

MINUTES

1. CONVENE CITY COUNCIL REGULAR MEETING

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

Due to the Centers for Disease Control's recommendation limiting the number of people present at the meeting and pursuant to MN Statute 13D.02, the Shorewood City Council meeting was held via electronic means.

PLEDGE OF ALLEGIANCE

A. Roll Call

Present: Mayor Zerby; Councilmembers Johnson, Labadie, Siakel, and Sundberg (joined the meeting at 7:10 p.m.); City Attorney Keane; City Administrator Lerud; City Clerk/HR Director Thone; Finance Director Rigdon; Planning Director Darling; Director of Public Works Brown; and, City Engineer Budde

Absent: None

B. Review Agenda

Johnson moved, Siakel seconded, approving the agenda as presented.

Roll Call Vote: Labadie, Johnson, Siakel, Zerby voted Aye. **Motion passed.**

2. CONSENT AGENDA

Mayor Zerby reviewed the items on the Consent Agenda.

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

- A. City Council Work Session Minutes from April 13, 2020**
- B. City Council Regular Meeting Minutes from April 13, 2020**
- C. City Council Special Meeting Minutes from April 20, 2020**
- D. Approval of the Verified Claims List**
- E. Liquor License Renewals, RESOLUTION NO. 20-031, "A Resolution Approving 2020 Liquor License Renewals."**
- F. Approval of Postponing Spring Clean-Up Event**

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Roll Call Vote: Labadie, Johnson, Siakel, Zerby voted Aye. **Motion passed.**

3. MATTERS FROM THE FLOOR - NONE

4. PUBLIC HEARING

5. REPORTS AND PRESENTATIONS

A. 2019 Audit Presentation

Finance Director Rigdon introduced Andy Berg, from Abdo Eick and Meyers to present the 2019 Audit and Management Letter.

Andy Berg, gave a brief overview of the 2019 Financial Statement Audit. He stated that there were no audit findings for 2019. He reviewed the General Fund Balance in comparison to the 2020 budget and reviewed the City's fund balance policy. He reviewed the types of revenue and expenditures in the General Fund, Capital Projects Fund, Special Revenue Fund, Debt Service Fund, and Enterprise Fund Balances. He reviewed the key performance indicators for the City in comparison to other Class 4 cities and other Hennepin County cities.

Councilmember Sundberg stated that there was a slide that indicated that the City's tax rate per capita was on par with the others but showed that the City's spending was lower.

Mr. Berg stated that there are lot of factors that play into that information, but noted that the City's main revenue source is property taxes where other cities may have other funding such as Local Government Aid (LGA) and noted that Shorewood does not receive any of that type of funding.

Siakel moved, Johnson seconded, to accept the 2019 Audit Report from Abdo, Eick and Meyers, as presented.

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

B. Fall/Winter Photo Contest Winners

City Clerk/HR Director Thone stated that the City has finished up their fifth Photo Contest and shared a slide show with the winners of the categories: People of Shorewood; Pets and Wildlife; and Splendor of the Seasons. She noted that the City is accepting submissions for the Spring and Summer photo contest.

6. PARKS

A. Approve Plans and Specifications and Authorize Ad for Bids for Badger Park Tennis Courts, City Project 20-02

City Engineer Budde noted that reconstruction of the tennis courts in Badger Park was included in the CIP and budget for 2020. He explained that plans and specifications have been completed and staff is seeking authorization to advertise for bids. He gave an overview of the proposed project timeline with construction beginning by September 1, 2020 and being substantially

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completed by October 15, 2020 with final completion by May 2021. He stated that this project will be paid for through the Park Dedication Fund 402 and is estimated at \$255,000.

Labadie moved, Johnson seconded, Adopting RESOLUTION NO. 20-032, “A Resolution to Approve Plans and Specifications and Authorize Advertising. City Project 20-01.”

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

7. PLANNING

A. Report by Commissioner Riedel on April 21, 2020 Planning Commission Meeting

Planning Commissioner Riedel gave an overview of the discussion and actions taken at the April 21, 2020 Planning Commission meeting.

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

**B. Request for Variance to Redevelop a Substandard Lot
Location: 20505 Radisson Road
Applicant: Anne Joyce**

Planning Director Darling explained that the application is requesting a variance to construct a home on a non-conforming lot where the lot area and width do not meet requirements. She stated that the previous building on the lot was built in 1910 before the lot was platted and before the City was incorporated and the area was originally developed with cabins as part of a resort. The applicant plans to build a new home and attached garage and will reduce the amount of impervious surface coverage compared to the previous home. Staff and the Planning Commission recommended approval subject to the conditions in the staff report.

Labadie moved, Siakel seconded, Adopting RESOLUTION NO. 20-033, “A Resolution Approving Variances for Property Located at 20505 Radisson Road.”

