

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; 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: Councilmember Johnson

B. Review Agenda

Mayor Zerby noted that staff has asked that item 2G, Authorize Expenditure of Funds, Hauling and Proper Disposal of Street Sweepings, be moved from the Consent Agenda and be moved to item 8A for further discussion.

Sundberg moved, Siakel seconded, approving the agenda as revised. Motion passed 4/0.

2. CONSENT AGENDA

Mayor Zerby reviewed the items on the Consent Agenda and briefly thanked the donors for the Arctic Fever event.

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

- A. **City Council Work Session Meeting Minutes of November 12, 2019**
- B. **City Council Regular Meeting Minutes from November 12, 2019**
- C. **Approval of the Verified Claims List**
- D. **Approval of Tree Sale**
- E. **Accept Arctic Fever Donations, Adopting RESOLUTION NO. 19-107, "A Resolution Accepting Donations to the City of Shorewood 2020 Arctic Fever Event."**
- F. **Accept Donation to the Parks Department and Plaque for a Bench at Silverwood Park, Adopting RESOLUTION NO. 19-108, "A Resolution**

Accepting a Donation to the Parks Department and Plaque for a Bench at Silverwood Park.”

Motion passed 4/0.

3. MATTERS FROM THE FLOOR

Robert Gagne, 24850 Amlee Road, noted that for the last two years, the plowing hasn't been done as well as in the past. He stated that he thinks it is because they switched to a smaller pick-up truck that bounces along the top of the road. He stated that he would like to older larger plow to be used in their area for better plowing.

Public Works Director Brown stated that Mr. Gagne had already shared this information with him and he is checking to see if they can get the large plow truck back in that area.

Ted Walz, 5465 Gideons Lane, expressed concern about the “no turn on red” at the intersection of County Road 19 and Smithtown Road. He stated that he would like to see a traffic study done in order to allow it to be returned to allow turning on red.

4. PUBLIC HEARING - NONE

5. REPORTS AND PRESENTATIONS

A. Approve Feasibility Report for Glen Road, Amlee Road, and Manitou Lane Street Reconstruction Project, City Project 18-08

City Engineer Fauske gave a brief overview of the feasibility report, the existing conditions, proposed improvements and the project schedule.

Mayor Zerby clarified that the action in front of the Council tonight is to approve the feasibility report and not to take action on the street project. He noted that there are still questions that have not been answered or addressed, but noted that he would open the floor for questions from the audience.

Robert Gagne, 24850 Amlee Road, shared some history of the area dating back to 1961 when he first moved in. He stated that the road has always been crooked and on private property in some areas. He stated that with the engineering company for the City changing at the first of the year he has concerns about the feasibility report from WSB being used by the new engineering firm. He stated that he does not want water and that he believes there are enough signatures from other residents who do not want the water. He stated that he feels the residents are entitled to a smooth, fixed road which can be done without putting in curb, gutter and water service.

Elizabeth Van, 24710 Amlee Road, stated that she has issues with the feasibility report with regard to drainage. She stated that the City asking Hennepin County not to fix the drainage issue is a huge concern for her. She stated that there is a flooding issue in this area near the wetland and that was not addressed in the current conditions of the feasibility report. She stated that it has gotten worse over the last two years. She stated that she is asking the Council not to accept this feasibility report because it does not address the existing conditions and the potential added costs of addressing the drainage issue in the wetland area.

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Dan Reese, 24825 Amlee Road, stated that he has attended the informational meetings where the engineers told them that they didn't know the answers to their questions. He stated that he does not understand why the Council is now considering voting to accept a report that does not answer these questions. He stated that the residents were not notified that the Council would be taking action on this issue tonight. He stated that the majority of the residents are not interested in water and asked if there was any assurance from the City that they would not come back at a later date and force them to hook up to water.

Mayor Zerby stated that there are no assurances, because each Council acts independently based on who is elected.

Mr. Reese stated that he wanted to make it clear that he is vehemently opposed to City water.

Sandy Vanderveer 24645 Glen Road, stated that she does not support this project because of the damage to her property and the loss of trees. She stated that a curb is not needed nor is City water. She stated that she was also not notified about any of the meetings and had to be informed by her neighbors.

