPHONE PEDESTAL
- TELEPHONE CABLE
- TELEPHONE MANHOLE
- FIBER OPTIC CABLE
- FIBER OPTIC HAND HOLE
- OVERHEAD WIRES
- GAS MAIN
- GAS VALVE
- GAS METER
- UTILITY POLE
- GUY OR ANCHOR
- STREET LIGHT
- GUARD POST
- SIGN
- BITUMINOUS
- CONCRETE



EROSION CONTROL NOTES:

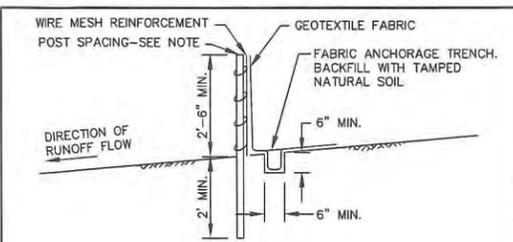
1. INSTALL PERIMETER EROSION CONTROL AT LOCATIONS SHOWN ON THE PLAN AND AS DIRECTED BY THE ENGINEER OR CITY PRIOR TO COMMENCEMENT OF ANY LAND DISTURBING ACTIVITIES.
2. THE CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENTS TRACKED OR OTHERWISE DEPOSITED ONTO PUBLIC AND PRIVATE PAVEMENT AREAS AND STORM SEWER SYSTEMS. REMOVAL SHALL BE ON A DAILY BASIS WHEN TRACKING OCCURS AND MAY BE ORDERED BY THE ENGINEER OR CITY AT ANY TIME. SWEEPING SHALL BE DONE IN A MANNER TO PREVENT DUST BEING BLOWN TO ADJACENT PROPERTIES.
3. LOCATE SOIL OR DIRT STOCKPILES NOT LESS THAN 25 FEET FROM ANY PUBLIC OR PRIVATE ROADWAY OR DRAINAGE CHANNEL. IF REMAINING FOR MORE THAN 7 DAYS, STABILIZE THE STOCKPILES BY MULCHING, VEGETATIVE COVER, TARPS, OR OTHER APPROVED MEANS. CONTROL EROSION FROM ALL STOCKPILES BY PLACING SILT BARRIERS AROUND THE PILES.
4. MAINTAIN ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES IN PLACE UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN STABILIZED. THE CONTRACTOR IS RESPONSIBLE FOR ALL STORM WATER INSPECTIONS. THIS INCLUDES BOTH WEEKLY INSPECTIONS AND INSPECTIONS DONE AFTER A 0.5" RAIN EVENT. A COPY OF THE INSPECTION REPORT MUST BE EMAILED TO THE DEVELOPER ON A WEEKLY BASIS.
5. TEMPORARILY OR PERMANENTLY STABILIZE ALL CONSTRUCTION AREAS WHICH HAVE UNDERGONE FINAL GRADING, AND ALL AREAS IN WHICH GRADING ACTIVITIES ARE NOT ACTIVELY UNDERWAY AGAINST EROSION DUE TO RAIN, WIND, AND RUNNING WATER WITHIN 7-DAYS.
7. THE CONTRACTOR SHALL REMOVE ALL TEMPORARY SYNTHETIC, STRUCTURAL, NON-BIODEGRADABLE EROSION AND SEDIMENT CONTROL DEVICES AFTER THE SITE HAS UNDERGONE FINAL STABILIZATION WITH PERMANENT VEGETATION ESTABLISHMENT. FINAL STABILIZATION FOR PURPOSES OF THIS REMOVAL IS 70% ESTABLISHED COVER OVER DISTURBED AREA.
8. IF DEWATERING OR PUMPING OF WATER IS NECESSARY, THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND /OR APPROVALS PRIOR TO DISCHARGE OF ANY WATER FROM THE SITE.

CONSTRUCTION NOTES:

1. THE EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.
2. BLACK DIRT TO BE STRIPPED, SALVAGED, AND STOCKPILED FROM ALL AREAS TO BE DISTURBED PRIOR TO ANY GRADING.
3. RESTORE ALL DISTURBED AREAS EXCLUDING THE PAVED AND GRAVEL AREAS AND INFILTRATION/RATE POND WITH A MINIMUM OF 4" TO 6" OF SALVAGED TOPSOIL.
5. SEED ALL DISTURBED AREAS EXCLUDING THE PAVED AND GRAVEL AREAS INFILTRATION/RATE POND WITH MNDOT MIXTURE 250 AT A RATE OF 150 LBS/ACRE AND FERTILIZER WITH 20-0-10 AT 100 LBS/ACRE WITHIN 48 HOURS OF THE COMPLETION OF GRADING OPERATIONS.

INFILTRATION BASIN NOTES:

1. THE CONTRACTOR SHALL EXERCISE CARE TO MINIMIZE COMPACTION OF SOILS IN AND AROUND THE INFILTRATION/RATE POND AREA DESIGNATED ON THE PLAN. EXCAVATION AND PLACEMENT OF MATERIAL IN THE INFILTRATION AREAS SHALL BE BY BACKHOE FROM THE PERIMETER. IF EQUIPMENT IS USED IN THE INFILTRATION AREAS THE BOTTOM SHALL BE RIPPED A MINIMUM OF DEPTH OF 2 FEET BELOW THE LOWEST EXCAVATED ELEVATION.
2. THE CONTRACTOR SHALL NOTIFY RAMSEY WASHINGTON METRO WATERSHED DISTRICT STAFF OR CITY AT LEAST 48 HOURS PRIOR TO THE CONSTRUCTION OF THE INFILTRATION AREAS.



- NOTE:
1. SILT FENCES CONSTRUCTED WITH SUPPORT FENCES, POSTS SHALL BE SPACED AT 10' OR LESS, AND DRIVEN AT LEAST 2' INTO THE GROUND.
 2. SILT FENCES CONSTRUCTED WITHOUT SUPPORT FENCES, POST SHALL BE SPACED AT 4' OR LESS, AND DRIVEN AT LEAST 3' INTO THE GROUND.
 3. SILT FENCE SHALL CONFORM TO MNDOT STD SPEC FOR CONSTRUCTION 3886.

EROSION CONTROL DETAIL

ELFERING & ASSOCIATES
 10062 FLANDERS CT NE
 BLAINE, MN 55449
 PH: 763-780-0450

NO.	DATE	REVISION DESCRIPTION

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 SIGNATURE: *[Signature]* DATE: 5/6/13
 PRINTED NAME: LEE ELFERING LIC. NO. 41813

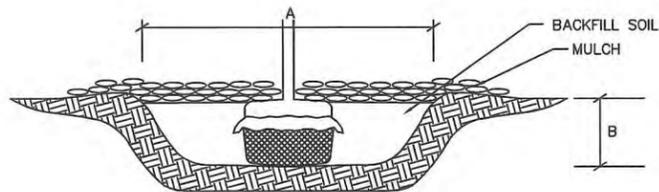
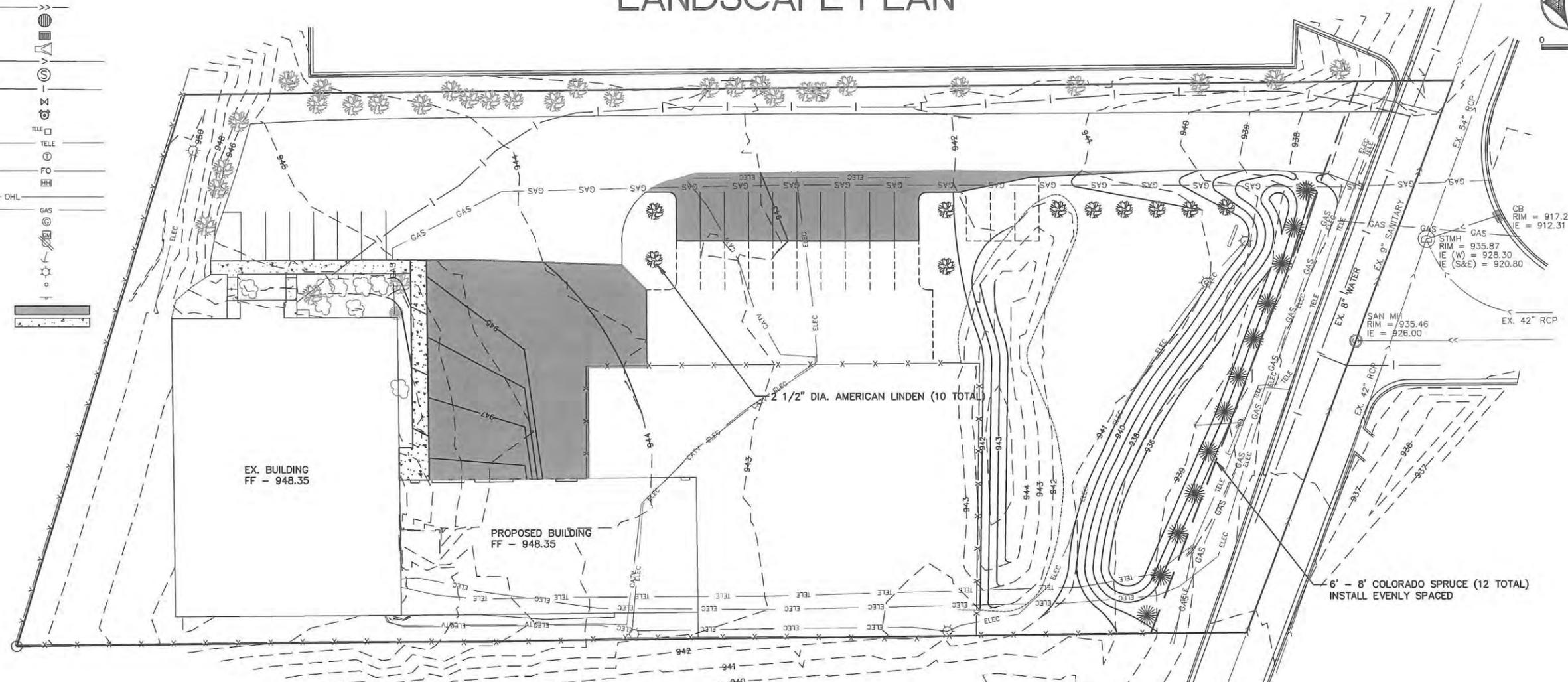
NEWESCO LLC.
 R. J. MARCO
 GRADING AND EROSION CONTROL PLAN

DESIGNED BY: KJE
 DRAWN BY: SUM
 APPROVED BY: KJE
 JOB NUMBER: 900018E
 CAD DATE: 5/6/13
 CAD FILE: BASE.DWG

LEGEND

- EXISTING STORM SEWER
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- EXISTING FES
- EXISTING SANITARY SEWER
- EXISTING SANITARY MANHOLE
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- FIBER OPTIC HAND HOLE
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- GAS MAIN
- GAS VALVE
- GAS METER
- UTILITY POLE
- GUY OR ANCHOR
- STREET LIGHT
- GUARD POST
- SIGN
- BITUMINOUS
- CONCRETE

LANDSCAPE PLAN



BALLED & BURLAPPED STOCK

1. SCARIFY SIDES AND BOTTOM OF HOLE.
2. PROCEED WITH CORRECTIVE PRUNING AS DIRECTED BY ENGINEER.
3. SET PLANT ON UNDISTURBED NATIVE SOIL, OR THOROUGHLY COMPACTED BACKFILL SOIL AT THE SAME DEPTH (IF PROPER) AS IT WAS GROWN IN THE NURSERY.
4. PLANT SHALL BE PLACED IN PLANTING HOLE WITH BURLAP AND WIRE BASKET, IF USED, INTACT. ONCE IN PLACE, THE PLANT SHALL BE BACKFILLED TO WITHIN 12" OF THE TOP OF THE ROOTBALL AND WATERED. THE BURLAP SHALL BE FOLDED OR CUT BACK.
5. PLUMB AND BACKFILL WITH THE BACKFILL SOIL SPECIFIED.
6. APPLY WATER TO SETTLE PLANTS AND FILL VOIDS THEN CONSTRUCT 3" DEPTH WATERING BASIN.
7. WATER THOROUGHLY WITHIN 2 HOURS.
8. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.

GENERAL NOTES

- PLANTING HOLE CULTIVATION:** ALL ISOLATED TREE PLANTING LOCATIONS SHALL BE CULTIVATED BY TILLING TO A MINIMUM DEPTH OF 10". SOIL AMENDMENTS SHALL BE APPLIED DURING CULTIVATION.
- BACKFILL SOIL:** USE CULTIVATED AND AMENDED SOIL EXCAVATED FROM PLANTING HOLES. REMOVE ALL DEBRIS INCLUDING ROCKS LARGER THAN 3" DIA. FROM PLANTING HOLES.
- MULCH MATERIAL:** Mn/DOT 3882 TYPE 6, UNLESS OTHERWISE SPECIFIED.

PLANT TYPE	PLANTING HOLE DIMENSIONS		
	PLANT SIZE (UP TO AND INCLUDING)	MINIMUM HOLE WIDTH (INCHES)	MINIMUM HOLE DEPTH (INCHES)
		A	B
TREES	2' spread B.B.	36	9
	2 1/2' spread B.B.	42	11
	3' spread B.B.	48	12

WATERING GUIDELINES:	PLANT TYPE	AVERAGE AMOUNT OF WATER PER APPLICATION (GALLONS)
	MACHINE TRANSPLANTED TREES (3" CALIPER+)	50-100
	BALLED & BURLAPPED TREES	20 +/-
	BARE ROOT TREES	15 +/-

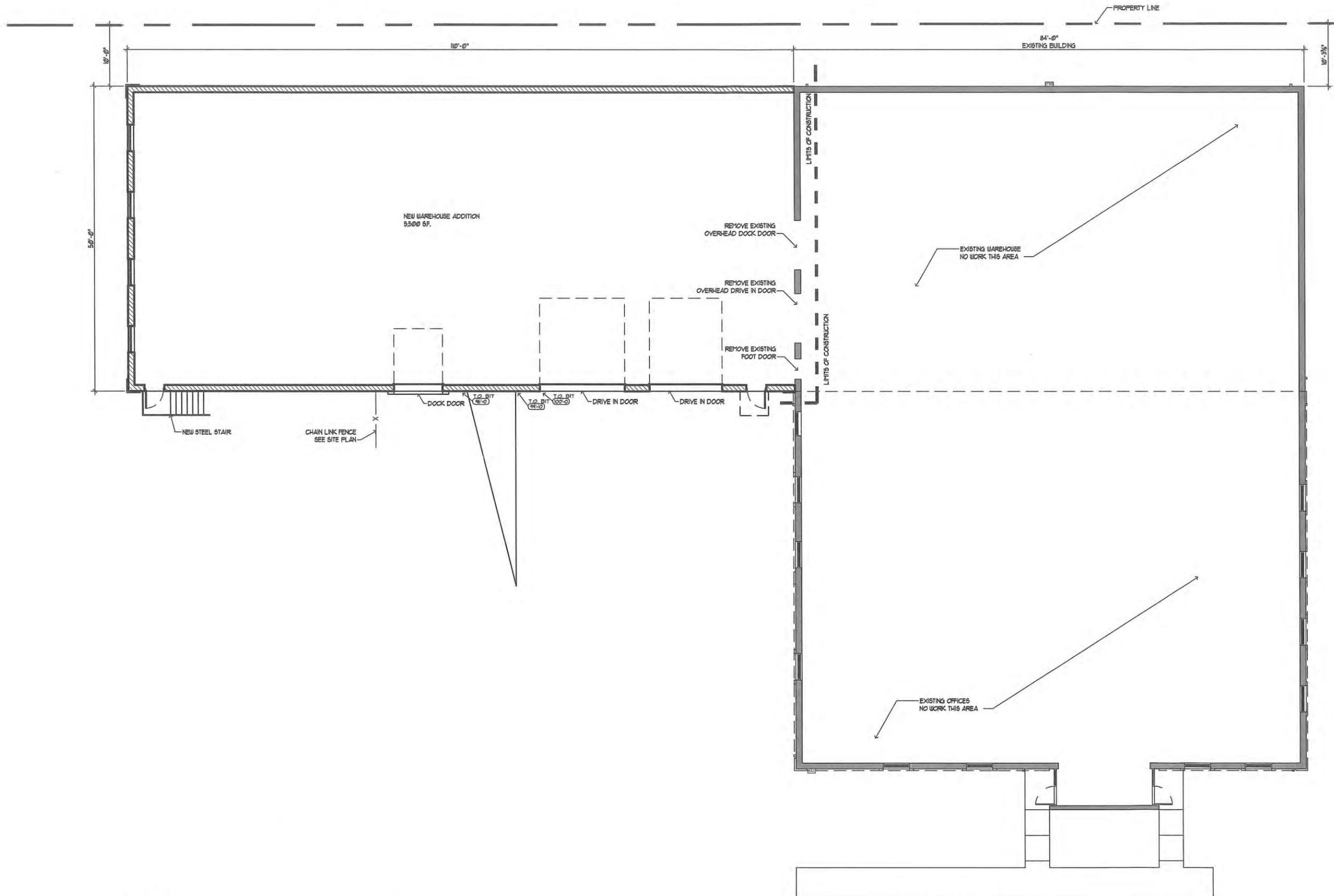
- 1) THE WATERING GUIDELINES ASSUME A SOIL CONDITION WITH ADEQUATE BUT NOT EXCESSIVE OR POOR DRAINAGE. WATERING INTERVALS AND AMOUNT OF APPLICATION MUST BE VARIED CONSIDERING PREVAILING SOIL MOISTURE AND WEATHER CONDITIONS THROUGHOUT THE GROWING SEASON. ADEQUATE, BUT NOT EXCESSIVE, SOIL MOISTURE IN THE ROOT ZONE OF NEW PLANTINGS MUST BE MAINTAINED AT ALL TIMES THROUGHOUT THE GROWING SEASON FOR THE FIRST TWO YEARS FOLLOWING PLANTING. WATERING MAY BE REQUIRED WEEKLY OR INFREQUENTLY. THIS DETERMINATION SHALL BE MADE BY THE CONTRACTOR.
- 2) THE CONTRACTOR IS ADVISED THAT THE WATERING GUIDELINES ARE NOT REQUIREMENTS OF THE CONTRACT, ALTHOUGH FAILURE TO CORRECT WATER DEFICITS BY SUPPLEMENTAL WATERING OR FAILURE TO COMPENSATE FOR EXCESSIVE SOIL MOISTURE AND DRAINAGE PROBLEMS MAY RESULT IN UNACCEPTABLE PLANTS LEADING TO REDUCED OR NO PAYMENT.

ELFERING & ASSOCIATES
 10062 FLANDERS CT NE
 BLAINE, MN 55449
 PH: 763-780-0450

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION AND CONTRACT DOCUMENTS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 SIGNATURE: *[Signature]* DATE: 5/6/13
 PRINTED NAME: LEE ELFERING LIC. NO. 41613

NEWWESCO LLC.
 R. J. MARCO
 LANDSCAPE PLAN

DESIGNED BY: KJE
 DRAWN BY: SMM
 APPROVED BY: KJE
 JOB NUMBER: 900018E
 CAD DATE: 5/6/13
 CAD FILE: BASE.DWG



1
A101 PROPOSED FLOOR PLAN
SCALE: 1/16" = 1'-0"



1959 Sloan Place, Suite 100
Maplewood, MN 55117
Phone: (651) 487-3281
Fax: (651) 487-3283
NAI-Architects.com

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.

