

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 a meeting, and pursuant to MN Statute 13D.02, the Shorewood City Council meetings was held by electronic means.

**A. Roll Call**

Present: Mayor Zerby; Councilmembers Labadie, Siakel, and Sundberg; City Attorney Keane; City Administrator Lerud; Deputy City Clerk Pricco; Finance Director Rigdon; Planning Director Darling; Director of Public Works Brown; and, City Engineer Budde

Absent: Councilmember Johnson

**B. Review Agenda**

Lerud requested that agenda 9A be removed from tonight's agenda for consideration.

**Labadie moved, Siakel seconded, approving the agenda with the removal of item 9. Roll Call Vote: Ayes – all. Motion passed 4/0.**

**2. CONSENT AGENDA**

Mayor Zerby reviewed the items on the Consent Agenda.

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

- A. City Council Regular Meeting Minutes of July 13, 2020
- B. Approval of the Verified Claims List
- C. Liability waiver
- D. Approve Expenditure for Purchase of Public Works Equipment, One Utility Terrain Vehicle (UTV)
- E. Approving Contract with MPCA for GreenCorps Employee, RESOLUTION NO. 20-073, "A Resolution Accepting Appointment of Greencorps Employee from the Minnesota Pollution Control Agency and Approving Contract."

**Roll Call Vote: Ayes – all. Motion passed 4/0.**

**3. MATTERS FROM THE FLOOR**

Christian Tietz representing the Excelsior Chamber of Commerce appealed to the city of Shorewood during this time of Covid to consider supporting the Excelsior Chamber of Commerce in the amount of \$7500 + 500 (total of \$8000) to cover the Excelsior Chamber of Commerce's expenses for one month. This support could be part of the CARES fund for the city of Shorewood. The City Administrator, Greg Lerud, noted that the support would be eligible for CARES funds. His recommendation was for the cities to discuss together the funds request.

**4. PUBLIC HEARING - NONE**

**5. REPORTS AND PRESENTATIONS**

**A. Chief Mike Meehan – South Lake Minnetonka Police Department – Budget Presentation**

Chief Mike Meehan, South Lake Minnetonka Police Department presented the 2021 SLMPD budget. He said the Coordinating Committee recommended a 4.2% increase in the 2021 operating budget from 2020. The increase is due primarily to an increase from 15 to 16 full-time licensed officers, an estimated 3% wage increase, and increases to the worker's compensation insurance premium. The operating budget is subject to the three-part formula, and the debt service portion is assessed by each city's share of the total tax capacity.

There were no questions.

**Sundberg moved, Labadie seconded, Approving the SLMPD 2021 budget as presented. Roll Call Vote: Ayes – all. Motion passed 4/0.**

**B. Chief Curt Mackey – Excelsior Fire District – Budget Presentation**

Chief Curt Mackey, Excelsior Fire District presented the 2021 EFD budget. He said the EFD Board recommended an increase of 2.95% in the 2020 budget for 2021. Shorewood's share is proposed to increase 2.5%, to \$668,296 in 2021. There was a brief discussion about the challenges of responding in the time of COVID-19.

**Labadie moved, Sundberg seconded, Approving the EFD 2021 budget as presented. Roll Call Vote: Ayes – all. Motion passed 4/0.**

**6. PARKS**

**A. Report by Commissioner Gallivan on July 14, 2020 Park Commission Meeting**

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Commissioner Gallivan gave a brief overview of the July 14, 2020 Park Commission meeting as reflected in the minutes.

**7. PLANNING**

**A. Report by Commissioner Gault on July 7, 2020 Planning Commission Meeting**

Planning Commissioner Gault gave a brief overview of the July 7, 2020 Planning Commission meeting as reflected in the minutes, and focused on the planning items before the Council tonight.

**B. Conditional Use Permit to Import 1,230 cu. Yds. of Fill**

**Location: 23100 Summit Avenue**

**Applicant: Clayton and Jennifer Tessness**

Planning Director Darling summarized the application, staff report and Planning Commission action.

Mayor Zerby said that he would like to see the construction management plan posted on the property as a courtesy to the neighbors in the area.

Councilmember Siakel asked if we require that of all our projects or if posting would be a special condition for this applicant. Also, she did not recall if any other applicants were required to repair the roadway and wondered how much of the roadway they would be responsible for repairing.

Planning Director Darling indicated that the City did not usually require the construction management plans to be posted, but that could be required if the Council included that in their motion. Darling added that the street repair would be in front of the property owner's home to repair any portion of the street or curb that is damaged during construction.

Mayor Zerby opened public input on this item and recognized Marilyn Zupnik of 6200 Humingbird Lane, Chanhassen.

Ms. Zupnik asked about what would happen to the sod that already exists on the property in front of the neighboring home. She also mentioned a concern with the amount of trucks in the area.

Mr. Clayton Tessness (applicant) answered this question by responding that the sod was placed in the area where the driveway is proposed. He also indicated that the City is requiring flagmen during deliveries.

**Zerby moved, Labadie seconded, Adopting RESOLUTION NO. 20-074, "A Resolution Approving a Conditional Use Permit to Allow 1,230 Cubic Yards of Fill for Jennifer and Clayton Tessness for Property Located at 23100 Summit Avenue" including a new condition that the construction management plan be posted on the site. Roll call vote: Ayes – all. Motion passed 4/0.**

**C. Variance to Expand and Rebuild a Non-Conforming Garage**

**Location: 20940 Ivy Lane**

**Applicant: Shilun Li and Tsuhua Chen**

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Planning Director Darling summarized the application, staff report and Planning Commission action.