Councilmember Siakel asked if a letter was sent to the entire neighborhood regarding this project. Ms. Vanderveer stated that she did not get a letter. Mayor Zerby asked if Ms. Vanderveer had been notified of the informational meetings that were held.

Ms. Vanderveer stated that she did not receive any communication or notification and found out when her neighbors walked over with a petition. She stated that she is very upset by this whole process and wants the City to listen to the people that voted for them.

Wally Piroyan 24845 Glen Road, stated that the reason that many of the residents did not receive letters or communication is because the City completely shanked their communications efforts. He expressed his frustration with the communications process because people have not been informed or notified. He stated that he does not understand why the Council would approve this plan without having some details. He stated that he would like to have a detailed plan that shows things like how many trees will be affected and other details before this moves forward.

Councilmember Sundberg explained the process and noted that the next step in the process will fill in the detail questions that Mr. Piroyan is referring to.

Mr. Piroyan stated that he feels there are too many loose ends and this should not move forward yet. He stated that he feels the road has been ignored by the Public Works Department since 2007 because the residents in the area were "punished" for not moving forward with what the City wanted to be done. He reiterated that the feasibility report should not be approved until more questions have been answered.

Richard Eng, 25170 Glen Road, stated that in March of 2019 the City contacted the County to stop them from putting in a culvert that would have provided relief for some of the drainage issues in the area.

Mayor Zerby stated that he was not familiar with that situation. Mr. Eng stated that on March 26, 2019, the City approached Hennepin County Light Rail and had a meeting with Kristin Steelie, a project engineer for Hennepin County where they asked them not to install a culvert. He stated that in 2018, Mayor Zerby stated that he wanted to be transparent and do a better job

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communicating with residents. He stated that there has been bad communication regarding this process and noted that there was also no communication with the residents about the meeting with the County.

City Administrator Lerud stated that the meeting he is referring to was a staff level meeting with the Hennepin County Rail Authority regarding culverts along the line. He stated that because the City was anticipating this potential street project in 2020, the request was made to have Hennepin County hold off putting in the culvert to prevent it being put in at the wrong elevation and then having to come back the following year and move it to the proper elevation.

Mr. Eng asked the Council to table this issue and take a look at what the new engineering firm can do. He stated that he would like to know who will be paying for the costs of putting in the water infrastructure. He stated that he is also concerned about the environmental impact and the 300 trees that will be adversely affected in the area that is staked off.

Mayor Zerby stated that a final plan has not been approved so there is no final location or number of trees that may be affected.

Roger Rodney, 25135 Glen Road, stated that he has sent pictures to City Administrator Lerud regarding the fill levels. He stated that he had submitted pictures and left message and was never contacted. He stated that the water problems have now gotten so bad that he just spent three thousand dollars on drain tile in his front yard. He stated that he did not know about tonight's meeting either and heard about it from a neighbor. He expressed his frustration with the whole process and noted that if the road is straightened out, it will end up taking half of his front yard. He stated that there needs to be much better communication, because the Council is saying things like the road does not need to be as wide as proposed, but then the report says it has to be wide because of the fire trucks. He expressed his continued frustration with the drainage issue and the lack of communication between the City and the residents.

Kathy Ottum, 30 Lilah Lane, distributed pictures and information from the watershed district. She stated that she has an issue with the plans that will destroy the woods in the area. She stated that she has contacted a lot of agencies and she was the one who distributed notes to many of the residents mail boxes letting them know about tonight's meeting. She stated that there are baby owls and woodpeckers located in the woods that she feels should be protected. She stated that she also has concerns about the Indian burial ground located near the park.

Megan Stattleman, 55 Lilah Lane, asked the Council to consider the safety of the proposed retention pond to the homes. She expressed concern about the depth of the pond and its proximity to the bike path especially because of the high water table in the area. She stated that she is also concerned about pollutants that will collect in the pond and when and how it will be treated. She asked if there would be a fence or enclosure around the pond. She stated that she is concerned about the impact on her property. She stated that this area is beautiful and asks that if the City approves the plans that they do minimal tree removal.

Rick Stromberg, 5510 Wedgewood Drive, stated that his biggest concern is that the tree removal and the retention pond will be on Wedgewood Drive and nobody on that street has been notified and have no idea that this is going on.

