

CITY OF SHOREWOOD  
CITY COUNCIL REGULAR MEETING  
MONDAY, FEBRUARY 25, 2019

5755 COUNTRY CLUB ROAD  
COUNCIL CHAMBERS  
7:00 P.M.

MINUTES

**1. CONVENE CITY COUNCIL REGULAR MEETING**

Mayor Zerby called the meeting to order at 7:00 P.M.

**A. Roll Call**

Present: Mayor Zerby; Councilmembers Labadie, Siakel, and Sundberg; Acting City Attorney Reppe; City Administrator Lerud; City Clerk Thone; Finance Director Rigdon; Planning Director Darling; Director of Public Works Brown; and, City Engineer Fauske

Absent: Councilmember Johnson

**B. Review Agenda**

**Labadie moved, Sundberg seconded, approving the agenda as presented. Motion passed 4/0.**

**2. CONSENT AGENDA**

Mayor Zerby reviewed the items on the Consent Agenda. He noted that the Local Surface Water Management Plan is over three hundred pages long and asked what the Council would be signifying by approving it.

City Engineer Fauske stated that the Local Surface Water Management Plan is a basic action plan and noted that it reflects the recent items discussed at work sessions, regarding cleaning up some of the housekeeping items and incorporating some of the known drainage complaints in the City and the most recent Capital Improvement Plans.

Planning Director Darling noted that the Local Surface Water Management Plan is a chapter of the Comprehensive Plan.

Mayor Zerby noted that he had not gotten through the entire document, but did notice that there was a budget line item for trail drainage at Galpin Lake that is incorrect.

City Engineer Fauske stated that staff can make needed corrections before the plan is adopted.

**Sundberg moved, Labadie seconded, Approving the Motions Contained on the Consent Agenda and Adopting the Resolutions Therein.**

**A. City Council and Staff Retreat Minutes of February 7, 2019**

**B. City Council Work Session Minutes of February 11, 2019**

- C. City Council Regular Meeting Minutes 11, 2019
- D. Approval of the Verified Claims List
- E. Approval of Personnel Policy Update to FMLA Leave, RESOLUTION NO. 19-023, "A Resolution Updating the Shorewood Employee Personnel Policy as it Pertains to Family Medical Leave Act (FMLA)."
- F. Accept Local Surface Water Management Plan, RESOLUTION NO. 19-024, "A Resolution Accepting the Local Surface Water Management Plan, Dated September 2018."

Motion passed 4/0.

### 3. MATTERS FROM THE FLOOR

Peter Holmberg, 5955 Cajed Lane, noted that he is here regarding the garbage survey and the possible change in collection.

Mayor Zerby noted that this item is on the agenda and suggested that Mr. Holmberg could have a few moments during that item to address the Council.

### 4. PUBLIC HEARING

### 5. REPORTS AND PRESENTATIONS

- A. Commission Service Recognition Awards
  - Sue Davis – Planning Commission
  - Holly Ashmore – Parks Commission

On behalf of Council and the residents of Shorewood, Mayor Zerby presented an engraved crystal clock to Commissioner Davis commending her seventeen years of service to the City. He noted that Commissioner Ashmore was not present and commended her for her one year of service on the Parks Commission.

Councilmember Sundberg explained that the only reason that Councilmember Ashmore is leaving the Parks Commission is because she has received a promotion at work that will not allow her to dedicate the necessary time to the City.

### 6. PARKS

#### A. Commissioner Rock report on the February 12, 2019 Parks Commission meeting

Commissioner Rock gave a brief overview of the February 12, 2019 Parks Commission meeting. He noted that the scheduling warming houses tour has been postponed and the Commissioners will tour them individually rather than as a group. He stated that they also spent time reviewing the existing equipment and future needs at the South Freeman Park playground area.

7. PLANNING

A. Commissioner Riedel report on the February 5, 2019 Planning Commission meeting

Commissioner Riedel gave a brief overview of the February 5, 2019 Planning Commission meeting. He noted that the only item they discussed that was not on the Council agenda was a pre-application item brought by a developer at 25400 Highway Seven on a lot that has been vacant since 1884. He explained that the developer is proposing to construct thirty-eight town homes on seven acres which would require rezoning and a Comprehensive Plan update. He explained some of the Planning Commission discussion surrounding this proposed development. He noted that the surrounding neighbors were adamantly opposed to this development and had a lot of concerns about existing traffic in the area even without this development.

Councilmember Sundberg asked if the Planning Commission had discussed what an appropriate density would be on this lot.

