

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
September 21, 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 September 21, 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, Wickstrom and Withhart.

**APPROVAL OF AGENDA**

MOTION: by Councilmember Huffman, seconded by Councilmember Wickstrom to approve the September 21, 2009 agenda as submitted.

ROLL CALL:                      Ayes - 5                      Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

Tim Pratt, Chair of the Environmental Quality Committee, was present to present awards with Mayor Martin to the 2009 Green Community Award winners. Mr. Pratt stated that with nine lakes in Shoreview, everyone's actions have an impact on water quality. Infiltrating water on one's own property will help prevent algae bloom on lakes. That is the reason for the Green Community Awards program.

A photo of each property was shown with commendation for the use of Best Management Practices that included rain gardens, native plantings, organic vegetable gardens, use of pervious pavers, buffers on steep grades and shorelines, storm water management and planting clover and alfalfa along roadways to reduce mowing. Awards were presented to:

Stephanie and Michael Calcagno  
Glinis Hirschberger  
Lillian Roben Hoehr  
Gordon Howell  
Mary & Paul Kennedy  
Gerry O'Sullivan and Cathy Carlson

Lake Ridge Association Landscape Committee  
Owasso Heights Townhouse Association

Mayor Martin stated that the photos will be put on the City website to inspire others. One of the reasons Shoreview was selected last year by the magazine *Family Circle* as one of the 10 best cities to raise a family is because of the green community awards.

Mr. Pratt noted that in 2010, the awards tour will be the first weekend in August. Anyone interested is urged to submit his or her work. Applications will be on the website soon.

### **COUNCIL COMMENTS**

#### **Mayor Martin:**

The Community Center pool is shut down for repairs and renovation. It will open again on Saturday, September 26, 2009. The fitness center and other facilities remain open.

#### **Councilmember Huffman:**

On Thursday, September 24, 2009, Northwest Youth and Family Services will hold its *Taste of Northwest* at the Community Center. Over 20 restaurants are participating in providing food. There will also be a silent auction. Tickets are \$25. Once entering the event, all food is free.

#### **Councilmember Withhart:**

The Ramsey County Parks and Recreation Department has announced an archery deer hunt to control the large deer herd in Shoreview. This is a controlled management hunt in Snail Lake and Grass Lake Parks. The hunt will occur on October 2<sup>nd</sup>. Hunt areas will be posted.

On Thursday, November 12, 2009, at 7:00 p.m., the Shoreview Community Foundation will hold its first annual fundraising event of wine and dessert. The event is open to the public. There will also be live and silent auctions and a string quartet. More information is on the Community Foundation website.

#### **Councilmember Wickstrom:**

Stated that she and Mayor Martin attended the opening for the mural painting in the tunnel under Lexington that is located by the dog park south of County Road J. Mayor Martin added that the art project was designed by Susan Schoon. The painting was done by young people who worked over a month to complete the mural.

The Ken Rome Walk will be at McCullough Park on Saturday, September 27, 2009. Registration is required and can be done on line. The registration fee is \$20.00 through

Wednesday, or \$25.00 at the park. The walk/run starts at 9:00 a.m. Proceeds will go to cardiac research.

Also, on Thursday, September 24, 2009, the Ramsey County League of Local Governments will hold its monthly meeting. This meeting will be on dealing with conflict. There is a dinner and registration is required.

### **CONSENT AGENDA**

#### ***Item No. 9, Modification of Quote – Tropics Water Park and Locker Room Flooring Replacement, was pulled for discussion.***

Councilmember Huffman asked for clarification. Mr. Schwerm explained that one issue is related to the tile replacement around the pool. When the old tile was removed, a mortar bed was found that is not concrete. This meant that removal with jack hammers and then laying a layer of concrete before the new surface could be installed. This work was tremendously labor intensive.

Councilmember Huffman asked how this would not be known before the project was bid. Mr. Schwerm stated that the City would likely have needed to hire an architect to prepare plans and specifications for the project, in which case there may have been more detailed specifications. However, the work would have needed to be done in this fashion in either case if this same style flooring was used.

### **Public Works Report**

Councilmember Wickstrom stated she is proud to note that the City may give a presentation on pervious pavement at the APCA Congress in 2010.