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

**C. Request for Variance to Front Setback
Location: 23100 Summit Avenue
Applicant: Clayton Tessness**

Planning Director Darling stated that the applicant is requesting a front setback variance in order to construct a home on the property. She explained that all of the adjacent properties are developed with single-family homes. She gave an overview of the steep topography and elevation changes on the property. Staff and the Planning Commission recommend approval subject to the conditions in the staff report. She noted that since the Planning Commission, the City has received an e-mail from a resident asking where snow storage will be with this development and asked the applicant to answer.

Clayton Tessness stated that there was a lot of thought put into the location of the driveway and noted that he plans to shovel and remove the snow to the left side of the driveway and does not think it will be an issue for anyone.

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Johnson moved, Siakel seconded, Adopting RESOLUTION NO. 20-034, “A Resolution Approving a Variance to Front Setback for Property Located at 23100 Summit Avenue.”

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

D. Request for Preliminary Plat, CUP and Variances
Location: 20325 Excelsior Blvd.
Applicant: Sathre-Berquist, Inc.

Planning Director Darling explained that the application proposes to remove the existing home from this property and subdivide the property into four lots to accommodate two twin homes, with each half of the twin home on its own lot. She explained the need to bring in fill and construct retaining walls on the property and the variance requests. She noted that the City received one letter that was entered into the public record. She stated that there were also two speakers who spoke and raised concerns about density and tree preservation. She explained that after the meeting, the applicant contacted her and stated that he is willing to plant another eight trees on the site and will review the grading plan with his engineer to see if there are any additional trees that can be kept. She explained that both the applicant, Matt Sayer and the developer, Dan Schmitt of Sathre-Bergquist are present at the meeting.

Mayor Zerby noted that the most significant thing he saw with this application was the number of trees that will be taken down. He suggested that there be clear communication with the area residents so they are not surprised when the trees start coming down.

Councilmember Siakel asked about the price point of the twin homes. Matt Sayer, stated that they are shooting for a price point between six-hundred thousand and six-hundred fifty thousand per side.

Johnson moved, Labadie seconded, Adopting RESOLUTION NO. 20-035, “A Resolution Approving Preliminary Plat, Conditional Use Permit, and Variances for the Matthew Sayer Addition Located at 20325 Excelsior Boulevard.”

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

E. Request for Minor Subdivision
Location: 25165 Glen Road
Applicant: Affordable Housing, LLC.

Planning Director Darling stated that the applicant proposes to subdivide the property into two lots and construct one additional home. Staff and Planning Commission are recommending approval.

Councilmember Siakel stated that this area of the City is complicated. She noted that there have been reports of drainage and snow storage issues in the Harding Lane area and asked if there would be any impact from this proposal on those issues.

Planning Director Darling stated that the City has looked at this issue, in depth for rate control and water quality. She noted that the plans call for an infiltration basin to catch the water and slow it down before it leaves the site. She stated that the City has also considered tipping Glen Road

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when it is constructed so the water does not run westerly but will flow back east into a regional pond.

City Engineer Budde explained in greater detail some of the issues that the City has considered relating to drainage for this application.

Councilmember Siakel stated that she would like to make sure that there is clear communication with the neighbors in the area because the Glen Road neighborhood is usually very vocal about these kinds of things. She stated that she is not opposed to the subdivision but wants to make sure there is no miscommunication or that neighbors can say that they did not know about this project.

Mayor Zerby asked how far the notification went for this project and if it covered the entire length of the road. Planning Director Darling stated that with a minor subdivision, there is no notification requirement, but noted that she had spoken with other home owners in the area, for example, the property owner to the north. She noted that staff and the Planning Commission are currently discussing an amendment to change the notification requirements for minor subdivisions.

Sundberg moved, Johnson seconded, Adopting RESOLUTION NO. 20-036, “A Resolution Approving Subdivision of Property at 25165 Glen Road.”

Councilmember Siakel reiterated that her concern is not with the application, but with the reaction of the surrounding neighbors. She expressed concern that they will come to the City and ask why they weren't told about this application. She stated that she thinks there should be some additional communication with the neighborhood, even though the City is simply following a procedure and has not done anything wrong.

Mayor Zerby stated that he agreed and noted that he is always a big proponent for as much notification as possible. He stated that he believes any subdivision should be noticed to area residents.

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

- F. Request for Minor Subdivision**
 - Location: 5810 Club Lane**
 - Applicant: Sathre-Bergquist, Inc.**

Planning Director Darling stated that the application proposes to subdivide the existing lot into two lots and construct a new home on the northerly half of the lot. Staff and the Planning Commission recommend approval subject to the conditions listed in the staff report.

Labadie moved, Siakel seconded, Adopting RESOLUTION NO. 20-037, “A Resolution Approving Subdivision of Property at 5810 Club Lane.”