Signature: *John K. Gaspar*
Typed Name: JOHN K. GASPAR
Date: 5/3/2013 Reg. No. 16430

RJ MARCO
CONSTRUCTION
GENERAL CONTRACTOR

Proposed Addition for:
Newvesco LLC

577 Shoreview Park Rd
Shoreview, MN 55126

Owner:
Newvesco LLC
Glen Adams
577 Shoreview Park Rd
Shoreview, MN 55126

File Name: R:\2013\2013-Newvesco\20130204\101-Floor_Plan.dwg
Last Modified: May 06, 2013
Plot Date: May 06, 2013 at 08:39am

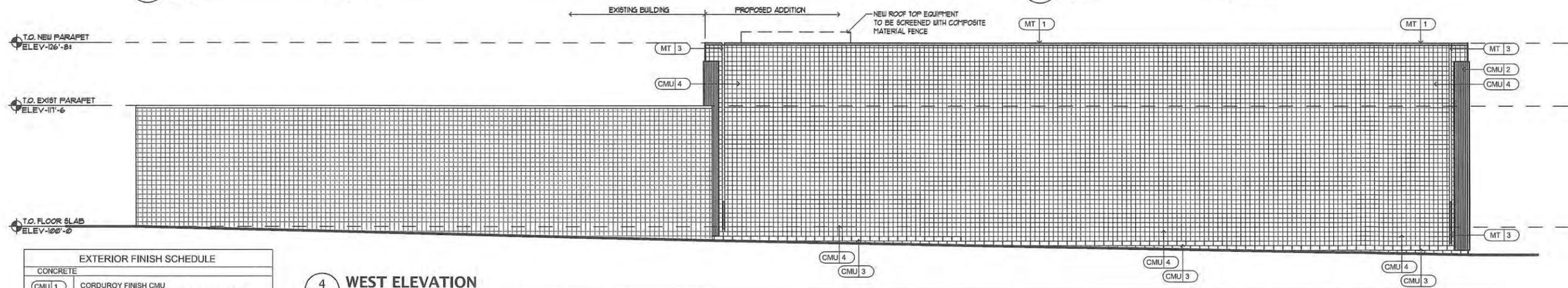
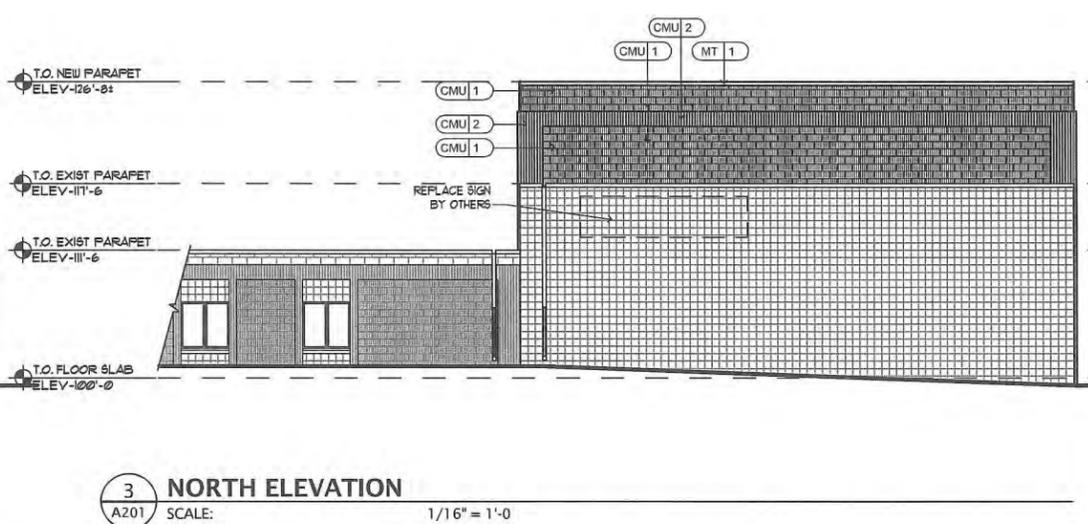
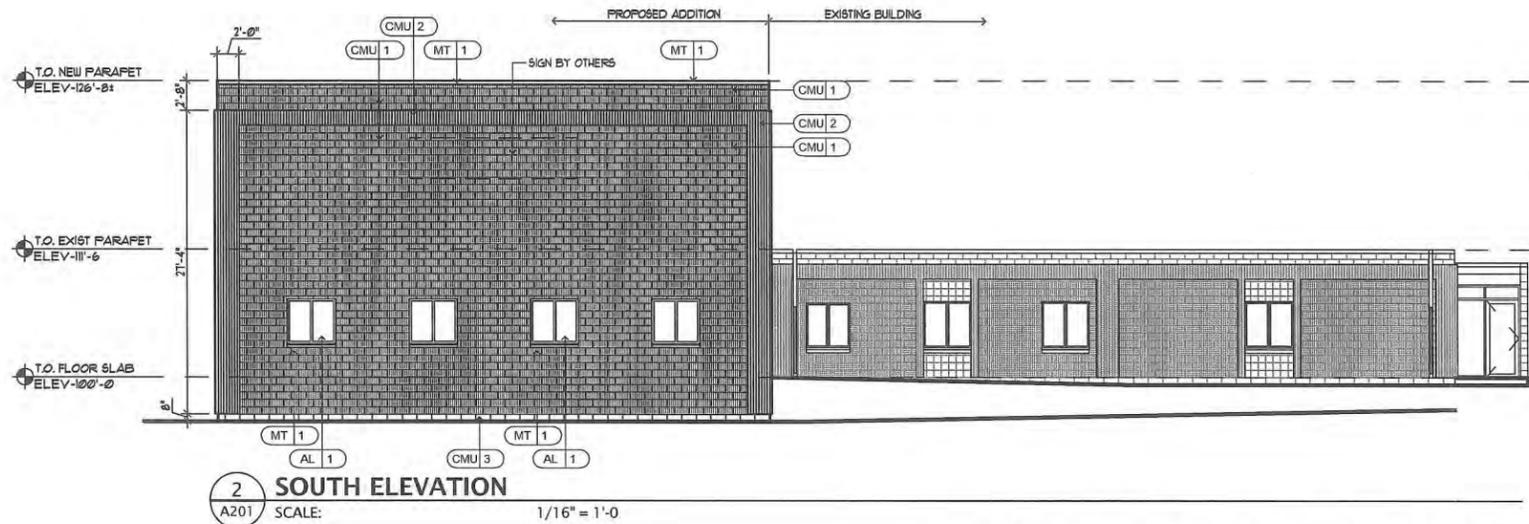
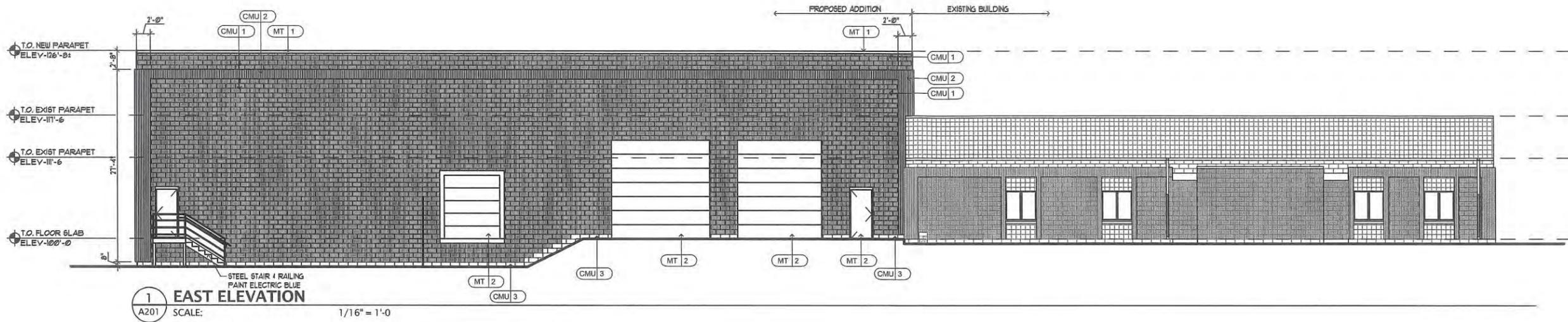
Issues & Revisions:

No.	Description	Date

Comm. No.: 2013029
Drawn By: SGB
Date: 05/03/2013

Sheet Name:
PROPOSED FLOOR PLAN

Sheet No.:
A101



EXTERIOR FINISH SCHEDULE	
CONCRETE	
CMU 1	CORDUROY FINISH CMU PAINT TO MATCH EXISTING BUILDING (GRAY)
CMU 2	BREAK-OFF BROKEN FINISH CMU PAINT TO MATCH EXISTING BUILDING (GRAY)
CMU 3	STANDARD CMU - T.O. CMU 8\"+/- ABOVE GRADE PAINT TO MATCH EXISTING BUILDING (GRAY)
CMU 4	SINGLE SCORE FINISH CMU PAINT TO MATCH EXISTING BUILDING (GRAY)
OP 1	CONCRETE SILL PAINT TO MATCH EXISTING BUILDING (GRAY)
METALS	
MT 1	PREFINISHED METAL FLASHING MATCH EXISTING COLOR (ELECTRIC BLUE)
MT 2	INSULATED HOLLOW METAL DOOR PAINT TO MATCH WALL (GRAY)
MT 3	PREFINISHED METAL SCUPPER & DOWNSPOUT MATCH EXISTING COLOR (ELECTRIC BLUE)
AL 1	CLEAR ANODIZED ALUMINUM FRAME 1\" INSULATED LOW 'E' GLASS, TINT COATING OR FILM

nai ARCHITECTS

1959 Sloan Place, Suite 100
Maplewood, MN 55117

Phone: (651) 487-3281
Fax: (651) 487-3283
NAI-Architects.com

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.

Signature: *John K. Gaspar*
Typed Name: JOHN K. GASPAR
Date: 5/3/2013 Reg. No. 16430

RJ MARCO
CONSTRUCTION
GENERAL CONTRACTOR

Proposed Addition for:
Newvesco LLC

577 Shoreview Park Rd
Shoreview, MN 55126

Owner:
Newvesco LLC
Glen Adams
577 Shoreview Park Rd
Shoreview, MN 55126

File Name: W52013029-Newvesco.rvt
20130309-14:20:42-DWT_042013.rvt
Last Modified: May 06, 2013
Plot Date: May 06, 2013 at 08:41am

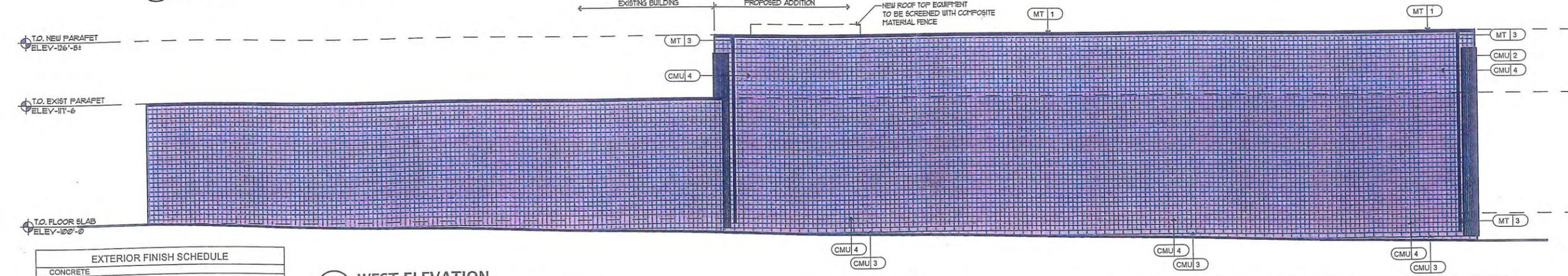
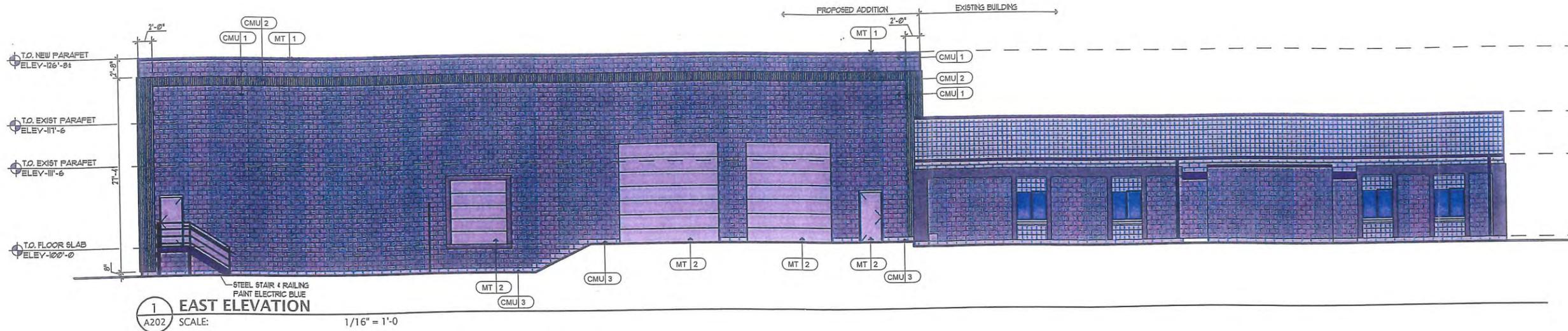
Issues & Revisions:

No.	Description

Conn. No.: 2013029
Drawn By: SGB
Date: 05/03/2013

Sheet Name:
PROPOSED EXTERIOR ELEVATIONS

Sheet No.:
A201



EXTERIOR FINISH SCHEDULE	
CONCRETE	
CMU 1	CORDUROY FINISH CMU PAINT TO MATCH EXISTING BUILDING (GRAY)
CMU 2	BREAK-OFF BROKEN FINISH CMU PAINT TO MATCH EXISTING BUILDING (GRAY)
CMU 3	STANDARD CMU - T.O. CMU 8\"/>

4 WEST ELEVATION
SCALE: 1/16" = 1'-0"



PROPOSED SIGN ON SOUTH ELEVATION OF NEW ADDITION
CAN TYPE W/ LEXAN COVER
INTERNALLY ILLUMINATED
APPROX. 4' X 12'

5 NEW SIGN
SCALE: NOT TO SCALE

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.
Signature: *John K. Gaspar*
Typed Name: JOHN K. GASPAR
Date: 5/3/2013 Reg. No. 18430

RJ MARCO
CONSTRUCTION
GENERAL CONTRACTOR

Proposed Addition for:
Newvesco LLC

577 Shoreview Park Rd
Shoreview, MN 55126

Owner:
Newvesco LLC
Glen Adams
577 Shoreview Park Rd
Shoreview, MN 55126

File Name: W:\2013\2013-Newvesco\050313-AR202-CLUR-EXT-0420.dwg
Last Modified: May 06, 2013
Plot Date: May 06, 2013 at 08:45am

Issues & Revisions:

No.	Description

Comm. No.: 2013029
Drawn By: SGB
Date: 05/03/2013

Sheet Name:
PROPOSED EXTERIOR ELEVATIONS

Sheet No.:
A202

PROPOSED MOTION

MOVED BY COUNCILMEMBER _____

SECONDED BY COUNCILMEMBER _____

to approve an On-Sale Wine and 3.2 Malt Beverage License for Red Ginger China Bistro for the license term of July 1, 2013 to June 30, 2014.

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

Regular Council Meeting
June 3, 2013

TO: MAYOR AND COUNCILMEMBERS

**FROM: TERRI HOFFARD
DEPUTY CLERK**

DATE: MAY 23, 2013

SUBJECT: LIQUOR LICENSE RENEWAL-RED GINGER CHINA BISTRO

INTRODUCTION

The City Council must approve all liquor license renewals. Liquor licenses are valid from July 1 through June 30 of each year. At their meeting on May 20, 2013, the City Council approved all liquor license renewals with the exception of the Red Ginger China Bistro, located at 5999 Rice Creek Parkway. At that meeting, the question was raised about the license type being applied for by Red Ginger China Bistro.

BACKGROUND

In 2002, the City Council approved an On-Sale Intoxicating liquor license for what was then known as the Red Ginger Asian Bistro. That restaurant closed in December 2008. When the Red Ginger China Bistro reopened under new ownership in October 2009, the new owner, Michael Chan, applied for an On-Sale Wine and 3.2% liquor license for the establishment.

In 2011, Mr. Chan applied for and received an On-Sale Intoxicating and Sunday liquor license. Since that time, Red Ginger China Bistro has had an On-Sale Intoxicating and Sunday license. When Mr. Chan submitted his paperwork for the renewal of his liquor license for 2013-2014, he decided to only apply for an On-Sale Wine and 3.2% liquor license. This license will allow the establishment to sell wine, strong beer and wine coolers but not hard liquor. Hard liquor sales will not be permitted at this location beginning July 1.

RECOMMENDATION

It is recommended that the City Council approve the renewal of an On-Sale Wine and 3.2 Malt Beverage License for the Red Ginger China Bistro for the license term of July 1, 2013 to June 30, 2014.

PROPOSED MOTION

MOVED BY COUNCIL MEMBER: _____

SECONDED BY COUNCIL MEMBER: _____

To approve the preliminary plat and amendment to the planned unit development stage applications submitted by Target Corporation, 3800 Lexington Avenue. Said approval is subject to the following:

Preliminary Plat

1. The Final Plat shall include a sidewalk easement along Red Fox Road and public drainage and utility easements as required by the Public Works Director.
2. The applicant shall apply for a Vacation, to vacate the existing easements that are no longer required as part of the development site. The Vacation Application shall be submitted concurrently with the Final Plat.
3. The applicant shall execute an agreement between the Lots 1 and 2 addressing the shared driveway, access, signage and maintenance. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. Executed and recorded copies of the required agreements shall be submitted to the City prior to the issuance of a building permit on Lot 2.
5. Outlot A shall be conveyed to the City.
6. A sign easement that encumbers the existing Target Sign on Lot 2 shall be conveyed and benefit Lot 1. This easement shall be submitted to the City Attorney for review and approval prior to the release of the Final Plat for recording.
7. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

Planned Unit Development – Amendment

1. This PUD amendment replaces the previous PUD approvals from 1989, 1990 and 2000.
2. A Development Agreement shall be executed and shall include applicable provisions from the previous PUD approvals referenced in Condition No. 1 above as well as any requirements associated with this PUD amendment.

3. The applicant shall execute an agreement between the Lots 1 and 2 addressing the shared driveway, access, signage and maintenance. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's review of the Final Stage PUD plans and Final Plat.
4. Development on Lot 2 shall require an amendment to this Planned Unit Development.
5. Target agrees to work with the City on developing a landscape plan that addresses landscaping within the landscape islands where trees have died and have been removed. Said plan shall be submitted with the Final PUD application.
6. Truck traffic to Lot 1 shall be prohibited between the hours of 12:00 am and 5:00 am with the exception of trailer drop-offs.
7. An exception to the City's minimum parking requirements is approved as part of this PUD. As indicated in the submittal, 765 stalls shall be provided on Lot 1 for the SuperTarget Retail store.
8. The existing freestanding sign on Lexington Avenue identifying the SuperTarget store may remain provided a sign easement is conveyed to and benefits Lot 1. It is the City's preference that this sign be shared with the future use of Lot 2.
9. The existing condition limiting the retail hours of the SuperTarget Store from 7:00 am to 12:00 am shall be lifted with this approval.
10. Target is released from the responsibility imposed with the 1989 PUD requiring snow removal on Red Fox Road as this road is plowed and maintained by the City of Shoreview. Target shall continue to be responsible for the removal of snow on the South Access Road until such time the City takes over snow plowing on said road.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated commercial land use in the Comprehensive Plan.
2. The proposed subdivision complies with the subdivision standards identified in the City's Development Code.
3. The subdivision of the property benefits the City, as the Outlot A will be conveyed to the City for stormwater ponding associated with the Red Fox Road construction project.

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

Johnson	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

Regular City Council Meeting

June 3, 2013

TO: Mayor, City Council and City Manager
FROM: Kathleen Nordine, City Planner
DATE: May 30, 2013
SUBJECT: File No. 2485-13-12, Preliminary Plat and Planned Unit Development – Amendment, 3800 Lexington Avenue

Introduction

The City received applications for a Preliminary Plat and amended Planned Unit Development (PUD) from Target Corporation for their SuperTarget Retail Store located at 3800 Lexington Avenue. The proposed preliminary plat divides the property into three parcels: Lot 1- SuperTarget Store, Lot 2 - new parcel for future retail development and Outlot A - stormwater pond to be conveyed to the City.

The proposed subdivision proposal does affect the approved PUD for the property and needs to be amended. Issues addressed in the amended PUD include parking, the free-standing sign/shared signage and impervious surface coverage. Target is also asking that restrictions imposed as part of the PUD which limits the hours of operation and deliveries be lifted. Target has indicated that they are not proposing to expand the hours at this time, but do want some flexibility so they are able to respond to the market competitively.

The application was complete as of May 6, 2013.

Site History

In 1989, Target Corporation approached the City with plans to develop a retail center that included a Target retail facility and a grocery store. These plans were reviewed via the PUD process and approved using the regulations from the C1, Retail Service District as the underlying zoning district. In addition, other performance standards requiring interior dumpster locations, no outside storage and screened cart storage were stipulated with the approval. Target Corporation submitted a revised plan in 1990 that included an expanded area for the Target retail store and set aside the area north of the building for future development. The site was originally developed in accordance with these plans and consisted of a Target Greatland store that had a gross floor area of 144,000 square feet.

In 1994, Target Corporation approached the City with plans to expand this store and change the operations from a Target Greatland to a SuperTarget. Applications were submitted but withdrawn before City Council Action.

Target Corporation came back in 2000 with another proposal to expand the store and change the operations to a SuperTarget retail facility. These plans were approved by the City and a building addition was completed on the north side of the structure. Nearby residents expressed concern

regarding the noise impact from a potential 24-hour retail operation during the review process. In response, conditions were imposed limiting the hours of operation for the retail store from 7:00 am and 12:00 am and prohibiting truck traffic between 12:00 am and 5:00 am.

Site Characteristics

The property is located on Lexington Avenue, south of Interstate 694 and has access from Red Fox Road and a public access road off of Lexington Avenue. The 14.38 acre site is currently platted as two parcels and developed with the SuperTarget retail store (183,875 square feet), an off-street parking lot, loading dock area, and stormwater management facilities.