**MOTION:** by Councilmember Wickstrom, seconded by Councilmember Withhart to adopt the consent agenda of September 21, 2009 approving the necessary motions and resolutions:

1. September 8, 2009 City Council Meeting Minutes
2. Receipt of Committee/Commission Minutes:
  - Economic Development Authority, August 10, 2009
  - Economic Development Commission, August 25, 2009
  - Human Rights Commission, August 26, 2009
3. Monthly Reports:
  - Administration
  - Community Development
  - Finance
  - Public Works
  - Park and Recreation

4. Verified Claims in the Amount of \$1,548,115.98
5. Purchases
6. License Applications
7. Payment No. 7 (Final) – Emmert St./Arbogast St., CP 08-01A & 08-01B
8. Developer Escrow Reduction
9. Modification of Quote – Tropics Water Park and Locker Room Flooring Replacement

ROLL CALL:           Ayes – 5                           Nays – 0

**PUBLIC HEARINGS**

**2009 ASSESSMENTS**

**PROJECT 08-01A – EMMERT NEIGHBORHOOD**

**PROJECT 08-01B – ARBOGAST NEIGHBORHOOD**

**Presentation by Public Works Director Mark Maloney**

These projects were done as one construction project, but costs were tracked separately, which is why there are two public hearings. The total cost of both projects is just under \$1.5 million. The total amount of special assessments is approximately 26% of the total cost. Adoption of the assessments will be October 5, 2009, if there are objections at these hearings that cannot be addressed tonight. The assessments will be certified by November 15 to Ramsey County for property taxes payable in 2010.

The Emmert Street project was constructed with the barrier concrete curb and gutter. The surmountable curb was constructed on Timber Lane. The project also included additional storm sewer, water main and sanitary sewer. There are no storm water assessments, as all properties have previously paid a drainage assessment. It is the City's policy that properties are only assessed once for storm sewer. The per-unit street assessment for Emmert is \$1,480, which is \$247 less than was estimated at the public improvement hearing. Water assessments per unit are \$6,120; sewer is \$968 (based on front footage), and sanitary sewer is \$6,000 per lot but affects only three lots. Assessments over \$5,000 would be spread over a period of 15 years at 5.5% interest.

The Arbogast Street project, between Vivian and Victoria, has assessments of \$1,174 per unit for the street; which is \$303 less than what was estimated at the public improvement hearing. Water is \$4,406 per unit; sewer and supply charge is \$699 per lot. No storm sewer is being assessed.

City Attorney Filla stated that he has reviewed the affidavits of mailing and publication for the Emmert neighborhood reconstruction. The required mailed and published notices have been provided and the public hearing is in order at this time.

Mayor Martin opened the public hearing at 7:45 p.m. There were no written objections received prior to the meeting.

**Mr. Nicolai Krylov**, 3240 Park Overlook Drive, asked how his assessment was calculated. He stated that he has no objections, as his figure is lower than mentioned. He further asked if credit could be given for the loss of berry bushes. Mr. Maloney explained that his house is on a corner lot so he pays half the street assessment. Mayor Martin explained that the City cannot compensate for bushes planted in the public right-of-way because they are not on the property owner's land. Councilmember Withhart added that the right-of-way is the amount of land owned by the City for the road, which is wider than the paved part of the street.

**Mr. John Clouse**, 747 Timber Lane, asked the reason the assessments for the Emmert project are so much higher than Arbogast, when the work was the same. He also stated that it was not clear that there would be an assessment for the street. It is objectionable to pay so much for water—the assessment for the water main, the assessment for connecting water to homes and the new water meters that have increased water bills. On a different note, this was the perfect place for a permeable surface because of the slope to ponds and wetlands, but it was not used because of the expense even though there is another project in the City.

**Mr. Bill Iacoe**, 730 Amber Drive, stated that he is in the process of closing the sale of his home. He would like to know the exact taxes due so he can pay them immediately.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to close the public hearing at 7:55 p.m.

ROLL CALL:                      Ayes – 5                      Nays – 0

Mr. Maloney responded to the questions and issues raised:

- The only portion of the street assessment being charged to property owners is for the concrete curb and gutter. The total cost is divided by the number of units on the project. The assessments for the Arbogast project are less because there are more lots in that area to spread the cost. The Senior Deferral Program is not a City program but a state program. It is not forgiveness of a loan but a deferral of payment that accrues interest and becomes a bigger amount for someone else later. The Finance Department can provide more information on that program.
- The cost of the water main is bought down by the City by at least 50%. The other half of the cost is paid for through assessments. The high cost is one of the reasons it took such a long time to build this portion of water main to be built. It was constructed with directional drilling to keep mature trees, which also makes it more expensive.

