

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
July 6, 2009**

**CALL TO ORDER**

Pursuant to due call and notice thereof, a regular meeting of the Shoreview City Council was called to order by Mayor Martin on July 6, 2009, at 7:01 p.m.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance to the flag.

**ROLL CALL**

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

Councilmember Withhart was absent.

**APPROVAL OF AGENDA**

Mayor Martin noted that No. 15 has been removed from the agenda. She requested a brief discussion of the Citizen of the Year application during the *Special Order of Business* portion of the meeting.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to approve the July 6, 2009 agenda as submitted.

ROLL CALL: Ayes - 4 Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

Mayor Martin read the proclamation for *Night to Unite* that will be held on August 4, 2009. There will be block parties throughout the City. Every neighborhood is encouraged to have a block party. The Sheriff's Department will provide organizing information and will register block parties as to location. Councilmembers will visit as many parties as possible. Call the Sheriff's Department at the non-emergency number or visit the City's website where there will be a link.

WHEREAS, the Minnesota Crime Prevention Association, along with AAA of Minnesota/Iowa is sponsoring a nationwide crime prevention program on Tuesday, August 4<sup>th</sup>, 2009 entitled "Night to Unite"; and

WHEREAS, the “Night to Unite” provides a unique opportunity for the City of Shoreview to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, Shoreview plays a vital role in assisting the Ramsey County Sheriff’s Department through joint crime prevention efforts in Shoreview and is supporting “Night to Unite 2009” locally; and

WHEREAS, it is essential that all citizens of Shoreview be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime in Shoreview; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “Night to Unite” program;

NOW, THEREFORE, I, Mayor Sandy Martin, and WE, Councilmembers Blake Huffman, Ben Withhart, Terry Quigley and Ady Wickstrom, DO HEREBY CALL UPON ALL CITIZENS OF SHOREVIEW, RAMSEY COUNTY, to join the RAMSEY COUNTY SHERIFF’S DEPARTMENT, The MINNESOTA CRIME PREVENTION ASSOCIATION AND AAA OF MINNESOTA/IOWA in supporting the “Night to Unite on August 4<sup>th</sup>, 2009.

FURTHER, LET IT BE RESOLVED THAT, I, Mayor Sandy Martin, and WE, Councilmembers Blake Huffman, Ben Withhart, Terry Quigley, and Ady Wickstrom, do hereby proclaim Tuesday, August 4<sup>th</sup>, 2009 as “Night to Unite” in Shoreview, Ramsey County, Minnesota.

### **CITIZEN COMMENTS**

**Mr. Lee Poppe**, Shoreview-Einhausen Sister City Association, announced that 27 visitors from Einhausen will arrive in Shoreview July 23, 2009, in time for the *Slice*. Einhausen guests are very interested in the Native American culture, and the entertainment at the welcome dinner will be Native American dancing. A 5-day bus tour is planned in northern Minnesota to see the headwaters of the Mississippi and returning to Shoreview August 1, 2009. On Sunday, August 2, a sunset dinner cruise is being planned on the Mississippi River. All Councilmembers and residents are invited to attend. Advance registration is necessary. Registration and all the information is available on the website at [sesca.org](http://sesca.org).

### **COUNCIL COMMENTS**

#### **Mayor Martin:**

A reminder that everyone is invited to attend the Wednesday night concert series in the Commons at 7:00 p.m. The concerts are free and take place by the pavilion. This week Dan Perry is featured with music from the 1970’s and 1980’s. He will also be performing as part of the *Slice*.

The Farmers Market is every Tuesday from 3:00 to 7:00 p.m. in the lower parking lot at the Community Center.

**Councilmember Quigley:**

Noted that he will be absent from the July 20, 2009 Council meeting.

**Councilmember Wickstrom:**

The *Slice of Shoreview* will take place July 24 through July 26, 2009 at Island Lake Park. The parade will be Saturday morning. The popular stargazing event will be Friday night. Everyone is urged to attend and participate in the weekend activities.

Reported attendance at the League of Minnesota Cities Conference. Information she was able to obtain will be passed on to City Manager Schwerm and staff. She did learn of another environmental standards organization called Green Globe that Apple Valley is using the standards and it is far less costly than LEED. She encouraged staff to look at the possibility of working with Globe for the Maintenance Center project.

**CONSENT AGENDA**

Two items were pulled for separate discussion.

1. Councilmember Huffman noted that he did attend the June 8, 2009 Council workshop meeting.
  
6. Councilmember Huffman requested that item No. 6 be voted on separately-- *Declaration of Intent to Bond for Costs*. One item included in this bond is the Maintenance Center. He supports the project as a whole and would support the Phase 1 level of improvements, but he is not willing to support the Phase 2 level of work that raises the cost significantly.

MOTION: by Councilmember Huffman seconded by Councilmember Quigley to approve the July 6, 2009 agenda with the exception of No. 6:

1. June 8, 2009 City Council Workshop Minutes, as corrected
2. June 15, 2009 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes
  - Planning Commission, May 26, 2009
  - Human Rights Commission, June 24, 2009
4. Verified Claims in the Amount of \$2,247,705.17
5. Purchases
7. Change Order #1 – Woodbridge Neighborhood Reconstruction, CP 09-01
8. Developer Escrow Reduction
9. Approval of Application for Temporary Intoxicating Liquor License and Lawful Gambling Permit – St. Odilia Catholic Church

10. Authorize Purchase of Front-End Loader Replacement
11. Authorize Purchase of Cushman Cart Replacement

ROLL CALL:           Ayes - 4                           Nays - 0

MOTION:       by Councilmember Wickstrom, seconded by Mayor Martin, to adopt Resolution 09-44 to finance certain proposed projects to be undertaken, as listed within the resolution on Exhibit A, and establishing compliance with reimbursement bond regulations under the Internal Revenue Code.