The property is located in a PUD zone that has an underlying zoning district of C1, Retail Service. Department stores are a permitted use in this zoning district. The adjacent properties to the north are also developed with commercial uses but the zoning varies from C2, General Commercial to PUD. The property to the east is zone R1, Detached Residential but is owned by Ramsey County and developed with a golf course. Immediately to the south, is the YMCA recreation center which is zoned C1, Retail Service. Across Lexington Avenue to the east, is the City of Arden Hills which is developed with a variety of commercial and/or business related land uses.

The closest residential development is the Island Lake Avenue neighborhood that is located immediately south of the YMCA. The residential properties are about 560' from the Target property.

Project Description

Target Corporation has submitted applications for a preliminary plat and an amended PUD for the City's consideration.

Preliminary Plat

The property is currently platted as two parcels, Lots 1 and 2, and includes a drainage easement for the stormwater pond over Lot 2, along with a variety of other public drainage and utility easements that encumber the site. The proposed subdivision would re-divide the property into three lots:

Lot 1 – 12.28 acres, containing the existing SuperTarget store and associated parking

Lot 2 – 1.14 acres, developed with parking but intended for future retail development

Outlot A – 0.96 acres, containing the stormwater pond, and would be conveyed to the City.

The plat complies with the minimum standards of the C1 district and the subdivision standards. Easements are being required along Lexington Avenue, Red Fox Road and the South Access drive. An existing easement will be retained for stormwater infrastructure related to the drainage on the property and the ponding area. Other existing easements that do not serve a public purpose will be vacated with the Final Plat.

Target is proposing to create a new commercial parcel, Lot 2, for future retail development. This parcel is located in the southwestern corner of the property and would share access off of the existing driveway from the public access road immediately south of the property. This parcel is currently developed with parking area for the retail store. The use of this parking area is low due to the distance from the store. Furthermore, Target does not believe the parking provided in this portion of the lot is needed to meet their parking demand. An agreement will be required to address the shared driveway and access that will exist between Lots 1 and 2 as proposed.

Outlot A is being conveyed to the City. This outlot is developed with a stormwater pond that manages stormwater from the Target property and some of the adjoining property. Last year, the City approached Target regarding the possibility of using this pond for the treatment of stormwater runoff associated with the Red Fox Road improvement project. Target has agreed to this conveyance in consideration of a reduced assessment for the road project. The pond will be modified, enlarged and include a sand filter to treat run-off from Red Fox Road and the surrounding drainage area including the Target and TCF sites.

PUD – Amendment

An amendment to the PUD has also been submitted to reflect changes associated with the proposed plat but also address changes pertaining to Target's operation. These include:

Parking

With the division of Lot 2, the parking provided for the Target store will be reduced from 855 stalls to 765 stalls. Ninety stalls are located on Lot 2. Parking was previously reviewed by the City when the addition was constructed in 2000. At this time, the parking requirements were applied based on the use of the building (warehouse and retail) and the number of stalls provided on site exceeded the 806 stalls required.

Target has further evaluated their parking needs by looking at actual utilization at several Target and SuperTarget sites throughout the country. Parking demand for the Shoreview store at its peak is 544 stalls or 2.96 stalls per 1000 square feet. The proposed 765 stalls provides a ratio of 4.16 stalls and is less than required by the Development Code.

The Development Code does provide an exception to the minimum parking requirements. Less than the minimum parking required is encouraged provided the applicant demonstrates that the proposed use has less parking demand than required by the Development Code. Proof of parking, however, is required.

Target has provided sufficient evidence that the parking demand generated by the retail store is less than required. When the proof of parking standard is applied, there is a deficiency of 41 stalls. Based on the information presented by Target, it is Staff's opinion that ample parking will be provided even at peak demand. Flexibility can be given to the City's standards with the PUD.

Freestanding Sign

The existing freestanding sign identifying the SuperTarget is located on the proposed Lot 2. It is Target's intent to retain this sign, however, once the property is subdivided, this sign becomes an off-site sign which is not permitted by the Development Code. Target is asking the PUD be amended to allow this sign to remain.

Lot 2 would be encumbered with a private sign easement that would permit Target to retain the sign and have access for maintenance. Target has stated that they are willing to share this sign with the future use of Lot 2, and they want to reserve this right as part of the PUD. In accordance with the Sign Code, only one free-standing sign is permitted on Lot 2. Allowing a second panel on the existing sign would comply with this standard.

Impervious Surface Coverage

The amount of impervious surface coverage existing on the development site will not change since no development is proposed at this time. The existing impervious surface coverage is 83.02% and exceeds the maximum 80% permitted for commercial properties. Flexibility to this standard was approved with the 2000 PUD amendment for the SuperTarget retail store. With the division of this property into three lots, impervious surface coverage will be as follows:

Lot 1 – 90.77%

Lot 2 – 69.35%

Outlot A – 0%

Hours of Operation and Deliveries

Target is also asking that restrictions on the hours of operation and deliveries imposed with the PUD amendment in 2000 be lifted. The conditions limit the hours of operation for the retail store from 7:00 am and 12:00 am and prohibits truck traffic between 12:00 am and 5:00 am, with the exception of trailer drop-offs. Target has indicated that they are not proposing to expand the hours at this time, but do want some flexibility so they are able to respond to the market competitively.

These conditions were placed upon the PUD due to concerns expressed by nearby residents regarding noise. With the building addition in 2000, the loading dock area was relocated from the southeast corner of the building to the northeast corner. At that time, it was anticipated that the impact on the Island Lake residential neighborhood to the south would be lessened. Vehicles using the docks enter from the South Access Road, drive around the east side of the building and pull back into the loading area. Despite this change, residents have still expressed concerns about noise from the delivery operations.

Commercial land uses within the Lexington Avenue corridor have increased within the past decade with the commercial development on the east side of Lexington Avenue in Arden Hills and the Red Fox Road Retail area. The retail market has also changed with the increase of 24/7 operations year round and around the Christmas holiday season. Generally, conditions

restricting hours of operation or deliveries are imposed when commercial or business land uses are directly adjacent to residential land uses.

The Island Lake residential neighborhood is located about 560' to the south of the Target property and is separated by the YMCA. This neighborhood is unique as it is isolated from other resident neighborhoods due to the proximity to the County open space and commercial and quasi-public uses on Lexington Avenue. To minimize impacts on the neighborhood, Staff is supportive of retaining the truck delivery hour restrictions but recommends lifting the hours of operation limitations imposed on the retail operation.

Snow Removal – Public Streets

The last modification to the PUD being requested pertains to snow removal on the adjoining Red Fox Road and the South Access Road. In accordance with the 1989 approvals, Target is required to remove snow on both these roadways. Since then, the City has taken over the responsibility of snow removal on Red Fox Road. Snow removal on the South Access driveway remains the responsibility of Target. Target is requesting that the PUD be amended to relieve them of snow removal requirement on Red Fox Road and maintain their responsibility for snow removal on the South Access Road until such time the City takes on that responsibility. Staff believes this request is reasonable and is consistent with current practices.

Red Fox Road Improvements

At their May 6th meeting, the City Council authorized the contract for the Red Fox Road reconstruction project. This roadway is being improved to better manage traffic flow on the roadway that is generated by the adjoining commercial and public land uses. While a full traffic study was not completed, traffic data submitted by a developer provided the information needed for the road design. Improvements include the addition of a middle turn lane and medians, signal modifications, replacement or relocation of water and sanitary sewer infrastructure, sidewalks and street lighting. Stormwater will be directed to the existing pond on the Target property which will be increased in size and modified by adding a sand filter system.

In addition, a right turn lane on Lexington Avenue to Red Fox Road and pedestrian signal crossing improvements at the Red Fox Road/Lexington intersection are included as part of this project.

Public Comment

The notification range for these applications was extended beyond the 350-feet to include the Island Lake residential neighborhood. Residents who commented expressed concern regarding the noise associated with the truck delivery, traffic at the South Access Road and the future use of Lot 2. In addition, some questions were raised regarding the conveyance of the pond to the City.

Scott Yonke, Ramsey County Parks and Recreation, also submitted a comment indicating no concerns with the proposal.

Planning Commission Review

The Planning Commission reviewed this item at their May 28th meeting. The Commission discussed the proposed subdivision; future use of Lot 2, noise associated with truck deliveries, parking and surface water management. The Commission did question parking and whether or not the proposed number of stalls for the Target property is sufficient for their use or a future user. John Dietrich of Target stated that the number of stalls provided on-site is sufficient and meets the 4 stalls/1000 square feet parking ratio Target requires for their properties. One Commission member also encouraged Target to explore converting some of the existing impervious surface coverage to a pervious pavement. The Commission recommended the City Council approve the preliminary plat and amended PUD with a 5-0 vote. One Commission member withdrew from discussion due to a conflict of interest.

Recommendation

The submitted plans have been reviewed in accordance with the Development Code, the Subdivision Code and the existing PUD. The preliminary plat is consistent with the Code requirements for the PUD and C1 zoning district. Conveyance of Outlot A to the City is also beneficial for the Red Fox Road improvement project. Regarding the PUD, amendments are needed due to changes with the plat. Regarding the hours of operation, it is Staff's opinion that rescinding the condition limiting the hours of the retail store is reasonable due to the changes with the retail market in the area. Staff is, however, proposing to retain a restriction on delivery hours due to concerns expressed from residents in the Island Lake Avenue neighborhood.

Staff is recommending approval of the submitted applications subject to the following conditions:

Preliminary Plat

1. The Final Plat shall include a sidewalk easement along Red Fox Road and public drainage and utility easements as required by the Public Works Director.
2. The applicant shall apply for a Vacation, to vacate the existing easements that are no longer required as part of the development site. The Vacation Application shall be submitted concurrently with the Final Plat.
3. The applicant shall execute an agreement between the Lots 1 and 2 addressing the shared driveway, access, signage and maintenance. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. Executed and recorded copies of the required agreements shall be submitted to the City prior to the issuance of a building permit on Lot 2.
5. Outlot A shall be conveyed to the City.
6. A sign easement that encumbers the existing Target Sign on Lot 2 shall be conveyed and benefit Lot 1. This easement shall be submitted to the City Attorney for review and approval prior to the release of the Final Plat for recording.
7. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

Planned Unit Development – Amendment

1. This PUD amendment replaces the previous PUD approvals from 1989, 1990 and 2000.
2. A Development Agreement shall be executed and shall include applicable provisions from the previous PUD approvals referenced in Condition No. 1 above as well as any requirements associated with this PUD amendment.
3. The applicant shall execute an agreement between the Lots 1 and 2 addressing the shared driveway, access, signage and maintenance. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's review of the Final Stage PUD plans and Final Plat.
4. Development on Lot 2 shall require an amendment to this Planned Unit Development.
5. Target agrees to work with the City on developing a landscape plan that addresses landscaping within the landscape islands where trees have died and have been removed. Said plan shall be submitted with the Final PUD application.
6. Truck traffic to Lot 1 shall be prohibited between the hours of 12:00 am and 5:00 am with the exception of trailer drop-offs.
7. An exception to the City's minimum parking requirements is approved as part of this PUD. As indicated in the submittal, 765 stalls shall be provided on Lot 1 for the SuperTarget Retail store.
8. The existing freestanding sign on Lexington Avenue identifying the SuperTarget store may remain provided a sign easement is conveyed to and benefits Lot 1. It is the City's preference that this sign be shared with the future use of Lot 2.
9. The existing condition limiting the retail hours of the SuperTarget Store from 7:00 am to 12:00 am shall be lifted with this approval.
10. Target is released from the responsibility imposed with the 1989 PUD requiring snow removal on Red Fox Road as this road is plowed and maintained by the City of Shoreview. Target shall continue to be responsible for the removal of snow on the South Access Road until such time the City takes over snow plowing on said road.

Attachments

- 1) Prior PUD approvals
- 2) Email – Tom Wesolowski, City Engineer
- 3) Location Map
- 4) Submitted Plans and Statement – Target Corporation
- 5) Request for Comment
- 6) Motion

**DEVELOPMENT AGREEMENT
TARGET CORPORATION**

(I) THIS AGREEMENT is made and entered into by and between the City of Shoreview, a municipal corporation and political subdivision of the State of Minnesota (hereinafter the "City") and Target Corporation, their successors and assigns (hereinafter the "Developer"). This agreement amends the previous development contract entered into by the City and the developer dated September 5, 1989.

(II) On April 17, 2000 the City gave approval to develop certain property located within the City, legally as follows (hereinafter the "subject property"):

Lot 1 and Lot 2, Block 1, Shoreview Target Addition

(III) Pursuant to City Ordinances, the Developer is required:

- A. To make certain improvements to the subject property.
- B. To provide the City with a form of surety, approved by the City's Attorney, insuring completion of any required improvements which remain incomplete at the time of the Developer's request for building permit approval.
- C. To follow certain procedures, as determined by the City, to control soil erosion during the development of the subject property.
- D. Utilize the subject property in compliance with the applicable governmental regulations, the conditions of this contract and previous development contract.

(IV) In consideration of the City's grant of permission allowing the Developer to develop the subject property, and in consideration of the mutual agreements contained herein, the City and the Developer agree as follows:

1. **Infrastructure Improvements.** All improvements shall be constructed in accordance with the approval of the City Council, the City's ordinances and regulations, and pursuant to plans and specifications approved by the City Engineer. All requirements attached to said project by the City's Council on April 17, 2000, as conditions of planned unit development, site and building plan review approval and comprehensive sign plan, are to be satisfied whether or not identified in this document.

- 1.1. As-built drawings must be provided upon completion of the project. Drawings must include references to bench marks, gate valve ties, curb box ties, name of contractor, and updated invert elevations as constructed. As-builts must be prepared and submitted on reproducible mylars as well as an electronic format compatible with the City's automated drafting system.

2. **Landscape Installation.** The Developer agrees to install landscaping consistent with the landscaping plan dated 3/20/00. All landscape materials placed as part of this landscape plan shall be maintained in a healthy condition and replaced with like material if they become damaged, diseased or die.
 - 2.1. The City Environmental Officer shall estimate the cost of landscape improvements to be completed, calculating one hundred and twenty five percent (125%) of the estimated cost of the plant materials to be installed. Developer, before release of the building permit by the City, shall provide the City with a form of security in accordance with the calculation insuring completion of these landscape improvements.
3. **Erosion Control.** An Erosion Control Plan shall be prepared under the seal of a Registered Professional Engineer on behalf of the Developer and shall be submitted to the City Engineer. The Developer agrees to comply with the recommendations of the City Engineer for the subject property and shall incorporate these recommendations in to the plans and specifications.
 - 3.1. The Developer shall enter into an Erosion Control Agreement with the City and shall deposit an amount equal to one hundred twenty five percent (125%) of the City's Engineer's Estimated cost of complying with the recommendations before issuance of a grading permit. *The deposit shall be in the amount of \$5,625.00.*
4. **Provision of Easement.** The Developer shall provide an easement to the City for drainage and utility purposes over the public infrastructure of the site, including stormwater facilities. This easement shall be executed prior to the issuance of a building permit by the City.
5. **All Costs Responsibility of Developer.** The Developer agrees to pay for all costs incurred of whatever kind or nature in order to construct the improvements required by the City's regulations. The City shall not be obligated to pay the Developer or any of its agents or contractors for any costs incurred in connection with the construction of the improvements, or the development of the property. The Developer agrees to hold the City harmless from any and all claims of whatever kind or nature which may arise as a result of the construction of the improvements, the development of the property or the acts of the Developer, its agents or contractors in relationship thereto.
6. **Surety Calculation** If the Developer chooses to construct all or a portion of the improvements required by the City's regulations after the time of building permit approval, the City Engineer, prior to building permit approval, shall prepare a Statement of Required Improvements and Security identifying the improvements to be completed, estimating the cost of the improvements to be completed, calculating one hundred and twenty five percent (125%) of the estimated cost of the improvements to be completed, specifying a completion date for said improvements, indicating the preparer of the document, and specifying the date of preparation. The Statement of Required Improvements and Security shall be signed and dated by the Developer and shall be attached to the Development Contract as Exhibit "A".

7. **Provision of Surety.** The Developer, before release of the building permit by the City, shall provide the City with a form of security insuring completion of the improvements identified on the Statement of Required Improvements and Security. The form of surety shall be approved by the City Attorney and shall reference the Development Contract, shall describe the procedures to be followed by the City for obtaining funds to construct improvements where necessary, and shall contain other provisions necessary to protect the City's interests.

If the Developer conveys its interest in the subject property or any part thereof, or if the Developer assigns its right to construct improvements or otherwise develop the subject property, it shall first notify the City. In the event of a conveyance or assignment prior to completion of the improvements and the development of the subject property, the form of surety shall not be released unless it is replaced by a new surety agreement satisfactory to the City.

8. **Administrative Fee.** In addition to filing and application fees, the Developer agrees to pay to the City and engineering overhead fee, which shall be as set forth in the City Overhead Charge Table attached as **Exhibit "B"**. The total project cost for public improvements shall be estimated by the City Engineer. The administrative fee shall be paid before release of the building permit by the City. *The fee for this project is \$161.00.*

9. **Operational Requirements.**

- 9.1. **Truck Traffic.** Truck traffic to the subject property shall be prohibited between the hours of 12:00 a.m. and 5:00 a.m. with the exception of trailer drop-offs. As used herein, the term "truck traffic" means deliveries or pickups by any size truck to the subject property except access to the site by emergency vehicles and snow removal equipment.

Semi-trucks shall use the south access drive to enter the site and shall leave the site via the northeasterly curb cut onto Red Fox Road.

- 9.2. **Snow Removal.** Snow removal procedures shall be as follows:

9.2.1. No snow shall be stored on the subject property.

9.2.2. No sand/salt mix will be stored on the subject property.

- 9.3. **Hours of Operation.** Target Corporation shall notify the City prior the expansion of this facility to a twenty four-hour operation that is open to the public. Said notification shall include information regarding changes in business operations.

- 9.4. **Previous Approvals.** The Conditions outlined in previous approvals and development contracts remain in place and shall be adhered to by the developer.

10. Miscellaneous.

- 10.1. Signs. Sign permits shall be obtained before the installation or re-facing of any signs on the property.
- 10.2. Exterior Lighting Maintenance. The developer shall maintain the lights installed in the parking areas and on the exterior of the building.
- 10.3. Exterior Storage. There shall be no dumpsters or other outside storage of trash, refuse, pallets, crates, products or materials in truck trailers, etc., except small attractive trash receptacles shall be permitted in the front of the building for use by patrons. Shopping carts shall be stored in the screened location as indicated on the site plan so as not be visible from the parking lot when the respective store is closed. Additional shopping cart collection corrals shall be approved by the City Planner before a building permit is issued.
- 10.4. Stormwater Ponding. The developer shall provide access to the stormwater ponding area for the City's Public Works Department.
- 10.5. Property Maintenance. The developer shall maintain the property, including structures, buildings, fences and landscaping so as to prevent unsightliness, health hazards or unsafe conditions. All debris, refuse or garbage shall be kept within a completely enclosed building or properly stored in a closed container designed for such purpose as permitted above in 10.3. The developer shall monitor the maintenance of the property on a weekly basis and shall remove any debris, litter or make repairs when necessary for compliance to this provision.
11. Development Terms. The project is subject to the following conditions as approved by the City Council on April 17, 2000:

11.1. **Planned Unit Development – Development Stage**

- 11.1.1. The property shall be developed in accordance with the plans submitted as part of this application.
- 11.1.2. Provisions of the previous approvals for the planned unit development, including the development agreement shall be complied with.
- 11.1.3. Final grading, drainage and erosion control plans may be permitted must receive approval from the Public Works Director.
- 11.1.4. Additional plant materials may be placed around the fencing to soften and improve the appearance of this area. An area for access shall remain for City Staff and equipment.
- 11.1.5. Improvements shall be made to Red Fox Road as required by the Public Works Director.
- 11.1.6. Final landscape plan may be permitted provided approval must be received from the City Planner.

- 11.1.7. Lighting used on the buildings and in the expanded parking area shall be consistent with the existing light fixtures. Lighting on the south-building wall shall be modified by shielding and directing light downward and not towards the residential neighborhood. All lighting on site shall comply with Section 204.030 of the Development Code. Before the issuance of a building permit, the applicant shall provide details on the exterior light fixtures and pole heights.
- 11.1.8. The applicant shall secure the necessary approvals from Rice Creek Watershed District before commencing any construction on the site.
- 11.1.9. The applicant shall enter into a site development agreement and an erosion control agreement with the City. This development shall not supercede the operational and design requirements associated with the 1989 and 1990 PUD and Site and Building Plan approvals.
- 11.1.10. Target Corporation shall amend their application for a Temporary Outdoor Garden Area. Staff may administratively review said amendment.
- 11.1.11. The hours for the retail store shall be limited to 7:00 a.m. to 12:00 a.m. Expansion of these hours requires an amendment to the Planned Unit Development, which shall be reviewed by the Planning Commission and acted on by the City Council.

11.2. Site and Building Plan Review

- 11.2.1. The property shall be developed in accordance with the plans submitted as part of this application.
- 11.2.2. Approval is subject to final approvals for the Planned Unit Development.
- 11.2.3. Authorize the Building Official to issue proper building permits after Final Stage approval of the PUD.

