

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
October 18, 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 October 18, 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 Quigley to approve the October 18, 2010 agenda as submitted.

VOTE:                   Ayes - 5                   Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

There were none.

**CITIZEN COMMENTS**

There were none.

**COUNCIL COMMENTS**

**Mayor Martin:**

November 5<sup>th</sup> and 6<sup>th</sup> is the 20<sup>th</sup> anniversary of the Shoreview Community Center. Prices will be rolled back to 1990s rates. A dive-in movie is planned Friday night, *Finding Nemo*. There will be ongoing festivities on Saturday with a cake and other activities and events.

Tuesday, October 19, 2010 is the last Farmer's Market for 2010. Wonderful produce is still available and a special pumpkin bar handout is planned.

October is Breast Cancer Awareness Month. All are encouraged to do the necessary prevention screening.

**Councilmember Quigley:**

Noted that the Farmer's Market hours are now 3:00 to 6:00 p.m.

The Human Rights Commission, with the St. Paul Interfaith Network, is co-sponsoring a number of sessions on other religious traditions. The sessions are scheduled for October 1, 8, 15, and 22. More information is on their website [spinterfaith.org](http://spinterfaith.org).

The Economic Development Commission coordinates visits by staff and Councilmembers to local businesses to discuss local business issues and find out if the City can assist in any way. The meeting earlier today was with Multiclean, a commercial cleaning business that has been in Shoreview since 1992.

**Councilmember Wickstrom:**

Thank you to all who helped with the *Buckthorn Bust*.

The City will hold a roundtable discussion on lake levels in Shoreview on Thursday, October 21, 2010, at 7:00 p.m. The meeting will be in the Shoreview Room in the Community Center. Anyone interested is welcome to attend.

Mayor Martin added that many are concerned about lake levels that have not rebounded from this summer's rain. Representatives from the Department of Natural Resources, Rice Creek Watershed District, Ramsey County and City staff will be available to present information and answer questions.

On November 3, 2010, at the Community Center at 7:00 p.m., the Shoreview Green Community will host Jean Coleman as a speaker from the Water Resources Center.

**Councilmember Withhart:**

The Volunteer Recognition Dinner will be held on November 16, 2010. This event is to thank the many volunteers who work for the City. Invitations are being sent.

**CONSENT AGENDA**

MOTION: by Councilmember Withhart, seconded by Councilmember Huffman to adopt items on the October 4, 2010 Consent Agenda, approving the necessary motions and resolutions for item Nos. 1 through 8:

1. October 4, 2010 City Council Workshop Meeting Minutes
2. October 4, 2010 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes -  
--Economic Development Authority - September 13, 2010
4. Monthly Reports:
  - Administration
  - Community Development
  - Finance
  - Public Works
  - Park and Recreation
5. Verified Claims in the Amount of \$881,270.41.
6. Purchases
7. Developer Escrow Reduction
8. Acceptance of Gifts - 500 Tournament

VOTE:           Ayes - 5                           Nays - 0

## **PUBLIC HEARINGS**

There were none.

## **GENERAL BUSINESS**

### **AUTHORIZE ISSUANCE AND SALE OF BONDS**

- **\$4,695,000 Refunding Certificates of Participation, Series 2010C**
- **\$2,720,000 General Obligation Bonds, Series 2010B**

### **Presentation by Finance Director Jeanne Haapala**

General Obligation (G.O.) bonds in the amount \$2,720,000, are for the following projects:

- Hawes, Demar, Rustic Place street rehabilitation
- Lift station rehabilitation
- Storm structure on Milton Street
- Storm structure on Lake Point Court
- South water tower exterior coatings
- Sewer rehabilitation

The bonds will be issued in four segments:

- \$140,000 G.O. Improvement Bonds - for assessments
- \$1,240,000 G.O. Water bonds
- \$985,000 G.O. Sewer bonds
- \$355,000 G.O. Storm sewer bonds

Assessments will be paid over a 10-year period. The utility bonds are paid over a 15-year period because of the size of the debt. Bids will be taken in November.

There are two methods for issuance of the bonds. The traditional General Obligation bonds are tax exempt. Build America Bonds are taxable but with a partial reimbursement on the interest from the federal government. The City's bond consultant, Springsted, will analyze the bids and recommend a bid award to the lowest net interest rate on November 15, 2010. Springsted estimates an interest rate of 2.7%.

The second bond issue is for refunding Certificates of Participation issued in 2002 to finance the addition to the Community Center. The existing debt is at approximately 4.5%. The new debt is estimated at 2.9%, a significant savings of an estimated \$210,000. The repayment period will be over 12 years. There is no impact to the tax levy. Standard and Poor's Rating Services will issue a bond rating for the City in early November.

