

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
August 1, 2016**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on August 1, 2016.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

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

Councilmember Springhorn was absent.

APPROVAL OF AGENDA

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the August 1, 2016 agenda as submitted.

VOTE: Ayes - 4 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

There were none.

CITIZEN COMMENTS

Mrs. Kimberly Warren, 434 County Road J, expressed her concern about the speed of vehicles well above 50 mph. in the area around Bucher Park where there are children and pedestrians. The Ramsey County Sheriff has responded and does monitor traffic. Her request is for a 35 mph digital speed sign by Bucher Park.

City Manager Schwerm responded that the issue for the City is that County Road J is under jurisdiction of both Ramsey and Anoka County. A digital speed sign costs upward of \$10,000 that is not budgeted this year. Contacting the Sheriff's Department is the right thing to do. Staff will look at the situation and may be able to put out a speed trailer.

Mayor Martin suggested the City could recommend the Sheriff's Department issue additional tickets in the area. Mr. Schwerm agreed that the City can also contact the Sheriff's Department and request additional monitoring.

Mr. Todd Kruse, President of Twin Cities North Chamber of Commerce, stated that he came to let the Council know his door, phone and email are always open and can be contacted at twincitiesnorth.org. If there is any way to collaborate with the City, he would like to know.

Mayor Martin thanked Mr. Kruse for his presence and willingness to work with the City. She noted that the Fast Pitch Softball League hosted 56 teams in Shoreview recently. Mr. Kruse responded that the Chamber can always be a contact for such an event.

Councilmember Quigley noted receipt of an email from the Chamber and asked if it is being reorganized. **Mr. Kruse** explained that there used to be local Chamber Councils among the eight cities being served. That has been changed to the North Metro Council. He invited Councilmembers and staff to a meeting that will be held at the Mermaid Center, September 14, 2016, 7:30 to 9:00 a.m. on the TCAAP property.

COUNCIL COMMENTS

Councilmember Johnson:

Thank you to all the volunteers who made the *Slice of Shoreview* an amazing event.

Tuesday, August 2, 2016 is *Night to Unite*. There are 80 registered events taking place throughout the City. In light of all the violent events nationally, it is her hope that neighbors will come out to unite together.

Councilmember Quigley asked how neighbors could be informed if there is an event in their area. Mr. Schwerm stated that the neighborhoods organize the events. Anyone seeking information should contact their neighbors. They are not posted publicly. Councilmember Johnson added that signage has been posted in many neighborhoods.

Councilmember Wickstrom:

The Farmers' Market will take place Tuesday, August 2, 2016, from 3:00 to 7:00 p.m.

The Concert in the Commons will feature Mick Sterling on Wednesday, August 3, 2016, at 7:00 p.m., at the pavilion.

Before the Concert in the Commons on Wednesday, August 10, 2016, there will be *A Hotdog with a Deputy*, from 5:00 to 7:00 p.m.

Friday, August 12, 2016 will be Friday Night Flix at the pavilion behind the Community Center, featuring *The Good Dinosaur*, a fun family movie.

The primary election is Tuesday, August 9, 2016. In this district there are candidates for a judgeship and the seat for District 4 that will be decided in the primary. All are encouraged to vote. City Manager Schwerm noted changes that have been made to local precincts. Precinct 1N will be part of Precinct 2 and will vote at Shepherd of the Hills Church. Precinct 6 polling place will be at Fire Station No. 3, not Turtle Lake School.

Mayor Martin noted that the postcard about the change in polling locations that was sent out by the County is small and easy to miss. She suggested signs be posted at the old polling locations directing people to the new location. Mr. Schwerm agreed and added that individual letters will also be sent out from the City prior to the general election.

Councilmember Wickstrom announced that after serving on the City Council for 20 years, she plans to retire and will not be filing for re-election.

Mayor Martin expressed her appreciation for all the work Councilmember Wickstrom has done, which will be further expounded upon in the future. She also expressed her appreciation that Councilmember Wickstrom informed residents in time for anyone to file to run for the Council. Anyone interested in running for the City Council can file over a two-week period, beginning August 2, 2016. The fee is \$5.00.