11.3. Comprehensive Sign Plan

- 11.3.1. Approval for the monument sign includes replacing the existing "Target Greatland" sign panel with a sign panel identifying "SuperTarget" only. This approval does not include the replacement of this sign with a pylon identification sign as identified in the submittal.
- 11.3.2. Sign permits shall be obtained before the installation of any new signage on the property.

12. **Default** The occurrence of any of the following after written notice from the City and thirty (30) days to cure (or such longer period as may be reasonable) shall be considered an "Event of Default" in the terms and conditions contained in this Agreement:
13. The failure of the Developer to comply with any of the terms and conditions contained in this agreement;
14. The failure of the Developer to comply with any applicable ordinance or statutes with respect to the development and operation of the subject property.

15. **Remedies** Upon the occurrence of an Event of Default, the City, in addition to any other remedy which may be available to it shall be permitted to do the following:

City may make advances or take other steps to cure the default, and where necessary, enter the subject property for that purpose. The Developer shall pay all sums so advanced or expenses incurred by the City upon demand, with interest from the dates of such advances or expenses at the rate of 10% per annum. No action taken by the City pursuant to this section shall be deemed to relieve the Developer from curing any such default to the extent that it is not cured by the City or from any other default hereunder. The City shall not be obligated, by virtue of the existence or exercise of this right, to perform any such act or cure any such default.

The Developer shall save, indemnify, and hold harmless, including reasonable attorneys fees, the City from any liability or other damages which may be incurred as a result of the exercise of the City's rights pursuant to this section.

Obtain an order from a court of competent jurisdiction requiring the developer to specifically perform its obligations pursuant to the terms and provisions of this Agreement.

Exercise any other remedies which may be available to it, including an action for damages.

Withhold the issuance of a building permit and/or prohibit the occupancy of any building(s) for which permits have been issued.

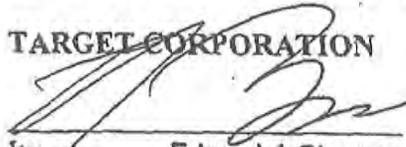
In addition to the remedies and amounts payable set forth or permitted above, upon the occurrence of an Event of Default, the Developer shall pay to the City all fees and expenses, including reasonable attorneys fees, incurred by the City as a result of the Event of Default, whether or not a lawsuit or other action is formally taken.

(V) **IN WITNESS WHEREOF**, the City and the Developer have executed this Agreement.

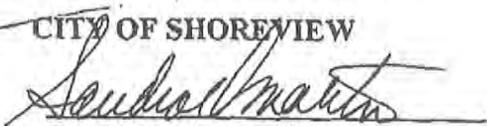
Approved by the City Council of Shoreview, Minnesota, this 17th day of April, 2000.

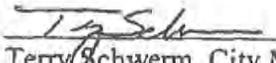
TARGET CORPORATION

Its


Edward J. Bierman
Vice President
Target Stores

CITY OF SHOREVIEW


Sandra C. Martin, Mayor


Terry Schwerm, City Manager



CITY OF SHOREVIEW

4600 North Victoria Street, Shoreview, MN 55126
(651) 490-4600 (651) 490-4699 Fax
(651) 490-4750 Voice/TTY

CITY COUNCIL
Sandy Martin, Mayor
Blake Huffman
Tom Landwehr
Mady Reiter
Ady Wickstrom

EXHIBIT "A"

STATEMENT OF REQUIRED IMPROVEMENTS AND SECURITY

TARGET STORE EXPANSION

A. MISCELLANEOUS IMPROVEMENTS

1. Storm Sewer & Man Holes (118')	\$ 3,540.00
2. Hydrant relocations (2)	3,000.00
2. Driveway Approach (1)	<u>1,500.00</u>
	\$ 8,040.00
Per Ordinance	<u>1.25</u>
	\$ 10,050.00

NOTES: Completion Date for Misc. Improvements – August 1, 2001
Administrative Overhead Fee is based on \$ 8,040.00

TARGET

Prepared by: Thomas L. Hammitt
Date: April 13, 2000
Revised completion, August 1, 2000



CITY OF SHOREVIEW

4600 North Victoria Street, Shoreview, MN 55126
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CITY COUNCIL
Sandy Martin, Mayor
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Ady Wickstrom

EXHIBIT "B"

OVERHEAD CHARGE TABLE AND RATE FEE

<u>PROJECT CONTRACT AMOUNT FOR PUBLIC IMPROVEMENTS</u>	<u>AMOUNT</u>
\$0.00 to \$100,00	2.00%
\$100,001 to \$200,000	1.70%
\$200,001 to \$300,000	1.40%
\$300,001 to \$400,000	1.10%
\$400,001 and over	0.80%

Rates Approved
Dated: June 2, 1982

**EROSION CONTROL ESCROW AGREEMENT
TARGET CORPORATION**

(A) THIS AGREEMENT is made and entered into by and between the City of Shoreview, a municipal corporation of the State of Minnesota (hereinafter the "City"), and Target Corporation, its successors and assigns (hereinafter the "Developer").

(B) The City and the Developer have executed a Site Development Agreement that obligates the Developer to control soil erosion during the development of the subject property. To secure erosion control during the development of this site, the Developer has submitted a cash deposit to the City of Shoreview in the amount of \$5,625.00. The Developer has submitted this cash deposit to the City on the following conditions:

1. The developer shall not receive interest on the amount of the deposit.
2. The developer agrees that the cash deposit may be utilized by the City to ensure compliance with the terms of the Development Contract regarding erosion control and/or to maintain all utility construction on the site, including the cleaning of road surfaces and storm sewer systems, until the Engineering Department has determined that erosion control has been satisfied. The cash deposit may also be utilized for problems created off the site directly or indirectly as result of on-site conditions.
3. The developer agrees, upon written notification from the City Engineer that proper erosion control methods are not being taken, to remedy the problem identified within 48 hours. In the event the remedy is not satisfactorily in place within that time period, the Developer acknowledges that the City may utilize the cash deposit to complete the necessary work.
4. Any funds not so utilized by the City shall be returned to the Developer once the City Engineer has determined that the need for erosion control has been satisfied.
5. Any soils transported to this site or exposed on the site shall be seeded consistent with a plan approved by the City Engineer.
6. This agreement shall not supersede any specifications required by the City Engineer on the approved grading plan.

(C) The Developer agrees to reimburse the City at a rate of \$55.00 per hour for each hour or fraction thereof used by a City employee in the administration of the Escrow Agreement. The obligations imposed by this paragraph shall commence on the date of execution of the Escrow Agreement by the Developer.

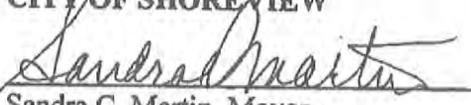
IN WITNESS WHEREOF, the City and the Developer have executed this agreement this
_____ day of _____, 2000.

TARGET CORPORATION

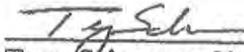


Edward J. Bierman
Vice President
Target Stores

CITY OF SHOREVIEW



Sandra C. Martin, Mayor



Terry Schwerm, City Manager

T:/develagr/TARGETEROS



VILLAGE OF SHOREVIEW

RAMSEY COUNTY, MINNESOTA

4665 NORTH VICTORIA STREET

Shoreview, Minnesota 55126 • Telephone 484-3353

April 18, 1990

Forrest E. Russell, Project Administrator
Target Stores
P.O. Box 1392
Minneapolis, MN 55440-1392

Subject: Council Action on Revised Site Plan

Dear Mr. Russell:

At its meeting on April 16, 1990, the City Council voted to approve the revised site and building elevation plans for the Target-Greatland store (plans dated April 3, 1990) subject to the following conditions:

1. Compliance with the September 5, 1989, conditions of planned unit development and site and building elevation plan approvals;
2. Execution of a revised development agreement to address the new project, which is to include the filing of the revised final plat before occupancy of the building;
3. Removal of parking spaces at rear of building to insure emergency vehicle access, subject to the review of the Fire Chief; and
4. Identification of plant materials acceptable to the City Planner for placement in the planters near the entries.

This Council action is valid for one year during which time the building permit must be pulled or the Council action is void. As noted in the conditions, you will be responsible for filing the new final plat before a permit for occupancy of the building can be given; I expect to receive an application for preliminary plat from you within the next few months. Finally, you should contact Tom Chock, Building Inspector, to coordinate the issuance of the building permit, which must be authorized by the City Council.

If you have any questions on this council action, please contact me.

Sincerely,

Thomas B. Campbell, AICP
Community Development Director

cc: Tom Chock



VILLAGE OF SHOREVIEW

RAMSEY COUNTY, MINNESOTA

4665 NORTH VICTORIA STREET

Shoreview, Minnesota 55126 • Telephone 484-3353

June 21, 1989

Bradley Henning
Watson Centers, Inc.
252 South Plaza Building
Minneapolis, MN 55416

SUBJECT: CITY COUNCIL ACTION ON TARGET CENTER

Dear Mr. Henning:

At its meeting on June 19, 1989, the City Council took two actions affecting this project. In the first action, the Council approved the Development Stage Planned Unit Development subject to the following conditions being satisfied before application is made for final PUD approval:

Approval is subject to the following conditions being satisfied before application is made for Final PUD approval (conditions preceded with an "*" are carried over from Concept PUD approval):

- *1. The developer shall enter into an agreement with the City to guarantee payment for the construction of traffic signals along Lexington Avenue, as directed by Council on February 6, 1989. This agreement shall be approved by the City Council.
- *2. The developer shall pay for the traffic study completed by the City's traffic consultant, as specified in an agreement between the City and the applicant, dated October 24, 1988.
- *3. A Development Contract and Erosion Control Agreement shall be entered into for all on-site improvements. This agreement shall also include enforcement procedures to be prepared by the City Attorney to ensure that the City has a defensible means to quickly attain compliance with the conditions of the PUD, including maintenance of the landscaping, trash and litter removal, and unauthorized storage of carts, outside storage, and on-site storage of truck trailers.
- *4. A plan shall be prepared by the applicant which insures adequate police protection for this development. This plan shall be prepared in cooperation with the Ramsey County Sheriff and it shall be approved by the City Council.

- *5. The applicant shall secure other agency approvals, as necessary, including Ramsey County and the Rice Creek Watershed District. (satisfied)
- *6. City Engineer approval shall be obtained for final street, utility, grading, drainage and erosion control plans.
7. The applicant shall submit a signed agreement for the removal of snow from the roadways that are to abut the north and south property lines of the development site. This agreement is to be approved by the City and recorded to run with the titles of each of the abutting properties. The applicant shall submit proof that this agreement has been recorded before a building permit will be issued.
8. Final plat approval must be obtained.
9. The C-1 zoning district regulations shall apply to Lots Two and Three (Target and the grocery store parcels and the C-2, zoning district regulations shall apply to Lot One (Sinclair), except where a variation is approved as part of the Planned Unit Development. All conditions of the September 6, 1983 Conditional Use Permit approved for the automobile service station and retail grocery sales use on Lot One shall continue as part of this PUD. Any revision of these conditions shall require amendment of the PUD.
10. On Lots Two and Three there shall be no dumpsters or other outside storage of trash, refuse, pallets, crates, products, or materials in truck trailers, etc., except small, attractive trash receptacles shall be permitted in the front of the building for use by the patrons.
11. Final site and building elevation plans that show the proposal for Lot One (Sinclair) and for Lots Two and Three on the same plan sheets shall be submitted that comply with, but not be limited to, the following requirements:
 - A. Sign Plan - Lot One (Sinclair):
 1. Two pylon signs may be permitted provided the pylon sign along Lexington Avenue does not exceed twenty feet in height or 75 square feet of area and the pylon sign east of the station does not exceed 36 feet of height or 168 square feet of area.
 2. There shall be no wall signage and the existing roof sign and two Sinclair logo signs along the pump islands shall be removed as a condition of issuing a sign permit to relocate the two pylon signs.

Lots Two and Three (Target and Grocery Store):

Plans PA 1.3 and P.A 3.0 are acceptable as a comprehensive sign plan subject to the following revisions:

1. Identify the envelope for each sign within the tenant sign band on the plan sheets. The City Planner shall approve these dimensions.
2. The pylon signs shall not exceed 10'x 10' or 25 feet in height.
3. Each sign shall be consistent with the specifications on the approved plan sheets. A permit shall be obtained for each sign prior to installation.
4. The color scheme for the grocery store sign shall be approved by the City Planner.

B. Building Elevation Plan:

1. The color of the metal cap flashing shall be identified on the plans. The plan sheet shall be revised to state that the roof-top mechanical equipment shall be painted the same color. The City shall approve the color.
2. The color scheme for the grocery store canopy shall be approved be identified on the plans and approved by the City.
3. A plan for screening the roof-top mechanical equipment shall be approved. This plan shall be supported by scaled architectural perspectives from Lexington Avenue, and about 650 feet south and east of the structure. Any trees that will screen this line-of-sight shall be shown on the perspectives. Any required screening shall be installed prior to issuance of a certificate of occupancy, unless a cash escrow is submitted for 125% of the estimated cost of the screening.
4. All changes, including painting, to be made to the service station and canopy shall be illustrated.

C. Site Plan:

1. The plans shall be revised to state that raised curb and gutter islands will be constructed along the entire west side of the driveway in front of the building on Lots Two and Three. Trees shall be planted in each of these islands.

2. A traffic control sign plan shall be approved by City staff. This plan shall include, but not be limited to, on-site stop signs, posting of fire lanes for no-parking and posting of the 8'x 18' parking spaces for compact cars/employees only. These signs shall be installed by the developer.
3. On Lots Two and Three all shopping carts for each store shall be stored inside in a screened location so as to not be visible from the parking lot when the respective store is closed. The size and location of inside shopping cart storage areas and of the outside shopping cart collection corrals shall be approved by the City before a building permit is issued. (NOTE: The underlining and strike-through suggests changes to the Planning Commission action.)
4. The east driveway on Lot One (Sinclair) should be curved to discourage through-traffic to Lots Two and Three from Lexington Avenue.

D. Landscaping Plan:

1. The location, species and size of the landscape materials to be planted on the YMCA property shall be identified on the plan sheet. The location of these plantings shall be approved by the City to insure that they will not interfere with traffic visibility. To the extent practical, these plantings should be placed at as high of an elevation as possible on the hill to the east of the YMCA building.
2. Ramsey County shall approve of the type of grass to be planted along the east property line.
3. The plan shall be revised to include a note that the fence around the pond will be coated with green vinyl. A twelve-foot-wide maintenance/emergency access gate shall be provided and indicated on the plans. The location of the gate shall be approved by the City. If possible, it should be located on the north side.
4. The landscaping on the west side of the pond shall include species that will screen the fence on a year-around basis. The proposed plantings near the pond shall be revised as necessary to accommodate the required gate.
5. Flower beds shall be provided.
6. Additional landscaping materials shall be shown along the east and north lines of Lot One.

7. Provision of surety as agreed to by the City Staff shall be provided for a three year period for replacement of any needed landscape materials from date of occupancy of the building.

E. Lighting Plan:

1. The lighting plan shall be submitted to and approved by the City Council at the same time as the landscape review.

In a second motion, the Council approved the preliminary plat for the project subject to the following conditions:

- *1. City Engineer approval of the calculations for the 100-year storm design elevation for the pond to be constructed along Lexington Avenue.
- *2. Utility and drainage easements shall be dedicated or deeded to the City as required by the city Engineer. These easements shall include a drainage easement for the proposed pond that includes the area two feet above the approved 100-year storm elevation.
- *3. Payment of a Public Recreation Use Dedication fee.
- *4. All necessary right-of-way shall be obtained by the applicant from Sinclair Oil, the YMCA and George Reiling and deeded or dedicated to the City for the roadways proposed along the north and south property lines. If the final plat is to be recorded after construction begins, than easements for the required right-of-way must be recorded prior to the issuance of any building permit.
5. Council approval must be obtained to vacate the north 20 feet of the 80 foot-wide street easement located along the south property line. Evidence shall be submitted to show that the resolution of vacation has been recorded with the County.
6. City Engineer approval must be obtained for final street, utility, grading, drainage, and erosion control plans. These plans shall be consistent with the recommendations of the traffic study approved by Council on December 19, 1988.
7. A cross-easement agreement shall be prepared by the applicant and approved by City staff to grant access to each of the three lots in the plat across the other two lots. This agreement shall be recorded by the applicant simultaneous with the final plat. Evidence shall be submitted that this document has been recorded prior to issuance of any building permits.



VILLAGE OF SHOREVIEW

RAMSEY COUNTY, MINNESOTA

4665 NORTH VICTORIA STREET

Shoreview, Minnesota 55126 • Telephone 484-3353

September 7, 1989

Richard E. Brooks
Target Stores
33 South Sixth Street
P.O. Box 1392
Minneapolis, MN 55440-1392

SUBJECT: COUNCIL ACTION ON SHOREVIEW TARGET CENTER

Dear Mr. Brooks:

At its meeting on September 5, 1989, the City Council took several actions affecting this project. The first action approved the final plat of Shoreview Target Addition subject to the approval of final plans by the City Engineer and receipt of satisfactory easements or right-of-ways from George Reiling for the north half of Red Fox Road to allow its construction. In a second motion, the Council approved the final PUD subject to the provision of a satisfactory guarantee for replacement of any landscape materials for a three year period beginning with the date a Certificate of Occupancy is signed by the Building Inspector, grading and seeding of the building site adjacent to the north wall of the Target store, and placement of a finish on this north wall to match the other building facades.

In a third action, the Council approved the site plan for the Target center subject to:

1. City Engineer approval of final drainage, erosion control, grading and utility plans. The erosion control and landscape plans shall indicate that grass shall be established following construction of the Target building and maintained on the site of the proposed grocery store building until the grocery store is constructed.
2. If the Target building is expected to be open to the public before construction of the grocery store is to be completed, City staff shall approve a site management plan to address, but not be limited to, traffic management and restoration of any damaged site improvements.

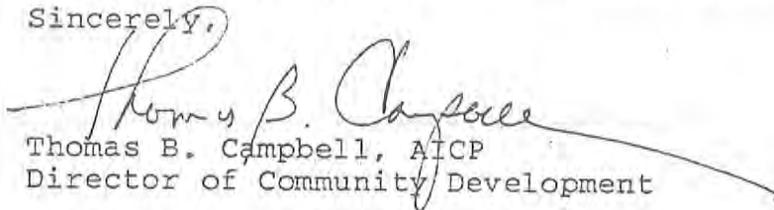
CITY COUNCIL ACTION - TARGET STORES
Page Two

dev # L
In a final action, the Council authorized the issuance of a building permit for the Target store as recommended and conditioned by the Building Inspector and subject to the payment of the police protection fee proposed in a submission dated August 17, 1989 by the time a certificate of occupancy is issued.

You should insure that the several conditions ^{from} of approval are met as soon as possible so that the issuance of a building permit will not be delayed. I have incorporated several of the conditions for the Planned Unit Development approval and the police protection plan payment into the development contract; a revised copy of pages two and four that contract are enclosed for your review. If you have no concern with the proposed wording, I will insert these two pages in the original copy which Jack Fontaine of your office has signed and obtain the signatures of the Mayor and City Manager.

If you have any questions on these actions, please contact me.

Sincerely,


Thomas B. Campbell, AICP
Director of Community Development

cc: Forrest Russell, Target
Brad Henning, Watson Centers

enclosures

DEVELOPMENT CONTRACT

DAYTON HUDSON CORPORATION

(I) THIS AGREEMENT is made and entered into by and between the City of Shoreview, a municipal corporation and political subdivision of the State of Minnesota (hereinafter the "City") and Dayton Hudson Corporation, a Minnesota corporation (hereinafter the "Developer").

(II) The City has given approval to subdivide and develop certain property located within the City and described as follows (hereinafter referred to as the "subject property"):

The East 132 feet of the West 396 feet of the North 165 feet of the Southwest Quarter of Section 26, Township 30, Range 23, AND The West 1,035.27 feet of the North 60 acres of the SW 1/4 of Section 26, Township 30, Range 23, except the South 309.79 feet thereof and except the north 165 feet of the West 396.0 feet, subject to Lexington Avenue.

The North 20 feet of the South 309.79 feet of the West 1035.27 feet of the North 60 acres of the Southwest Quarter of Section 26, Township 30, Range 23, except Lexington Avenue.

The West 396 feet of the North 165 feet of the Southwest Quarter of Section 26, Township 30, Range 23.

(III) Pursuant to City Ordinances, the Developer is required:

- A. To make certain improvements to the subject property.
- B. To provide the City with a form of security, approved by the City's Attorney, insuring completion of any required improvements which remain incomplete at the time of the Developer's request for final plat approval.
- C. To make a public land dedication to the City or, in lieu thereof and at the discretion of of the City Council, to make a cash equivalent payment prior to the final plat approval by the City.
- D. To follow certain procedures, as determined by the City, to control soil erosion during the development of the subject property.
- E. Utilize the subject property in compliance with applicable governmental regulations and the conditions of this Contract.