Mayor Martin asked what is legally allowed to the City for overall debt obligations. Ms. Haapala stated that with this bond issue, the City would be at approximately 12% of what it is allowed.

Councilmember Withhart asked how this does not impact the tax levy. Ms. Haapala stated that the \$140,000 is 100% supported by assessments. The remaining segments are supported by utilities. Although there is an interest savings on the Community Center debt, any change to reduce the levy would not be significant.

Councilmember Huffman asked for further clarification of the City's bond rating. Ms. Haapala explained that the City's rating under Standard and Poor's is AA+. The only higher rating is an AAA rating. The last time staff talked to Standard and Poor's a rating upgrade was indicated as possible, but the City would need to continue to be financially strong with a commitment to long-term financial planning. Mr. Schwerm added that he is confident that the current rating is solid.

Councilmember Withhart asked if there is other debt that would benefit from the current favorable interest rates. Ms. Haapala stated that Springsted reviews that information on a regular basis.

Mayor Martin suggested a future workshop discussion to consider projects that might be moved up so as to have them done with the current low interest rates.

**MOTION:** by Councilmember Huffman, seconded by Councilmember Wickstrom to adopt proposed resolution number 10-99 authorizing the issuance and sale of \$2,720,000 General Obligation Bonds, series 2010B.

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

**MOTION:** by Councilmember Huffman, seconded by Councilmember Wickstrom to adopt proposed resolution number 10-100 authorizing the issuance and sale of \$4,695,000 Refunding Certificates of Participation, series 2010C.

**Discussion:**

Councilmember Withhart stated that he does not recall the benefit of such savings since the 1990s and is pleased the low interest rates provide a savings to the City.

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

### **TEXT AMENDMENT - WIRELESS TELECOMMUNICATIONS FACILITIES**

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

The Planning Commission held a public hearing on September 28<sup>th</sup> on the proposed amendments and recommended approval with minor modifications. The changes are related to administration, aesthetics and height.

Administrative changes include deleting application requirements to be replaced with language that is consistent with code regulations for other applications. Application will be made on a form provided by the City Manager. This will give flexibility to staff to change the application when necessary in response to changing needs.

Aesthetic standards currently encourage minimal visual impact of monopoles. The proposed regulations are general with the design relating to site characteristics, potential for collocation and continued effort to minimize visual impact. Site objects, such as flagpoles or field lighting should be used to camouflage the monopole. Equipment cabinets are to be screened or located underground.

The maximum height ranges from 60 to 75 feet. The proposed amendments would permit 120% of the maximum if there are obstacles to RF signals within 1,000 feet of the facility. An increased height requires supporting information to demonstrate need.

Additionally, the amendments include allowing new facilities to be located at existing nonconforming towers or towers that may become nonconforming upon City approval. Repair and restoration of nonconforming towers is consistent with state statute.

Public comment was received from members of the industry expressing concern about underground installation. Underground installation is not required but is preferred. The

Planning Commission made modifications regarding tower design to be in context with site surroundings. The recommendation was a vote of 4 to 0. The Planning Commission also recommended the City look into allowing wireless corridors along I-694 and I-35W.

Councilmember Withhart noted that currently most facilities are located on public land in order that they not be at random locations throughout the City. He asked if these regulations would change that policy. Ms. Nordine stated that the TOD districts have not changed. TOD2 districts include the Deluxe Campus, Medtronic and Shoreview Park Road sites. At those sites, the facility could be incorporated on buildings.

Councilmember Withhart expressed concern that if facilities are located on private property, there would be a loss of added revenue for the City. Mr. Schwerm stated that telecommunications facilities have always been allowed in industrial areas along I-694. The TOD map was modified to include parks (TOD1 zone) where location is encouraged.

Planning Commissioner Ferrington stated that a number of Commissioners would like the City to be proactive regarding future use. That is the reason for the recommendation to look at the corridors along I-694 and I-35W for future demand for these facilities.

Councilmember Wickstrom noted that McCullough Park is not included in a TOD zone, which results in a gap of coverage. She suggested that park be included as a location for telecommunication facilities, as well as possibilities in the Rice Creek Park area. Mr. Schwerm stated that staff will look into a possible revision of the TOD map.

**MOTION:** by Councilmember Huffman, seconded by Councilmember Quigley to adopt Ordinance No. 873, revising Chapter 200 of the Municipal Code, by amending regulations for wireless telecommunications facilities, and to authorize publication of an Ordinance Summary.

This approval is based on a finding that the proposed amendments strengthen the City regulations for wireless telecommunications facilities in order to maintain established community aesthetic standards.

