### CITY OF SHOREWOOD CITY COUNCIL REGULAR MEETING MONDAY, FEBRUARY 27, 2023

### 5755 COUNTRY CLUB ROAD COUNCIL CHAMBERS 7:00 P.M.

For those wishing to listen live to the meeting, please go to <u>ci.shorewood.mn.us/current\_meeting</u> for the meeting link. Contact the city at 952.960.7900 during regular business hours with questions.

### AGENDA

### 1. CONVENE CITY COUNCIL MEETING

- A. Pledge of Allegiance
- B. Roll Call



### C. Review and Adopt Agenda

### Attachments

2. **CONSENT AGENDA** The Consent Agenda is a series of actions which are being considered for adoption this evening under a single motion. These items have been reviewed by city council and city staff and there shall be no further discussion by the council tonight on the Consent Agenda items. Any council member or member of city staff may request that an item be removed from the Consent Agenda for separate consideration or discussion. If there are any brief concerns or questions by council, we can answer those now.

Motion to approve items on the Consent Agenda & Adopt Resolutions Therein:

A. City Council Work Session Minutes of February 13, 2023	Minutes
B. City Council Regular Meeting Minutes of February 13, 2023	3 Minutes
C. Approval of the Verified Claims List	Claims List
D. Approve Hire of Grace Brisley as Shorewood Community as Event Center Attendant	nd Parks/Rec Director Memo
E. Approve Master Contract Agreement with MNDoT	City Engineer Memo Resolution 23-021
F. Approve Hire of Christopher Pratley as Public Works Light Equipment Operator	City Clerk/HR Director Memo
G. Approve Recruitment for PW Seasonal Employees	City Clerk/HR Director Memo
MATTERS FROM THE ELOOR This is an opportunity for mombars of th	he public to bring on item which is not on

**3. MATTERS FROM THE FLOOR** This is an opportunity for members of the public to bring an item, which is not on tonight's agenda, to the attention of the Council. Anyone wishing to address the Council should raise their hand, or if attending remotely please use the "raise hand" function on your screen and wait to be called on. Please make your comments from the podium and identify yourself by your first and last name and your address for the record. Please limit your comments to three minutes. No discussion or action will be taken by the Council on this matter. If requested by the Council, City staff will prepare a report for the Council regarding the matter and place it on the next agenda.

# 4. REPORTS AND PRESENTATIONS

5.

6.

7.

8.

9.

A. Recognize Outgoing Commissioners	City Clerk/HR Director Memo
B. Christmas Lake HOA – Aquatic Invasive Species Pro	gram at Christmas Lake
PARKS	
A. Report by Commissioner Garske on 02-14-23 Park C	commission Meeting Minutes
PLANNING	
A. Report by Commissioner Riedel on 02-07-23 Plannin	g Commission Meeting Minutes
<ul> <li>B. CUP for antenna co-location on an existing Monopole Applicant : AMJ International, LLC (T-Mobile) Location: 24283 Smithtown Road</li> </ul>	e Planning Director Memo Resolution 23-022
C. Variance to OHWL setback of Silver Lake Applicant: Gardner Building and Remodeling Location: 19960 Sweetwater Curve	Planning Director Memo Resolution 23-023
D. Variance to front and side setbacks Applicant: Todd Nelson Location: 20980 Ivy Lane	Planning Director Memo Resolution 23-024
ENGINEERING/PUBLIC WORKS	
GENERAL/NEW BUSINESS	
A. Approve Proposal for NeoGov Insight Subscription	City Clerk/HR Director Memo Resolution 23-025
STAFF AND COUNCIL REPORTS	
A. Staff	
1. Tree Sale	Communications Coordinator Memo

- B. Mayor and City Council
- 10. ADJOURN

### CITY OF SHOREWOOD CITY COUNCIL WORK SESSION MEETING MONDAY, FEBRUARY 13, 2023

### 5755 COUNTRY CLUB ROAD COUNCIL CHAMBERS 5:30 P.M.

# <u>MINUTES</u>

# 1. CONVENE CITY COUNCIL WORK SESSION MEETING

Mayor Labadie called the meeting to order at 5:30 P.M.

### A. Roll Call

- Present. Mayor Labadie; Councilmembers Johnson, Labadie, and Maddy; City Administrator Nevinski; City Clerk/HR Director Thone
- Absent: Councilmembers Callies and Sanschagrin

### B. Review Agenda

Johnson moved, Maddy seconded, approving the agenda as presented. Motion passed 3/0.

2. COMMISSION INT ERVIEWS 5:30 PM – Nat Gorham 5:45 PM – Mary Johnson 6:00 PM – Mark Czerwonka 6:15 PM – Gene German

The Council conducted interviews with the candidates interested in serving on the Park and Planning Commission. The candidates shared examples of their education, work history, and background/experience and answered questions from the Council.

The Council recessed the meeting between interviews and reconvened at the appropriate times.

Mayor Labadie explained that the Council would make a decision on the various Commission placements later tonight at the regular meeting. She noted that someone from City Hall would be getting in touch with the candidates tomorrow.

# 3. RETREAT AGENDA

City Administrator Nevinski gave an overview of the results of the survey that the Council had filled out for discussion at the upcoming Council retreat. He noted that since Councilmember Sanschagrin was unable to attend tonight's meeting, he had given some feedback for topics to be discussed at the retreat.

Mayor Labadie noted that she wished the full Council was present for this discussion and explained that she would like the Council to take a look at the different topics and see if they felt the amount of time designated would be appropriate.

The Council discussed possible discussion topics and their proposed timelines.

#### CITY OF SHOREWOOD WORK SESSION COUNCIL MEETING MINUTES FEBRUARY 13, 2023 Page 2 of 2

City Administrator Nevinski noted that there are items that could be brought back to a future Work Session for additional discussion, if there is not time at the retreat.

# There was consensus of the Council that they did not want to publish times for the various retreat agenda items, in case the day ends up going not according to the plan because they do not want to mislead the public.

Councilmember Maddy asked if there were any items that staff would like the Council to discuss at the retreat that had not been included already.

City Administrator Nevinski noted that he thinks most of those types of things will end up being discussed during the budget and CIP topics.

