

MINUTES

1. CONVENE CITY COUNCIL REGULAR MEETING

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

A. Roll Call

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

Absent: Mayor Zerby and Councilmember Sundberg

B. Review Agenda

Acting Mayor Siakel noted that there were some residents present that would like to speak during Matters from the Floor regarding agenda item, 10.A.2. regarding the nuisance violation. She suggested that this item be moved forward on the agenda and discussed under Matters from the Floor.

Johnson moved, Labadie seconded, approving the agenda as amended. Motion passed 3/0.

2. CONSENT AGENDA

Acting Mayor Siakel 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 Regular Meeting Minutes of March 25, 2019

B. Approval of the Verified Claims List

C. Liquor License Renewals, RESOLUTION NO. 19-037, "A Resolution Approving 2019 Liquor License Renewals."

D. Approval of Multiple Dock Facility License – Shorewood Yacht Club

Motion passed 3/0.

3. MATTERS FROM THE FLOOR

Kirk Honour, 5320 Lee Circle, noted that after having a discussion with Acting Mayor Siakel prior to the meeting, it sounds like the City is taking action on the nuisance violation relating to the outdoor furnace at 24800 Smithtown Road. He stated that the residents in the area agree with the proposed action and are very supportive of the homeowners moving on to another source of fuel for their home. He stated that they would also support a wood burning furnace that is EPA compliant, but does not think the current City code would allow for that. He thanked the City for taking on this issue and taking action.

Planning Director Darling gave an overview of past discussion regarding the wood burning stove at 24800 Smithtown Road. She stated that the property owners had asked the Council for additional time to meet the requirement and Council had approved that extension with the condition that they submit a plan to resolve the issue. She stated that the furnace has been shut down as of March 31, 2019. She noted that they can add one more piece to the stovepipe and other than that will have to look for another option. She stated that they have been burning smaller pieces of wood, which they believe had some benefit. She noted that they also added an air intake system but that does not appear to have resolved the issue. She explained that she is concerned that the additional smoke stack will not resolve the issue and then the situation will be right back to where it is now next year.

Councilmember Labadie asked if the homeowners have been cooperative and receptive to suggestions. Planning Director Darling stated that they have been cooperative and open to ideas.

Councilmember Johnson noted that his recollection of the discussion with the homeowners was that they were also not too optimistic about the addition to the smoke stack making a large difference. Planning Director Darling stated that the homeowner is hoping that if he can get the smoke stack above the trees, the air and wind will flush the smoke out more quickly. She explained that she is not sure how effective this will be on inversion days when the air is heavier and more wet.

Acting Mayor Siakel noted that she had driven in this area after the Council meeting where this was discussed and found that it is noticeable even when you are in a car. She stated that she thinks the City should ask them to replace their equipment and update it to current practices. Councilmember Johnson stated that he agreed. Councilmember Labadie stated that she also agreed and noted that the complaints have come from multiple neighbors over a period of time and not just one neighbor.

Gordon Johnasson, 5990 Charleston Circle, expressed traffic concerns and asked what the City's position is regarding the proposed development in Tonka Bay. Acting Mayor Siakel stated that the City is watching what happens, but it is in Tonka Bay. She stated that there is not anything for the City to comment on at this point in the development process.

City Administrator Lerud stated that the main concerns for the City's perspective are traffic and stormwater concerns which Tonka Bay is aware of.

Councilmember Labadie explained to Mr. Johnasson that when the City receives concerns from residents, staff has passed along those comments to Tonka Bay.

Mr. Johnasson stated that he does not like the density of the Tonka Bay project and is very concerned about the long-range traffic impact it will have on the City. He stated that his other issue is the intersection of Highway 7 and 41 off of Lake Linden Drive. He stated that this area is

getting increasingly dangerous. He asked if there was any action being planned by the City to do anything to that intersection and address the traffic concerns.

Acting Mayor Siakel stated that State Representative Morrison came to a recent Council meeting and the issue of these types of issues were brought up to her. She stated that the Council had also raised these concerns to Senator Osmek as well. She stated that they are asking for it to be looked at from County Road 19 all the way down to 41.

Mr. Johnasson stated that one of the concerns with the traffic issues is that if it gets bad enough it will also affect property values.

Councilmember Labadie encouraged Mr. Jonasson to reach out to the State level representatives because hearing the concerns from residents and not just the Council will make an impact.

Mr. Johnasson stated that Lake Linden Drive is getting pretty bad and asked if there was a plan to get it fixed up. Acting Mayor Siakel stated that there has been a lot of discussion this past year regarding addressing concerns to many of the roadways in the City because many are reaching their lifespan.

Public Works Director Brown stated that there was a project on Shady Island and Enchanted Island planned for 2019 that may not move forward because some Native American burial mounds had been found. He stated that the City is looking at reallocating other funds to try to do an extensive bituminous overlay project and Lake Linden Drive is one of the roadways that is being considered. He stated that he has been with the City for twenty-four years and this year has been the hardest on infrastructure that he has seen.