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

### **TEXT AMENDMENT - FEEDING OF WILD ANIMALS**

#### **Presentation by City Manager Terry Schwerm**

The City has an ordinance preventing intentional feeding of wild animals because it is not healthy for the animals and it can cause numerous issues within neighborhoods. Also, wildlife groups and the DNR recommend not feeding wild animals because it changes their feeding pattern and encourages congregation in neighborhoods. Last year, there was a problem with wild

turkeys and the Council authorized hiring a contractor to remove them. Rather than having to take such action, an amendment has been drafted to strengthen the prohibition on feeding of wild animals. Songbirds may be fed only from a feeder designed specifically to prevent access from other wild animals and that is at a minimum five feet above the ground. A citation would not be issued for birdseed that may fall from the feeder. A definition of songbirds is included.

The ordinance also includes a violation section that establishes a \$100 fine penalty for the first violation, \$200 for the second violation and \$300 for each subsequent violation within a 24-month period.

Councilmember Huffman requested that the information from the Humane Society and Keep Me Wild be published. Mr. Schwerm stated that there is an article in the next *ShoreViews*..

Councilmember Wickstrom expressed concern that bird feeders not be open platforms with seed that easily spills out. Feeders should be enclosed. It has also come to her attention that some people are planting corn that is not harvested in order to feed animals. Shoreview can handle the turkeys that are present for resident enjoyment if they are dispersed around the City, but she does not want the City to have to hire for their removal.

Councilmember Withhart stated that the ordinance is animal friendly. It is important to understand that it is not good for the animals if humans feed them. The turkey congregation last year did damage in the neighborhood. It also costs significant money for the City to have to hire their removal. In response to Councilmember Wickstrom's concerns, he stated that the City will know if there is intentional feeding because of congregations of wild turkeys. He believes the ordinance addresses the issue and strongly supports the amendments.

Mayor Martin opened the discussion to public comments. There were none.

**MOTION:** by Councilmember Quigley, seconded by Councilmember Huffman to adopt Ordinance No. 870 amending Chapter 600 of the Shoreview Code pertaining to the Intentional Feeding of Wild Animals.

**Discussion:**

Mayor Martin asked how enforcement will be pursued. Mr. Schwerm stated that staff will issue citations to be enforced by the court. City Attorney Filla added that he has talked to the Clerk of District Court in Maplewood who would be processing these complaints. The court will abide with the ordinance fines. A copy of the ordinance needs to be submitted to the court. When citations are issued, it should be designated as to whether it is a first, second or third violation.

Mayor Martin asked if there is a time frame to issue a second citation if the situation continues. City Attorney Filla advised that a second citation be issued immediately but that staff also talk to the property owner.

Mayor Martin noted that fallen apples from trees are like candy for both turkeys and deer. She asked if that would be considered intentional feeding if apples are not picked up.

Mr. Schwerm responded that he would not consider that intentional feeding. If a problem occurs, residents would be encouraged to clean their yards.

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

### **RESOLUTION OF SUPPORT FOR LEVY - MOUNDS VIEW SCHOOL DISTRICT**

Mr. Schwerm reported that the Council recently met with Mounds View School District Superintendent Dan Hoverman and School District Board Member Susan Murphy, regarding the district's ballot request that the 2003 \$6 million operating levy referendum that expires in 2011 be renewed. The school board decision was unanimous to request the renewal. Funding would remain the same and not increase. The Council agreed to draft a resolution to support the referendum renewal.

Mayor Martin stated that the meeting with Superintendent Hoverman and Board Member Murphy was very informative. Property values are greatly influenced by the quality of the school district. Many who move to Shoreview cite the excellent school district as the reason. It was the consensus of the Council to draft this resolution of support.

Councilmember Withhart noted that the school board had an option to ask for increased funding. The board opted not to do that in light of the economy, which shows restraint. He would support this continuing operating levy.

Councilmember Huffman stated that expenses are going up and the request for continued same-level funding indicates good fiscal management.

Councilmember Wickstrom added that without this renewed referendum it will be difficult to maintain the high quality of schools in this district. This funding is critical. It is the same amount of money that has been received in the last six or seven years, even though expenses are increasing.

MOTION:           by Councilmember Huffman, seconded by Councilmember Withhart to adopt Resolution No. 10-101 supporting the renewal of the operating levy for the Mounds View School District that is scheduled on the November 2, 2010 ballot.

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

**ADJOURNMENT**

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

ROLL CALL: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 1<sup>st</sup> DAY OF NOVEMBER 2010.

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Terry C. Schwerm  
City Manager