

MINUTES

1. CONVENE CITY COUNCIL REGULAR MEETING

Mayor Zerby called the meeting to order at 7:07 P.M.

A. Roll Call

Present: Mayor Zerby; Councilmembers Johnson, Labadie, and Siakel; City Attorney Representative Abide; City Administrator Lerud; City Clerk Thone; Finance Director Rigdon; Planning Director Darling; Director of Public Works Brown; and, City Engineer Budde

Absent: Councilmember Sundberg

B. Review Agenda

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

2. CONSENT AGENDA

Mayor Zerby reviewed the items on the Consent Agenda.

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

- A. City Council Work Session Minutes from February 10, 2020
- B. City Council Regular Meeting Minutes from February 10, 2020
- C. Approval of the Verified Claims List
- D. Planning Commission Appointment, Adopting RESOLUTION NO. 20-015, "A Resolution Making an Appointment to the Shorewood Planning Commission."
- E. Park Commission Appointment, Adopting RESOLUTION NO. 20-016, "A Resolution Making an Appointment to the Shorewood Park Commission."
- F. Approval of Davey Tree Contract, Adopting RESOLUTION NO. 20-017, "A Resolution Approving a Contract with Davey Resource Group for Urban Forestry and Consulting Services."
- G. Approval of Eddy Station Concession Agreement
- H. Accept Resignation of Public Works LEO Scott Schroeder

Motion passed 4/0.

3. MATTERS FROM THE FLOOR

Greg Larson, 25535 Orchard Circle, noted that he was on Lake Minnetonka last night and attempted to come up through the fire lane at Grant Lorenz and there were barricades that made it very difficult to get through. He explained that they were walking and pulling a toboggan with their ice fishing equipment on it. He stated that he understands that the City is trying to keep motorized vehicles out of there, but he feels like the concrete barriers are overkill.

Mayor Zerby asked Public Works Director Brown to address this question. Public Works Director Brown stated that Public Works was directed to place the barriers after discussion with the Council and the Parks Commission. Councilmember Siakel stated that the City had voted to enforce the ordinance that is currently in place that does not allow motorized vehicles to use the fire lanes.

Mr. Larson reiterated that he feels the concrete barriers are excessive for what is supposed to be public access. Councilmember Siakel explained that it is not public access to the lake. She stated that the fire lanes have been used by local people to access the lake; however, they were created for fire lanes. She stated that the barriers installed are not a permanent solution and noted that the City is in the process of reviewing all of the fire lanes in the entire City.

Mr. Larson stated that he was here two years ago where it was brought up that these fire lanes are a potential neighborhood asset. He stated that he understands there is something later on tonight's agenda to discuss this but expressed his frustration that two years later nothing has been done. He asked why the City did not just install a sign that stated "No Motorized Vehicles".

Councilmember Siakel stated that many people would violate it and not follow the rules. Mr. Larson stated that any sign can be violated and reiterated his opinion that the barriers are excessive. He stated that the fire lanes are and have been for many years access to the lake for the public. He asked about the surveillance cameras at that intersection.

Public Works Director Brown stated that it appears as though the adjacent property owners installed surveillance cameras recently and the City has issued them a letter asking them to immediately remove the cameras. He stated that the property owner left a message earlier today that they would like to meet and discuss the situation with the City.

Mr. Larson stated that this is public property and when people are using public property, they should not feel like they are being surveilled or recorded. He stated that he feels this is inappropriate. He stated that if people want to put security systems and cameras on their private property that is acceptable but when it intrudes on the public property it needs to be stopped.

4. PUBLIC HEARING - NONE

5. REPORTS AND PRESENTATIONS - NONE

6. PARKS

A. Report by Commissioner Hirner on February 11, 2020 Parks Commission Meeting

Commissioner Hirner gave a brief overview of the Parks Commission meeting from February 11, 2020, as reflected in the minutes.

B. Accept Quotes for painting Eddy Station

Planning Director Darling stated that Eddy Station is in need of painting and noted that the City received three responses to its request for bids. She stated that staff is recommending approval of the lowest quote received from JMJ Painters.

Mayor Zerby asked about the recently moved of security cameras and asked if patching the holes and those types of things would be taken care of as part of this project. Public Works Director Brown stated that he thinks the cameras are now in the best place. He stated that he is not aware of any wiring or equipment that needs to be removed or holes that need to be patched, but he will review it before the painting begins.

Councilmember Johnson asked if the City had utilized the services of JMJ Painters before. Planning Director Darling stated that the City had not used them before.

