

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
May 5, 2014**

**CALL TO ORDER**

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on May 5, 2014.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVAL OF AGENDA**

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to approve the May 5, 2014 agenda as submitted.

VOTE:                   Ayes - 5                   Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

Mayor Martin read a proclamation in recognition of National Police Week.

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the RAMSEY COUNTY SHERIFF'S OFFICE;

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries;

WHEREAS, since the first recorded death in 1791, almost 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including FOUR members of the RAMSEY COUNTY SHERIFF'S OFFICE;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 286 names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 100 officers killed in 2013 and 186 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 26<sup>th</sup> Annual Candlelight Vigil, on the evening of May 13, 2014;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the MINNESOTA LAW ENFORCEMENT MEMORIAL ASSOCIATION'S Annual Candlelight Vigil, on the evening of May 15, 2014;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year from May 11-17;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families;

WHEREAS, the service and sacrifice of RAMSEY COUNTY SUBURBAN LAW ENFORCEMENT officers killed in the line of duty will be honored during the SUBURBAN RAMSEY COUNTY LAW ENFORCEMENT MEMORIAL CEREMONY, on May 12, 2014;

THEREFORE, BE IT RESOLVED that the SHOREVIEW CITY COUNCIL formally designates May 11-17, 2014, as Police Week in THE CITY OF SHOREVIEW, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

### **CITIZEN COMMENTS**

There were none.

### **COUNCIL COMMENTS**

#### **Mayor Martin:**

Announced that Cleanup Day will be May 17, 2014, at the Ramsey County Public Works building. This year Cleanup Day will be free in an effort to move cars through faster. Mr. Maloney noted that this Cleanup Day will be the last E-waste collection. In the future, residents will be directed to other vendors.

Mayor Martin noted that for the entire month of May, free household hazardous waste can be dropped off at the same Public Works building. The hours are Fridays from 10:00 a.m. to 6:00 p.m. and Saturdays from 9:00 a.m. to 4:00 p.m.

The Community Center is offering a pass for 30 Days for \$30.00 during the month of June.

**Councilmember Johnson:**

On June 12, 2014, the Economic Development Commission will host the Business Exchange at the Hilton Garden Inn. Details are on the City's website.

Residents should save July 25-27 for the *Slice of Shoreview*.

**Councilmember Wickstrom:**

On Saturday, May 10, 2014, the Shoreview Northern Lights Variety Band will hold its Spring Concert. The concert is co-sponsored by the Ramsey County Beyond the Yellow Ribbon group. From 5:30 to 7:00 p.m. there will be a women's veterans get-together. The concert will be at North Heights Lutheran Church on Highway 96.

**Councilmember Withhart:**

Noted that details of upcoming events are in the City newsletter. There is also information about a new initiative by the City to address the issue of hoarding.

On May 14, 2014, the Annual Meeting of the Shoreview Community Foundation will take place. Additional information is available on the City website.

**CONSENT AGENDA**

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember Withhart to adopt the Consent Agenda for May 5, 2014, and all relevant resolutions for item No. 1 and Nos. 3 through 10, as submitted, with item No. to be voted on separately.

**Discussion:**

Councilmember Quigley requested clarification of item No. 7, Approval of Ordinance Amending Council Salaries. City Manager Schwerm explained that an adjustment to City Councilmember and Mayor salaries is an adjustment by City policy that is made every two years. The adjustment shall be equal to the cost of living adjustment provided to employees that year. Salaries should be within 10% plus or minus of other similar sized cities. A 2% adjustment is recommended this year that brings the Mayor's salary to \$9,000 per year and Councilmember salaries to \$6,800 per year. This policy has served the City well and keeps Council compensation competitive.

Mayor Martin asked the reason the Mayor's salary is 2% below the average while Councilmember salaries are 4% below the average. City Manager Schwerm explained that the spread between Mayor salaries among other cities is wider than for Councilmembers.

1. April 14, 2014 City Council Workshop Meeting Minutes
3. Receipt of Committee/Commission Minutes:
  - Economic Development Commission, March 18, 2014
  - Parks and Recreation Commission, March 27, 2014

- Economic Development Authority, April 7, 2014
  - Environmental Quality Committee, April 28, 2014
  - Bike and Trails Committee, May 1, 2014
4. Verified Claims in the Amount of \$431,403.69
  5. Purchases
  6. License Applications
  7. Approval of Ordinance Amending Council Salaries
  8. Approve Maintenance Agreement between City and Rice Creek Watershed District-- Hanson/Oakridge Neighborhood Reconstruction, CP 14-01
  9. Parking Restrictions on Floral Drive - County Road F/Demar/Floral Reconstruction, CP 12-01
  10. Authorize Advertisement for Bids - 2014 Seal Coat Program, CP 14-04

VOTE:                   Ayes - 5                   Nays - 0

MOTION:     by Councilmember Wickstrom, seconded by Councilmember Johnson to approve item No. 2 of the Consent Agenda, April 21, 2014 City Council Meeting Minutes, as submitted.