# 4. ADJOURN

Maddy moved, Johnson seconded, Adjourning the City Council Work Session Meeting of February 13, 2023, at 6:45 P.M. Motion passed 3/0.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk

### CITY OF SHOREWOOD CITY COUNCIL REGULAR MEETING MONDAY, FEBRUARY 13, 2023

5755 COUNTRY CLUB ROAD COUNCIL CHAMBERS 7:00 P.M.

# <u>MINUTES</u>

# 1. CONVENE CITY COUNCIL REGULAR MEETING

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

### A. Roll Call

- Present. Mayor Labadie; Councilmembers Johnson, and Maddy; City Administrator Nevinski; City Clerk/HR Director Thone; Finance Director Rigdon; Planning Director Darling; Park and Recreation Director Crossfield; Public Works Director Morreim; and, City Engineer Budde
- Absent: Councilmembers Callies and Sanschagrin

### B. Review Agenda

Johnson moved, Maddy seconded, approving the agenda as presented. All in favor, motion passed.

### 2. CONSENT AGENDA

Mayor Labadie reviewed the items on the Consent Agenda.

Councilmember Maddy noted that the attendance was recorded incorrectly from the January 23, 2023 meeting.

Mayor Labadie noted that item 2A. from the Consent Agenda will be moved to item 8.C. for separate discussion.

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

- A. City Council Regular Meeting Minutes of January 23, 2023 (moved to item 8.C.)
- B. Approval of the Verified Claims List
- C. Accept Donations from Cub Foods and WSB for Arctic Fever, Adopting <u>RESOLUTION NO. 23-018</u>, "A Resolution Accepting Donations to the City of Shorewood 2023 Arctic Fever Event."
- D. Approve Recording Secretary Service Extension, Adopting <u>RESOLUTION</u> <u>NO. 23-019</u>, "A Resolution Approving an Addendum to the Recording Secretary Service Agreement."

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES FEBRUARY 13, 2023 Page 2 of 5

# **E.** Hennepin County Open Book Meetings

Motion passed.

# 3. MATTERS FROM THE FLOOR

<u>Kirk Honour, 5320 Lee Circle,</u> explained that he would like to comment on the Birch Bluff/Lee Circle construction project. He stated that two of the property owners on Lee Circle will have the size of their properties reduced on two sides and the others will have them reduced by the enlargement of the cul-de-sac. He stated that in general, all four of the homeowners on Lee Circle are thinking this plan is not a good idea and do not understand why there is a need to widen the cul-de-sac or the roadway. He noted that they have seen semi-trucks that were able to turn around in the existing cul-de-sac. He stated that he understands that there is a desire to standardize the road system and believes this whole project was being done in order to stub in a watermain, but noted that none of the residents on Lee Circle plan to hook into. He explained that he was here to voice the ongoing going lack of support for this project from the residents on Lee Circle. He stated that if the City decides that the watermain stub has to go in, he questioned whether that meant that the roadway would automatically have to be widened.

Mayor Labadie asked if Mr. Honour was speaking on behalf of all four of the residents of Lee Circle.

Mr. Honour stated that he was not here specifically representing them but has spoken with residents at all four of the houses and was here voicing their concerns but not 'representing' them.

# 4. **REPORTS AND PRESENTATIONS**

# A. Jim Flattum, Excelsior Lion's Club Overview

Mayor Labadie noted that this item would be moved to a future agenda.

# B. Photo Contest Winners, Spring and Summer

City Clerk/HR Director Thone gave an overview of the winners for the Spring and Summer 2022 Photo Contest. She stated that the winners are: Spring Wonder – Evening Delight by Suzann Thompson; Summer Delights – Hold on to Summer – Jocelyn Stenberg; People and Pets – Yard Working – Daniel A. Peso; and Wildlife – Blackburnian Warbler – Judy Voigt Englund. She reminded everyone that the fall and winter photo contest was ongoing and encouraged people to continue to submit their entries.

- 5. PARKS
- 6. PLANNING
- 7. ENGINEERING/PUBLIC WORKS
- 8. GENERAL/NEW BUSINESS
  - A. Arctic Fever Recap

#### CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES FEBRUARY 13, 2023 Page 3 of 5

Park and Recreation Director Crossfield gave an overview of the Arctic Fever event, partnerships, sponsorships, volunteers, and participation numbers for the various events. She stated that the in the next few weeks, the planning committee for this event with complete a post event evaluation and start the planning process for 2024.

Mayor Labadie noted that she had attended both days of Arctic Fever and felt it was really a great event. She expressed her appreciation to the volunteers and the corporate sponsors for making the event possible.

# B. Approve Appointment of Planning/Park Commissioners

City Clerk/HR Director Thone explained that earlier this evening, the City Council held interviews for the opening Commission positions. She noted that there are two open seats on the Planning Commission and one seat open on the Park Commission.

Mayor Labadie noted that Gene German had asked a very specific question following his interview that is awaiting an official answer from the City Attorney. She stated that until that question is answered, the Council cannot make a decision regarding appointing him to fill any of the vacancies this evening.

City Administrator Nevinski stated that he wanted to make it clear that Mr. German is not precluded from applying to serve on a Commission sometime in the future.

Mayor Labadie clarified that it would be more accurate to state that the answer to Mr. German's question could make him choose to voluntarily withdraw his application.

Labadie moved, Maddy seconded, Appointing Nat Gorham to the Planning Commission for a term expiring February 2026 and Mary Johnson to the Planning Commission for a term expiring in 2025 and appointing Mark Czerwonka to the Park Commission for a term through February 2024. Motion passed.

City Administrator Nevinski noted that he also believes there are upcoming openings on the LMCC and the LMCD.

Mayor Labadie noted that she thinks it is in good practice to require the seated commissioners to reapply as well as opening things up to the public.

There was consensus of the Council to require seated commissioners to reapply for openings on Commissions.

# C. City Council Regular Meeting Minutes of January 23, 2023

Councilmember Maddy stated that Councilmember Sanschagrin was marked as present at the meeting, but he was not in attendance. He stated that he believed Councilmember Sanschagrin was present on-line, but did not vote during the meeting.

Maddy moved, Johnson seconded, Approving the City Council Regular Meeting Minutes of January 23, 2023, with the attendance revised, as noted. Motion passed.

9. STAFF AND COUNCIL REPORTS

# A. Staff

Public Works Director Morreim stated that they have held the Light Equipment Operators interviews and are hoping to be able to make an employment offer soon. He noted that they are also planning to post soon for their upcoming seasonal positions.

