

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
July 7, 2014**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

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

Councilmember Wickstrom was absent.

APPROVAL OF AGENDA

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to approve the July 7, 2014 agenda as submitted.

VOTE: Ayes - 4 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

There were none.

CITIZEN COMMENTS

Mr. Mark Holmes, 674 Mound Avenue, expressed increasing concern about the environmental stability in the Commons area. There used to be a lot of wildlife, but little by little it has diminished. His main concern is that there is no life in the pond. Something happened five weeks ago that bird life ceased within a 20-block area. There are dead animals in the pond. The stench is unbearable. There are no live animals around the pond. He used to have 300 to 400 birds a day in his back yard, but now there are 3 or 4 a day. Squirrels, chipmunks and raptors have gone. He suspects that with the spraying for mosquitoes and all the rain, the toxin was washed into the pond and everything died. There used to be families of ducks. They lasted less than a week. He invited the Council to walk around the pond and do a study of the pond.

City Manager Schwerm stated that Mosquito Control has reported that the spray used is safe. No spraying has been done yet this year. He contacted the Ramsey County Naturalist who did note that the weather this past month may have impacted wildlife.

Mayor Martin suggested running water tests on the pond to find out more about the pond.

Mr. Holmes responded that the study needs to be ongoing because of weather spikes. He thanked the Council for listening.

COUNCIL COMMENTS

Mayor Martin:

The fourth Concert in the Commons will be Wednesday evening at 7:00 p.m. in the Commons with *Forty Shades of Green*, Irish music and dancing.

The City Council has authorized the conversion of two tennis courts at Bobby Theisen Park for pickleball. The courts are now ready. There is a Shoreview community group of over 150 who play pickleball. Wednesday morning at 9:00 a.m. there will be a Grand Opening with a ribbon-cutting ceremony. City Manager Schwerm added that it costs \$15 to join the Shoreview Area Pickleball Club. Residents can join either online or at City Hall. The Club has reserved times at the courts for its members.

Mayor Martin also noted that the Farmers' Market is every Tuesday with lots of good produce, crafts and other products.

Councilmember Johnson:

The *Slice of Shoreview* is July 25, 26 and 27 at Island Lake Park. There will be fireworks both nights. Everyone mark their calendars to attend this great event.

CONSENT AGENDA

Mayor Martin moved item No. 14 on the Consent Agenda, regarding parking restrictions for Chatsworth Avenue north of Highway 96, to be the first item of General Business on the meeting agenda.

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to adopt the Consent Agenda for July 7, 2014, and all relevant resolutions for item Nos. 1 through 13:

1. June 16, 2014 City Council Workshop Meeting Minutes
2. June 16, 2014 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes:
 - Planning Commission, May 27, 2014
 - Environmental Quality Committee, June 23, 2014
4. Verified Claims in the Amount of \$1,310,850.31
5. Purchases

6. Resolution Appointing Elections Judges for the August 12, 2014 Primary Election
7. Approval of Fireworks Display - *Slice of Shoreview*
8. Conditional Use Permit - 3469 Harriet Court
9. Application for Exempt Permit and Special Event Liquor License - Catholic Community of St. Odilia
10. Approval of Upgrade to Fiber Optics Link Between City Hall and Maintenance Center
11. Approval of Upgrade to Surveillance Camera System
12. Developer Escrow Reductions
13. Resolution Authorizing Participation in Ramsey County Cooperative Weed Management Area

VOTE: Ayes - 4 Nays - 0

PUBLIC HEARINGS

There were none.

GENERAL BUSINESS

ESTABLISHMENT OF PARKING RESTRICTIONS FOR CHATSWORTH AVENUE NORTH OF HIGHWAY 96

Public Works Director Mark Maloney explained that two years ago the City Council established parking prohibitions on one side of the street. A major employer in the area has had a significant increase of contract employees. The problem is that other businesses are challenged to even receive their own deliveries. Last winter the City received reports from businesses that delivery trucks could not navigate the street even when parking had been reduced to one side. It is staff's recommendation that parking now be prohibited on both sides of the street.

Mayor Martin stated that this is also a safety issue for fire engines or emergency vehicles.

Councilmember Withhart stated that he can support the recommendation but suggested the need for a discussion about widening the street as a long-term solution.

Johnson asked where employees can park for the businesses on that street. Mr. Maloney responded that the City code requires parking on-site.