Commissioner Riedel stated that staff recommended that the first step would be to conduct a traffic study in the area which the developer stated that they were not willing to do unless there was strong enthusiasm for the project.

Planning Director Darling noted that the applicant for the potential townhome development was unable to attend tonight's meeting, so this item will come before the Council on March 11, 2019.

B. CUP to Collocate Antennas on Existing Monopole at 24283 Smithtown Road

Planning Director Darling explained that the applicant is proposing to add three telecommunication antennas, eight radio receiving units and various other equipment with a new triangular array on the existing tower which is just north of City Hall. Staff and the Planning Commission recommend approval.

Charles Ryan, Program Manager for Dish Network, explained that they concur with the recommendations and suggested conditions from staff. He noted that they understand the osprey nesting season may change their plans for installation, and they will comply with the Resolution and Federal law regarding the nesting birds.

**Siakel moved, Labadie seconded, Adopting RESOLUTION NO. 19-025, "A Resolution Approving a Conditional Use Permit for an Antenna Collocation on an Existing Monopole and Related Equipment for Dish Wireless at 24283 Smithtown Road." Motion passed 4/0.**

C. CUP for Accessory Buildings Area Over 1,200 Sq. Ft. at 26820 Edgewood Road

Planning Director Darling stated that this is an application from Revision, LLC to construct a new detached garage on the property. Staff and the Planning Commission are recommending approval subject to the conditions listed in the report.

Councilmember Labadie asked if the vote was unanimous by the Planning Commission. Planning Director Darling stated that it was a unanimous recommendation from the Planning Commission.

Sundberg moved, Siakel seconded, Adopting RESOLUTION NO. 19-026, "A Resolution Granting a Conditional Use Permit for Accessory Buildings to Exceed 1,200 Square Feet in area at 26820 Edgewood Road." Motion passed 4/0.

**8. ENGINEERING/PUBLIC WORKS**

**A. Approve Resolution Finding of Public Purpose; Authorize Petition for Easement Acquisition at 5625 Shorewood Lane, PID 3311723140036**

City Engineer Fauske stated that this is an item to authorize a quick take for an easement at 5625 Shorewood Lane. She explained that staff met and corresponded with the owner of this property but was unable to reach an agreement. She stated that the City Attorney has recommended the quick take process to acquire the easement.

Councilmember Siakel asked what was preventing there being an agreement between the City and the property owner. City Engineer Fauske stated that the original request was to provide the easement at no cost and the property owners were not willing to provide the easement at no cost to the City. She explained the quick take procedure.

**Siakel moved, Labadie seconded, Adopting RESOLUTION NO. 19-019, "A Resolution Authorizing the Presentation of Offer to Property Owner and to Acquire the Property Area Needed Either by Negotiations or Condemnation for the Shorewood Lane Ravine, City Project 17-15." Motion passed 4/0.**

**9. GENERAL/NEW BUSINESS**

**A. Approve Trash Collection Survey**

City Administrator Lerud noted that the Council had reviewed the proposed questions at the February 11, 2019 work session and made changes to the initial draft. He noted that a revised version of the survey was sent out to the haulers and is available at City Hall. He reviewed the red-lined survey showing the changes that had are proposed to be made between the survey that was sent with the agenda packet and this one.

Councilmember Sundberg stated that she thinks the term "organized collection" is understood among the Council, but she is not sure that it is generally understood by the general public. She asked if there was any other term that could be used that could be more easily understood.

City Administrator Lerud stated that they have shortened the long explanation of what is meant by "organized collection", but he is open to other suggestions.

Councilmember Sundberg stated that the use of the term "only fair" seems leading to her and suggested it be changed to simply list "fair" as a choice.

**There was a Consensus of the Council to remove the word "only" before the word "fair" in the questions.**

Councilmember Siakel stated that she thinks that the organized collection is explained after question nine of the survey.

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Peter Holmberg, 5955 Cajed Lane, stated that he does not understand why the City is even looking into this and seems to be trying to fix a problem where there is not one. He stated that he likes the questionnaire but does not agree with a phone survey. He stated that he would like to see a simple survey be mailed out to every single household because he is sure it will cost much less money than it will to conduct this survey. He stated that he is not sure the word is really getting out to the residents that the City is considering taking over the garbage collection.

City Administrator Lerud explained that a charter city is different than a statutory city. He explained that Shorewood is a statutory city and is not permitted to have referendums to provide advice, which is a what a mailed survey would amount to.

Councilmember Siakel stated that this has been being discussed for over a year and is not something the Council is trying to ram this down the throats of the residents. She is glad the City is looking at this issue in its entirety and noted that it is a very complex issue.