City Engineer Budde stated that he can respond to the item raised by Mr. Honour during Matters from the Floor and explained that he had already had communications with Mr. Honour, so he was aware of his concerns. He confirmed that one of the reasons the City is reconstructing the cul-de-sac is to standardize it with a 90 foot diameter. He noted that there has been a fair amount of discussion over the last few projects from the Council and staff regarding the size of cul-desacs. He noted that he believes that they have reduced the diameter to 85 feet in this particular location in order to minimize tree loss and the need for easements around the perimeter of the cul-de-sac. He noted that one of the main reasons for the 90 foot diameter is so a school bus can turn around on it, but in this location, because it is such a small stub street, they do not anticipate a school bus would drive down there but would like to have a larger diameter for emergency response vehicles. He stated that they are planning to stub in watermain and put in a hydrant at the south end of the cul-de-sac and pointed out the size of the cul-de-sac is staying within the City's footprint of the right-of-way. He stated that the point made by Mr. Honour was somewhat misconstrued and explained that the City was not 'taking' their property but is reducing the size of their front yard because of the size of the cul-de-sac. He stated that this area is within the City's right to construct and maintain the roadways.

# B. Mayor and City Council

Councilmember Maddy noted that he will attend the upcoming LMCC meeting and noted that if anyone had anything for him to bring to that meeting to let him know prior to Thursday.

Councilmember Johnson stated that he attended an Excelsior Fire Board meeting and one of their big topics of conversation was response times for ambulances. He stated that he expects that conversation to be one that is brought back before the individual City Councils.

City Administrator Nevinski noted that he has been disseminating information on this topic as it has been received from Fire Chief Mackey. He stated that the Council may need to make a determination on whether this is something that they want to take a formal position on or if they are comfortable with the direction things have been going.

Mayor Labadie stated that earlier today she attended the Regional Council of Mayors meeting where the main topic of discussion was housing, affordable housing, and equity. She noted that a few weeks ago she attended the St. Paul Winter Carnival with other mayors. She stated that she has also been invited by Congressman Phillips office to attend a non-partisan event at the White House on March 1, 2023 entitled, *Communities in Action, Building a Better Minnesota.* 

# 10. ADJOURN

Johnson moved, Maddy seconded, Adjourning the City Council Regular Meeting of February 13, 2023, at 7:33 P.M.

Motion passed.

# ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk



MEETING TYPE Regular Meeting

### Title / Subject: Verified Claims

Meeting Date:February 27, 2023Prepared by:Michelle Nguyen, Senior Accountant<br/>Joe Rigdon, Finance Director

### Attachments: Claims lists

### Policy Consideration:

Should the attached claims against the City of Shorewood be paid?

Background:	
Claims for council authorization.	
<u>67954 – 67966 &amp; ACH</u>	518,356.42
Total Claims	\$518,356.42

We have also included a payroll summary for the payroll period ending February 12, 2023.

### **Financial or Budget Considerations:**

These expenditures are reasonable and necessary to provide services to our residents and funds are budgeted and available for these purposes.

#### **Options:**

The City Council may accept the staff recommendation to pay these claims or may reject any expenditure it deems not in the best interest of the city.

### **Recommendation / Action Requested:**

Staff recommends approval of the claims list as presented.

#### Next Steps and Timelines:

Checks will be distributed following approval.

# Payroll G/L Distribution Report

 User:
 mnguyen

 Batch:
 00001.02.2023 - PR-02-13-2023

 CITY OF SHOREWOOD



Account Number	ount Number Debit Amount Credit Amount		Description
FUND 101	General Fund		
101-00-1010-0000	0.00	72,574.83	CASH AND INVESTMENTS
101-11-4103-0000	2,125.00	0.00	PART-TIME
101-11-4122-0000	162.56	0.00	FICA CONTRIB - CITY SHARE
101-13-4101-0000	12,584.17	0.00	FULL-TIME REGULAR
101-13-4103-0000	935.08	0.00	PART-TIME
101-13-4121-0000	1,013.92	0.00	PERA CONTRIB - CITY SHARE
101-13-4122-0000	1,012.72	0.00	FICA CONTRIB - CITY SHARE
101-13-4131-0000	1,617.37	0.00	EMPLOYEE INSURANCE - CITY
101-13-4151-0000	77.42	0.00	WORKERS COMPENSATION
101-15-4101-0000	5,786.52	0.00	FULL-TIME REGULAR
101-15-4121-0000	433.98	0.00	PERA CONTRIB - CITY SHARE
101-15-4122-0000	443.71	0.00	FICA CONTRIB - CITY SHARE
101-15-4131-0000	663.96	0.00	EMPLOYEE INSURANCE - CITY
101-15-4151-0000	32.66	0.00	WORKERS COMPENSATION
101-18-4101-0000	8,775.38	0.00	FULL-TIME REGULAR
101-18-4103-0000	429.90	0.00	PART-TIME
101-18-4121-0000	690.40	0.00	PERA CONTRIB - CITY SHARE
101-18-4122-0000	614.95	0.00	FICA CONTRIB - CITY SHARE
101-18-4131-0000	1,513.35	0.00	EMPLOYEE INSURANCE - CITY
101-18-4151-0000	52.68	0.00	WORKERS COMPENSATION
101-24-4101-0000	3,685.92	0.00	FULL-TIME REGULAR
101-24-4121-0000	276.45	0.00	PERA CONTRIB - CITY SHARE
101-24-4122-0000	288.24	0.00	FICA CONTRIB - CITY SHARE
101-24-4131-0000	805.97	0.00	EMPLOYEE INSURANCE - CITY
101-24-4151-0000	20.47	0.00	WORKERS COMPENSATION
101-32-4101-0000	16,876.21	0.00	FULL-TIME REGULAR
101-32-4102-0000	143.29	0.00	OVERTIME
101-32-4121-0000	1,276.46	0.00	PERA CONTRIB - CITY SHARE
101-32-4122-0000	1,195.80	0.00	FICA CONTRIB - CITY SHARE
101-32-4131-0000	2,153.14	0.00	EMPLOYEE INSURANCE - CITY
101-32-4151-0000	950.00	0.00	WORKERS COMPENSATION
101-33-4101-0000	788.26	0.00	FULL-TIME REGULAR
101-33-4102-0000	81.36	0.00	OVERTIME
101-33-4121-0000	65.20	0.00	PERA CONTRIB - CITY SHARE