Mr. Mark Diehl, Mark Manufacturing, stated that his business depends on large truck deliveries. Cars park right next to the driveways making it impossible for trucks to negotiate the driveway entrances. His recommendation is no parking on the street year round.

Quigley requested that companies and tenants be notified of the new restrictions.

MOTION: by Councilmember Johnson, seconded by Councilmember Withhart to adopt resolution 14-48 prohibiting on-street parking on both sides of Chatsworth Street north of Highway 96 to the cul-de-sac.

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

MINOR SUBDIVISION - 3339 VICTORIA STREET NORTH

Presentation by City Planner Kathleen Castle

Moser Homes is requesting a minor subdivision of 3339 Victoria Street to divide the property into two parcels for single-family residential development. The property is zoned R1, Detached Residential. The Planning Commission reviewed the application at the May and June 2014 meetings. Variances were approved for the front setbacks for future homes on both parcels to exceed the maximum.

The property consists of 1.5 acres with a lot width of 91.17 feet on Victoria. It is a key lot in that the side lot line abuts the rear lot line of homes to the north. All structures have been removed. A wetland delineation was done that identifies wetland in the northwest and southwest corners of the property. A 16.5 foot buffer is required for wetland areas. On Parcel 2, the buffer would be 10 feet. The Public Works Director has determined that the buffer setback of 10 feet is acceptable.

The parcels proposed comply with the subdivision and lot standards for the R1 Zoning District. Parcel 2 will remain a key lot. Stormwater is directed to the wetland and front property line. The historic drainage patterns will be retained. Impervious surface coverage complies with the maximum permitted in R1 zoning. One driveway off Victoria will access the two properties and then immediately split for two driveways to serve each lot. A 2 to 1 replacement is required for any landmark trees taken out.

The Planning Commission reviewed the application at the June 24th meeting and approved the variances to increase the maximum structure setback from the front property line. Parcel 1 will be at 255.4 feet and Parcel 2 at 272.1 feet.

Property owners within 350 feet were notified of the proposal. Written and verbal comments received express concerns regarding site conditions, surface water, wetland impacts, stability for development with two homes, landscape screening and fencing. Residents do not believe practical difficulty is present to justify approval of the variances.

Staff finds that both parcels comply with subdivision standards and recommends approval of the minor subdivision.

Mayor Martin asked if consideration was given to moving the building pad on parcel 2 north to provide a wider setback for building 1 on the south. Ms. Castle stated that the building pads are dictated by the wetland area and buffer and noted that the building pads are not the footprint of a structure.

Planning Commission Chair Solomonson stated that the Commission felt the character of the neighborhood is not impacted, although there was some concern about a key lot. Commissioners would like to see the driveway split further down the shared drive rather than immediately at the shared entrance.

Councilmember Quigley asked the rationale for moving the driveway split. Chair Solomonson responded that it would be for aesthetic reasons so that less driveway surface is shown at the entrance making room for more landscaping.

Councilmember Withhart noted that the EDA also recommends approval of this application.

MOTION: by Councilmember Quigley, seconded by Councilmember Johnson to approve the minor subdivision request submitted by Moser Homes, Inc. to divide the property at 3339 Victoria Street into two parcels for single-family residential development and said approval is subject to the following conditions:

Minor Subdivision:

1. The minor subdivision shall be in accordance with the plans submitted.
2. For Parcel 2, a Public Recreation Use Dedication fee as required by Section 204.020 of the Development Regulations before the City endorses the deed to create Parcel 2. The fee will be 4% of the fair market value of the property.
3. Public drainage and utility easements shall be dedicated to the City as required by the Public Works Director. The applicant shall be responsible for providing legal descriptions for all required easements. Easements shall be conveyed before the City will endorse deeds for recording.
4. The applicant shall enter into a Subdivision Agreement with the City. This agreement shall be executed prior to the City's release of the deeds for recording. A Development Agreement will also be required for the construction of a new home on each parcel.
5. Municipal water and sanitary sewer service shall be provided to both parcels. The cost of connection and SAC fees, together with permit charges, will be due with the building permit.
6. Driveways and all other work within the Victoria Street right-of-way are subject to the permitting authority of the City of Shoreview and Ramsey County.
7. A tree protection, removal and replacement plan shall be submitted prior to issuance of a building permit (including the demolition permit). The approved plan shall be implemented prior to the commencement of work on the property and maintained during the period of construction. The protection plan shall include wood chips and protective fencing at the drip line of the retained trees.
8. An erosion control plan shall be submitted with the building permit application for each parcel and implemented during the construction of the new residence.
9. A final site-grading and drainage plan shall be submitted and approved by the City Engineer prior to issuance of a building permit.
10. The wetland/wetland buffer shall be identified by signage. A 16.5-foot wetland buffer shall be established on Parcel 2 ranging in width from 10 feet to 16.5 feet.

11. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County.

Said approval is based on the following findings of fact:

1. The subdivision is consistent with the policies of the Comprehensive Plan regarding land use and housing.
2. The subdivision will provide opportunity for new housing in the community consistent with the City's housing goals.
3. The proposed lots conform to the adopted City standards for the R1, Detached Residential Zoning District.
4. Municipal water and sanitary sewer service are available for each proposed parcel.

Discussion:

Johnson commended inclusion and work with the residents in this neighborhood.

VOTE: Ayes: Quigley, Withhart, Johnson, Martin
 Nays: None

Mr. Moser, Applicant, stated that he hopes to have a custom home under construction by this fall. As to the driveway issue, the plan shown is to avoid as much contention as possible on who maintains what part of the shared driveway.

**ESTABLISH PROJECT AND AUTHORIZE PROFESSIONAL SERVICES
 AGREEMENT - SANITARY SEWER IMPROVEMENTS AND LIFT STATION, CP 14-07**

Presentation by Public Works Director Mark Maloney

Ramsey County has been doing a joint repair project on Highway 96. The City televised the sewer in the project area because of a history of backup issues. When the sewer line was uncovered, the problem was found to be worse than anticipated because the pilings have sunk. The sewer was built in the 1960s through wetland soils with wood pilings. This means that the City sewer repair has become much more complicated.

One option would be to replace the pilings and sewer pipe. Staff believes they would only sink again over time and be more costly than the staff recommendation to put in a new lift station and force main that would be located on better soil to reduce potential future settlement. This would mean abandoning the existing sanitary sewer.

An engineering agreement has been negotiated with Bolton & Menk for engineering services at a cost of \$29,350. The best estimate of a total project cost is \$200,000 to \$250,000 compared to \$250,000 just for pilings.

Mayor Martin asked how long Dale Street will be closed and how the project is to be funded. Mr. Maloney stated that he expects Ramsey County to move quickly. The City project would not impact reopening Dale Street. The project would be funded through the Sewer Fund. No other projects are being delayed because of this project. The only other sewer project in the City is on Hanson Road.

Councilmember Withhart asked if any borings have been done to find out the depth of the poor soils. Mr. Maloney stated that the weight of the soil is a major problem. The County has done many borings and is using a process with foam to lessen the load of the roadway.

MOTION: by Councilmember Johnson, seconded by Councilmember Withhart to adopt Resolution No. 14-44 authorizing execution of a Professional Service Agreement with Bolton & Menk for engineering and associated activities for the Sanitary Sewer Improvements - Highway 96 Lift Station, City Project #14-07.

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

RECEIVE BIDS AND AWARD CONTRACT - TRAIL EXTENSION AND REHABILITATION, CP 14-05

Presentation by Public Works Director Mark Maloney

This project includes trail reconstruction along County Road I and at Theisen Park and new trails along Lexington Avenue and at Shamrock Park. The Council approved plans and specifications at its June 2, 2014 Council meeting.

Bids were opened July 1, 2014. Three bids were received with the low bidder, Rum River Contracting at a cost of \$279,072.77. The Engineer's Estimate was \$335,000.00. Rum River Contracting has not previously worked in the City. After a reference check, it is clear to staff that Rum River Contracting has the resources and engineering capacity for the work.

Funding for the project will be \$133,350 from the General Fixed Asset Revolving Fund for the work on County Road I and at Theisen Park. Park dedication funds in the amount of \$110,400 plus \$91,000 from the Community Investment Fund will cover the work on Lexington and at Shamrock Park. Staff is recommending approval.

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson to adopt Resolution No. 14-66 accepting the base bid from Rum River Contracting for the 2014 Trail Extension and Rehabilitation Project, City Project #14-05 and authorize the Mayor and City Manager to execute a construction contract in the amount of \$279,072.77.

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

ADJOURNMENT

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

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 21st DAY OF JULY 2014.

Terry Schwerm
City Manager