Councilmember Labadie stated that even though there are not a lot of people at tonight's meeting to talk about this issue, there have been other meetings where there were a lot of residents in attendance. She stated that there is a sign on Smithtown and appreciates that it says to call City Hall about this issue because if people to have questions, they should call the City. She stated that the City really is just exploring the concept of organized collection.

Mr. Holmberg asked if the Council felt the current trash collection system was "broken". Councilmember Labadie stated that concerns have been raised about pollution, traffic, stress on roads, numerous trucks on cul-de-sac streets and the Council is exploring the concerns on behalf of the residents.

Mr. Holmberg stated that he does not think the garbage trucks contribute to the pollution and conditions of the roads. He stated that he is very happy with his hauler and the price they pay and does not want the City to try to fix something that is not broken. He expressed concern that the reason was for additional tax revenue and this becoming a government run service.

Councilmember Siakel stated that she does not see if becoming a government run service and noted that one of the things that had been discussed is zones for the existing haulers.

Councilmember Sundberg stated that she thinks some of the standing room only crowds they have had on this subject were because residents had been misled into thinking the City had already made a decision regarding this issue. She stated that this survey is truly trying to get citizen input and is a high-quality survey that will give the City high quality results.

David Bean, 5690 Old Market Road, noted that he is here on behalf of Randy's Sanitation. He suggests the word "organized" in question nine be removed. He also suggested that for question eleven that it be changed to state "a City managed collection system". He stated that this may remove the associations people may be making with the term "organized collection system".

Councilmember Labadie stated that she agrees with the suggestion for question nine, but does not agree with his suggestion for number eleven and would like to see it remain as written.

Mayor Zerby asked if the term "organized" was defined elsewhere in the survey. City Administrator Lerud explained where the term was defined and clarified the language in the survey.

Sundberg moved, Labadie seconded, to approve the trash collection survey as amended. Motion passed 4/0.

## 10. STAFF AND COUNCIL REPORTS

### A. Administrator and Staff

#### Other

Public Works Director Brown thanked people who have taken the time to clear their fire hydrants. He noted that there are three hundred sixty fire hydrants located in the City and their efforts to help keep them cleared has been very helpful to Public Works.

Mayor Zerby noted that the Council had discussed putting together a snow emergency plan for future years and asked if Public Works had an opinion on whether something like that was needed.

Public Works Director Brown stated that his department feels strongly that the City should have a snow emergency plan for the future.

Councilmember Sundberg noted that with all the snow events this year, the streets are starting to get narrow and asked if the plows can go back to some of these areas to help widen the streets. She noted that she is also seeing problems where people are having their driveways plowed and it is just getting shoved across the street, but many times is not pushed all the way back and is encroaching into the roadway.

Public Works Director Brown stated that they have gone back out to many areas to try to wing the snow back further to prepare for the next snow event. He noted that they have noticed the problem with driveways and State statute prohibits depositing snow in the public rights-of-way.

Councilmember Sundberg suggested that residents be reminded about this issue with plowing driveways and making sure the trails are cleared across the road.

City Engineer Fauske stated that at the last meeting, the Council held the public hearings for the road projects on the islands. She stated that there will be some changes to incorporate some drainage issues that were raised at the public hearing. She noted that they have also discovered a burial mound on Enchanted Point. She stated that they have reached out to an archeologist to ensure that if any changes are necessary to the project, that they are made before the project goes out for bids. She will bring an update to the Council when she has more information.

City Administrator Lerud stated that he has been discussing the possibility of sharing a building inspector with the City of Excelsior.

### B. Mayor and City Council

Councilmember Labadie stated that she attended a special Fire Board meeting because Fire Chief Gerber has been offered a position as Fire Chief in Eden Prairie. She stated that the meeting was to discuss an interim chief and the eventual hiring of a new chief, if Chief Gerber accepts the

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position in Eden Prairie. She stated that the plans are to post the job in March and have the position filled by July or August.

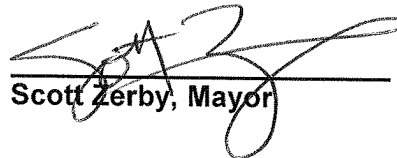
Councilmember Sundberg stated that she was unable to attend the League of Minnesota Cities conference last week as planned but will follow up with them and report back on anything important.

**11. ADJOURN**

**Sundberg moved, Labadie seconded, Adjourning the City Council Regular Meeting of February 25, 2019, at 8:13 P.M. Motion passed 4/0.**

**ATTEST:**

  
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Sandie Thone, City Clerk

  
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Scott Zerby, Mayor