Account Number	Debit Amount	Credit Amount	Description
101-33-4122-0000	60.31	0.00	FICA CONTRIB - CITY SHARE
101-33-4131-0000	184.54	0.00	EMPLOYEE INSURANCE - CITY
101-33-4151-0000	46.65	0.00	WORKERS COMPENSATION
101-52-4101-0000	3,043.83	0.00	FULL-TIME REGULAR
101-52-4121-0000	228.29	0.00	PERA CONTRIB - CITY SHARE
101-52-4122-0000	227.73	0.00	FICA CONTRIB - CITY SHARE
101-52-4131-0000	256.43	0.00	EMPLOYEE INSURANCE - CITY
101-52-4151-0000	214.30	0.00	WORKERS COMPENSATION
101-53-4103-0000	498.89	0.00	PART-TIME
101-53-4121-0000	26.61	0.00	PERA CONTRIB - CITY SHARE
101-53-4122-0000	48.68	0.00	FICA CONTRIB - CITY SHARE
101-53-4131-0000	157.91	0.00	EMPLOYEE INSURANCE - CITY
101-53-4151-0000	8.16	0.00	WORKERS COMPENSATION
FUND Total:	72,574.83	72,574.83	
FUND 201	Shorewood Comm. & E	vent Center	
201-00-1010-0000	0.00	5,333.67	CASH AND INVESTMENTS
201-00-4101-0000	3,312.00	0.00	FULL-TIME REGULAR
201-00-4103-0000	1,073.73	0.00	PART-TIME
201-00-4121-0000	300.45	0.00	PERA CONTRIB - CITY SHARE
201-00-4122-0000	318.32	0.00	FICA CONTRIB - CITY SHARE
201-00-4131-0000	236.86	0.00	EMPLOYEE INSURANCE - CITY
201-00-4151-0000	92.31	0.00	WORKERS COMPENSATION
FUND Total:	5,333.67	5,333.67	
FUND 601	Water Utility		
601-00-1010-0000	0.00	11,546.10	CASH AND INVESTMENTS
601-00-4101-0000	8,604.92	0.00	FULL-TIME REGULAR
601-00-4102-0000	27.12	0.00	OVERTIME
601-00-4121-0000	647.45	0.00	PERA CONTRIB - CITY SHARE
601-00-4122-0000	616.06	0.00	FICA CONTRIB - CITY SHARE
601-00-4131-0000	1,400.17	0.00	EMPLOYEE INSURANCE - CITY
601-00-4151-0000	250.38	0.00	WORKERS COMPENSATION
FUND Total:	11,546.10	11,546.10	
FUND 611	Sanitary Sewer Utility		
611-00-1010-0000	0.00	10,092.50	CASH AND INVESTMENTS
611-00-4101-0000	7,509.42	0.00	FULL-TIME REGULAR
611-00-4102-0000	108.48	0.00	OVERTIME
611-00-4121-0000	571.34	0.00	PERA CONTRIB - CITY SHARE
611-00-4122-0000	535.26	0.00	FICA CONTRIB - CITY SHARE
611-00-4131-0000	1,139.92	0.00	EMPLOYEE INSURANCE - CITY

PR - G/L Distribution Report (02/13/2023 - 1:47 PM)

Account Number	Debit Amount	Credit Amount	Description
611-00-4151-0000	228.08	0.00	WORKERS COMPENSATION
FUND Total:	10,092.50	10,092.50	
FUND 631	Storm Water Utility		
631-00-1010-0000	0.00	2,587.94	CASH AND INVESTMENTS
631-00-4101-0000	1,910.39	0.00	FULL-TIME REGULAR
631-00-4102-0000	54.24	0.00	OVERTIME
631-00-4121-0000	147.36	0.00	PERA CONTRIB - CITY SHARE
631-00-4122-0000	149.34	0.00	FICA CONTRIB - CITY SHARE
631-00-4131-0000	279.84	0.00	EMPLOYEE INSURANCE - CITY
631-00-4151-0000	46.77	0.00	WORKERS COMPENSATION
FUND Total:	2,587.94	2,587.94	
FUND 700	Payroll Clearing Fund		
700-00-1010-0000	102,135.04	0.00	CASH AND INVESTMENTS
700-00-2170-0000	0.00	49,731.16	GROSS PAYROLL CLEARING
700-00-2171-0000	0.00	10,948.55	HEALTH INSURANCE PAYABLE
700-00-2172-0000	0.00	6,872.16	FEDERAL WITHHOLDING PAYABLE
700-00-2173-0000	0.00	3,077.23	STATE WITHHOLDING PAYABLE
700-00-2174-0000	0.00	11,341.56	FICA/MEDICARE TAX PAYABLE
700-00-2175-0000	0.00	10,598.74	PERA WITHHOLDING PAYABLE
700-00-2176-0000	0.00	3,896.50	DEFERRED COMPENSATION
700-00-2177-0000	0.00	2,019.88	WORKERS COMPENSATION
700-00-2179-0000	0.00	148.05	SEC 125 DEP CARE REIMB PAYABLE
700-00-2183-0000	0.00	1,921.00	HEALTH SAVINGS ACCOUNT
700-00-2184-0000	0.00	1,370.21	DENTAL DELTA
700-00-2185-0000	0.00	210.00	DENTAL - UNION
FUND Total:	102,135.04	102,135.04	
Report Total:	204,270.08	204,270.08	