- The reason a permeable surface could not be used for this project is because of the soil types. The soil where there is a permeable concrete street is sandy and allows infiltration. If a porous surface is used on clay or mixed soils, additional infrastructure is needed to drain water.
- Mr. Iacoe's assessments will be official upon Council action. Prepayments can be made the day after the Council certifies the assessment. That number will be available tomorrow and can be prepaid at City Hall.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve Resolution 09-79 adopting the assessment roll for Emmert Neighborhood Reconstruction, City Project 08-01A, with any previously noted revisions, spreading said assessments over 15 years for assessment amounts of \$5,000.00 and over, spreading said assessments over 10 years for assessment amounts under \$5,000.00, both at 5.50 percent interest, with said installment to be equal payments.

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

City Attorney Filla stated that he has reviewed the affidavits of mailing. The required notices have been provided and the public hearing is in order at this time.

Mayor Martin opened the public hearing at 8:05 p.m. There was no testimony.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Withhart to close the public hearing at 8:05 p.m.

ROLL CALL: Ayes – 5 Nays – 0

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to approve Resolution 09-80 adopting the assessment roll for Arbogast Neighborhood Reconstruction, City Project 08-01B, with any previously noted revisions, spreading said assessments over 15 years for assessment amounts of \$5,000.00 and over, spreading said assessments over 10 years for assessment amounts under \$5,000.00, both at 5.50 percent interest, with said installments to be equal payments.

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

**GENERAL BUSINESS**

**ITEMS RELATED TO THE MINNESOTA METRO NORTH TOURISM BUREAU**

- A. APPROVAL OF ARTICLES OF INCORPORATION**
- B. APPROVAL OF CONVENTION AND TOURISM BUREAU AGREEMENT**

**Presentation by City Manager Terry Schwerm**

In 2000, at the request of lodging properties in the City, the Council approved an ordinance for a lodging tax of 3% to join Minneapolis North Metro Convention Bureau (“Visit Minneapolis North”) to serve City convention and visitor marketing. Last December, 2008, the Council was asked by lodging property representatives to provide the required one-year termination notice to Visit Minneapolis North, as it is believed they would be better served by joining a new convention/visitors organization that would focus on the east side of the Mississippi River. More marketing from the National Sports Center and member cities would better meet their needs. On December 15, 2008, the Council did approve the one-year termination notice.

Over the last few months, representatives from the National Sports Center and prospective member cities have met to develop a structure and bylaws for a new visitor’s bureau, Minnesota Metro North Tourism (“Metro North”). These cities include Shoreview, Blaine, Fridley, Ham Lake, Coon Rapids, Anoka and Mounds View. Additionally, it is expected that Lino Lakes and New Brighton will join in 2010. The board would consist of one representative from each city with one additional representative for each 10% of revenue that is provided by a communities’ lodging properties. Both Coon Rapids and Shoreview will have four representatives; Blaine will have two; and the other cities will have one representative. The first year’s budget is estimated at \$500,000 with Shoreview and Coon Rapids bringing in approximately \$200,000 each. When Lino Lakes and New Brighton join, it is expected that Shoreview’s overall ratio will drop and the City will lose one representative. The City has been asked to designate its representatives by mid-October.

Councilmember Withhart noted that the Articles of Incorporation state members shall be appointed according to the bylaws, but the bylaws have not yet been written. Mr. Schwerm explained that the bylaws would be adopted by the new board.

Councilmember Withhart stated that he wants to make sure the City has an equitable voice for the investment paid to Metro North. Mr. Schwerm suggested approving the Articles of Incorporation and holding off on the Agreement until the board membership is clearly spelled out in the agreement.

Councilmember Huffman stated that if Shoreview has four members, the City would have the largest say in forming the bylaws.

Councilmember Quigley stated that Shoreview’s interest is well represented. He does not see the need for getting too involved with the details of the agreement but would let the representatives straighten it out.

Councilmember Withhart stated that he still has concern that the City’s investment from the lodging taxes be protected. He would let the City Manager negotiate further the specifics of board membership.

MOTION: by Councilmember Huffman, seconded by Councilmember Quigley to adopt the Articles of Incorporation for the Minnesota Metro North Tourism/and to approve the Convention and Tourism Bureau agreement with Minnesota Metro North Tourism allowing minor modifications to the agreement to be made by staff.

Discussion:

Councilmember Withhart offered an amendment to the motion to drop approval of the agreement and the motion after “Articles of Incorporation for the Minnesota Metro North Tourism.”

Councilmembers Huffman and Quigley accepted the amendment.

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

**ADJOURNMENT**

MOTION: by Councilmember Withhart, seconded by Councilmember Quigley to adjourn the meeting at 8:25 p.m.

ROLL CALL: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 5<sup>th</sup> DAY OF OCTOBER 2009.

---

Terry C. Schwerm  
City Manager