(IV) In consideration of the City's grant of permission allowing the Developer to construct certain improvements on the subject property and to otherwise develop the subject property; and in consideration of the mutual agreements contained herein, the City and the Developer agree as follows:

- A. All improvements shall be constructed in accordance with the City's ordinances and regulations and pursuant to plans and specifications which have been approved by the City's Engineer. The Developer agrees to provide the City with two copies of the plans and specifications for the improvements in a form and a time satisfactory to the City Engineer. No construction may begin until the plans and specifications have been approved. A minimum of 30 days and a maximum of 45 days shall be allowed for review of the plans and specifications.
- B. The Developer agrees to construct all required traffic control devices on the subject property and dedicate the necessary right of way for the placement of said devices as required by City standard. The Developer shall also install the required street lights (at the end of each construction season) for each portion of the plat developed in part or in full.
- C. The Developer agrees to guarantee payment for the City's share of the cost of the construction of traffic signals and other traffic control devices along Lexington Avenue, as directed by the City Council on February 6, 1989.
- D. The Developer agrees to install landscaping consistent with the landscape plan approved by the City Council on July 17, 1989. The Developer agrees to grade, seed, and install landscaping on the building site north of the Target Store intended for a grocery consistent with a plan to be approved by the Community Development Department before issuance of a Certificate of Occupancy. The Developer agrees to guarantee the replacement of any landscape materials for a three year period from the date a Certificate of Occupancy is issued.
- E. The final plat shall provide the City with a drainage easement over all elevations at or below the 100 year flood elevation of the storm pond.
- F. The Developer agrees to comply with the recommendations of the City Engineer for the subject property and shall incorporate said recommendations into the plans and specifications. An Erosion Control Plan shall be prepared under the seal of a Registered Professional Engineer on behalf of the Developer and shall be submitted for approval to the City Engineer with the plans and specifications and prior to any site grading.

The Developer shall enter into an Erosion Control Agreement with the City and shall deposit an amount equal to one hundred twenty five percent (125%) of the City Engineer's estimated cost of complying with the recommendations.

- G. The Developer agrees to pay for all costs incurred of whatever kind or nature in order to construct the improvements as set forth in the plans approved by the City Council on 6-19-89. The City shall not be obligated to pay the Developer or any of its agents or contractors for any costs incurred in connection with the construction of the improvements or the development of the property. The Developer agrees to hold the City harmless from any and all claims of whatever kind or nature which may arise as a result of the construction of the improvements, the development of the property or the acts of the Developer, its agents or contractors in relationship thereto, provided that in no case shall the Developer be responsible for incidents, resulting from City negligence.
- H. If the Developer chooses to construct all or a portion of the improvements required by the City's regulations after the time of final plat approval, the City Engineer, prior to final plat approval, shall prepare a Statement of Required Improvements and Security identifying the improvements to be completed, estimating the cost of the improvements to be completed, calculating one hundred twenty five percent (125%) of the estimated cost of the improvements to be completed, specifying a completion date for said improvements, indicating the preparer of the document, and specifying the date of preparation. Prior to final plat approval, the Statement of Required Improvements and Security shall be signed and dated by the Developer and shall be attached to the Development Contract as Exhibit "A".
- I. The Developer, prior to final plat approval by the City, shall provide the City with a form of security insuring completion of the improvements identified on the Statement of Required Improvements and Security. The form of security shall be approved by the City Attorney and shall incorporate the Development Contract, shall describe the procedures to be followed by the City for obtaining funds to construct improvements where necessary, and shall contain other provisions necessary to protect the City's interests.

If the Developer conveys its interest in the subject property or any part thereof, or if the Developer assigns its right to construct improvements or otherwise develop the subject property, it shall first notify the City. In the event of a conveyance or assignment prior to completion of the improvements and development of the subject property, the form of security shall not be released by the City unless it is replaced by a new security agreement satisfactory to the City.

Any conveyance or assignment of developer's interest shall be subject to the obligations described herein.

- J. In addition to other fees required by City regulations or this agreement, the Developer agrees to reimburse the City for all costs, of whatever kind or nature, incurred by the City in reviewing or processing the Developer's application, including but not limited to costs incurred for legal or other consultants.
- K. In addition to filing and application fees, the Developer further agrees to pay to the City an administrative overhead fee. The administrative overhead fee shall be as set forth in the City Overhead Charge Table attached as Exhibit "B". The total project cost for public improvements shall be estimated by the City Engineer. The administrative fee shall be paid before scheduling the final plat on the City Council agenda for approval.
- L. The Developer has submitted a plan for police protection dated August 17, 1989, which was approved by the City Council on September 5, 1989. The plan calls for Target to make a payment to the City totaling \$12,090.00; this payment shall be made before a Certificate of Occupancy is issued.
- M. The Developer shall submit a signed agreement for the removal of snow from the roadways that are to abut the north and south property lines of the development site. This agreement is to be approved by the City and recorded to run with the titles of each of the abutting properties. The applicant shall submit proof that this agreement has been recorded before a building permit will be issued. Changes in circumstances affecting the use of these roadways can be cause for a request for a review in this snow removal agreement.
- N. The plat of the subject property is identified as "Shoreview Target Center". On Lots One and Two, Block 1, Shoreview Target Center, there shall be no dumpsters or other outside storage of trash, refuse, pallets, crates, products, or materials in truck trailers, etc., except small, attractive trash receptacles shall be permitted in the front of the building for use by the patrons.
- O. Default. The occurrence of any of the following shall be considered a "Event of Default" in the terms and conditions contained in this Agreement:
1. The failure of the developer to comply with any of the terms and conditions contained in this agreement;
 2. The failure of the developer to comply with any applicable ordinance or statutes with respect to the development and operation of the subject property.

P. Remedies. Upon the occurrence of an Event of Default, the City, in addition to any other remedy which may be available to it shall be permitted to do the following:

1. City may make advances or take other steps to cure the default, and where necessary, enter the subject property for that purpose. The developer shall pay all sums so advanced or expenses incurred by the City upon demand, with interest from the dates of such advances or expenses at the rate of 10% per annum. No action taken by the City pursuant to this section shall be deemed to relieve the Developer from curing any such default to the extent that it is not cured by the City or from any other default hereunder. The City shall not be obligated, by virtue of the existence or exercise of this right, to perform any such act or cure any such default. developer shall save, indemnify and hold harmless, including reasonable attorneys fees, City from any liability or other damages which may be incurred as a result of the exercise of the City's rights pursuant to this section.
2. Obtain an order from a court of competent jurisdiction requiring the developer to specifically perform its obligations pursuant to the terms and provisions of this Agreement:
3. Exercise any other remedies which may be available to it, including an action for damages.

In addition to the remedies and amounts payable set forth or permitted above, upon the occurrence of an Event of Default, the Developer shall pay to the city all fees and expenses, including reasonable attorneys fees, incurred by the City as a result of the event of default, whether or not a lawsuit or other action is formally taken.

Q. Developer agrees that at such time, if any, that Lot 2, Block 1, Shoreview Target Center plat is conveyed to another individual, partnership, corporation or other entity (collectively "Buyer"), that simultaneously with such conveyance Developer and Buyer shall enter into a reciprocal easement agreement in recordable form granting easement rights for ingress, egress and parking between Lot 2, Block 1, and Lot 1, Block 1, Shoreview Target Center.

(V) IN WITNESS WHEREOF, the City and the Developer have executed this Agreement.

Development Contract
Shoreview Target Center
Page 6

Approved by the City Council of Shoreview, Minnesota, this 5th
day of SEPTEMBER, 1989.

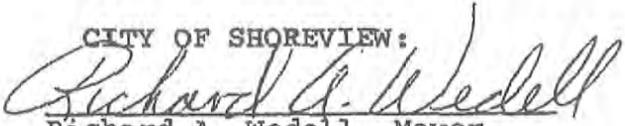
DEVELOPER:

Dayton Hudson Corporation

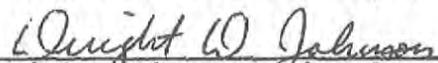


Jack P. Fontaine,
Senior Vice President
Target Stores Division

CITY OF SHOREVIEW:



Richard A. Wedell, Mayor



Dwight Johnson, City Manager



VILLAGE OF SHOREVIEW

RAMSEY COUNTY, MINNESOTA

4665 NORTH VICTORIA STREET

Shoreview, Minnesota 55126 • Telephone 484-3353

EXHIBIT "A"

STATEMENT OF REQUIRED IMPROVEMENTS AND SECURITY

SHOREVIEW TARGET ADDITION

IMPROVEMENTS

1. North Street & Utilities		\$157,000.00
2. South Street & Utilities		163,000.00
3. Site-Water, Storm & Drainage		149,750.00
4. Street Lights	8 @ \$1,400ea.	11,200.00
5. Street Signs		
Street ID	2 @ \$75.00ea.	150.00
Stop	5 @ \$75.00ea.	375.00
6. Sealcoating	6,870s.y. @ \$0.60	4,122.00
7. Traffic Signals (Shoreview Share)		46,155.00
8. Boulevard Sod	3,900s.y. @ \$2.50	9,750.00
		<u>\$541,402.00</u>
Per Ordinance		1.25
		<u>\$676,877.50</u>


DAYTON HUDSDON CORPORATION
Jack D. Fontaine
Sr. Vice President- Target Stores

Notes: Completion Date for Improvements - October 1, 1990
Administrative Overhead Fee based on \$541,402.00

Prepared by: Thomas L. Hammitt
Date: August 10, 1989
TLH/crc REVISÉ AUGUST 17, 1989
#7-PVD-88

EXHIBIT "B"

OVERHEAD CHARGE TABLE AND RATE FEE

<u>REQUIRED IMPROVEMENT COST</u>	<u>AMOUNT</u>
\$0.00 to \$100,000	2.00 %
\$100,001 to \$200,000	1.70 %
\$200,001 to \$300,000	1.40 %
\$300,001 to \$400,000	1.10 %
\$400,001 and over	.80 %

Kathleen Nordine <knordine@shoreviewmn.gov>

Target Corp. Preliminary Plat and PUD↑ [message](#)

Tom Wesolowski <twesolowski@shoreviewmn.gov>

Tue, May 14, 2013 at 3:08 PM

To: Kathleen Nordine <knordine@shoreviewmn.gov>

Kathleen,

I reviewed the application from Target Corp for the preliminary plat and PUD and have no comments. The plat and revisions to the PUD reflect the discussions we had with Target at our meetings.

Please contact me if you have any questions or comments.

Thank you,

—

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



Target - 3800 Lexington Avenue



630.8

315.42

0

630.8 Feet

NAD_1983_HARN_Adj_Min_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

- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

Notes

Preliminary Plat and PUD Development Stage

APPLICATIONS BY TARGET CORPORATION
PRELIMINARY PLAT AND PLANNED UNIT DEVELOPMENT – DEVELOPMENT STAGE
CITY OF SHOREVIEW

PROJECT SUMMARY AND SUPPORTING NARRATIVE

APRIL 26, 2013

Introduction

Target Corporation (“Target”) is proposing to subdivide the SuperTarget site on Lexington Avenue to create a future development lot in the southwest corner and an outlot for an expanded stormwater drainage pond adjacent to Lexington. The City is expanding the drainage pond in conjunction with road improvements to Red Fox Road and Lexington Avenue. Target will convey the outlot with the pond to the City in consideration of reduced monetary assessments for the road improvements. There is no specific use currently proposed for the new development lot (identified as Lot 2 on the preliminary plat); however, Target intends to seek a buyer for Lot 2 in order to maximize the development potential of the site. The area to be platted as Lot 2 is a part of the SuperTarget parking lot that is most remote from the store entrance and which is not needed to serve Target customer demand. Target is also proposing to amend the existing planned unit development (PUD) for the site to update the PUD to reflect current conditions and to conform to the proposed subdivision.

Subdivision Proposal

The land encompassed in the proposed subdivision was platted in 1989 as Lots 1 and 2, Shoreview Target Addition. A drainage easement for the stormwater pond was dedicated in Lot 2 of the original plat, along with several public utility and drainage easements to drain water into the pond. It was originally anticipated that Target would construct a store on Lot 1 and seek a grocery use to construct a store on Lot 2 on the north side of the site. A separate grocery user was not actually obtained and Target built a store that sits on both Lots 1 and 2 of the existing plat. Target expanded the store into a SuperTarget in 2000.

The proposed subdivision will divide Lots 1 and 2 of the Shorewood Target Addition into three lots, as follows:

- Lot 1: 12.28 acres, containing the existing SuperTarget store and associated parking area.
- Lot 2: 1.14 acres, intended for small retail development and associated parking
- Outlot A: 0.96 acres, containing expanded stormwater pond, intended to be conveyed to the City

The timing of this subdivision proposal is driven by the adjacent road improvement project and the City's need to expand the stormwater pond. Although Target has not yet sought a buyer for proposed new Lot 2, marketing of that lot for future development will be facilitated by creating it now with the re-plating to create Outlot A for the pond. The eventual buyer of Lot 2 will need to obtain all required zoning and other development approvals from the City.

There are many existing utility and drainage easements on the property that were dedicated in the original plat or by easement document. Several of these easements provide drainage only for private property in the PUD and serve no public areas. Others are redundant since the expansion of Lexington Avenue. The City now prefers that utilities and drainage easements that do not serve the public be maintained privately. Applications for vacation of easements and rededication of those needed for the public were approved by the City in 1991; however, the vacations and plat were never recorded. Based on consultation with City staff, Target will submit vacation applications with the final plat of Shoreview Target 2nd Addition to vacate the existing City-held easements and will rededicate by the new plat only the drainage and utility easements needed to serve the public. Target will also provide the City with a new sidewalk easement along the north property line in conjunction with improvements to Red Fox Road.

PUD Amendment – Development Stage Proposal

Target is applying for amendment of the existing PUD to reflect current conditions and to conform to the proposed subdivision by addressing the following:

1. Reduced parking requirement for the SuperTarget store on Lot 1;
2. Location of shared freestanding sign on Lot 2;
3. Confirming percentage and location of required pervious area in the PUD;
4. Hours of operation and deliveries for the SuperTarget store; and
5. Obligation for snow removal from the public streets.

Parking

Target is requesting an amendment to the PUD to reduce the parking requirement for the SuperTarget store on proposed Lot 1 to 765 spaces, including 71 un-striped spaces behind the building. This equates to 4.16 spaces per 1000 SF of store area (the existing building is 183,875 gross square feet in-area). The proposed amount of parking will be sufficient to meet actual demand during peak customer periods. The reduction is necessary to allow for subdivision and creation of future development Lot 2.

Currently, there are 855 parking spaces on the site, including the 71 un-striped parking spaces behind the building. This equates to 4.65 spaces per 1000 SF. Ninety (90) of those spaces are located in the area to be platted as Lot 2 and sold for a small retail use. Development on Lot 2 will be responsible for providing its own on-site parking.

Target has undertaken a parking needs inventory to better understand parking demand and utilization at its stores. The parking study included stores throughout the entire country and focused on both regular Target and SuperTarget stores. The challenge to communicating this

data outside of the Target Corporation is that a key ingredient, the annual store sales volume, is proprietary information. Bearing that in mind, the extracted store study data below describes eleven stores of similar sales volume and the number of cash register transactions with simultaneous parking lot car counts on Saturday afternoon one weekend before Christmas at approximately 3:00 p.m. That day and hour is the 8th busiest hour of operation annually. The Urban Land Institute recommends designing parking supply to meet demand based on the 20th highest hour of operation, so the parking study evaluates parking demand in excess of the ULI standard.

The parking data below includes the Shoreview SuperTarget and shows how this store compares to the demand for parking with other selected stores.

Store Location	Cash Register Transactions/hr	Parking Car Counts
Lombard, IL	576	381
Oswego, IL	475	306
Palmdale, CA	441	365
Santa Ana, CA	481	340
Edgewater, NJ	596	417
Linden, NJ	597	322
Eagan, MN	498	305
Glenview, IL	421	334
Wheaton, IL	421	292
Shoreview MN	619	544
Woodbury MN	660	462
Totals averaged	525	369

The data shows a high of 544 and a low of 292 observed cars in the parking lots yielding an average of 340 occupied spaces at peak demand across the selected stores. Actual parking demand for the Shoreview store at the 8th busiest hour was 544 stalls or a parking ratio of 2.96 stalls / 1000 SF. The proposed 765 spaces (4.16 spaces / 1000 SF) significantly exceed the actual peak parking demand for the store.

The parking requirement in the Zoning Code for the Commercial Districts is 5.5 spaces per 1,000 feet of net floor area. For the SuperTarget store, the strict Code requirement would be approximately 1,011 spaces. (This number is based on the stores gross floor area; the actual parking requirement based on net floor area would be somewhat less.) When the parking requirement for the store was analyzed in prior PUD applications, the City applied a modified approach that recognized that 5.5 / 1000 was excessive for a large retailer with substantial area devoted to warehouse and other ancillary uses. The Final PUD Stage plan in 2000 determined that 823 spaces were required. As described above, the actual demand for parking at peak times is under 600 spaces, much less than the parking required under either a strict application of the Code or the previous PUD analysis.

The Code requirement is too stringent for practical use of the property because, it not only exceeds the existing PUD-approved parking, it greatly exceeds actual demand based on the

Target study. The proposed parking requirement is compatible with adjoining uses because it is sufficient to meet actual demand by Target guests and employees so it will have no adverse impact on other property or uses.

Reducing the required parking is consistent with the City's Planning Objectives for PUDs. Bringing the parking more in line with recommendations of the Urban Land Institute promotes higher standards of site design. Reducing the parking required for the SuperTarget store allows creation of a second development lot along Lexington Avenue, which is a more desirable development pattern. The existing large parking field is an underutilization of land. Additional commercial development in the PUD will provide additional services to area residents and workers and enhance the City's tax base.

Freestanding Sign Location and Panels for Shared Signage

There is an existing freestanding monument sign in the southwest corner of the site adjacent to the Lexington Avenue frontage of the PUD. Currently, the only business name on the sign is SuperTarget. Upon the proposed subdivision, the Target store will be located on Lot 1 and the sign will be located on Lot 2, which Target intends to sell for another retail development. Target is requesting that the PUD be amended to allow its existing sign to be located on Lot 2 and for permission for a second sign panel to be added to the monument sign for the future Lot 2 business.

Without the PUD amendment, strict application of the Code could prohibit Target's continued use of the existing sign because it will not be on the same lot as the store. It is critical that Target continue to have signage along the road. Allowing shared signage for the two lots results in a more desirable environment by reducing sign clutter. Any future use developed on Lot 2 will be required to obtain approval for its full sign plan, but it will be important in marketing the property for developers to know that, at a minimum, they will have a right to place a panel on the existing monument sign on their lot. The location of the existing sign and the potential for shared signage is compatible and consistent with a similar shared sign to be located at the corner of Lexington and Red Fox Road.

Pervious Area/Open Space

The proposed subdivision will not change the existing amount of pervious open space in the PUD; it will simply change the percentage of pervious area per lot. The existing pervious area for the PUD is 16.98%, including the area of the stormwater pond. The pervious area will remain 16.98% overall. The pervious area by lot will be as follows: Lot 1, 9.23% pervious; Lot 2, 30.65% pervious; Outlot A, 100% pervious.

Hours of Operation and Deliveries

When the PUD was amended in 2000, the City Council imposed a condition limiting the hours for the retail store to 7:00 a.m. to 12:00 a.m. and a condition prohibiting truck deliveries between midnight and 5:00 a.m. with the exception of trailer drop-offs. Target is requesting that these

conditions be eliminated to be consistent with the City's practice for other commercial uses in the Lexington Avenue commercial corridor, particularly near the I-694 intersection, for which the City does not impose such limitations. Although Target does not currently plan to expand its hours of operation as a routine practice, it is important for Target to be able to respond competitively to the market. For example, it is now common for retailers like Target to be open for extended hours on Black Friday following Thanksgiving and during other holiday shopping periods.

Snow Removal from Public Streets

The original 1989 development contract provides that the Developer shall be responsible for snow removal from the roadways that were constructed along both the north and south property lines of the development site. The road along the north is Red Fox Road and the City has taken over responsibility for snow removal. The road along the south property line is an unnamed public road referred to as the South Access Road. Target is requesting that the PUD agreement be amended to limit Target's responsibility for snow removal to the South Access Road until such time as the City takes over snow plowing for that road.