4. PUBLIC HEARING - None

5. REPORTS AND PRESENTATIONS - None

6. PARKS - None

7. PLANNING - None

8. ENGINEERING/PUBLIC WORKS

A. Joint Powers Agreement (JPA) with Chanhassen

City Engineer Fauske stated that this was briefly discussed at a past work session and gave a brief overview. She stated that Shorewood resident, Joe Schneider, had asked to hook up to Chanhassen water service and the Council had approved the request in September. She explained that at that time, Chanhassen took a step back and looked at the entire area since this is the third City property that had requested hook up to their system. She stated that after much discussion, staff felt a Joint Powers Agreement between Chanhassen and Shorewood would make sense. She noted that it was drafted by Chanhassen, but City Attorney Keane has reviewed the document.

Johnson moved, Siakel seconded, Adopting RESOLUTION NO. 19-038, "A Resolution Approving a Joint Powers Agreement for Watermain Extension from Holly Lane (Chanhassen) up to 21200 and 21220 Christmas Lane (Shorewood). Motion passed 3/0.

B. Accept Quotes for Lift Station 13 Repairs

Public Works Director Brown stated that Life Station 13 is located on 5495 Radisson Entrance. He stated that there are many parts to the lift station that are beyond repair and will need to be replaced. He stated that staff is proposing that the control panel be rebuilt, but since it serves just one home, he would like direction from the council to consider abandoning this lift station when the property is redeveloped. Acting Mayor Siakel agreed that the city should look to a future time when this lift station could be abandoned.

Labadie moved, Johnson seconded, Adopting RESOLUTION NO. 19-039, “A Resolution Approving Expenditure of Funds for Lift Station 13, Located at 5495 Radisson Entrance.” Motion passed 3/0.

9. GENERAL/NEW BUSINESS - None

10. STAFF AND COUNCIL REPORTS

A. Administrator and Staff

1. Investments 1st Quarter 2019 Report

Finance Director Rigdon stated that this is an informational item and no action is necessary. He gave an overview of the unaudited First Quarter 2019 Report.

Acting Mayor Siakel expressed her appreciation to Finance Director Rigdon for doing a great job and making things clear and understandable.

2. Nuisance Violation at 24800 Smithtown Road – Verbal Report from Planning Director Darling

Acting Mayor Siakel noted that this item had been moved up in the agenda and discussed under Matters from the Floor. She noted that the property owner came in a little late and suggested that Planning Director Darling give an update on what had been previously discussed.

Planning Director Darling gave an overview of what the Council had discussed earlier in the meeting.

James Quast, 24800 Smithtown Road, stated that he was thinking about putting on a different cap that will diffuse the smoke in four different directions rather than just straight up. He gave an overview of the things he has done to help decrease the smoke by using slab wood.

Acting Mayor Siakel stated that the Council knows how hard Mr. Quast has been working to improve the situation but would like to know if he has considered updating to a different source of heat. She stated that the City has received a number of additional complaints and concerns since the last meeting where this was discussed. She stated that the Council felt that it may be time to take the next step and ask Mr. Quast to work with Planning Director Darling and bring the outdoor wood stove into compliance.

Mr. Quast stated that updating to a system that would produce less smoke will cost around \$10,000. He stated that he would like to be able to burn wood for one more year to allow him to clean up the yard and burn all the wood he already has in place. He stated that after that, he

would shut it down and never burn wood again. He stated that on his property he has more than one winter's worth of wood in his yard ready to go for next year.

Acting Mayor Siakel stated that the Council had directed staff to contact Mr. Quast and continue working towards a solution, including looking at changing to a modernized system for heating, such as natural gas.

Ms. Quast reiterated that he would like to have one more year to burn wood before making the change to a modern system. He stated that he does not want to put a lot of money into the system only to be told by the City that he cannot burn for another year.

Acting Mayor Siakel stated that the Council is sensitive to his situation but wants to be respectful to his neighbors as well. He stated that no decisions will be made tonight and asked him to continue working with Planning Director Darling to come up with a solution.

Other

Public Works Director Brown stated Public Works continues to sweep the streets and repair potholes.

Councilmember Johnson stated that today on SeeClickFix there was a concern posted about Sweetwater Curve and a potential sewer disconnect and asked if he was aware of that issue.

Public Works Director Brown stated that he will need to do additional research and will get back to the Council.

City Engineer Fauske stated that as Public Works Director alluded to earlier in the meeting, they are continuing to look at the project planned for Shady Island and Enchanted Island and will give the Council a full report when it is completed. Councilmember Labadie asked if the burial grounds were only found on Enchanted Island. City Engineer Fauske stated that her recollection is that the "islands" were considered sacred.

Planning Director Darling stated that the City is continuing to work with the landscape architect and move forward with Freeman Park and Badger Park.

City Administrator Lerud stated that the drop box out front was vandalized over the weekend and communication has been sent to inform residents. Acting Mayor Siakel asked whether the light post in that area had been hit because it had been out for a while and she noted that there was glass on the ground. City Administrator Lerud stated that he will check into this.

B. Mayor and City Council - None

11. ADJOURN

Labadie moved, Johnson seconded, Adjourning the City Council Regular Meeting of April 8, 2019, at 7:47 P.M. Motion passed 3/0.

ATTEST:

Scott Zerby, Mayor

Sandie Thone, City Clerk