Clint Bucher, 5490 Manitou Lane, stated that he has the 2007 feasibility study and the most recent study both conducted by WSB. He stated that there are some inconsistencies that bother him

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and read aloud a portion of the report that talks about the different widths of the roads and the recommended standards. He stated that he does not believe the City has addressed all the environmental concerns to put in a good road, which to him, means the City should not move forward with this feasibility report. He suggested that the City stand down on this proposal and move forward when the new engineering firm joins the City.

Mayor Zerby noted that the roadway widths being considered are alternatives based on feedback from residents.

Kathleen Arvidson, 24770 Amlee Road, stated that on both side of the trail, it has collapsed over the culvert location. She stated that they also noticed that it is very muddy in the area and the drainage that used to go through cannot travel through it anymore. She stated that she wanted to make sure that the City was aware of that this issue. She stated that there appears to be a lot of sediment in the culvert so it is not flowing properly. She stated that there are also trees in the area that appear to be starting to lean.

Kim Piroyan, 24845 Glen Road, stated that she opposes this project because of the number of trees that will be lost. She stated that she is also against the project because she does not understand the purpose of having City water because of the chemicals that are put into water treatment. She stated that she does not see a purpose in tearing up a beautiful canopy of trees for this project. She asked why the Council is pushing this project and pushing City water.

Mayor Zerby stated that the Council is just trying to utilize the opportunity while the road is open to see if people want City water. He stated that he does not think the Council is pushing water, but is simply asking the question. He thanked the residents for their input and for attending the meeting.

Councilmember Siakel stated that she has generally heard that people want a better road and a way to manage drainage. Councilmember Sundberg stated that drainage is a huge problem in this area and asked if the feasibility study will address drainage issues moving forward.

City Engineer Fauske stated that the preliminary design identifies a proposed storm sewer alignment to get water off the road. She stated that some of the individual issues that have been identified by private property owners would be addressed in the final design to see if there is an opportunity to incorporate those into the project.

Councilmember Sundberg stated that she believes that the drainage issues need to be a priority.

Councilmember Siakel explained that her understanding of accepting this feasibility report is that it is part of the process for the City to say that they are going to go take a look at this project and then the engineering company will come back and give the City specifics. She asked what would happen if the Council did not accept the feasibility report and if that meant it was "kicking the can down the road".

Councilmember Labadie stated that her question is what impact it would have if the Council tables or continues this issue. She stated that there is no doubt that there are questions that were raised tonight by residents that the Council and City does not have the answers for right now. She reiterated her question of what the next step would be if this is tabled or continued.

City Engineer Fauske stated that the feasibility report is intended to provide the Council with options to look at regarding the project. She stated that a feasibility report is required as part of the Minnesota Statute 429 process. She stated that it is intended as a high-level estimate of cost and preliminary information to be considered as part of the project. She stated that as it moves forward, the Council can decide which elements to keep and noted that if the Council chose not to proceed with the water hook ups that would be completely fine.

Councilmember Sundberg asked if the Council approved the plans if that meant the City would then get more definitive plans on how to address the drainage issues. City Engineer Fauske stated that there are certainly more details and design work that will need to be looked into in order to address the drainage issues.

Mayor Zerby stated that the feasibility study is an attempt to take a look at the situation and find some potential solutions. He explained that approving the report just approves the report and does not imply further action. He stated that he has heard from residents that there are a lot of drainage issues in the area that need to be addressed. He stated that he has heard loud and clear that the residents are not interested in hooking up to water. He stated that he is in support of accepting this report and then talking about the details at future meetings.

Councilmember Sundberg stated that she sees this report as a way for the City to start getting more information about the issues that concern the residents.

Councilmember Labadie stated that there were concerns about the notification process. She stated that there she will be looking into this issue tomorrow because it was not just one person who brought it up. She stated that some residents voiced their feeling that the Council does not seem to care and she feels that is inaccurate. She stated that the Council does care and she has toured the neighborhood with Mr. Eng and takes the residents concerns very seriously. She stated that she appreciated the residents for coming in and giving their feedback in a very respectful manner.

Councilmember Sundberg stated that she also has concerns about the communication process and asked staff look into that issue. Councilmember Siakel asked who the communication efforts came from. City Administrator Lerud stated that the e-mail notifications came from the City, but the mail notifications came from WSB. He noted that a resident from Tonka Bay brought up a very good point that this plan is heavily predicated on the land being available for the retention pond. He stated that he thinks the next step before the City spends a lot of money on a full-blown plan is to do an archeological study of the area.

