

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
May 17, 2010**

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 May 17, 2010, at 7:00 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 Wickstrom, seconded by Councilmember Huffman to approve the May 17, 2010 agenda as revised.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

There were none.

CITIZEN COMMENTS

Mr. Todd Sharkey interrupted Mayor Martin as she attempted to talk to him prior to beginning his comments. He did not want to listen to her. Mayor Martin called him out of order, but Mr. Sharkey tried to continue. Mayor Martin requested that deputies escort Mr. Sharkey from the meeting.

COUNCIL COMMENTS

Mayor Martin:

Mayor Martin and the Council recognized the City's Recording Secretary of 16 years, Deanne Allen, who was attending her last meeting before retiring. She will continue preparing minutes for the City but will be working off-site.

Wednesday, June 16, 2010, at 7:00 p.m. will be the first of the City's Concert in the Commons series for the summer at the Community Center featuring the Don Perry Ice Cream Band. The Shoreview Community Foundation will be handing out ice cream at this first concert.

The Shoreview Business Exchange will meet Wednesday, May 19, 2010, at 7:30 a.m. Shoreview business owners are welcome to stop in at the Community Center to meet with City officials on issues that are important to them.

Councilmember Withhart:

The Shoreview Community Foundation expects to announce its first grant recipients at the June 16th concert.

Noted the red pines that former Councilmember Holmstrom requested be planted in the Gramsie Road median had died and were recently removed. The pines were originally planted because of the entryway to the Grass Lake Open Space. He looks forward to new updated landscaping in this area.

There are a number of properties in the City that are badly in need of lawn mowing. He noted one property where the lawn was mowed but not the adjacent boulevard and asked if there is a policy to address this problem. Staff will look into this matter.

Noted an article in the newspaper that talked about \$280,000 being spent by the Sheriff's Department to protect the Showboat on the Mississippi River. As Shoreview contracts with the Ramsey County Sheriff's Department for public safety, he would like to be sure Shoreview tax dollars are not being spent on Showboat patrol. Mr. Schwerm responded that the Showboat protection is not part of the money Shoreview pays as part of its contract for services. The money Shoreview pays for additional water patrol is strictly for Shoreview lakes.

Councilmember Wickstrom:

The semi-annual Buckthorn Bust will be Saturday, June 5, 2010, from 9:00 to noon. Buckthorn and burdock weed will be removed. Volunteers meet at the park on Mound Street.

On Wednesday, May 19, 2010, at 7:30 p.m. the Environmental Quality Committee (EQC) will hold its last educational workshop on Lakescape issues.

CONSENT AGENDA

Councilmember Withhart asked for an update on how long pumping will continue for Snail Lake. Mr. Maloney stated that the St. Paul Water Utility determines that according to the water level in the Mississippi River. Preliminary indications are that pumping will continue through the end of May. The Snail Lake Improvement District pays 45% of the cost of pumping. The City and County also contribute to the cost. Mr. Schwerm noted that the level of Snail Lake has risen six inches.

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to adopt the consent agenda of May 17, 2010, approving the necessary motions and resolutions:

1. May 3, 2010 City Council Meeting Minutes
2. Monthly Reports:
 - Administration
 - Community Development
 - Finance
 - Public Works
 - Park and Recreation
3. Verified Claims in the Amount of \$1,366,101.77
4. Purchases
5. Award Bid - 2010 Street Light Replacement, CP 10-03
6. Approve Request for Proposals for Residential Recycling Service and Authorize Solicitation
7. Authorize Trade-in and Purchase of Skidsteer
8. Authorization for Design Services - Comprehensive Sign Plan for Shoreview Commons and City Facilities
9. Approval of 2010 Supplemental Water Patrol Agreement with Ramsey County Sheriff's Department
10. Authorize Replacement Purchase of 1-Ton Unit 202
11. Developer Escrow Reduction
12. Approval of Application to Conduct Excluded Bingo - Slice of Shoreview
13. Award of Quote - Compressors in Pool Area
14. Award of Quote - Sprinkler System Modifications
15. Resolution Calling for Public Hearing Giving Host City Approval for Refinancing for Ecumen Corporate Headquarters through the City of Maplewood

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

PUBLIC HEARINGS

There were none.