END OF NARRATIVE

SHOREVIEW TARGET 2ND ADDITION

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

Property Description

Property description per Old Republic National Title Insurance Company ALTA Commitment - 1982
Rev., application No. ORTE740107

Parcel 1:

Lot 1, Block 1, Shoreview Target Addition, according to the recorded plat thereof,
and situate in Ramsey County, Minnesota.
Abstract Property

Parcel 2:

Lot 2, Block 1, Shoreview Target Addition, according to the recorded plat thereof,
and situate in Ramsey County, Minnesota.
Abstract Property

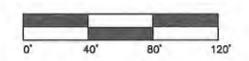
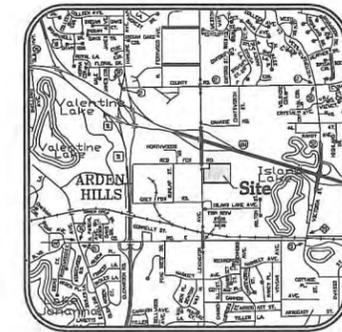
Notes

- Existing Lot areas: Lot 1, Block 1 = 390,513 s.f. / 8.96 acres / Green Space = 49,415 s.f. or 12.65%
Lot 2, Block 1 = 236,048 s.f. / 5.42 acres / Green Space = 55,947 s.f. or 24.13%
Total Area = 626,561 s.f. / 14.38 acres / Green Space = 105,360 s.f. or 16.98%
- Proposed Lot areas: Lot 1, Block 1 = 535,110 s.f. / 12.28 acres / Green Space = 49,399 s.f. or 9.23%
Lot 2, Block 1 = 49,734 s.f. / 1.14 acres / Green Space = 15,243 s.f. or 30.65%
Outlot A = 41,717 s.f. / 0.96 acres / Green Space = 41,717 s.f. or 100%
Total Area = 626,561 s.f. / 14.38 acres / Green Space = 105,360 s.f. or 16.98%
- Existing building area = 183,875 s.f.
- Existing parking for existing parcel (Lots 1 and 2) = 855 Stalls (4.65/1000)
Including 18 handicapped stalls, 71 unstriped stalls and cart corrals (not shown)
- Proposed parking for Lot 1 = 765 Parking Stalls (4.16/1000)
Including 18 handicapped stalls, 71 unstriped stalls, and cart corrals (not shown).
Proposed parking for Lot 2 = 30 Parking Stalls.

LEGEND

	BUSH/SHRUB		STORM MANHOLE
	CONIFEROUS TREE		TELEPHONE BOX
	DECIDUOUS TREE		TELEPHONE MANHOLE
	WETLAND		TRAFFIC CONTROL BOX
	STEEL/WOOD POST		HAND HOLE
	SIGN-TRAFFIC/OTHER		TRAFFIC LIGHT
	SIGN-TRAFFIC/OTHER		GATE VALVE
	MAIL BOX		HYDRANT
	HANDICAPPED STALL		WATER METER
	PERC TEST		CURB STOP BOX
	MONITORING WELL		WATER MANHOLE
	CABLE TV BOX		WELL
	GAS METER		CABLE TV
	STREET LITE		GAS LINE
	CUY WIRE		POWER OVERHEAD
	POWER POLE		POWER UNDERGROUND
	ELECTRIC BOX		SANITARY SEWER
	ELECTRIC METER		STORM SEWER
	ELECTRIC MANHOLE		TELEPHONE OVERHEAD
	ELECTRIC TOWER		TELEPHONE UNDERGROUND
	SANITARY MANHOLE		WATERMAIN
	SEWER CLEANOUT		FENCE LINE
	BEEHIVE CATCH BASIN		DECIDUOUS TREE LINE
	CATCH BASIN		CONIFEROUS TREE LINE
	FLARED END SECTION		CURB & GUTTER

VICINITY MAP Not to Scale



NOT FOR CONSTRUCTION

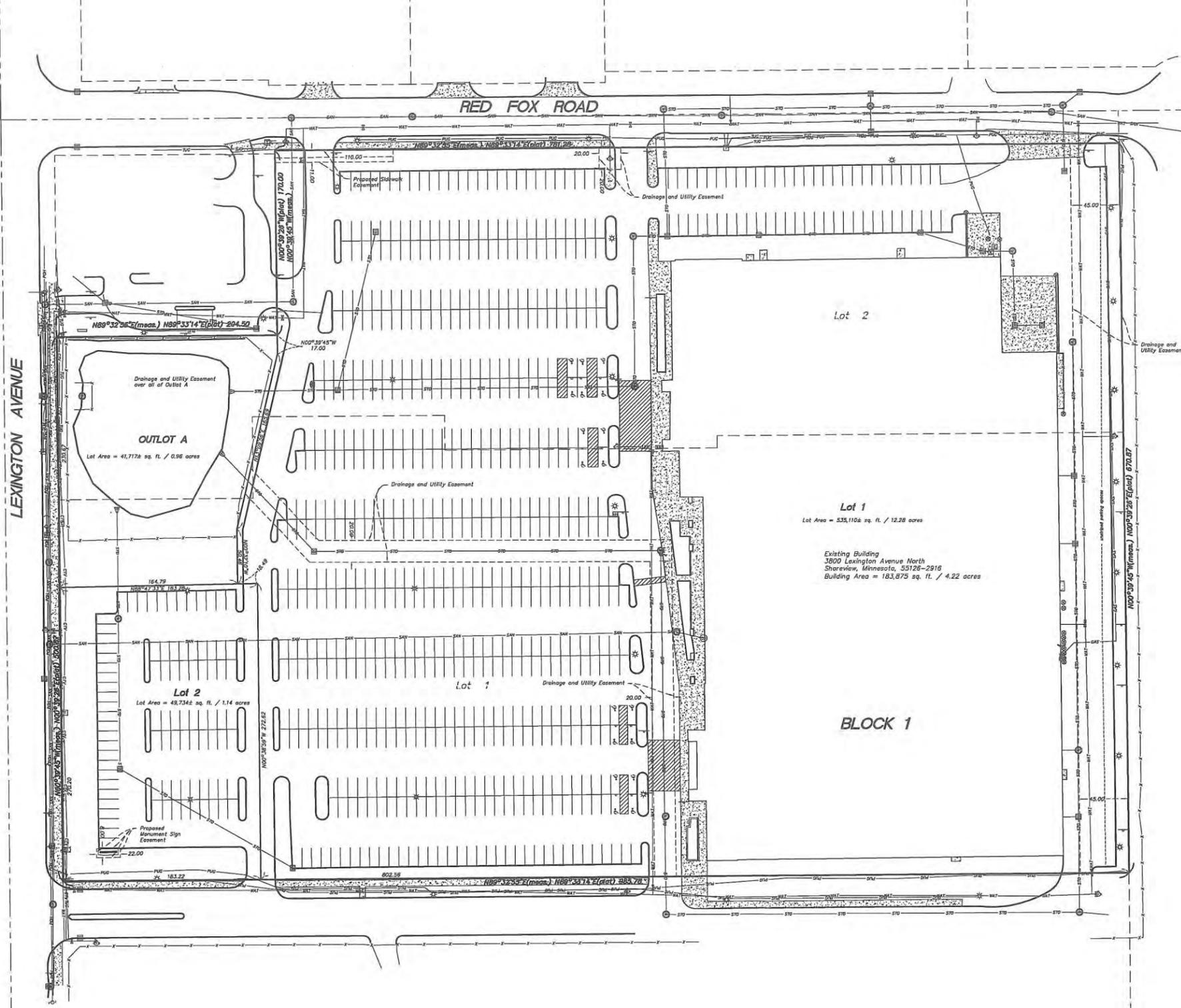
Date: 04/25/13

Sheet: 1 OF 1

Target T-0619

Shoreview, Minnesota

Preliminary Plat



Lot 1
Lot Area = 535,110 sq. ft. / 12.28 acres
Existing Building
3800 Lexington Avenue North
Shoreview, Minnesota, 55128-2916
Building Area = 183,875 sq. ft. / 4.22 acres

Lot 2
Lot Area = 49,734 sq. ft. / 1.14 acres

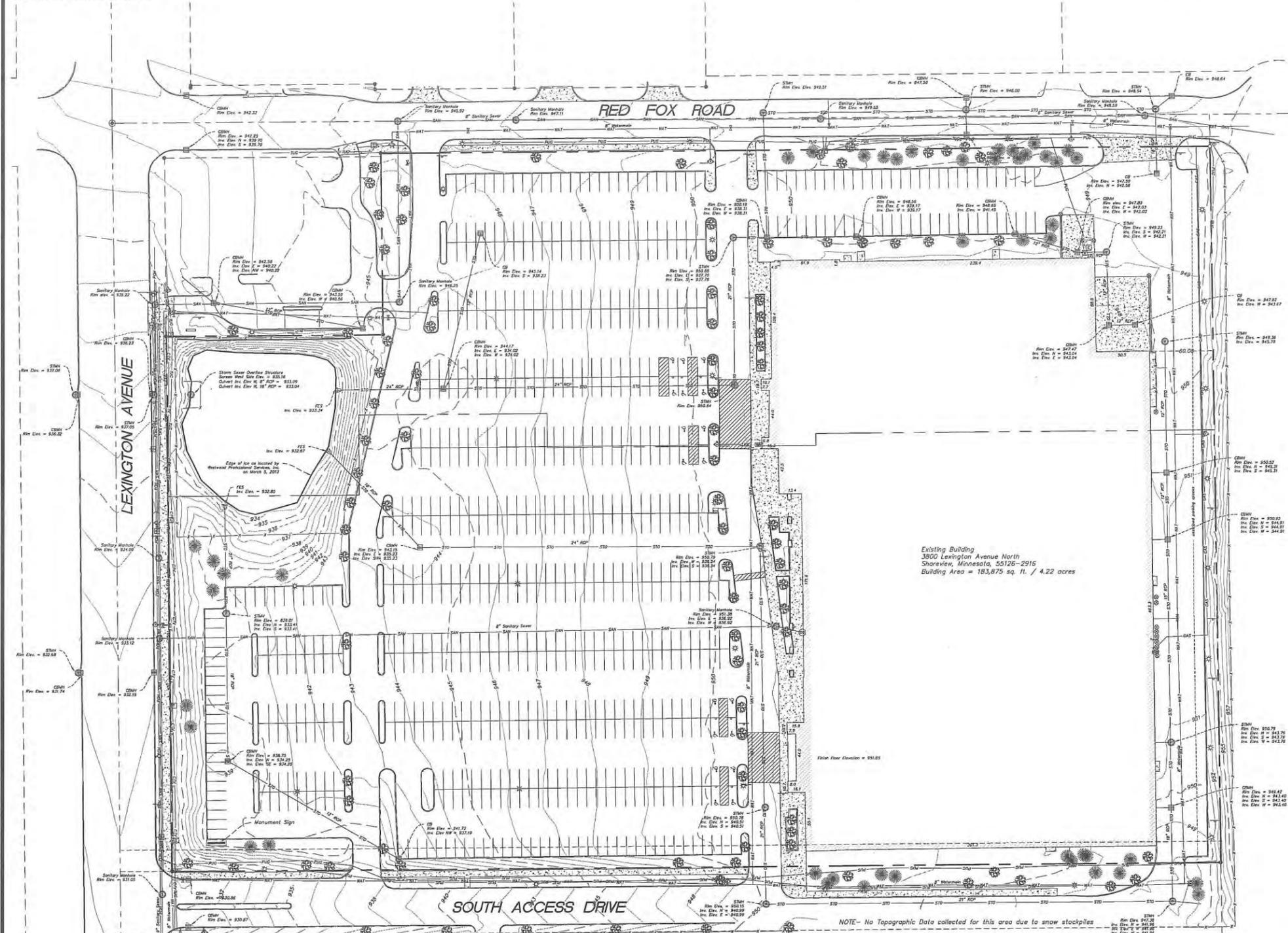
Outlot A
Lot Area = 41,717 sq. ft. / 0.96 acres



Revisions:	Client:	DAA, EKH, DSH
	Checked:	MSB
	Drawn:	PTW
	Special Drawing Notes:	

Prepared for:

Target Corporation
100 Nicollet Mall
Minneapolis, Minnesota, 55403



Property Description

Property description per Old Republic National Title Insurance Company ALTA Commitment - 1982 Rev., application No. ORTE740107

Parcel 1:

Lot 1, Block 1, Shoreview Target Addition, according to the recorded plat thereof, and situate in Ramsey County, Minnesota. Abstract Property

Parcel 2:

Lot 2, Block 1, Shoreview Target Addition, according to the recorded plat thereof, and situate in Ramsey County, Minnesota. Abstract Property

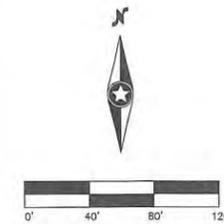
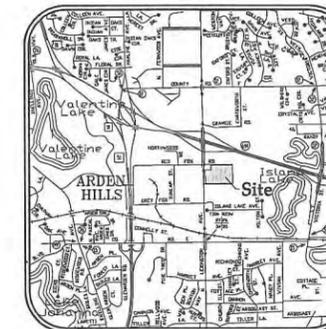
Notes

- The bearings shown on this survey are based on the Ramsey County Coordinates NAD83(86adj), US Survey feet and the Vertical Datum is NAVD88.
- Field data collection on which this map is based was performed while snow was covering all or part of the subject property. There is a possibility that existing improvements that would normally be observable without the snow cover may exist.
- Subject property contains 855 total parking stalls, including 18 handicapped stalls and 71 un-striped spaces based on 9 foot stall width. Cart corrals are not depicted and these stalls are included in the total.
- The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (State One Call Ticket No. 130910805).
- Subject property area Lot 1, Block 1 = 390,513 sq. ft. / 8.98 acres, Lot 2, Block 1 = 236,048 sq. ft. / 5.42 acres
Total Area = 626,561 sq. ft. / 14.38 acres

LEGEND

○ BUSH/SHRUB	⊙ STORM MANHOLE
⊙ CONIFEROUS TREE	□ TELEPHONE BOX
⊙ DECIDUOUS TREE	⊙ TELEPHONE MANHOLE
⊙ WETLAND	⊙ TRAFFIC CONTROL BOX
⊙ STEEL/WOOD POST	⊙ HAND HOLE
⊙ SIGN-TRAFFIC/OTHER	⊙ TRAFFIC LIGHT
⊙ SIGN-TRAFFIC/OTHER	⊙ GATE VALVE
⊙ MAIL BOX	⊙ HYDRANT
⊙ HANDICAPPED STALL	⊙ WATER METER
⊙ PERC TEST	⊙ CURB STOP BOX
⊙ MONITORING WELL	⊙ WATER MANHOLE
⊙ CABLE TV BOX	⊙ WELL
⊙ GAS METER	—○— CABLE TV
⊙ STREET LITE	—○— GAS LINE
⊙ GUY WIRE	—○— POWER OVERHEAD
⊙ POWER POLE	—○— POWER UNDERGROUND
⊙ ELECTRIC BOX	—○— SANITARY SEWER
⊙ ELECTRIC METER	—○— STORM SEWER
⊙ ELECTRIC MANHOLE	—○— TELEPHONE OVERHEAD
⊙ ELECTRIC TOWER	—○— TELEPHONE UNDERGROUND
⊙ SANITARY MANHOLE	—○— WATERMAIN
⊙ SEWER CLEANOUT	—○— FENCE LINE
⊙ BEEMHIVE CATCH BASIN	—○— DECIDUOUS TREE LINE
⊙ CATCH BASIN	—○— CONIFEROUS TREE LINE
⊙ FLARED END SECTION	—○— CURB & GUTTER
⊙ CONCRETE SURFACE	

VICINITY MAP
Not to Scale



NOT FOR CONSTRUCTION

Date: 04/25/13 Sheet: 1 OF 1

**Target
T-0619**

Shoreview, Minnesota

Topographic Survey

Revisions:

Client:	DAA, EIC, DBS
Checked:	MNS
Drawn:	STV
Record Drawing by/Date:	

Prepared for:

Target Corporation
1000 Nicollet Mall
Minneapolis, Minnesota, 55403

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GEORGE REILING 3RD ADDITION

COOOU COMERICAL ADDITION

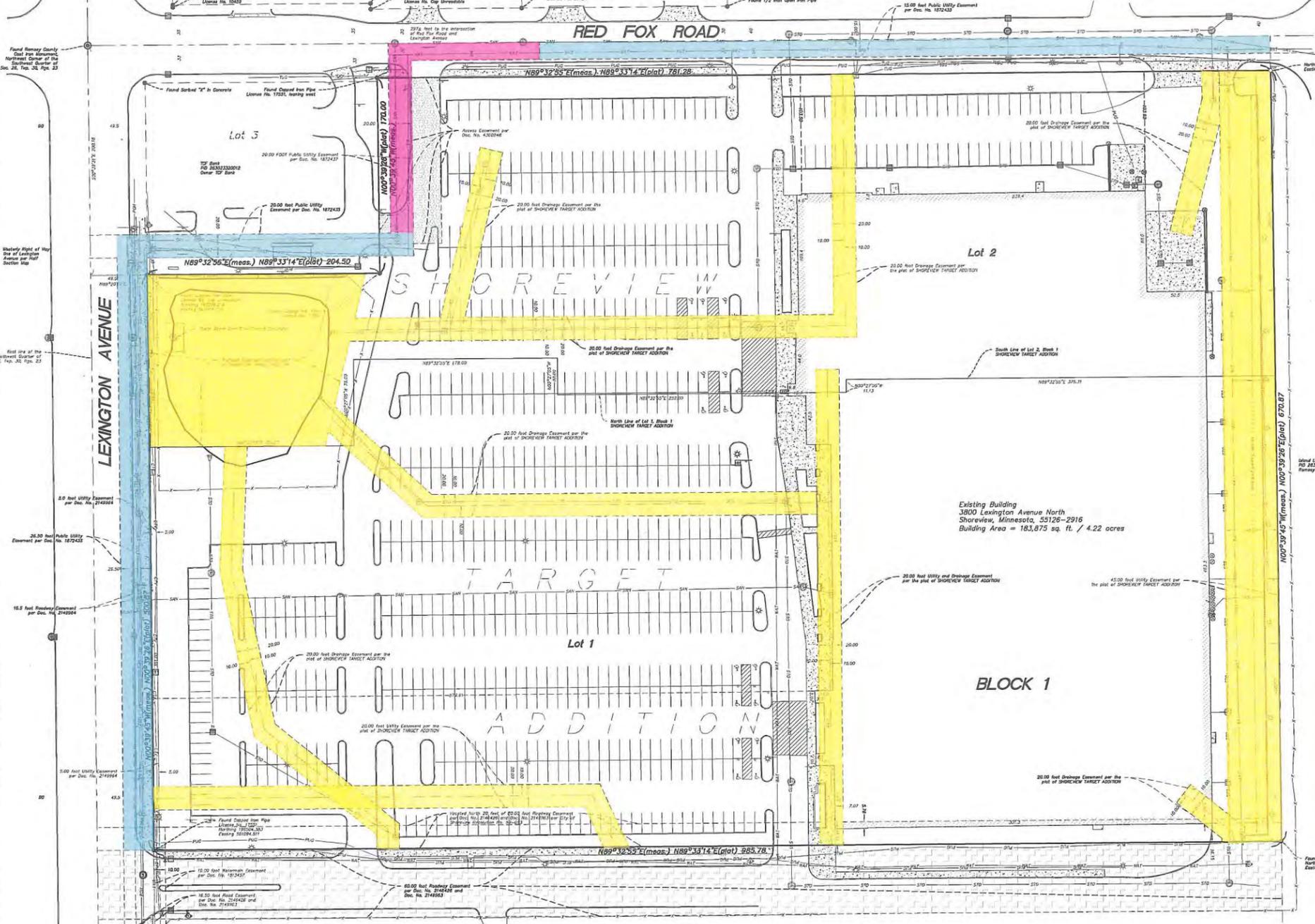
Property Description

Property description per Old Republic National Title Insurance Company ALTA Commitment - 1982 Rev., application No. OR1E740107

- Parcel 1:
Lot 1, Block 1, Shoreview Target Addition, according to the recorded plat thereof, and situate in Ramsey County, Minnesota.
Abstract Property
- Parcel 2:
Lot 2, Block 1, Shoreview Target Addition, according to the recorded plat thereof, and situate in Ramsey County, Minnesota.
Abstract Property