Johnson moved, Labadie seconded, Adopting RESOLUTION NO. 20-018, “A Resolution Accepting a Quote to Paint Eddy Station at Freeman Park.” Motion passed 4/0.

C. Accept Proposal for Professional Services and Authorize Preparation of Plans and Specifications for Badger Tennis Courts, City Project 20-01

Planning Director Darling explained that the tennis courts are the last phase of the rehabilitation project at Badger Park. She stated that staff is proposing a Professional Services agreement with Bolton and Menk that will include construction management.

Councilmember Johnson noted that the striping for the tennis court includes pickle ball.

Councilmember Labadie asked how long will this project take. City Engineer Budde stated that if it is authorized tonight, they would still have to wait to survey until all of the snow is melted, but noted that the design can happen fairly quickly. He stated that he anticipates that construction could happen during the latter half of the summer.

Councilmember Labadie asked if the City had reached out to the groups that give tennis lessons at the courts to discuss the timeline for this project. Planning Director Darling stated that she believes that they have been contacted to let them know about the project, in general. She noted that they will keep them informed when there is a more accurate schedule for the project.

Johnson moved, Siakel seconded, Adopting RESOLUTION NO. 20-019, “A Resolution Accepting a Professional Services Proposal with Bolton and Menk for Badger Park Tennis Court and Authorizing Preparation of Plans and Specifications. City Project 2020-01.” Motion passed 4/0.

7. PLANNING

A. Report by Commissioner Maddy on February 4, 2020 Planning Commission Meeting

Commissioner Maddy gave a brief overview of the Planning Commission meeting on February 4, 2020 as reflected in the minutes.

B. Accept Proposal to Survey the Fire Lanes

Planning Director Darling stated that the next step in deciding the allowed uses for the fire lanes is to have members of the Council, Planning Commission and Parks Commission visit each fire lane in the City. She explained that prior to this visit, staff will ascertain the exact location of the fire lanes. She stated that staff asked for a proposal for those services from Bolton and Menk and noted that their response was very consistent with the costs estimated by WSB last year.

Mayor Zerby asked if iron markers would be placed at the corners during the survey process. City Engineer Budde stated that they will not install them but will be locating the existing ones and put lathes in the correct spots.

Councilmember Siakel asked if adjacent property owners would be informed that the City is surveying so they are not concerned about people on this property. Planning Director Darling stated that they will be informing them of the survey crews and before the Council and Commissioner members tour the fire lanes.

Councilmember Labadie stated that she thinks this is a necessary step to clear up confusion about the fire lanes.

Labadie moved, Johnson seconded, Adopting RESOLUTION NO. 20-020, “A Resolution Accepting a Proposal for Surveying Services to Identify the Location of the Fire Lanes.” Motion passed 4/0.

8. ENGINEERING/PUBLIC WORKS

A. Accept Proposal for Archeological Study for Glen Road, Amlee Road, Manitou Lane Street Reconstruction and Utility Project, City Project 18-08

City Engineer Budde stated that this project is slated in the CIP for 2021 construction subject to review of Minnesota State Statute 307.08 regarding burial sites and archeological or historical sites. He explained the proposal for the archeological study and how it will map out the area more accurately. He noted that it will also help the City know where it can and cannot go with regard to sewer and stormwater treatment.

Wally Piroyan, 24845 Glen Road, asked if the City has ever done anything like this before where it had to deal with this type of burial grounds. Public Works Director Brown stated that the City had run across a similar situation at Shady and Enchanted Islands.

Mr. Piroyan asked what the final outcome was from those studies and whether it could stop the project in its tracks. Public Works Director Brown stated that depending on whether mounds are found or not, the City may need to adjust its plans. He noted that the process is very thorough and noted that there is historical topography that will help locate the potential mounds.

Johnson moved, Siakel seconded, Adopting RESOLUTION NO. 20-021, "A Resolution to Accept Proposal for Archeological Study for Glen Road, Amlee Road, Manitou Lane Street Reconstruction and Utility Project, City Project 18-08." Motion passed 4/0.

9. GENERAL/NEW BUSINESS

A. Approve Policy on Building Permit Refunds

Planning Director Darling stated that this request is to adopt a policy for building permit refunds. She explained that the City had recently received requests to refund building permits and the previous internal staff policy was to refund the full amount as long as no work had been done on the project even if there had already been engineering work or other pass-through charges from other government entities. She stated that staff would like to see there be a policy in place that will pay the costs of these types of charges before the refund is issued to the applicant. She gave a brief overview of the proposed policy. She noted that she had included in the packet information regarding what other cities do in this type of situation.