Councilmember Siakel stated that there also needs to be some thought into alternatives if there cannot be a retention pond.

Sundberg moved, Siakel seconded, Adopting RESOLUTION NO. 19-109, "A Resolution Receiving Feasibility Report for the Glen Road, Amlee Road and Manitou Lane, Street and Utility Improvement Project, City Project 18-08." Motion passed 3/1 (Labadie).

6. PARKS

A. Report on the November 19, 2019 Park Commission Meeting

Planning Director Darling gave a brief overview of the November 19, 2019 Park Commission meeting. She noted that they will not be meeting in December.

7. PLANNING

8. ENGINEERING/PUBLIC WORKS

A. Authorize Expenditure of Funds, Hauling and Proper Disposal of Street Sweepings

Public Works Director Brown stated that each year there is a dollar amount programmed into the CIP for this purpose. He stated that thirty-five thousand dollars was programmed this year, however, quotes from various vendors were closer to seventy-five thousand dollars for the removal of the street sweepings. He stated that he had recently spoken with a vendor who has not worked with the City before who stated that he can greatly reduce the proposed cost for this service. He stated that because of timing issues, staff would like to authorize the expenditure of the funds not to exceed thirty-five thousand dollars and staff can work out the details of who will conduct the work later.

Sundberg moved, Labadie seconded, Authorizing the Expenditure of Funds for Hauling and Proper Disposal of Street Sweepings in an amount not to exceed \$35,000. Motion passed 4/0.

9. GENERAL/NEW BUSINESS

A. Engineering Contract with Bolton and Menk

City Administrator Lerud gave a brief overview of the proposed contract with Bolton and Menk.

Councilmember Sundberg asked about the length of the contract. City Administrator Lerud explained that it is a three-year contract.

Siakel moved, Labadie seconded, Approving the updated contract with Bolton and Menk for Engineering Services. Motion passed 4/0.

10. STAFF AND COUNCIL REPORTS

A. Administrator and Staff

1. October General Fund Budget Report

Finance Director Rigdon gave a brief overview of the October General Fund budget report.

2. Update on Mary Lake

Planning Director Brown stated that the final invoices for the pump rental costs have not been received. He stated that he hopes to know the financial impacts by the next meeting.

3. Water Efficiency Grant Award

City Administrator Lerud noted that this was just an informational item.

Other

Planning Director Brown stated today was the last day for hot patching pot holes in the City, but noted that they will continue cold patching over the winter months, when necessary. He stated that the fire hydrant flushing has been completed and they will move onto street sweeping as discussed earlier.

Mayor Zerby stated that the City had briefly discussed the idea of residents "adopting" a fire hydrant this winter so the area around them remains clear of snow.

Planning Director Brown stated that he believes that Communications Director Miller is planning on including information for adopting a fire hydrant in the next newsletter.

City Engineer Fauske expressed her appreciation for the time she has spent working with the City and staff in her time at the City.

Finance Director Rigdon reminded residents that the Truth in Taxation hearing is scheduled for Monday, December 2, 2019 at 7:00 p.m.

City Administrator Lerud noted that he will be getting calendar options to the Council for retreat date options. He stated that the Council will be receiving a letter and a brochure on the Community Center.

B. Mayor and City Council

Councilmember Sundberg commended staff for their work on the water efficiency grant. She stated that the Recycling Committee is wrapping up their planning process and will be coming to the Council with some recommendations.

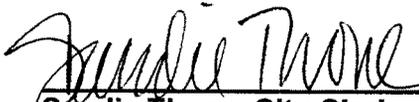
Mayor Zerby attended the Chamber of Commerce State of the Cities presentation last week. He stated that he felt there was good discussion. He noted that the City has a meeting with the Met Council representative on November 26, 2019 at 11:00 a.m.

Councilmember Labadie stated that the free movie at the Excelsior dock will be December 7, 2019 and they will be showing Elf.

11. ADJOURN

Labadie moved, Sundberg seconded, Adjourning the City Council Regular Meeting of November 25, 2019, at 8:55 P.M. Motion passed 4/0.

ATTEST:



Sandie Thone, City Clerk



Scott Zerby, Mayor