# Accounts Payable

# Computer Check Proof List by Vendor

 User:
 mnguyen

 Printed:
 02/13/2023 - 3:13PM

 Batch:
 00003.02.2023 - Payroll-02-13-2023



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 4	AFSCME CO 5 MEMBER HEALTH FUND-UNION DI	ENTAL		Check Sequence: 1	ACH Enabled: True
February-2023	Feb-Union-Dental-Hanson-Kosek-Stark	210.00	02/13/2023	700-00-2185-0000	PR Batch 00001.02.2023 Dental - Union
	Check Total:	210.00			
Vendor: 5	EFTPS - FEDERAL W/H			Check Sequence: 2	ACH Enabled: True
PR-02-13-2023	PR Batch 00001.02.2023 FICA Employee Portio	4,598.28	02/13/2023	700-00-2174-0000	PR Batch 00001.02.2023 FICA Employee
PR-02-13-2023	PR Batch 00001.02.2023 FICA Employer Portio	4,598.28	02/13/2023	700-00-2174-0000	PR Batch 00001.02.2023 FICA Employer 1
PR-02-13-2023	PR Batch 00001.02.2023 Medicare Employee Pc	1,069.60	02/13/2023	700-00-2174-0000	PR Batch 00001.02.2023 Medicare Employ
PR-02-13-2023	PR Batch 00001.02.2023 Medicare Employer Po	1,075.40	02/13/2023	700-00-2174-0000	PR Batch 00001.02.2023 Medicare Employ
PR-02-13-2023	PR Batch 00001.02.2023 Federal Income Tax	6,872.16	02/13/2023	700-00-2172-0000	PR Batch 00001.02.2023 Federal Income 7
	— Check Total:	18,213.72			
Vendor: 6	HEALTH PARTNERS-MEDICAL			Check Sequence: 3	ACH Enabled: True
February-2023	PR Batch 00001.02.2023 Health Insurance-HSA	6,871.47	02/13/2023	700-00-2171-0000	PR Batch 00001.02.2023 Health Insurance
February-2023	PR Batch 00003.01.2023 Health Insurance-HSA	6,150.00	01/30/2023	700-00-2171-0000	PR Batch 00003.01.2023 Health Insurance
February-2023	PR Batch 00001.02.2023 Health Ins - CoPay-2	4,077.08	02/13/2023	700-00-2171-0000	PR Batch 00001.02.2023 Health Ins - CoPa
February-2023	PR Batch 00003.01.2023 Health Ins - CoPay-1	3,650.00	01/30/2023	700-00-2171-0000	PR Batch 00003.01.2023 Health Ins - CoPa
	Check Total:	20,748.55			
Vendor: 1166	HEALTHPARTNER-DENTAL			Check Sequence: 4	ACH Enabled: True
Feb-2023-Cobra	Feb-COBRA-Patti Helgesen	48.65	02/13/2023	700-00-2184-0000	PR Batch 00001.02.2023 Dental - Non Uni
February-2023	PR Batch 00001.02.2023 Dental - Non Union	1,370.21	02/13/2023	700-00-2184-0000	PR Batch 00001.02.2023 Dental - Non Uni
	Check Total:	1,418.86			
Vendor: 2	ICMA RETIREMENT TRUST-302131-457			Check Sequence: 5	ACH Enabled: True
PR-02-13-2023	PR Batch 00001.02.2023 Deferred Comp-ICMA	2,582.68	02/13/2023	700-00-2176-0000	PR Batch 00001.02.2023 Deferred Comp-I
PR-02-13-2023	PR Batch 00001.02.2023 Deferred Comp-ICMA	88.82	02/13/2023	700-00-2176-0000	PR Batch 00001.02.2023 Deferred Comp-I
	Check Total:	2,671.50			

AP-Computer Check Proof List by Vendor (02/13/2023 - 3:13 PM)

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 11	MINNESOTA DEPARTMENT OF REVENUE			Check Sequence: 6	ACH Enabled: True
PR-02-13-2023	PR Batch 00001.02.2023 State Income Tax	3,077.23	02/13/2023	700-00-2173-0000	PR Batch 00001.02.2023 State Income Tax
	Check Total:	3,077.23			
Vendor: 1091	MSRS-MN DEFERRED COMP PLAN 457			Check Sequence: 7	ACH Enabled: True
PR-02-13-2023	PR Batch 00001.02.2023 Deferred Comp-MSRS	1,225.00	02/13/2023	700-00-2176-0000	PR Batch 00001.02.2023 Deferred Comp-1
	— Check Total:	1,225.00			
Vendor: 665	OPTUM BANK			Check Sequence: 8	ACH Enabled: True
PR-02-13-2023	PR Batch 00001.02.2023 HSA-OPTUM BANK	1,921.00	02/13/2023	700-00-2183-0000	PR Batch 00001.02.2023 HSA-OPTUM B.
	Check Total:	1,921.00			
Vendor: 9	PERA			Check Sequence: 9	ACH Enabled: True
PR-02-13-2023	PR Batch 00001.02.2023 MN-PERA Deduction	4,920.83	02/13/2023	700-00-2175-0000	PR Batch 00001.02.2023 MN-PERA Dedu
PR-02-13-2023	PR Batch 00001.02.2023 MN PERA Benefit Em	5,677.91	02/13/2023	700-00-2175-0000	PR Batch 00001.02.2023 MN PERA Benet
	Check Total:	10,598.74			
	Total for Check Run:	60,084.60			
	=				
	Total of Number of Checks:	9			
	=				

# Accounts Payable

Computer Check Proof List by Vendor

 User:
 mnguyen

 Printed:
 02/17/2023 - 12:00PM

 Batch:
 00012.01.2023 - Jan-2023-BOM



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 868	BANK OF MONTREAL			Check Sequence: 1	ACH Enabled: True
Jan-2023-AndyE	Red Wing Shoe-2022 Boots	239.99	02/01/2023	101-32-4245-0000	
Jan-2023-AndyE	Minnesota RWA - Conference	325.00	02/01/2023	601-00-4331-0000	
Jan-2023-BruceS	Fuels	683.62	02/01/2023	101-32-4212-0000	
Jan-2023-BruceS	Zappos-2022 Boots Returned	-240.00	02/01/2023	101-32-4245-0000	
Jan-2023-BruceS	Shorewood True	28.99	02/01/2023	101-32-4245-0000	
Jan-2023-BruceS	Shorewood True	34.45	02/01/2023	101-32-4245-0000	
Jan-2023-BruceS	Shorewood True	49.98	02/01/2023	101-32-4245-0000	
Jan-2023-BruceS	Shorewood True-Snow Shovels	274.92	02/01/2023	101-33-4245-0000	
Jan-2023-ChrisH	Fuels	117.39	02/01/2023	101-32-4212-0000	
Jan-2023-ChrisH	Amazon	200.28	02/01/2023	101-32-4245-0000	
Jan-2023-ChrisH	Amazon-Calendar	24.99	02/01/2023	601-00-4200-0000	
Jan-2023-ChrisH	Amazon-Soap	19.12	02/01/2023	101-32-4245-0000	
Jan-2023-ChrisH	Amazon-Oil Absorbant Pad	102.91	02/01/2023	101-32-4245-0000	
Jan-2023-ChrisH	Amazon-mouse for comp	17.19	02/01/2023	601-00-4200-0000	
Jan-2023-ChrisH	Amazon-Gloves	113.04	02/01/2023	611-00-4245-0000	
Jan-2023-ChrisH	Matco Tools-Parts	301.02	02/01/2023	101-32-4221-0000	
Jan-2023-ChrisH	Uline-Salt/Sand	401.04	02/01/2023	101-32-4245-0000	
Jan-2023-ChrisH	Red Wing-2022 Boots	249.99	02/01/2023	101-32-4245-0000	
Jan-2023-CityCard	Culligan Bottled Water - C.H.	33.00	02/01/2023	101-19-4245-0000	
Jan-2023-CityCard	Republic Services	10,925.20	02/01/2023	621-00-4400-0000	
Jan-2023-CityCard	Waste Mgmt-Public Works	914.66	02/01/2023	101-32-4400-0000	
Jan-2023-CityCard	Waste Mgmt-SSCC	351.33	02/01/2023	201-00-4400-0000	
Jan-2023-CityCard	Verizon-Lift Station	13.99	02/01/2023	611-00-4321-0000	
Jan-2023-CityCard	Mangold Horticulture-SCEC	176.00	02/01/2023	201-00-4400-0000	
Jan-2023-CityCard	Mangold Horticulture-City Hall	3,616.00	02/01/2023	101-19-4400-0000	
Jan-2023-CityCard	Republic Services-Organic Recycling	250.00	02/01/2023	621-00-4400-0026	
Jan-2023-CityCard	AT&T - Wade's Ipad	23.49	02/01/2023	101-24-4321-0000	
an-2023-Janell	Amazon	40.71	02/01/2023	101-53-4441-0000	
Jan-2023-Janell	Amazon	123.83	02/01/2023	101-53-4441-0000	
Jan-2023-Janell	Amazon	29.98	02/01/2023	101-53-4441-0000	
Jan-2023-Janell	Amazon	46.68	02/01/2023	101-53-4246-0000	
Jan-2023-Janell	Amazon	104.67	02/01/2023	201-00-4200-0000	