GENERAL BUSINESS

AWARD BID - HAWES/DEMAR/RUSTIC RECONSTRUCTION PROJECT, CP 10-01

Presentation by Public Works Director Mark Maloney

Plans and specifications for this project were approved by the Council on April 19, 2010. Bids for the project were opened May 11, 2010. The bid contained a base bid and two alternate bids for road surface of either concrete or bituminous pavement. The same contractor, Nodland Construction Companies, Inc., was the low bidder for the project with either road surface. The bid results compare very favorably to the budgeted amount in the Capital Improvement Program (CIP) and the Engineer's Estimate. There is a \$71,000 difference between the bid for concrete pavement and bituminous. Concrete is preferred because of less future maintenance requirements. Concrete has a 50-year service life as compared to 30 years for bituminous. The bid award with the bid alternate for concrete pavement would be \$300,000 less than what was approved in the feasibility report. Staff is recommending acceptance of the bid from Nodland Construction with Alternate No. 1 for concrete pavement. Nodland Construction is a family-owned business of over 70 years and is a very reputable contractor in the Twin Cities area. The company has more than enough resources to complete the project.

Mr. Schwerm noted that the change to use concrete instead of bituminous would not impact the amount of assessments to residents, which are based on installation of concrete curb and gutter.

Mayor Martin asked if any of the bidding companies have more expertise in working with concrete. Mr. Maloney stated that three bidders would subcontract the concrete work. Nodland Construction is able to construct either concrete or bituminous pavement.

Councilmember Withhart stated that the estimated savings for using concrete seems to be low. Mr. Maloney responded that the estimate is conservative because of such factors as environmental degradation or utility company installations, although they are required to replace the surface. Seal coating every seven years would be approximately \$15,000, which is a savings of almost \$100,000. This will not be needed if concrete is used. Mr. Schwerm added that the estimated savings of \$50,000 to \$100,000 is after the \$71,000 deduction for the initial increased cost.

Councilmember Wickstrom asked if utilities under the road could be moved to the side. Mr. Maloney stated that the sanitary sewer runs down the middle of the road. It will be either upgraded or replaced before the road is paved. It is City policy for all utilities to use the opportunity for upgrades and repairs while the road is torn up so no one has to dig it up anytime soon.

Councilmember Quigley expressed his support for staff's recommendation to use concrete.

Mayor Martin noted that even with the increased cost, the amount to be spent for the better concrete product is below the estimate for the project.

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to adopt Resolution No. 10-36, which accepts the base bid and approved alternate from Nodland Construction Companies, Inc., for the Hawes/Demar/Rustic Neighborhood Reconstruction Project, City Project #10-01 and authorizes the Mayor and City Manager to execute a construction contract in the amount of \$943,228.55.

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

Mayor Martin called a recess at 7:32 p.m. and reconvened the meeting at 7:35 p.m.

SITE AND BUILDING PLAN REVIEW - WELLS FARGO, 1801/03 PARK VIEW DRIVE

Presentation by City Planner Kathleen Nordine

Wells Fargo has submitted an application for an addition to its Data Center with site improvements on its corporate campus in Rice Creek Corporate Park. The addition would be one story consisting of 16,580 square feet. The addition will be used for electrical and HVAC equipment. Site improvements include altering existing drives. The access drive around the Data Center will be extended to encircle the addition and the existing fence will be extended for security. The driveway off Rice Creek Parkway will serve only the Data Center. Delivery service will be routed to the northeast corner of the Operations Center. A new access drive off Park View will serve the parking area southwest of the Operations Center. The parking area east of the Data Center will be reduced by 82 parking spaces and the smaller parking area will be fenced. A new monument sign will be placed at the new access at Park View Drive and will match the existing sign. Staff is not concerned about the reduction in parking because the needs are much less than what is provided. Storm pipes and catch basins will be moved. An increased area will be designated for storm water infiltration east of the Data Center. A watershed district permit is required. The architectural design matches the existing building.

Property owners within 350 feet were notified of the proposal. A few comments were received from Rice Creek Corporate Park owners. The Lake Johanna Fire Department requires fire code requirements for access.

The Planning Commission reviewed the application on April 27, 2010, and recommended approval on a 7 to 0 vote. Staff also recommends approval with the development agreements.

Councilmember Withhart asked for clarification regarding fire code access requirements. Ms. Nordine explained that the Fire Department needs access through the gates where there are fences.

Mr. Bob Sieger, Chief Architect for Wells Fargo, 6th & Marquette, Minneapolis, thanked the City for its continued partnership with Wells Fargo and stated that he is present to answer any questions.

MOTION: by Councilmember Quigley, seconded by Councilmember Huffman to approve the Site and Building Plan review application submitted by Wells Fargo for 1801/1803 Park View Drive and to authorize execution of the Development Agreements, subject to the following conditions:

1. This approval permits the construction of an addition to the Data Center for Wells Fargo, 1801/03 Park View Drive in accordance with the submitted plans. The City Planner may approve minor changes to the submitted plans.
2. Final grading, drainage, erosion control and utility plans are subject to the approval of the Public Works Director.
3. Lighting on-site shall comply with Section 206.030 of the Development Code.
4. The applicant shall enter into a site development agreement and an erosion control agreement with the City. Said agreements shall be executed prior to the issuance of a building permit for this project.
5. The plan shall incorporate any further comments received from the Lake Johanna Fire Department.
6. City permits shall not be issued prior to Rice Creek Watershed District issuing a permit for the project.
7. The Building Official is authorized to issue a building permit for this project.