Notes

- This survey was prepared using Old Republic National Title Insurance Company ALTA Commitment - 1982 Rev., application No. OR1E740107 having an effective date of February 24, 2013, at 7:00 A.M.
- Subject property appears to be classified as Zone X when scaled from Flood Insurance Rate Map Community - Panel Number 271230020G dated June 4, 2010.
- Subject property area Lot 1, Block 1 = 390,513 sq. ft. / 8.96 acres, Lot 2, Block 1 = 236,048 sq. ft. / 5.42 acres, Total Area = 626,561 sq. ft. / 14.38 acres
- No zoning information provided by Old Republic National Title Insurance Company at time of survey. Subject property appears to be zoned PUD - Planned Urban Development per City of Shoreview Zoning Map dated March 2, 2009.
Building Setbacks:
Adjacent to Residential. In all business districts, with the exception of the Business Park District, a 30-foot minimum building setback is required from the property line of land planned for residential use. In the Business Park District (BP), a 75-foot minimum building setback is required from the property line of land planned for residential use. This setback area shall serve as a buffer between commercial/office property and property planned for residential use.
Minor Arterial and Collector Streets. Along minor arterial streets as identified in the Comprehensive Guide Plan, structures shall maintain a 40-foot setback. Along collector streets as identified in the Comprehensive Guide Plan, structures shall maintain a 30-foot setback.
- Subject property contains 784 total striped parking stalls, including 18 handicapped stalls. Based on a 9 foot stall width, there are an additional 71 stalls on the east side of the building that are not currently striped. Cart corrals are not depicted.
- The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (State One Call Ticket No. 132918809).
- The bearings and coordinate data shown on this survey are based on the Ramsey County Coordinate System, NAD83(1986 adj.) US Survey feet.
- The subject property has direct access to Red Fox Road, a dedicated public street. The widths of all adjacent rights-of-way are indicated hereon.
- Field data collection on which this map is based was performed while snow was covering all or part of the subject property. There is a possibility that existing improvements that would normally be observable without the snow cover may exist.
The following note is in regard to Table A Item 19.
19) The Surveyor is not qualified to make a determination regarding the existence of wetlands, however there is no apparent evidence of wetlands located on the subject property according to the U.S. Fish and Wildlife Service National Wetlands Inventory located at www.fws.gov/wetlands.
The following notes correspond to the numbering system of Schedule B of the above mentioned title commitment.
3) Utility and drainage easement(s) as shown on the recorded plat of Shoreview Target Addition, APPEARS TO AFFECT SUBJECT PROPERTY, AS SHOWN HEREON. AT LEAST THREE OF SAID EASEMENTS APPEAR TO FALL WITHIN THE TARGET BUILDING.
4) Easement for slopes, cuts and fills over part of the premises adjoining Lexington Avenue in favor of the County of Ramsey as evidenced by Slope Easement filed as Document No. 947612, (as to Parcel 1 and 2), APPEARS TO AFFECT SUBJECT PROPERTY, NOT GRAPHICALLY SHOWN, BLANKET IN NATURE.
5) Easement for water main purposes over part of the premises together with incidental rights granted to the Village (now City) of Shoreview, as evidenced by instrument dated November 8, 1971, filed November 19, 1971, as Document No. 1813457, (as to Parcel 1), APPEARS TO AFFECT SUBJECT PROPERTY, AS SHOWN HEREON.
6) Easement for permanent utility purposes over part of the premises together with incidental rights granted to the Village (now City) of Shoreview, as evidenced by instrument dated December 5, 1972, filed December 7, 1973, as Document No. 1872435, (as to Parcel 2), APPEARS TO AFFECT SUBJECT PROPERTY, AS SHOWN HEREON.
7) Easement for permanent utility purposes over part of the premises together with incidental rights granted to the Village (now City) of Shoreview, as evidenced by instrument dated December 5, 1972, filed December 7, 1973, as Document No. 1872437, (as to Parcel 2), APPEARS TO AFFECT SUBJECT PROPERTY, AS SHOWN HEREON.
8) Easement for public roadway and for public utility purposes over part of the premises together with incidental rights granted to the City of Shoreview, as evidenced by instrument dated April 28, 1982, filed May 21, 1982, as Document No. 2145426 and also filed on July 6, 1982, as Document No. 2149863, (as to Parcel 1), APPEARS TO AFFECT SUBJECT PROPERTY. THE NORTH 20 FEET OF SAID EASEMENT WAS VACATED PER CITY OF SHOREVIEW RESOLUTION NO. 89-093.
9) Easement for public utility purposes over part of the premises together with incidental rights granted to the City of Shoreview, as evidenced by instrument dated June 10, 1982, filed July 6, 1982, as Document No. 2149854, (as to Parcel 2), APPEARS TO AFFECT SUBJECT PROPERTY, AS SHOWN HEREON.
10) Terms, conditions, provisions, restrictions and easements contained in that certain Access Easement Agreement dated June 2, 2010, filed June 2, 2010, as Document No. 4226014 as amended by First Amendment to Access Easement Agreement dated September 11, 2012, filed October 3, 2012, as Document No. 4360248, (as to Parcel 1 and 2), APPEARS TO AFFECT SUBJECT PROPERTY, AS SHOWN HEREON.



Existing Building
3800 Lexington Avenue North
Shoreview, Minnesota, 55126-2916
Building Area = 183,875 sq. ft. / 4.22 acres

SW 1/4 OF SEC. 26 TWP. 30 RGE. 23

LEGEND

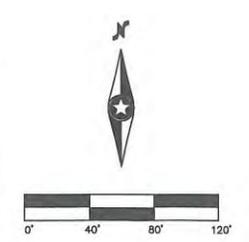
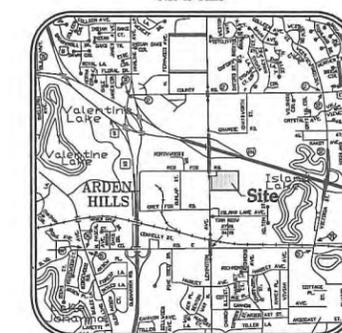
- | | | | | | |
|----------------------|-------------------------|-------------------|-------------------------|-----------------------|----------------------------|
| ○ BUSH/SHRUB | ⊙ STORM MANHOLE | ⊙ MONITORING WELL | ⊙ WATER MANHOLE | ⊙ ELECTRIC MANHOLE | —10— TELEPHONE OVERHEAD |
| ⊙ CONIFEROUS TREE | ⊙ TELEPHONE BOX | ⊙ CABLE TV BOX | ⊙ WELL | ⊙ ELECTRIC TOWER | —10— TELEPHONE UNDERGROUND |
| ⊙ DEODIOUS TREE | ⊙ TELEPHONE CONTROL BOX | ⊙ GAS METER | —CTV— CABLE TV | ⊙ SANITARY MANHOLE | —WAT— WATERMAIN |
| ⊙ WETLAND | ⊙ STREET LIGHT | ⊙ STREET LITE | —GAS— GAS LINE | ⊙ SENTRY CLEANOUT | —F— FENCE LINE |
| ⊙ STEEL/WOOD POST | ⊙ HAND HOLE | ⊙ GUY WIRE | —POW— POWER OVERHEAD | ⊙ BEEHIVE CATCH BASIN | —D— DEODIOUS TREE LINE |
| ⊙ SIGN-TRAFFIC/OTHER | ⊙ TRAFFIC LIGHT | ⊙ POWER POLE | —PUG— POWER UNDERGROUND | ⊙ CATCH BASIN | —WWW— CONIFEROUS TREE LINE |
| ⊙ SIGN-TRAFFIC/OTHER | ⊙ GATE VALVE | ⊙ ELECTRIC BOX | —SAN— SANITARY SEWER | ⊙ FLARED END SECTION | —C&G— CURB & GUTTER |
| ⊙ MAIL BOX | ⊙ HYDRANT | ⊙ ELECTRIC METER | —STO— STORM SEWER | ⊙ STORM CULVERT | —C— CONCRETE SURFACE |
| ⊙ HANDICAPPED STALL | ⊙ WATER METER | | | | |
| ⊙ PERC TEST | ⊙ CURB STOP BOX | | | | |
- ⊙ DENOTES ACCESS EASEMENT PER DOC. NO. 4360248
- ⊙ DENOTES ROADWAY EASEMENT PER DOC. NO. 2146426 AND DOC. 2149863

To Target Corporation and Old Republic National Title Insurance Company:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 8, 11(a), 14 and 19 of Table A thereof. The field work was completed on March 5, 2013.

The undersigned further certifies that I have surveyed the property and easement(s) described and shown hereon, and this map or plat and the survey which is based reflect the matters referenced in the title commitment prepared by Old Republic National Title Insurance Company, ALTA Commitment - 1982 Rev., application No. OR1E740107

Mark R. Solo
Mark R. Solo
Minnesota License No. 43933
5/06/13
Date

VICINITY MAP



Target
T-0619

Date: 04/25/13
Sheet: 1 OF 1
0001054AT01.dwg

Westwood Professional Services, Inc.
1989 Anagram Drive
Eden Prairie, MN 55344
PHONE 952-937-6150
FAX 952-937-6522
TOLL FREE 1-888-935-5150
www.westwoodps.com

Revisions:
5/26/13 424 808 revision
5/26/13 808 note

Drawn: DAA, EKE, DRE
Checked: MBS
Plotted: BTW
Examined/Drawn by/Date:

Prepared for:
Target Corporation
1000 Nicollet Mall
Minneapolis, Minnesota, 55403

EASEMENTS

SHOREVIEW TARGET 2ND ADDITION

Property Description

Property description per Old Republic National Title Insurance Company ALTA Commitment - 1982
Rev., application No. ORTE740107

Parcel 1:

Lot 1, Block 1, Shoreview Target Addition, according to the recorded plat thereof,
and situate in Ramsey County, Minnesota.
Abstract Property

Parcel 2:

Lot 2, Block 1, Shoreview Target Addition, according to the recorded plat thereof,
and situate in Ramsey County, Minnesota.
Abstract Property

Notes

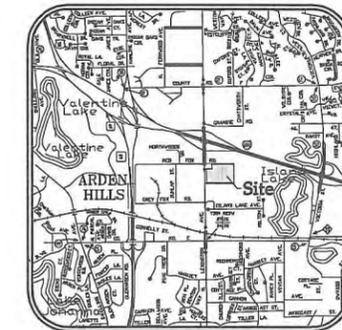
- Existing Lot areas: Lot 1, Block 1 = 390,513 s.f. / 8.96 acres / Green Space = 49,415 s.f. or 12.65%
Lot 2, Block 1 = 236,048 s.f. / 5.42 acres / Green Space = 56,947 s.f. or 24.13%
Total Area = 626,561 s.f. / 14.38 acres / Green Space = 106,362 s.f. or 16.98%
- Proposed Lot areas: Lot 1, Block 1 = 535,110 s.f. / 12.28 acres / Green Space = 49,398 s.f. or 9.23%
Lot 2, Block 1 = 49,734 s.f. / 1.14 acres / Green Space = 15,245 s.f. or 30.65%
Outlet A = 41,717 s.f. / 0.95 acres / Green Space = 41,717 s.f. or 100%
Total Area = 626,561 s.f. / 14.38 acres / Green Space = 106,360 s.f. or 16.98%
- Existing building area = 183,875 s.f.
- Existing parking for existing parcel (Lots 1 and 2) = 855 Stalls (4.65/1000)
including 18 handicapped stalls, 71 unstriped stalls and cart corrals (not shown)
- Proposed parking for Lot 1 = 765 Parking Stalls (4.16/1000)
including 18 handicapped stalls, 71 unstriped stalls, and cart corrals (not shown).
Proposed parking for Lot 2 = 90 Parking Stalls.

LEGEND

○ BUSH/SHRUB	⊗ STORM MANHOLE
⊗ CONIFEROUS TREE	□ TELEPHONE BOX
⊗ DECIDUOUS TREE	⊗ TELEPHONE MANHOLE
⊗ WETLAND	⊗ TRAFFIC CONTROL BOX
⊗ STEEL/WOOD POST	⊗ HAND HOLE
— SIGN-TRAFFIC/OTHER	⊗ TRAFFIC LIGHT
— SIGN-TRAFFIC/OTHER	⊗ GATE VALVE
⊗ MAIL BOX	⊗ HYDRANT
⊗ HANDICAPPED STALL	⊗ WATER METER
⊗ PERC TEST	⊗ CURB STOP BOX
⊗ MONITORING WELL	⊗ WATER MANHOLE
⊗ CABLE TV BOX	⊗ WELL
⊗ GAS METER	— CTV CABLE TV
⊗ STREET LITE	— GAS GAS LINE
— GUY WIRE	— POW POWER OVERHEAD
⊗ POWER POLE	— POW POWER UNDERGROUND
⊗ ELECTRIC BOX	— SAN SANITARY SEWER
⊗ ELECTRIC METER	— STD STORM SEWER
⊗ ELECTRIC MANHOLE	— TEL TELEPHONE OVERHEAD
⊗ ELECTRIC TOWER	— TEL TELEPHONE UNDERGROUND
⊗ SANITARY MANHOLE	— WAT WATERMAIN
⊗ SEWER CLEANOUT	— FENCE FENCE LINE
⊗ BEEHIVE CATCH BASIN	— DECIDUOUS TREE LINE
⊗ CATCH BASIN	— CONIFEROUS TREE LINE
⊗ FLARED END SECTION	— CURB & GUTTER

VICINITY MAP

Not to Scale

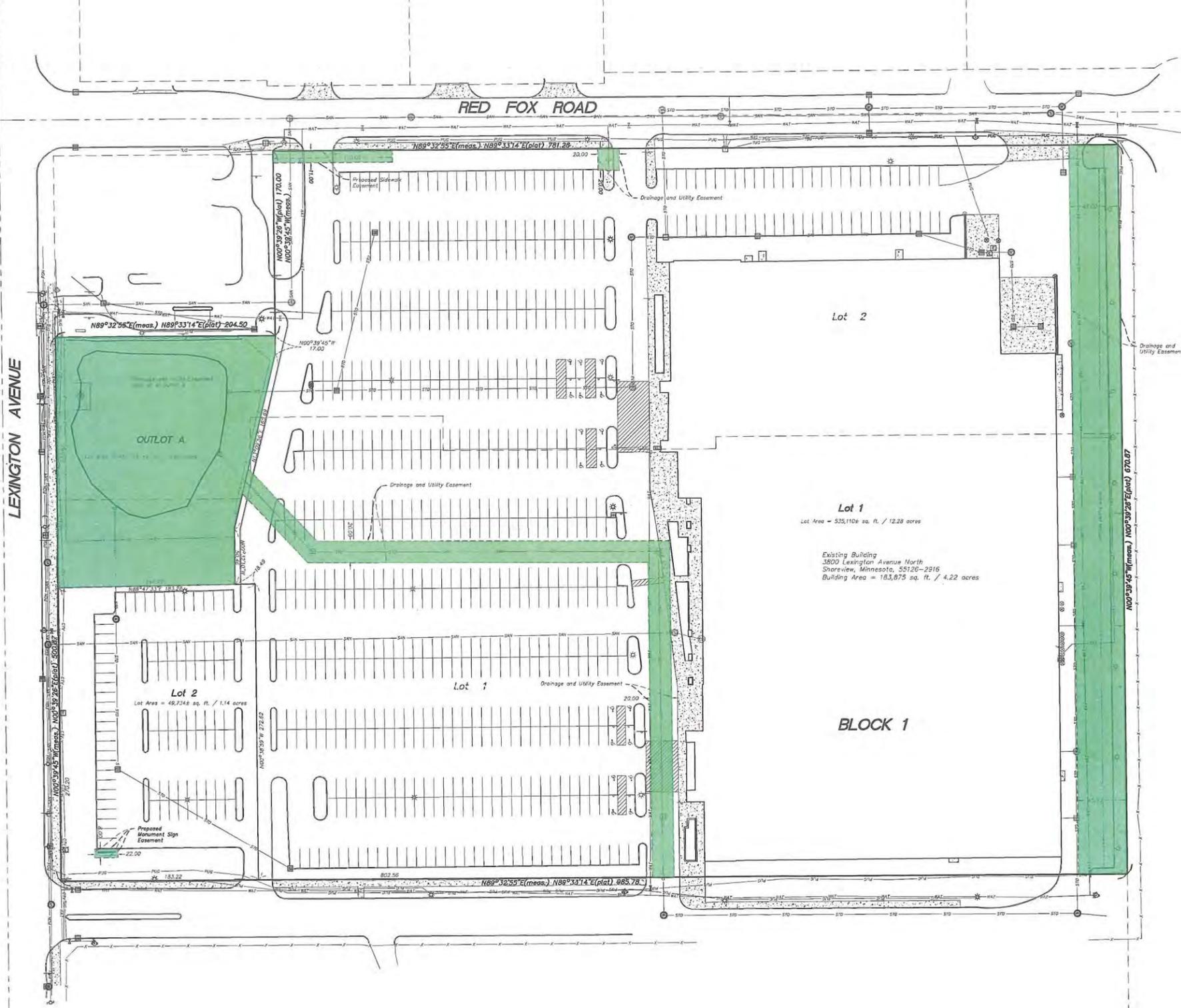


NOT FOR CONSTRUCTION

Date: 04/25/13 Sheet: 1 OF 1

Target T-0619
Shoreview, Minnesota

Preliminary Plat



EASEMENTS TO BE RETAINED



Kathleen Nordine <knordine@shoreviewmn.gov>

Target PUD

Yonke, Scott <scott.yonke@co.ramsey.mn.us>
To: knordine@shoreviewmn.gov

Mon, May 20, 2013 at 12:05 PM

Kathleen,

In review of the Target PUD Amendment, Ramsey County Parks and Recreation has no objection to the PUD Amendment for the lot split.

Also, why is Target conveying the stormwater pond to the City? Is this pond being used for additional stormwater runoff besides the Target Property?

Scott Yonke, ASLA, PLA

Landscape Architect

Director of Planning and Development

Ramsey County Parks and Recreation Department

2015 N. Van Dyke St.

Maplewood, MN 55109

PH: 651-748-2500 ext. 330

scott.yonke@co.ramsey.mn.us



Kathleen Nordine <knordine@shoreviewmn.gov>

Target PUD

1 message

Vishal <vhsookhai@yahoo.com>

Wed, May 22, 2013 at 7:24 PM

To: "knordine@shoreviewmn.gov" <knordine@shoreviewmn.gov>

Hello Kathleen, thanks for the chance to be part of this discussion regarding the above subject. I would like to address my concern for the hours of operation / deliveries and request that the hours stay as they are currently. We get an excessive amount of noise from Target during the hours of operation and amending those hours will be a nuisance. Also this past winter I witnessed many "almost accidents " on the south entrance/exit of the target parking lot, with that said expanding lot 2 for further retail will create a heavier traffic flow and make for a very congested area. It is also not properly marked/painted for pedestrian traffic and hardly wheelchair accessible. Finally why should we as taxpayers be responsible for Target's storm water run off?

Best regards

Vishal sookhai
1001 island lake ave
Shoreview
VHS Inc
Vhsookhai@yahoo.com
651-399-7194

May 22, 2013

Re: Request for Comment on Target PUD application

Dear Planning Committee,

Thank you for the opportunity to respond to the new Target PUD application. Listed below are our concerns.

1. **Hours of operation:** We support existing conditions prohibiting truck traffic between 12:00 a.m. and 5:00 a.m. and request that they be continued and, preferably, expanded. Night noise from Target is already abundant and continuous in our neighborhood, despite the existing PUD conditions. Banging dumpsters, snow plowing, and late deliveries already resound year-round, but especially during the six months when there are no leaves on the trees to buffer the noise between Target and the Island Lake residential area.

Extending the hours would worsen the problem substantially. That Target needs such “flexibility” for market competitiveness is utterly implausible, given the size, scope, and success of the business as is evident in both public corporate and media reports.

What Target is asking for is essentially carte blanche for whatever it wants to do whenever it wants to do it. It does not seem wise for the City of Shoreview to grant such unlimited permission, forfeiting all future authority, especially to a business that has regularly violated its existing PUD.

2. **Stormwater pond:** While it is conceivable that city control of this pond would improve environmental management, especially in that Target has been particularly remiss in this area, and has not honored its previous environmental commitments, the City of Shoreview should fully consider the potential impacts of Target being released from any responsibility in regard to such stormwater management. The long-term cost to the city could be significant, e.g., should Target be able to simply treat this pond as a free drain for whatever it wants to dump in the future.

Merrill P. Morse, Lisa J. Morse

1016 Island Lake Ave., Shoreview, MN 55126

May 23, 2013

Dear Shoreview Planning Commission Members,

Our comments are in response to the Request for Comment relating to the Target application for a Preliminary Plat and Planned Unit Development :

1. We support the existing hours of operation and delivery until such a time that Target proposes specific changes. We do not support giving them carte blanche.
2. We oppose the amending of the existing PUD plan until a specific development proposal is brought before the City of Shoreview. Again, we do not support giving them carte blanche.
3. Target has some issues they need to address and remediate before they have convinced us of their interest in being a good Shoreview neighbor.
 - Target has never maintained their landscape plan that was filed in 2000. Since "there is no time limit on landscape requirements" in Shoreview and I have a letter to that effect, Target is extremely negligent. I agree that it might need modifications but well over 50% of the proposed vegetation is dead or missing.
 - The trash caught in the shrubs along Lexington needs to be cleaned up.
4. If/When the proposed retail development is approved, we hope there is a thorough study done of the traffic at the south entry drive. When the original PUD was proposed, we suggested that there be only right turns into and out of that drive. That was not done and as a result, we have a near miss about once a week while traveling north or south on Lexington Avenue when Target customers make a left turn in front of us.

We appreciate this opportunity to comment and thank you for your efforts in maintaining Shoreview as a community that we are all proud to call "home".

Sincerely,
Mary Lou and Roger Klinkhammer
1015 Island Lake Avenue
Shoreview, MN 55126
651-484-4250

PROPOSED MOTIONS

Moved by Council member _____

Seconded by Council member _____

To adopt the attached ordinance number 908 implementing an electric service franchise fee.

ROLL CALL:	AYES	NAYS
Johnson	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

Moved by Council member _____

Seconded by Council member _____

To adopt the attached ordinance number 909 implementing a gas service franchise fee.

ROLL CALL:	AYES	NAYS
Johnson	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

TO: Mayor and City Council

FROM: Terry C. Schwerm, City Manager
Jeanne A. Haapala, Finance Director

DATE: May 29, 2013

RE: Franchise Fees

Introduction

The City Council is being asked to consider adoption of ordinances #908 and #909 amending existing franchise agreements with Xcel Energy to impose a flat rate franchise fee on both electric and natural gas service for all classes of property in the City.