CONSENT AGENDA

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to adopt the Consent Agenda for August 1, 2016, and all relevant resolutions for item Nos. 1 through 9:

1. July 11, 2016 City Council Workshop Minutes
2. July 18, 2016 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes—
 - Bikeways & Trailways Minutes, July 7, 2016
 - Environmental Quality Minutes, July 25, 2016
 - Human Rights Commission, June 22, 2016
 - Economic Development Authority, June 8, 2016
 - Economic Development Authority, July 5, 2016
 - Economic Development Commission, June 21, 2016
 - Planning Commission, June 28, 2016
4. Verified Claims in the Amount of \$1,261,059.19.
5. Purchases
6. Declare Costs and Order Preparation of Assessments – Turtle Ln/Schifsky Rd, Project 15-01
7. Approve Tree Trimmer License

8. Approval of Application for Special Event Liquor License – Church of St. Odilia

9. Award of Quote – Fitness Equipment Replacement

VOTE: Ayes - 4 Nays - 0

PUBLIC HEARING

APPROVAL OF OFF-SALE LIQUOR LICENSE - TARGET, 3800 LEXINGTON AVENUE NORTH

Presentation by City Manager Terry Schwerm

Target’s current remodeling project includes a separate entry liquor store where Customer Service is currently located. All appropriate applications and insurance documents have been submitted. Background checks have been completed on the store manager and owners that show no issues. Target has held an off-sale license for 3.2 malt liquor for many years. Target will be the fourth off-sale license of five allowed in the City. Target has been subject to the City’s compliance checks. Target uses a point of sale system and has never had an issue with sales of liquor to minors. Store management has again been informed of the City’s ordinance and compliance check programs. Public hearing notices have been sent; no responses were received.

City Attorney Kevin Beck stated that the public hearing notices are in order for the hearing.

Mayor Martin opened the public hearing. There were no comments or questions.

Councilmember Johnson stated that as an employee of Target Corporation, she will recuse herself from voting. She echoed the success of the point of sale system used to prevent sale of liquor to minors and would support the motion if she could vote.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to close the public hearing at 7:25 p.m.

VOTE: Ayes - 3 Nays - 0

Mr. Jonathan Redford, Senior Analyst at Target, stated that remodeling is scheduled to begin in August and expected to be completed in November. The liquor store will be less than 2500 square feet.

Councilmember Wickstrom asked where Customer Service will be located. **Mr. Redford** stated that the cafe will close and Customer Service will move to that location.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the application for an off-sale intoxicating liquor license for Target Corporation,

for the Target store located at 3800 Lexington Avenue North, Shoreview, Minnesota.

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

GENERAL BUSINESS

TEXT AMENDMENT, TEMPORARY HEALTH CARE DWELLINGS

Presentation by City Planner Kathleen Castle

In May 2016, the legislature adopted a law that provides for local governments to allow permits for certain recreational vehicles and other structures to serve as temporary family dwellings. The intent is to provide transitional housing for seniors. The law becomes effective September 1, 2016, unless a City chooses to adopt its own ordinance or an ordinance to opt out of the legislation.

The law allows anyone to be eligible for this temporary housing with two or more “instrumental activities of daily life” for mental or physical reasons. Applicants are exempt from zoning authority. There are also exceptions to building, zoning and fire regulations. Cities are required to approve a permit within 15 days.

Staff has identified a number of concerns with the new law:

- A detached accessory dwelling unit would be allowed on a single family parcel;
- Location of a temporary unit would not be verified because a survey is not required as with other permits;
- There is no process to allow or reject a Conditional Use Permit;
- The permit circumvents the public process with the shortened 15-day review period;
- A permit is automatically extended without any provisions for denial;
- The law makes no reference to compliance with shoreland, flood plain or wetland requirements.

Staff believes there are other opportunities in the community to assist with a variety of senior needs. The League of Minnesota Cities has drafted an opt-out ordinance for cities to adopt if they prefer. The City could also draft an ordinance regulating temporary dwelling units that addresses community needs and standards.

The Planning Commission held a public hearing on this matter at the Planning Commission meeting of July 26, 2016. No public comments were received. The Commission recommended that the council adopt an opt-out ordinance and encouraged the City to consider drafting an ordinance to address this issue in the future.

The Economic Development Authority (EDA) at their July 5, 2016 meeting also made a recommendation to adopt the opt-out ordinance. Staff is recommending adoption of the proposed opt-out ordinance.

Councilmember Wickstrom stated she would support considering an ordinance in the future that addresses the issues identified. Her concern with the new state law is that a person may be placed in a temporary facility who does not have the capability to live on their own. She would only consider an ordinance only if there is a medical opinion that the person is capable of living independently.

Councilmember Johnson, President of the EDA, stated that the EDA also is in favor of an opt-out ordinance. The new law would be a step back in the City's efforts to maintain housing quality standards.

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to adopt Ordinance No. 945, revising Chapter 200 of the Municipal Code adding Section 205.015 opting out of the temporary family healthcare dwelling legislation.

The approval is based on the following finding of fact:

1. The ordinance opting out cites concerns related to the health, safety and general welfare of the resident(s) and public safety staff.

Discussion:

Mayor Martin noted that many cities of similar size to Shoreview are choosing to opt out.

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

ADJOURNMENT

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to adjourn the meeting at 7:37 p.m.

VOTE: Ayes - 4 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 15th DAY OF AUGUST, 2016.

Terry Schwerm
City Manager