VOTE:                   Ayes - 4           Nays - 0           Abstain - 1 (Martin)

Mayor Martin abstained, as she was not present at the meeting.

## **PUBLIC HEARINGS**

There were none.

## **GENERAL BUSINESS**

### **ACCEPT BIDS AND AUTHORIZE CONSTRUCTION CONTRACT - HANSON/OAKRIDGE NEIGHBORHOOD RECONSTRUCTION, CP 14-01**

#### **Presentation by Public Works Director Mark Maloney**

The project consists of street reconstruction, utility repairs/replacement and the addition of a storm sewer collection and treatment system. The plans and specifications for the project were approved by the Council April 7, 2014. Bids were opened May 1, 2014.

A pre-bid meeting was held for bidders due to some constraints with this project. Three bids were received. The low bid was received from Arnt Construction at \$1,424,934.40. The engineer's estimate was \$1,345,408.00. The low bid is approximately 6% higher than the estimate. Water main and sanitary sewer show higher costs than expected. Also, the higher cost is due to an increase of construction throughout the metro area.

The cost breakdown is as follows and includes engineering, administrative and contingency costs:

<b>Item</b>	<b>Eng. Estimate</b>	<b>Bid Award</b>
Street construction	\$712,500	\$755,000
Storm Sewer	\$443,000	\$402,500
Water Main	\$268,000	\$390,000
Sanitary Sewer	<u>\$123,500</u>	<u>\$ 62,500</u>
Total:	\$1,622,000	\$1,710,000

Project Funding will come from the following:

Street Renewal	\$661,500
Surface Water Fund	\$341,610
Water Fund	\$390,000
Sewer Fund	\$162,500
Assessments/Bond	<u>\$154,390</u>

TOTAL: \$1,710,000

Although the project costs are a little higher than estimated, special assessments are not impacted. Fund balances in the various funds are adequate to cash flow the project. Staff is recommending acceptance of the bid from Arnt Construction Company, Inc. and authorization of a contract in the amount of \$1,424,934.40.

Mayor Martin noted that the cost of the project at a cost of \$1,710,000 only has special assessments of \$154,390.

Councilmember Johnson stated that neighborhood residents were in full support of the project at the public hearing, which is also recognition of the very fair assessment rate.

MOTION: by Councilmember Quigley, seconded by Councilmember Johnson to adopt Resolution No. 14-23 accepting the base bid from Arnt Construction Co., Inc. for the Hanson/Oakridge Neighborhood Reconstruction, City Project #14-01 and authorize the Mayor and City Manager to execute a construction contract in the amount of \$1,424,934.40.

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

**RESOLUTION ORDERING PREPARATION OF AND ESTABLISHING COST PARTICIPATION POLICY FOR A PRELIMINARY ENGINEERING REPORT FOR TURTLE LAKE AUGMENTATION**

**Presentation by Public Works Director Mark Maloney**

In 2010, the City sponsored a lake level meeting that was attended by over 200 riparian property owners in Shoreview. An expert panel discussed lake levels because there were a number of lakes at that time with low levels. In 2011, the City Council partnered with the Turtle Lake Homeowners Association (TLHA) in a City Concept Report for a managed lake level, potential water sources, possible configurations and rough cost estimates. From 1950 to 1989, Turtle Lake was augmented, but augmentation permits were suspended in 1989.

In March 2014, the City Council met with TLHA on augmentation, when a formal request was presented to the City for a Preliminary Engineering Report. A follow-up workshop meeting talked about concepts for a work program. Property value impacts were discussed, and county assessor information has been presented in the report to the Council. Cost-share was discussed in terms of a Preliminary Engineering Report but not for the future of an augmentation program. Graphs of the lake level history were shown. A second graph from 2011 to 2013 shows the lake level recovering according to precipitation level.

The Preliminary Engineering Report would need to focus on water quality and invasive species. Until there is a detailed report, it will be difficult to get agency response to augmentation. Professional services would be sought for preparation of the report. The scope of services would be staged with benchmarks, so that the process can be reviewed by the Council and TLHA in terms of whether the information being gained is leading toward augmentation and touches on issues that will gain required agency support. The report will be undertaken once there is a cost-share agreement. The estimated cost for the report is \$100,000. The Council has discussed participating at a 25% cost level with the TLHA taking on the remainder of the cost.

Should all factors and components of the Preliminary Engineering Report be positive for augmentation, a possible project schedule could be a one-third project report with initial reactions from state agencies by October 2014. A two-thirds progress report for permits could be done by December 2014. The final Preliminary Engineering Report could be completed by February 2015. If the project were to move forward, criteria for a Lake Improvement District (LID) could be established by May 2015. A LID public hearing could be held in July 2015. The Council could order a LID ordered and approve by-laws August 2015. Public improvements could begin in 2016. This schedule is very preliminary but provides a timeline framework similar to what was done with Snail Lake.