AP-Computer Check Proof List by Vendor (02/17/2023 - 12:00 PM)

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Jan-2023-Janell	Amazon	77.52	02/01/2023	101-53-4441-0000	
Jan-2023-Janell	Amazon	105.55	02/01/2023	201-00-4200-0000	
Jan-2023-Janell	Amazon	87.90	02/01/2023	201-00-4200-0000	
Jan-2023-Janell	Facebook	3.00	02/01/2023	101-53-4441-0000	
Jan-2023-Janell	Facebook	2.00	02/01/2023	101-53-4441-0000	
Jan-2023-Janell	Facebook	2.00	02/01/2023	101-53-4441-0000	
Jan-2023-Janell	Facebook	2.00	02/01/2023	101-53-4441-0000	
Jan-2023-Janell	Foodsafetyguy - Food Safety Training	190.00	02/01/2023	201-00-4331-0000	
Jan-2023-Janell	SP TJ Office Furniture-Office Furniture	618.27	02/01/2023	201-00-4200-0000	
Jan-2023-Janell	Facebook	2.00	02/01/2023	101-53-4441-0000	
Jan-2023-Jeremy	Fuels	649.62	02/01/2023	101-32-4212-0000	
Jan-2023-Jeremy	Carquest-Batteries	133.32	02/01/2023	101-32-4221-0000	
Jan-2023-Jeremy	Carquest-Batteries	188.20	02/01/2023	101-32-4221-0000	
Jan-2023-Jeremy	Carquest-Oil	68.06	02/01/2023	101-32-4212-0000	
Jan-2023-Jeremy	Carquest-Oil	112.50	02/01/2023	101-32-4212-0000	
Jan-2023-Jeremy	Oreilly Auto	115.04	02/01/2023	101-32-4221-0000	
Jan-2023-Jeremy	Pirtek-Hydrautic Parts	493.95	02/01/2023	101-32-4221-0000	
Jan-2023-Jeremy	Shorewood True	32.97	02/01/2023	101-32-4221-0000	
Jan-2023-Jeremy	Home Depot-Lubricant	135.43	02/01/2023	101-32-4212-0000	
Jan-2023-JoeR.	Minnesota Society - MN CPA mebership 3 yrs	355.00	02/01/2023	101-15-4433-0000	
Jan-2023-Larry	In Enabling Elements-Water System Comm	17.00	02/01/2023	601-00-4321-0000	
Jan-2023-Larry	Rdo Ver Bur-Door Glass-Shipping Fee	198.97	02/01/2023	101-52-4221-0000	
Jan-2023-LukeW.	Fuels	365.01	02/01/2023	101-32-4212-0000	
Jan-2023-Marie	Dept of Labor-State Surcharge-4th Qtr-2022	2,013.39	02/01/2023	101-00-2085-0000	
Jan-2023-MattV.	Fuels	1,304.76	02/01/2023	101-32-4212-0000	
Jan-2023-MattV.	Nokomis Shoe-2022 Boots	159.95	02/01/2023	101-32-4245-0000	
Jan-2023-MattV.	Shorewood True	19.83	02/01/2023	101-32-4223-0000	
Jan-2023-MattV.	Cub Foods-General Supplies	110.64	02/01/2023	101-32-4245-0000	
Jan-2023-Nelia	Caribou Coffee-Ed's Going Away Brunch	19.34	02/01/2023	101-13-4245-0000	
Jan-2023-Nelia	Crow River Floral-Tim Kosek family	78.21	02/01/2023	101-32-4245-0000	
Jan-2023-Nelia	Cub Foods- Ed's Card	5.21	02/01/2023	101-13-4245-0000	
Jan-2023-Nelia	ODP-Supplies	67.35	02/01/2023	101-13-4200-0000	
Jan-2023-Nelia	ODP-Supplies	24.48	02/01/2023	101-13-4200-0000	
Jan-2023-Nelia	ODP-Battery for Marc	117.99	02/01/2023	101-13-4200-0000	
Jan-2023-Nelia	Sam's - general Supplies	158.84	02/01/2023	101-19-4245-0000	
Jan-2023-Norman	Caribou	177.34	02/01/2023	101-53-4441-0000	
Jan-2023-Norman	Shorewood True	12.99	02/01/2023	101-53-4441-0000	
Jan-2023-Norman	TST Milios - Bag Hand Warmers	108.07	02/01/2023	101-53-4441-0000	
Jan-2023-Norman	Cub Foods	28.26	02/01/2023	101-53-4441-0000	
Jan-2023-Robert	Fuels	865.01	02/01/2023	101-32-4212-0000	
Jan-2023-RyanB	Fuels	653.10	02/01/2023	101-32-4212-0000	
Jan-2023-Sandie	Amazon	60.79	02/01/2023	101-13-4200-0000	
Jan-2023-Sandie	Amazon	50.00	02/01/2023	101-32-4200-0000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Jan-2023-Sandie	Amazon	10.76	02/01/2023	101-13-4200-0000	
Jan-2023-Sandie	Amazon	8.79	02/01/2023	101-32-4200-0000	
Jan-2023-Sandie	Amazon	16.99	02/01/2023	101-13-4200-0000	
Jan-2023-Sandie	Jerrys -Holiday Party	57.91	02/01/2023	101-19-4245-0000	
Jan-2023-Sandie	Jerrys -Holiday Party	65.76	02/01/2023	101-19-4245-0000	
Jan-2023-Sandie	Surveymonk - 3 Survey Licenses	900.00	02/01/2023	101-13-4433-0000	
Jan-2023-TimK.	Fuels	827.84	02/01/2023	101-32-4212-0000	
Jan-2023-TimK.	Shorewood True0Lighting Torch	32.99	02/01/2023	101-32-4245-0000	
Jan-2023-ToddR.	Shorewood-Winter Boot Grips	49.98	02/01/2023	101-33-4245-0000	
Jan-2023-ToddR.	Fuel	845.62	02/01/2023	101-32-4212-0000	
Jan-2023-WadeW.	Fuels	117.00	02/01/2023	101-24-4212-0000	
Jan-2023-WadeW.	Parts Geek- Truck #90 Parts	75.21	02/01/2023	101-24-4245-0000	
Jan-2023-WadeW.	International Code - Continue Education	660.00	02/01/2023	101-24-4331-0000	
	Check Total:	33,253.17			
Vendor: 327	WINDSTREAM			Check Sequence: 2	ACH Enabled: True
75430969	City of Shwd- Badger Well	69.92	02/01/2023	601-00-4395-0000	
75430969	Public Works	79.86	02/01/2023	101-32-4321-0000	
75430969	City Hall	163.79	02/01/2023	101-19-4321-0000	
75430969	Badger-Manor-Cathcart Parks	246.10	02/01/2023	101-52-4321-0000	
75430969	City of Shwd-West Tower	152.80	02/01/2023	601-00-4321-0000	
	Check Total:	712.47			
	Total for Check Run:	33,965.64			
	Total of Number of Checks:	2			