**Siakel moved, Sundberg seconded, Adopting RESOLUTION NO. 20-075, “A Resolution Approving a Front Setback Variance for a Detached Garage for Property Located at 20940 Ivy Lane.” Roll call vote: Ayes – All. Motion passed 4/0.**

**8. ENGINEERING/PUBLIC WORKS**

**A. Accept Bids and Award Contract for Beverly Drive and Cajed Lane Drainage improvements, City Project 20-03**

City Engineer Budde stated that at the June 22, 2020 Council meeting staff had presented the final plans and specifications for this project. He noted that bids were opened on July 16, 2020 with the low bidder being G.F. Jedlicki, Inc.

**Siakel moved, Labadie seconded, Adopting RESOLUTION NO. 20-076, “A Resolution to Award Contract, City Project 20-03.” Roll Call Vote: Ayes – all. Motion passed 4/0.**

**B. Approve Plans and Specifications and Advertise for Bids for Mary Lake Outlet, City Project 19-08**

City Engineer Budde stated that at the June 22, 2020 Council meeting, staff presented the feasibility study and hosted a public hearing. He stated that plans and specifications have been prepared and staff is asking for approval so the City can move into the bidding phase for this project. He explained that this will require a variance from the Minnehaha Creek Watershed District because of a slight increase to the high-water level on Studer Pond in the City of Excelsior. He stated that the request has been submitted but the City has not yet heard from the Minnehaha Creek Watershed District. He stated that this project will also require a permit from the DNR for a new outlet to a landlocked lake and noted that they are also planning to seek municipal consent from the City of Excelsior to allow the water to be routed to Studer Pond.

**Sundberg moved, Labadie seconded, Adopting RESOLUTION NO. 20-077, “A Resolution to Approve Plans and Specifications and Authorize Bidding for the Mary Lake Outlet Project, City Project 19-09.” Roll Call Vote: Ayes – all. Motion passed 4/0.**

**C. Right of Way Agent for City Projects 18-08, 19-05, and 19-09**

City Engineer Budde explained that the City has three upcoming projects that will require acquisition of temporary and/or permanent easements to allow for construction. He stated that staff has received a proposal from Henning Professional Services to act as a right-of-way agent on behalf of the City on the thirty-seven parcels that will be affected. He explained the duties and responsibilities of a right-of-way agent and noted that these costs have been budgeted for and will be paid through the Capital Improvement Plans and the respective project budgets. Staff is recommending approval of the proposal from Henning Professional Services to act as right-of-way agent for the City.

Labadie moved, Siakel seconded, Adopting RESOLUTION NO. 20-078, "A Resolution to Award Contract for Right of Way Agent for City Projects 18-08, 19-05, 19-09." Roll Call Vote: Ayes – all. Motion passed 4/0.

**9. GENERAL/NEW BUSINESS - NONE**

**10. STAFF AND COUNCIL REPORTS**

**A. Administrator and Staff**

**1. June 2020 General Fund Budget Report**

Finance Director Rigdon gave a brief overview of the June 2020 General Fund budget report and noted that the City received the first half of the year tax revenue. He noted that considering the COVID-19 situation, the City isn't doing too badly and is at 48% of overall collection of the tax levy compared to 52% for the same time period in 2019. He reviewed the licenses and permits in the City and noted that they are down a bit as compared to 2019, but as of the end of June, the City is already at 99% of budget. He reviewed expenditures and noted that the City is pretty much in line with expectations.

**2. 2nd Quarter 2020 Investments Report**

Finance Director Rigdon explained that this report is provided to the Council for review on a quarterly basis and gave a brief overview of what has been happening with investments. He stated that the rates in the second quarter plummeted and noted that this drop in rates has been good for things like issuing bonds, but not so good for investments.

**Other**

Public Works Director Brown stated that his department is in the middle of the roof replacement project on the Public Works facility. He stated that crews are continuing with street patching and tree maintenance. He stated that they will also be holding the pre-construction conferences for Woodside Road and the Island project.

Planning Director Darling explained that Emma Noterman started work last Wednesday as the City's Planning Technician. Emma Noterman introduced herself and noted that she grew up in Chaska and is happy to be back in the southwest suburbs.

**B. Mayor and City Council**

Councilmember Siakel stated that she has been out visiting a number of the fire lanes and stated that she has questioned the placement of the some of the stakes. She asked if the placement was within a "range" and not an accurate placement. She gave examples of some that were very close to nearby homes and reiterated that she thinks the placement is a little off and is not exact.

Planning Director Darling stated that she has visited all of them and also noticed some of the same ones that Councilmember Siakel referenced that appeared to be very close to the property line. She stated that she will review this with the surveyors and with the surveys that the City has on file.

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City Engineer Budde noted that typically the stakes would be within an inch or two of the property corner and are usually quite accurate, but noted that staff will take a look at the areas of concern.

Councilmember Sundberg noted that she will not be in attendance at the next Council meeting.

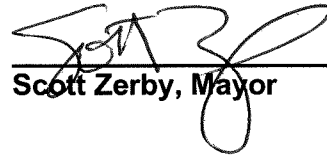
**11. ADJOURN**

**Labadie moved, Sundberg seconded, Adjourning the City Council Regular Meeting of July 27, 2020, at 8:16 P.M. Roll Call Vote: Ayes – all Motion passed 4/0.**

**ATTEST:**

  
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**Sandie Thone, City Clerk**

  
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**Scott Zerby, Mayor**