Staff is recommending that the Council direct preparation of a Cost-Sharing Agreement for a Preliminary Engineering Report for Turtle Lake augmentation.

Mayor Martin stated that based on emails and phone calls, the issue has become very divisive among homeowners on the lake. She suggested delaying any action on this matter for a month because the City's legislative delegation is still working to obtain funding for the Preliminary Engineering Report. Taking action at this time could be premature and diminish the opportunity for state funding. The legislative session ends May 19, 2014. Secondly, Mayor Martin believes it would be wise to delay action because the Council originally agreed that to be fair, work would have to be done through the TLHA. A new board will be elected tomorrow at their Annual Meeting. The board making this request may be a different board tomorrow.

Councilmember Quigley suggested tabling this matter to consider Mayor Martin's comments.

**MOTION:** by Councilmember Quigley, seconded by Councilmember Withhart to delay any action pending the final report coming from the State and also the results of the TLHA election until the June 16, 2014 City Council meeting.

**Discussion:**

Councilmember Wickstrom stated that another reason to delay would be because of the numerous studies being conducted regarding water. There will be a serious drinking water shortage in the Twin Cities in about 15 to 20 years. There are areas in the state that are experiencing water shortages now. Drinking water will be a priority for her over recreational use. There needs to be resolution on solving the drinking water problem before targeting recreational uses.

Councilmember Withhart asked if the funding legislation is still being considered. Mayor Martin responded that she had contact with two legislators that day who indicated the funding is still being considered.

Councilmember Johnson stated that although the presentation suggested a maximum contribution from the City at a level of 25% or \$25,000 that is not confirmed.

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

Mayor Martin stated that the Council would look for a letter from the newly elected TLHA Board that there is intention to proceed.

Mayor Martin noted that at the Council workshop discussion there was support for City cost participation ranging from 0 to \$10,000; \$20,000; and more.

Councilmember Withhart stated that he would like to see a \$25,000 limit of participation. Preparing the study does not mean the Council would support augmentation. Similar expenses have been made for various groups in the City.

Mayor Martin stated that the lake level would be augmented to a level between 891 and 892 feet, and the lake level is in that range now. She questions spending \$100,000 on a study when the lake level is at the goal when it was previously augmented. Turtle Lake does fluctuate based on precipitation, but we have been in a seven-year drought. She is not sure the cost of the study can be justified when there may not be a project. She wants the City to do the right thing, but this is a tough decision.

Councilmember Quigley suggested a motion for a certain level of City funding.

Councilmember Withhart stated that he would not want to take an official position pending possible state funding.

Mayor Martin agreed but added that it would be fair for the TLHA to understand that the Association would be responsible for 75% to 80% of funding for the Preliminary Engineering Report.

Councilmember Quigley stated that the City has to be a significant player in this process with an investment in this asset. The Council has to take a firm position.

**MOTION:** by Councilmember Quigley, to adopt Resolution 14-25 directing the preparation of and determining the cost sharing for a preliminary engineering report for Turtle Lake Augmentation.

The motion died for lack of a second.

Councilmember Wickstrom stated that she is not supportive of the 25% level. Her maximum level of cost participation would be 10%. She believes this is throwing money away because she does not believe augmentation will gain agency support. She understands the City has to participate if the TLHA moves forward and 10% would be the maximum cost-share she would support.

Councilmember Johnson stated the homeowners are divided, which is a big concern on a lake that is a key asset. Further mitigating factors have been presented at this meeting that would make her pause in any firm decision until all the facts are known.

Mayor Martin stated that she can support a Preliminary Engineering Report because the only way good decisions can be made is with good scientific data. However by June 16, the City will know whether it will receive state funding.

Mayor Martin further stated that there is a Metro Watershed Study being done by the Metropolitan Council to determine whether further development in the metropolitan area can be supported forever. Mr. Maloney responded that the study is focusing on White Bear Lake, but the Metropolitan Council is also attempting to draw larger perspectives for a water supply plan for the metropolitan area. The Metropolitan Council will be looking at city water supply plans to make sure they are in compliance with regional goals.

Councilmember Johnson asked for the legal perspective on tabling this issue. City Attorney Kelly stated that tabling the matter would mean tabling to a specific date, and the action is appropriate.

Councilmember Quigley stated that there is an allusion to various water issues that are not concrete. It is his hope that when the Council considers this matter, there will be more factual information on which to base a decision.

Mayor Martin thanked Turtle Lake homeowners for attending the meeting and wished them well at their Annual Meeting.

**ADJOURNMENT**

MOTION: by Councilmember Withhart to adjourn the meeting at 8:15 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 19<sup>th</sup> DAY OF MAY 2014.

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Terry Schwerm  
City Manager