ROLL CALL:           Ayes - 3                           Nays - 1 (Huffman)

## **PUBLIC HEARINGS**

There were none.

## **GENERAL BUSINESS**

### **CONDITIONAL USE PERMIT - 3330 VICTORIA STREET NORTH**

#### **Presentation by City Planner Kathleen Nordine**

The application is to exceed the combined floor area permitted for accessory structures on a residential property. The property consists of 1.75 acres with frontage and access off Victoria Street. The property also has frontage on Emmert Street. There is a single-family home with a two-car attached garage, a separate accessory structure of 1000 square feet and a smaller accessory structure. The applicant proposes to remodel the existing home by replacing the attached two-car garage with a three-car garage and a second access off Victoria to accommodate reorientation of the new garage. The smaller accessory structure will be removed. The Code requires that the combined area of all attached and detached accessory structures not exceed 90% of the dwelling unit foundation or 1,200 square feet, whichever is the more restrictive, unless a conditional use permit is granted. Parcels greater than one acre may be allowed to exceed the maximum area for accessory structures with a conditional use permit. The existing detached accessory structure is a legal non-conforming use. The permit was issued prior to the ordinance amendment a couple of years ago.

Staff believes the proposal complies with the conditional use permit criteria and the Development Code standards. The reorientation of the garage with added windows facing Victoria will look like living space. The property is heavily wooded and well screened. There are a number of other properties in the neighborhood that exceed City standards.

Property owners within 350 feet of the site were notified of the project. One written comment was received in support. One phone call was received from a neighbor expressing concern about the second access. The City does allow second driveways for properties that exceed a width of 120 feet. Access off Victoria is under Ramsey County jurisdiction. The only concern raised by the County is that a culvert be put in at the main grade for the driveway.

The Planning Commission reviewed and approved the application. The one concern discussed was possible subdivision. If subdivision were to occur, the City has authority to remove the accessory structure and/or the second driveway. Staff is recommending approval with the conditions listed in the staff report.

Planning Commissioner Wenner stated that the Commission realizes that the proposal meets the requirements of the Code and application criteria for a conditional use permit. However, because Victoria is a major artery, the Commission was concerned about a second curb cut for access.

Mayor Martin noted that a second curb cut does not represent additional traffic and the City Code allows it.

Councilmember Wickstrom added that a second driveway will make it possible for cars to access Victoria facing frontward rather than backing out.

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember Huffman to adopt Resolution No. 09-47 approving the conditional use permit request for Dean Otteson/Larry Liu, 3330 Victoria Street, to exceed the accessory structure area allowed on residential properties larger than one acre, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted with the applications. The attached garage shall not exceed 896 square feet in size, and the total floor area of all accessory structures shall not exceed 1,896 square feet. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work commenced.
3. The small storage shed shall be removed prior to the Final Inspection for the house addition. A financial surety ensuring the removal of this shed will be required.
4. The accessory structures on the property shall be used for personal use only and no commercial use/commercial related storage is permitted.
5. The applicant shall submit a tree preservation plan with the building permit application that identifies tree protection measures to be taken. Replacement trees shall be planted in accordance with the City's Woodlands Vegetation Ordinance.

The approval is based on the following findings:

1. The property has been developed with three detached accessory buildings and an attached two-car garage since 1988. The proposed expansion of the attached garage will not have an adverse impact on the nearby properties.

2. The 896 square foot attached garage complies with the maximum 1,000 square feet permitted for attached accessory structures and has been designed to be an integral part of the primary structure. The proposal, therefore, meets the spirit and intent of the Code.
3. The land use complies with the designated land use of the Comprehensive Plan.

ROLL CALL:           Ayes: Huffman, Quigley, Wickstrom, Martin  
                           Nays: None

### **APPOINTMENT OF BUSINESS REPRESENTATIVE MEMBER TO THE ECONOMIC DEVELOPMENT COMMISSION**

City Manager Schwerm stated that the Economic Development Commission (EDC) members had talked to the Council about seeking a local business representative to serve on the EDC. Letters were sent and notices published. Three applications were received. The EDC interviewed all three. All would serve well. The EDC chose Dave Kroona who has been a long-time business owner in the community. The EDC is recommending he be appointed to a term ending in 2011.

Mayor Martin noted that Mr. Kroona is not only a business owner in the community but also a part of a larger organization of service station operators and has other business experience as well.

MOTION:       by Councilmember Wickstrom, seconded by Councilmember Huffman to appoint David Kroona to serve as a business representative to the Economic Development Commission for a term ending January 31, 2011.

ROLL CALL:           Ayes - 4                           Nays - 0

### **ADJOURNMENT**

MOTION:       by Councilmember Quigley, seconded by Mayor Martin to adjourn the meeting at 7:36 p.m.

ROLL CALL:           Ayes - 4                           Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 20<sup>th</sup> DAY OF JULY 2009.

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Terry C. Schwerm  
 City Manager