AP-Computer Check Proof List by Vendor (02/17/2023 - 12:00 PM)

# Accounts Payable

Computer Check Proof List by Vendor

 User:
 mnguyen

 Printed:
 02/22/2023 - 11:12AM

 Batch:
 00004.02.2023 - AP-02-27-2023



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: UB*00524	A & G Business Services LLC			Check Sequence: 1	ACH Enabled: False
	Refund Check 006879-000, 4840 Ferncroft Dr	56.22	02/14/2023	611-00-2010-0000	
	Refund Check 006879-000, 4840 Ferncroft Dr	24.10	02/14/2023	631-00-2010-0000	
	Refund Check 006879-000, 4840 Ferncroft Dr	24.09	02/14/2023	621-00-2010-0000	
	Check Total:	104.41			
Vendor: UB*00523	Lindley & Constance Branson			Check Sequence: 2	ACH Enabled: False
	Refund Check 008222-000, 20330 Knightsbridg	8.61	02/14/2023	601-00-2010-0000	
	Refund Check 008222-000, 20330 Knightsbridg	10.04	02/14/2023	611-00-2010-0000	
	Refund Check 008222-000, 20330 Knightsbridg	4.31	02/14/2023	631-00-2010-0000	
	Refund Check 008222-000, 20330 Knightsbridg	4.30	02/14/2023	621-00-2010-0000	
	Check Total:	27.26			
Vendor: 134	CARQUEST AUTO PARTS STORES			Check Sequence: 3	ACH Enabled: False
6974-ID-450626	General Parts	6.99	02/27/2023	101-32-4221-0000	
6974-ID-451855	General Parts	218.65	02/27/2023	101-32-4221-0000	
	— Check Total:	225.64			
Vendor: 915	CINTAS			Check Sequence: 4	ACH Enabled: False
5146399019	PWs-First Aid Supplies	94.11	02/27/2023	101-32-4245-0000	
	Check Total:	94.11			
Vendor: 1035	NELIA CRISWELL #8574			Check Sequence: 5	ACH Enabled: True
Feb-2023	Reimbursement-Sams Club	82.82	02/27/2023	101-13-4331-0000	
Feb-2023	Reimbursement-Mileages	43.23	02/27/2023	101-13-4331-0000	
	Check Total:	126.05			
Vendor: 167	ECM PUBLISHERS INC			Check Sequence: 6	ACH Enabled: True
933037	Ord. No. 595	96.00	02/27/2023	101-13-4351-0000	

AP-Computer Check Proof List by Vendor (02/22/2023 - 11:12 AM)