Mayor Zerby stated that he likes that this will make this self-sustaining and not dip into the General Fund.

Siakel moved, Labadie seconded, Approve the Updated Policy on Building Permit Refunds, as submitted. Motion passed 4/0.

B. Approve Amendments to Master Fee Schedule

Planning Director Darling explained that the recommendation is to include the Badger Park picnic shelter as a rental facility. She stated that there is also a recommended amendment to the Master Fee Schedule with regard to the reinspection fees for building and rental housing. She stated that staff is recommending raising that fee from \$35 to \$75.

Siakel moved, Labadie seconded, Adopting RESOLUTION NO. 20-022, "A Resolution Approving an Amendment to the 2020 Master Fee Schedule." Motion passed 4/0.

10. STAFF AND COUNCIL REPORTS

A. Administrator and Staff

1. Short Term Rental Housing Research Update

Planning Director Darling stated that this item is an informational memo for the Council's review.

2. Arborist Report

Public Works Director Brown stated that staff is continuing to work with Davey Tree.

3. Strategic Plan

City Administrator Lerud gave a brief overview of the information included in the packet from the consultant that worked with the Council at the retreat. He explained that his goal is for this information to be a work in progress all year long. He stated that he would like to come back to

this information every few months to track what has been completed and who is responsible for it. Mayor Zerby stated that, even though this is in draft form, he would like it to somehow get out to the public. City Administrator Lerud noted that he was planning to work with Communications Director Miller on a way to get this information out to the public.

4. Newsletter, Resident Packet, Logo Updates

City Clerk Thone reviewed the current contents of the new resident packets that are given out. She stated that the packets are somewhat outdated and staff would like to update the information. She stated that she also included the most recent newsletter and the City logo which the City has also discussed updating. Communications Director Moore went out and got quotes for design work to update these three things which were included for the Council to consider. She explained that staff was not looking for action tonight but would like some direction from the Council on what they would like to see done.

Mayor Zerby noted that most of the information included in the new resident packet has nothing to do with the City and is mostly from other agencies. He would suggest including information on who their elected officials are and when the City meetings take place. He noted that the City would also include a department directory so they know who to contact in various situations.

Councilmember Labadie stated that she would like additional time to peruse this information but noted that it may be a good idea to put in the information that the Excelsior Fire Department requires a burning permit to have a backyard campfire. She stated that any other permits such as dog licensing should also be included as well as a price list for the Shorewood Community and Event Center and park shelter rental fees.

Councilmember Siakel stated that she thinks this would be a great way to brand Shorewood and differentiate it from the other area cities.

Mayor Zerby stated that there should also be general information about the parks in the City because when people move here, they want to know there they can play tennis or ice skate.

City Clerk Thone asked how the Council felt about redesigning the logo and the newsletter. Mayor Zerby stated that he thinks the logo can be freshened up but is not sure he wants to revamp it entirely because it is already in place in so many areas of the City so it would be expensive to change them all.

Councilmember Siakel asked how many residents are mailed a paper copy of the newsletter versus an e-mailed copy. City Clerk Thone stated that they still mail the majority of the newsletters to residents despite encouraging residents to sign up for it to be distributed electronically.

Other

Public Works Director Brown stated that they will be monitoring the thaw and will give the Council updates as needed.

Councilmember Labadie asked how the residents responded to the City's request for them to keep the fire hydrant areas clear. Public Works Director Brown stated that some people have taken it on, but his crews have been out over the last few weeks also clearing the hydrants.

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City Clerk Thone noted that direct balloting begins on February 25, 2020 for the election that will be held on Tuesday, March 3, 2020. She encouraged residents to get out and vote.

City Administrator Lerud noted that he had given the Council copies of a newspaper article that came out yesterday regarding a MN DOT bridge project that is related to the archeological survey that the Council approved earlier tonight. He stated that costs for the bridge project went from \$3 million to \$20 million because they inadvertently desecrated a burial site. He stated that this is the reason that conducting the archeological studies are so important before the project.

B. Mayor and City Council

None.

11. ADJOURN

Labadie moved, Johnson seconded, Adjourning the City Council Regular Meeting of February 24, 2020, at 8:02 P.M. Motion passed 4/0.

ATTEST:

Scott Zerby, Mayor

Sandie Thone, City Clerk