The approval is based on the following findings:

1. The proposed use is a permitted use in the PUD – Planned Unit Development District. The underlying zoning designation is BPK, Business Park.
2. The use and proposed alterations are consistent with the planned land use, goals and policies of the Comprehensive Plan, Chapter 4, Land Use and Chapter 6, Economic Development.
3. The project in this PUD is consistent with the requirements specified in the Municipal Code.

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

AWARD OF QUOTE - LIGHTING SYSTEM FOR WATERSLIDE

Presentation by City Manager Terry Schwerm

A new light and sound system is planned for the waterslide in the pool area. Since 2004 when the new slide was constructed, the technology for lighting and sound in the waterslide improved dramatically. Users can select songs or sounds. This is the system that is used at waterparks in

the Wisconsin Dells. Staff is recommending approval of the lowest bid from Electroworks, Inc. in the amount of \$47,050, plus sales tax. Electroworks has done work at the Wilderness and Kalahari Resorts.

Councilmember Wickstrom stated that she supports this project because when enhancements are made to recreation equipment, usage increases.

Councilmember Huffman asked the amount allocated for this item in the CIP. Mr. Schwerm answered, \$30,000, and money allocated for next year will be used. The work will be done during the annual pool shutdown in September.

MOTION: by Councilmember Withhart, seconded by Councilmember Quigley to accept the quote for the waterslide light/sound system from Electroworks, Inc. in the amount of \$47,050, plus applicable sales tax.

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

ACCEPT PROPOSAL FOR COMMUNITY SURVEY - DECISION RESOURCES, LTD.

City Manager Schwerm reported that since the late 1980's, Decision Resources has been used to conduct the City's community surveys every three to four years. The survey is conducted to measure satisfaction in the community with City programs and services. Initially, it was done to determine interest in building a Community Center and development of the trail system. The last survey was done in 2005, and played a big part in the major road rehabilitation project in the City. For the past couple of years, the amount of \$25,000 has been reserved from the General Fund balance for a community survey.

Decision Resources is in a unique position to do this survey work since they can look at results in relation to previous surveys in Shoreview and in relation to other suburban cities in the metro area. The process would take two to three months to develop a final survey of questions to be used. The Council will review the preliminary and final drafts, as well as commissions and committees for feedback. The cost estimate is \$24,000, and an additional charge of \$135 per new unit/subject of questions. Staff is recommending approval of the proposal from Decision Resources.

Councilmember Withhart stated that with the change in the economy in the past few years, it is important for the City to receive current feedback from residents, and the survey has been an accurate tool.

Councilmember Huffman added that rather than hearing from the handful of people who approach the Council, the City is able to receive feedback from across the community.

Councilmember Wickstrom stated that she fully supports the survey, as it is the most scientific way to get feedback from residents.

MOTION: by Councilmember Huffman, seconded by Councilmember Wickstrom to accept the proposal from Decision Resources, Ltd. To conduct a community survey.

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

RENEWAL OF LIQUOR LICENSES

City Manager Schwerm reported that there are 15 establishments that sell liquor in the City. Background checks on all of them have been completed, and there are no significant violations. Staff reviewed police calls to different establishments, but they are not liquor violations. All renewal licenses have been received with proof of insurance. Staff is checking to insure that property taxes are current.

Councilmember Withhart stated that he is impressed with the good report and only one minor infraction.

Mayor Martin stated that Shoreview businesses do an excellent job with compliance.

MOTION: by Councilmember Withhart, seconded by Councilmember Quigley to approve the following liquor license renewals for the license term of July 1, 2010 to June 30, 2011:

| | |
|--------------------------------------|------------------------------------|
| Kozlak’s Royal Oak Restaurant | On Sale Intoxicating and Sunday |
| 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 Gourmet Burger and Spirits | On Sale Intoxicating and Sunday |
| Bacchus Wine and Spirits | Off Sale Intoxicating |
| Back Yard Liquor | Off Sale Intoxicating |
| Rice Creek Liquor | Off Sale Intoxicating |
| Walt’s Liquor, Wine and Spirits | 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 |
| Red Ginger China Bistro | On Sale 3.2 Malt Beverage and Wine |

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

ADJOURNMENT

MOTION: by Councilmember Huffman, seconded by Councilmember Withhart to
 adjourn the meeting at 8:00 p.m. on April 19, 2010.

ROLL CALL: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 7th DAY OF JUNE 2010.

Terry C. Schwerm
City Manager