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

8. ENGINEERING/PUBLIC WORKS

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A. Authorize Plans and Specifications and Authorize Ad for Bids for Enchanted and Shady Island Street Rehabilitation and Watermain Extension, City Project 18-11

Public Works Director Brown introduced Katie Koscielak Project Manager from WSB Engineering.

Ms. Koscielak gave an overview of the project plans for both Enchanted Lane/Shady Island and the Woodside area since they are very similar. She explained that the reclamation improvements will include Enchanted Lane, Enchanted Drive, Enchanted Circle, Dellwood Lane, Shady Island Road, Shady Island Circle, Shady Island Point, and Shady Island Trail, with an alternate improvement for Enchanted Point, which is currently a gravel road. She stated that the second projects would be reclamation and watermain improvements for Woodside Road, Woodside Lane and watermain improvements only for Kathleen Court. She gave an overview of the Phase 1A cultural resources archeological investigation because both burial and historic sites were identified in both project locations. She explained that the final report has been turned into the Minnesota State Archaeologist, the Minnesota State Historical Preservation Office, and the Minnesota Indian Affairs Council and is currently under review. She stated that in the meeting conducted on March 18, 2020 both the Minnesota State Archeologist and the Minnesota Indian Affairs Council concluded that the constructions were very minimal and felt that monitoring the construction activities would be appropriate. She noted that Blondo Consulting has stated that even though the report has not been received, they feel there is very low risk in moving forward with the plans and specifications but construction cannot begin until the project has been reviewed and approved. She gave a brief overview of the projected project costs and anticipated schedule with construction to be completed by October 2020. She noted that typically they would hold a public meeting to let people know what is going on, however, because of the current CDC guidelines there may need to be an alternate method to communicate with residents.

Johnson moved, Labadie seconded, Adopting RESOLUTION NO. 20-038, “A Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids for the Enchanted Island and Shady Island Street Reclamation Project, City Project 18-11.”

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

B. Authorize Plans and Specifications and Authorize Ad for Bids for Woodside Road/Woodside Lane Street Improvement and Watermain Extension, City Project 19-04

Johnson moved, Labadie seconded, Adopting RESOLUTION NO. 20-039, “A Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids for the Woodside Road and Woodside Lane Street Reclamation and Watermain Extension Project, City Project 19-04.”

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

9. GENERAL/NEW BUSINESS

10. STAFF AND COUNCIL REPORTS

A. Administrator and Staff

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1. First Quarter 2020 Investments Report

Finance Director Rigdon stated that the first quarter was actually pretty good, but noted that the second quarter is already looking a bit different. He gave a brief overview of the First Quarter 2020 Investment report.

2. Alcohol Sales with Take-Out Meals

City Clerk Thone stated that there was legislation signed by Governor Walz that allows take out restaurants to serve alcohol. She noted that the only City restaurant that is offering take-out at this time is Chinos. She explained that alcohol sales will be allowed with take-out meals during the Governor's order and when that ceases, this will no longer be allowed.

Mayor Zerby asked if this would apply to the Legion. City Clerk Thone explained that this could apply to the Legion, but they have done what is called a "hard close" and are not serving any take-out food. She stated that they are using this time to clean and have donated all the food from their fish fry to Loaves and Fishes.

Other

Public Works Director Brown stated that there is a pre-bid meeting tomorrow for the re-roof project. He stated that the crew continues to sweep roadways, patch pot holes, and flush watermains.

Planning Director Darling stated now that the snow has completely melted, they are getting a lot of requests for code compliance investigations on private properties.

City Clerk/HR Director Thone stated that she met today with Hennepin County election staff regarding the upcoming elections. She gave an overview of some of the discussion items on what this year's elections activities may look like moving forward due to COVID-19 issues. She stated that she will keep the Council in the loop as things move forward and decisions are made.

City Administrator Lerud noted that as staff gets more comfortable with the technology for these teleconference type meetings, they are planning to start uploading the meetings to YouTube live.

B. Mayor and City Council

Councilmember Johnson stated that he had a discussion with Communications Director Moore and City Administrator Lerud about the possibility of hosting a community roadside litter pick up event on the day when the Spring Clean-Up day had been scheduled.

Councilmember Labadie attended the April 21, 2020 Planning Commission and expressed her opinion that the City is very fortunate to have the current Planning Commission. She stated that the summary given by Commissioner Riedel earlier tonight summed up a meeting that lasted over two and a half hours. She stated that they are very thorough and very considerate and commended the Commission and Planning Director Darling for their work. She stated that on April 22, 2020 she attended the Fire Board meeting and gave a brief summary of the meeting.

11. ADJOURN

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Johnson moved, Labadie seconded, Adjourning the City Council Regular Meeting of April 27, 2020, at 8:37 P.M.

Roll Call Vote: Labadie, Johnson, Siakel, Sundberg, Zerby voted Aye. **Motion passed.**

ATTEST:

Scott Zerby, Mayor

Sandie Thone, City Clerk