Background

During budget and goal setting discussions in recent years the City Council discussed the possibility of establishing franchise fees on electric and gas services, and established the goal of exploring this option at the most recent goal setting session (early this year). Franchise fees have been growing in popularity throughout Minnesota in recent years. For some cities, the use of franchise fees helped fill in the gaps left by dramatic cuts in state aids, and for some cities the fees provide funding for ongoing capital costs such as street rehabilitation. Some of the advantages of franchise fees include:

- Generates substantial revenue
- Creates a new revenue source, which diversifies the City’s revenue stream
- Reduces pressure on the property tax levy
- Increases revenue available to fund new building, park and trail projects that have either been delayed or not programmed due to funding constraints
- Distributes cost to all homes on a flat fee basis

The City’s franchise agreement with Xcel Energy (for both electric and gas service) allows for the implementation of franchise fees up to 5% of gross revenue and requires the City to impose the fee equitably across all customer classes. Based on discussion with the City Council, Shoreview’s proposed fees would be converted to a flat amount per month for all customer classes as shown in the table at right. The proposed fee represents 2.7% of electric and 2.5% of gas, and will generate annual income of about \$805,000.

	Estim # of Accts	Rates	Franchise Revenue
Electric			
Residential	10,912	\$ 2.50	\$ 327,360
C & I, small non-demand	414	\$ 3.00	14,904
C & I, small demand	180	\$ 30.00	64,800
C & I, large	55	\$ 310.00	204,600
Public street lighting	43	\$ -	-
Municipal pumping non-demand	15	\$ -	-
Municipal pumping demand	3	\$ -	-
Total	11,622		\$ 611,664
Gas			
Residential	9,390	\$ 1.30	146,484
Commercial non-demand	415	\$ 8.00	39,840
Commercial demand	1	\$ 112.00	1,344
Small interruptible	5	\$ 100.00	6,000
Medium & Large Interruptible	-	\$ 100.00	-
Firm Transportation	-	\$ 100.00	-
Transportation interruptible	-	\$ -	-
	9,811		\$ 193,668
Estimated Franchise Revenue			\$ 805,332

The table below shows the cities collecting utility franchise fees through Xcel Energy. Cities that collect electric or gas franchise fees through another utility company are not listed because we do not have easy access to that information.

Cities in the first section of the table at right charge franchise fees on a percentage basis. This means that the cost to the homeowner varies throughout the year based on energy usage.

The cities of New Brighton and Owatonna charge fees on a per kilowatt basis for electricity and based on therms for gas.

Most cities, as shown in the largest section of the table, convert their franchise fee to a flat rate per month. Flat rates for the Xcel Energy cities range from a low of 75-cents in Maplewood (for electric) to a high of \$7.00 in Forest Lake (for electric and gas combined).

City	Residential Rate			Note
	Electric	Gas	Total	
Coon Rapids	4.00%			
Minneapolis	5.00%			
Mounds View	4.00%	4.00%		
North St Paul		2.75%		
Robbinsdale	4.00%			
South St Paul	3.00%	3.00%		
West St Paul	5.26%			
White Bear Lake	1.50%			
New Brighton	\$ 0.0023	\$ 0.017		per unit (kilwt or therm)
Owatonna	\$ 0.0016			per unit (kilwt or therm)
Afton	\$ 2.00	\$ 2.00	\$ 4.00	
Bayport	\$ 1.50	\$ 1.25	\$ 2.75	
Brooklyn Center	\$ 1.52		\$ 1.52	
Champlin	\$ 2.50		\$ 2.50	
Circle Pines	\$ 2.75		\$ 2.75	
Cottage Grove	\$ 1.65	\$ 1.65	\$ 3.30	
Eden Prairie	\$ 2.50		\$ 2.50	
Edina	\$ 1.45		\$ 1.45	
Excelsior	\$ 2.50		\$ 2.50	
Forest Lake	\$ 4.00	\$ 3.00	\$ 7.00	
Golden Valley	\$ 2.00		\$ 2.00	
Grant	\$ 2.35		\$ 2.35	
Hopkins	\$ 1.70		\$ 1.70	
Lexington	\$ 2.25		\$ 2.25	
Little Canada	\$ 2.75		\$ 2.75	
Mahtomedi	\$ 1.30		\$ 1.30	
Maplewood	\$ 0.75		\$ 0.75	
Minnetonka	\$ 2.50		\$ 2.50	
Mound	\$ 2.75		\$ 2.75	
New Hope	\$ 1.50		\$ 1.50	
Newport	\$ 1.00	\$ 1.00	\$ 2.00	
Oakdale	\$ 1.00	\$ 1.00	\$ 2.00	
Osseo	\$ 1.28		\$ 1.28	
Prior Lake	\$ 1.50		\$ 1.50	
Richfield	\$ 2.05		\$ 2.05	
St Louis Park	\$ 2.50		\$ 2.50	
St Paul	\$ 2.84	\$ 3.70	\$ 6.54	per unit (kilwt or therm)
St Paul Park	\$ 1.50	\$ 1.50	\$ 3.00	
Stillwater	\$ 2.00	\$ 1.00	\$ 3.00	
Wayzata	\$ 2.06		\$ 2.06	

Discussion

If the City Council goes forward with the proposed franchise fees, it will take approximately 90 days for Xcel Energy to implement the rates (effective in October of 2013). During this time staff and the City Council will work to create a framework for a new Community Investment Fund which would receive this new revenue source. In addition, the City will develop a policy that governs how the fund is managed, fund balance targets and allowable uses.

A new Community Investment fund would be designed to support many projects that have community-wide benefit, and which have been difficult to fund in the past. Examples of these projects include park upgrades and renovations, trail extensions, Commons Master Plan improvements, and Community Center building improvements. Staff would also recommend dedicating a portion of the annual revenue stream to increasing the fund balance until a minimum level is reached. For instance, a \$2 million future minimum fund balance (achieved through dedicating 25% of annual revenue to fund balance growth) could serve the community into the future by dedicating revenue from investment earnings as well as annual franchise fee revenue. The table at right is an illustration of how the fund could be utilized over the next 20 years at the proposed franchise fee level.

Under these assumptions, new funding provided for City projects amounts to \$13.4 million over 20 years:

First 5 years	\$ 2,400,000
Second 5 years	\$ 2,600,000
Third 5 years	\$ 4,800,000
Fourth 5 years	<u>\$ 3,600,000</u>
Total	\$13,400,000

Community Investment Fund				
Year	Franchise Revenue	Interest Earnings	Available Project Spending	Fund Balance
2013	\$ 134,222			\$ 134,222
2014	805,332	1,611		941,165
2015	805,332	5,375	1,200,000	551,872
2016	805,332	9,545		1,366,749
2017	805,332	17,694	1,200,000	989,775
2018	805,332	17,406		1,812,513
2019	805,332	27,690	1,300,000	1,345,535
2020	805,332	26,223		2,177,090
2021	805,332	38,696	1,300,000	1,721,118
2022	805,332	37,166		2,563,616
2023	805,332	51,910	1,300,000	2,120,858
2024	805,332	50,470		2,976,660
2025	805,332	67,587	1,800,000	2,049,579
2026	805,332	55,176		2,910,087
2027	805,332	74,537	1,700,000	2,089,956
2028	805,332	62,316		2,957,604
2029	805,332	84,007	1,700,000	2,146,943
2030	805,332	70,114		3,022,389
2031	805,332	94,189	1,900,000	2,021,910
2032	805,332	72,737		2,899,979

As mentioned on page two of this report, one advantage of using franchise fees to generate the new revenue is the concept of the flat fee. Under this approach, all homes pay the same rate (\$3.80 per month) as part of their monthly utility bill.

The table at right and the graph below provide a comparison of the impact on homes under two different funding approaches for homes ranging from \$71,800 to \$900,000. Under the franchise fee option, all homes pay the same annual cost (\$45.60). Under the property tax option, the annual cost ranges from \$24.40 to \$339.70. As illustrated in both the table and graph, the breakeven point occurs for a home valued at \$134,200 (where the cost is the same under both funding approaches).

\$805,000 Annual Revenue Generated from Franchise Fee versus Property Tax			
Home Value After MVE	Cost per Home		
	Franchise Fee	Property Tax	Cost Difference
\$ 71,800	\$ 45.60	\$ 24.40	\$ (21.20)
\$ 134,200	\$ 45.60	\$ 45.60	\$ -
\$ 180,800	\$ 45.60	\$ 61.42	\$ 15.82
\$ 205,000	\$ 45.60	\$ 69.63	\$ 24.03
\$ 235,300	\$ 45.60	\$ 79.94	\$ 34.34
\$ 289,800	\$ 45.60	\$ 98.45	\$ 52.85
\$ 344,300	\$ 45.60	\$ 116.96	\$ 71.36
\$ 500,000	\$ 45.60	\$ 169.85	\$ 124.25
\$ 700,000	\$ 45.60	\$ 254.78	\$ 209.18
\$ 900,000	\$ 45.60	\$ 339.70	\$ 294.10

This same information is shown in the graph below, with the red line representing the annual cost per home under the property tax system, and the blue line representing the annual cost for the franchise fee. To put the breakeven point into perspective, about 9.9% of Shoreview's residential properties (homes, condos and townhomes) have market values below \$135,000. The remaining 90.1% of homes are above \$135,000.

It is also worth mentioning that another advantage of collecting the revenue through a franchise fee is that the fee will remain unchanged from year to year. Under the property tax approach, several factors can change how the cost is distributed, including: changes in how the property tax system works (due to changes in state law), tax levy changes, shifting property values and other factors.



Although a public hearing is not required for this action, the consideration of the ordinance amendments were advertised in the City's official newspaper as a hearing. Therefore, public comment should be accepted. Also attached are a few emails that have been received regarding the proposed franchise fee.

Recommendation

Consistent with the City Council goals and direction received at the March workshop meeting, it is recommended that the City Council adopt ordinances #808 and #809 implementing franchise fees on electric and gas service, as provided by the franchise agreements with Xcel Energy.

ORDINANCE NO. 908

AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF SHOREVIEW.

THE CITY COUNCIL OF THE CITY OF SHOREVIEW DOES ORDAIN:

SECTION 1. The City of Shoreview Municipal Code is hereby amended to include reference to the following Special Ordinance.

Subdivision 1. Purpose. The Shoreview City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Shoreview.

- (a) Pursuant to City Ordinance 882, a Franchise Agreement between the City of Shoreview and Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns, the City has the right to impose a franchise fee on Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns, in an amount and fee design as set forth in Section 9 of the Northern States Power Company Franchise and in the fee schedule attached hereto as Schedule A.

Subdivision 2. Franchise Fee Statement. A franchise fee is hereby imposed on Northern States Power Company, a Minnesota Corporation, d/b/a Xcel Energy, its successors and assigns, under its electric franchise in accordance with the schedule attached here to and made a part of this Ordinance, commencing with the Xcel Energy October, 2013 billing month.

This fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company's manner of billing for energy used at all similar premises in the city will control.

Subdivision 3. Payment. The said franchise fee shall be payable to the City in accordance with the terms set forth in Section 9.4 of the Franchise.

Subdivision 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates of city residents to reimburse Company for the cost of the fee.

Subdivision 5. Record Support for Payment. Xcel Energy shall make each payment when due and, if required by the City, shall provide at the time of each payment a statement summarizing how the franchise fee payment was determined, including information showing any adjustments to the total surcharge billed in the period for which the payment is being made to account for any uncollectibles, refunds or error corrections.

Subdivision 6. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

Subdivision 7. Effective Date of Franchise Fee. The effective date of this Ordinance shall be after its publication and ninety (90) days after the sending of written notice enclosing a copy of this adopted Ordinance to Xcel Energy by certified mail. Collection of the fee shall commence as provided above.

Passed and approved: _____, 2013.

Published: _____, 2013.

Mayor

Attest:

City Clerk

SEAL

SCHEDULE A

Franchise Fee Rates:

Electric Utility

The franchise fee shall be in an amount determined by applying the following schedule per customer premise/per month based on metered service to retail customers within the City:

<u>Class</u>	<u>Amount per month</u>
Residential	\$ 2.50
Small C & I – Non-Dem	\$ 3.00
Small C & I – Demand	\$ 30.00
Large C & I	\$310.00
Public Street Ltg	\$000.00
Municipal Pumping –N/D	\$000.00
Municipal Pumping – Dem	\$000.00

Franchise fees are to be collected by the Utility at the rate listed below, and submitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

ORDINANCE NO. 909

AN ORDINANCE IMPLEMENTING A GAS SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF SHOREVIEW.

THE CITY COUNCIL OF THE CITY OF SHOREVIEW DOES ORDAIN:

SECTION 1. The City of Shoreview Municipal Code is hereby amended to include reference to the following Special Ordinance.

Subdivision 1. Purpose. The Shoreview City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas services within the City of Shoreview.

- (a) Pursuant to City Ordinance 881, a Franchise Agreement between the City of Shoreview and Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns, the City has the right to impose a franchise fee on Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns, in an amount and fee design as set forth in Section 9 of the Northern States Power Company Franchise and in the fee schedule attached hereto as Schedule A.

Subdivision 2. Franchise Fee Statement. A franchise fee is hereby imposed on Northern States Power Company, a Minnesota Corporation, d/b/a Xcel Energy, its successors and assigns, under its gas franchise in accordance with the schedule attached here to and made a part of this Ordinance, commencing with the Xcel Energy October, 2013 billing month.

This fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company's manner of billing for energy used at all similar premises in the city will control.

Subdivision 3. Payment. The said franchise fee shall be payable to the City in accordance with the terms set forth in Section 9 of the Franchise.

Subdivision 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates of city residents to reimburse Company for the cost of the fee.

Subdivision 5. Record Support for Payment. Xcel Energy shall make each payment when due and, if required by the City, shall provide at the time of each payment a statement summarizing how the franchise fee payment was determined, including information showing any adjustments to the total

surcharge billed in the period for which the payment is being made to account for any uncollectibles, refunds or error corrections.

Subdivision 6. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

Subdivision 7. Effective Date of Franchise Fee. The effective date of this Ordinance shall be after its publication and ninety (90) days after the sending of written notice enclosing a copy of this adopted Ordinance to Xcel Energy by certified mail. Collection of the fee shall commence as provided in above.

Passed and approved: _____, 2013.

Published: _____, 2013.

Mayor

Attest:

City Clerk

SEAL

SCHEDULE A

Franchise Fee Rates:

Gas Utility

The franchise fee shall be in an amount determined by applying the following schedule per customer premise/per month based on metered service to retail customers within the City:

<u>Class</u>	<u>Amount per month</u>
Residential	\$ 1.30
Commercial Non-Demand	\$ 8.00
Commercial Firm Demand	\$112.00
Small Interruptible	\$100.00
Medium and Large Interruptible	\$100.00
Firm Transportation	\$100.00
Interruptible Transportation	\$100.00

Franchise fees are to be collected by the Utility at the rate listed below, and submitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

Subject: Franchise Fee

Dear Shoreview Council,

I'd like you to consider not implementing your proposed Xcel Energy Franchise Fee's as you have discussed during your recent workshop. The proposed \$3.75 monthly fee may not seem like a lot of money on the surface but combined with existing and future taxation burden it really is. It should be no shock to the council that I oppose tax increases whatsoever. I'm a firm believer that spending by governmental agency's should be limited to what its citizens want and can afford. And despite belief to the contrary there are many in our city that cannot afford anything more.

I'm not going to run on about this topic other than to say that if you really want to gauge the citizens feeling on this topic that you need to communicate its purpose and impact. Further that communication needs to be for all to see and other than published within minutes on the web or through the Shoreview Press which is not even delivered to a large number of homes in our city.

I'll agree with you that this is indeed a unique revenue source. One that I did not know was even an option. But it feels like a sneaky and dark way of getting revenues from its citizens.

We're going to have to disagree that the purposes of these funds are for fulfilling that of which the citizens want. Surveys are surveys and you and I can both generate conflicting feedback on the same question. This is however about communicating to the whole populace. I'm confident that if you were to do so, that the majority would oppose this proposal.

Regards,

Hans Molenaar

Subject: Discussion Regarding Franchise Fees

City of Shoreview Mayor and Council,

After reading "Discussion Regarding Franchise Fees" from the Shoreview City Council Workshop Meeting Minutes of March 11, 2013, I wish to provide you with my opinion on this matter.

It is my assertion that the \$45 per year (12 months @ \$3.75 per month as stated in the Meeting Minutes) is more important to a household than \$850,000 per year is to the city of Shoreview. This fee must not be unilaterally imposed on Shoreview residents. Shoreview residents must be given the opportunity to vote on the issue.

The 2.5% yields a cost to households based on how much their utility bill is. A utility bill has no sensitivity to the households ability to pay more fees or taxes. For example, I think it straightforward to see how Shoreview residents with older homes and homes in need of improvements may have higher utility bills than newer homes.

A similar effect applies to the elderly and retirees who have fixed incomes.

Then there is the fact that utility bills continually go up. Not only will households that are receiving assistance for their utility bills be burdened with more expenses due to the fee proposed, those households which are not realizing income growth exceeding the rate of increase in utility bills will be similarly burdened.

Even though the State made it legal for such a franchise fee on utilities that doesn't make it good government practice to impose such a fee.

I think this fee unduly impacts those who can least financially support it. And I also think it poor government practice to unilaterally impose such a fee regardless of how much open discussion may take place.

Thanks for your attention.

I am,

Jim McBreen

484 Lake Wabasso Court

Shoreview, MN 55126

Dear Mayor and Council Members,

I am writing to express my **strong objection** to the proposed franchise fee on the Excel Engery bills of the citizens of Shoreview. After reading the Council meeting minutes of 3/11/13, I have come to the conclusion that there appears to be no one on the council that is willing to say no to more spending. Projects such as:

- Outdoor water play area: \$500,000
- Commons Master Plan: \$???
- Community Center Addition: \$???
- Park and trail improvments: \$???
- Other projects

have not been done in the past because the council has had to make choices with the revenue it has. Why can't each of these (and other projects) have a more upfront/transparent method of funding (rather than this back door method). This is what officials are elected to do. Adding more revenue will do nothing more than make the government of Shoreview bigger (with ever increasing appetite for its citizen's money).

You appear to not be thinking of the people of Shoreview when you make such proposals. You are "looking out for the interests of Shoreview" at the expense of the "interests of the people" that elected you! What about the people who are struggling (which is a majority of the citizens of Shoreview)? What about the increased cost of living in Shoreview?

Shoreview has 'made due' without this money since it's inception. It can continue to 'make due' now and in the future.

I am urging all of you to reject this proposal in favor of attempting to keep the cost of Shoreview government lower!

I would like to hear from you one this. Please contact me at:

651.486.2979

Thank you for your consideration on this matter.

Dave and Pat Comfort

From: susan murphy <sjm1745@hotmail.com>

Subject: Franchise fee

Date: May 9, 2013 8:40:49 AM CDT

To: "sandymartin444@comcast.net" <sandymartin444@comcast.net>

Dear Sandy,

I have lived in Shoreview since 1976. Have been pretty happy raising my family here. Didn't care that there was no community center, library, fancy banners hanging from light poles, beautiful maintenance center which still does not house proper equipment to plow cul de sac and the list goes on.

When has it become the job of local government to provide entertainment at the expense of the tax payer? Isn't that a personal choice that should be paid for by the individual ?

The lakeshore players should be able to support themselves with ticket sales and private donations.

I can't buy everything I would like to have and neither should Shoreview. I thought you were to be wise Stewart's of our money ?

The statement was made at the council meeting that the economy is improving is a lot of fiscal gimmickry, personal income is down! I pay more for health care premiums, food, gas, etc. I have had to cut some luxury items I use to have like a cell phone, Comcast services, and now you want to tax me on my Excel bill a necessity ! with a franchise fee, how low do you want me to keep my heat? Legal authority does not make it right. This is truly taxation without boundaries.

I always felt you were pretty respectful of using our hard earned money, but not anymore.

Mayor Martin and council members,

I'm writing in opposition to the XCEL Energy 'franchise fee' to support a new entertainment facility to host the Lakeshore Players. There is no need to take more money out of my wallet to support this group. The number of Shoreview residents who partake in the activities that they put on is inconsequential to whether or not other residents in Shoreview should be forced to pay for a new facility for them.

If they are truly great and their activities inspire the community, they can be sponsored by those who patronize their plays and productions. It is out of the auspices of the local government to provide more entertainment for its citizens. There are already sufficient outlets to entertain a great number of people with the community center, a public library and countless outdoor parks and recreation areas. Enough is enough.

The Lakeshore Players may be a fine group of actors. I have no idea. I've never been to one of their productions and have no plans to attend one. All the more reason I should not be forced to subsidize their activities and subsidize their patrons, especially through such a backdoor effort of raising funds to do so through a franchise fee collected by XCEL Energy. I strongly oppose the council's attempt to impose this fee.

Thank you,
Matt Murphy