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
933038	Ord. No. 596	64.00	02/27/2023	101-13-4351-0000	
933039	Ord. No. 597	64.00	02/27/2023	101-13-4351-0000	
	Check Total:	224.00			
Vendor: 170	ELECTRIC PUMP			Check Sequence: 7	ACH Enabled: False
0075313-IN	L.S.#9 - Pumps & Controls	66,625.00	02/27/2023	611-00-4223-0000	
	Check Total:	66,625.00			
Vendor: UB*00525	Ronald James & Susan Gross Forneris			Check Sequence: 8	ACH Enabled: False
	Refund Check 005337-000, 5730 Brentridge Dr	53.27	02/14/2023	601-00-2010-0000	
	Refund Check 005337-000, 5730 Brentridge Dr	46.91	02/14/2023	611-00-2010-0000	
	Refund Check 005337-000, 5730 Brentridge Dr	24.48	02/14/2023	631-00-2010-0000	
	Refund Check 005337-000, 5730 Brentridge Dr	32.86	02/14/2023	621-00-2010-0000	
	Check Total:	157.52			
Vendor: 211	HAWKINS, INC.			Check Sequence: 9	ACH Enabled: True
6401832	Chemicals Water Treatment	120.00	02/27/2023	601-00-4245-0000	
	Check Total:	120.00			
Vendor: 861	CHRISTOPHER HEITZ			Check Sequence: 10	ACH Enabled: True
Jan-2023-Cells	AT & T - Cell Phone Reimbursement	40.42	02/27/2023	101-32-4321-0000	
	Check Total:	40.42			
Vendor: 985	HENNEPIN COUNTY ACCOUNTS RECEIVABLE			Check Sequence: 11	ACH Enabled: False
1000199029	REC0001086-View Recorded Documents	2.50	02/27/2023	101-32-4351-0000	RecordEase Payment
	Check Total:	2.50			
Vendor: 436	MARK HODGES			Check Sequence: 12	ACH Enabled: True
2023-002	Work Session - Council Recording	70.00	02/27/2023	101-11-4400-0000	
	Check Total:	70.00			
Vendor: 247	DREW KRIESEL			Check Sequence: 13	ACH Enabled: False
Jan-2023-Addtl	Events Program/Class Services	852.00	02/27/2023	201-00-4248-0000	
	Check Total:	852.00			
11 1 1001		0.52.00		c1 1 0 14	
Vendor: 1281	MEYER CONTRACTING, INC			Check Sequence: 14	ACH Enabled: False
PV#4-StwnPd-ShwdO	PV#4-Smithtown Pond-Shorewood Oaks Draina	324,111.50	02/27/2023	412-00-4680-0000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	324,111.50			
Vendor: 602	MINNESOTA RECREATION & PARK ASSOCIATION			Check Sequence: 15	ACH Enabled: False
2023-Crossfield	Membership Dues-Janelle Crossfield	300.00	02/27/2023	101-53-4433-0000	
2023-Vassar	Membership Dues-Stephany Vassar	45.00	02/27/2023	101-53-4433-0000	
	Check Total:	345.00			
Vendor: 672	NORTHWEST ASSOCIATED CONSULTANTS, INC.			Check Sequence: 16	ACH Enabled: False
26144	2040 Comprehensive Plan - Tech-6200 Cardinal	1,419.20	02/27/2023	101-00-3414-0000	
	Check Total:	1,419.20			
Vendor: 322	ODP BUSINESS SOLUTIONS LLC			Check Sequence: 17	ACH Enabled: False
292094628001	General Office Supplies	28.72	02/27/2023	101-13-4200-0000	
2920953850010	General Office Supplies	29.98	02/27/2023	101-13-4200-0000	
	Check Total:	58.70			
Vendor: 325	ON SITE SANITATION -TWIN CITIES			Check Sequence: 18	ACH Enabled: True
1490780	Cathcart Park-26655 W- 62nd St	77.39	02/27/2023	101-52-4400-0000	
1490781	Crescent Beach-245 Birch Bluf	422.10	02/27/2023	101-52-4400-0000	
1490782	Silverwood Pk-5755 Covington R	77.39	02/27/2023	101-52-4400-0000	
1490783	South Shore-5355 St Albans Bay	77.39	02/27/2023	101-52-4400-0000	
1490784	Christmas Lk Rd-5625 Merry Ln	269.68	02/27/2023	101-52-4400-0000	
	Check Total:	923.95			
Vendor: 9	PERA			Check Sequence: 19	ACH Enabled: True
1529349	Landra Larson-01/30/2023	53.16	02/27/2023	201-00-4103-0000	
	Check Total:	53.16			
Vendor: 336	PITNEY BOWES BANK INC PURCHASE POWER			Check Sequence: 20	ACH Enabled: True
Credit-2/15/223	Acct #8000-9000-0743-8223-Credit	-104.48	02/27/2023	101-13-4208-0000	
Refilled-01-26-223	Acct #8000-9000-0743-8223	1,000.00	02/27/2023	101-13-4208-0000	
Refilled-01-26-223	Acet #8000-9000-0743-8223	20.99	02/27/2023	101-13-4208-0000	
	Check Total:	916.51			
Vendor: 864	QUALITY FLOW SYSTEMS, INC.			Check Sequence: 21	ACH Enabled: True
44381	Field Repair- L.S.	284.00	02/27/2023	611-00-4400-0000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	_				
	Check Total:	284.00			
Vendor: 1101	SPRINGBROOK HOLDING COMPANY LLC			Check Sequence: 22	ACH Enabled: True
INV-011715	Springbrook-CivicPay Fees	254.25	02/27/2023	621-00-4450-0000	
INV-011715	Springbrook-CivicPay Fees	254.25	02/27/2023	631-00-4450-0000	
INV-011715	Springbrook-CivicPay Fees	254.25	02/27/2023	611-00-4450-0000	
INV-011715	Springbrook-CivicPay Fees	254.25	02/27/2023	601-00-4450-0000	
	— Check Total:	1,017.00			
Vendor: 1319	TAFT STETTINIUS & HOLLISTER LLP			Check Sequence: 23	ACH Enabled: True
4124928	GO Street Reconstruction & Utility Rev-Series2	2,398.50	02/27/2023	601-00-4730-0000	
4124928	GO Street Reconstruction & Utility Rev-Series2	2,878.20	02/27/2023	611-00-4730-0000	
4124928	GO Street Reconstruction & Utility Rev-Series2	4,317.30	02/27/2023	631-00-4730-0000	
4124928	GO Street Reconstruction & Utility Rev-Series2	1,811.42	02/27/2023	416-00-4730-0000	
4124928	GO Street Reconstruction & Utility Rev-Series2	5,223.21	02/27/2023	409-00-4730-0000	
4124928	GO Street Reconstruction & Utility Rev-Series2	582.01	02/27/2023	409-00-4730-0000	
4124928	GO Street Reconstruction & Utility Rev-Series24	789.36	02/27/2023	409-00-4730-0000	
	Check Total:	18,000.00			
Vendor: 386	TWIN CITY WATER CLINIC			Check Sequence: 24	ACH Enabled: True
18616	Monthly Bacteria Svc	150.00	02/13/2023	601-00-4400-0000	
	— Check Total:	150.00			
Vendor: 421	VERIZON WIRELESS			Check Sequence: 25	ACH Enabled: False
9926679227	612-292-2968/7023/1196 & 612-368-0176	80.93	02/27/2023	601-00-4321-0000	Acet #842017386-00001
9926679227	612-292-2968/7023/1196 & 612-368-0176	80.93	02/27/2023	611-00-4321-0000	Acet #842017386-00001
9926679227	612-292-2968/7023/1196 & 612-368-0176	80.92	02/27/2023	631-00-4321-0000	Acet #842017386-00001
9926679227	612-581-4949-Sandie Thone	55.05	02/27/2023	101-13-4321-0000	Acet #842017386-00001
9926679227	612-581-2856-Eric Wilson	55.05	02/27/2023	101-13-4321-0000	Acet #842017386-00001
9926679227	612-581-4018-Jason Carlson	55.05	02/27/2023	101-18-4321-0000	Acet #842017386-00001
9926679227	612-581-6609-WadeWoodward	55.05	02/27/2023	101-24-4321-0000	Acet #842017386-00001
9926679227	612-581-3780-Marie Darling	55.05	02/27/2023	101-18-4321-0000	Acet #842017386-00001
9926679227	612-581-3931-Marc Nevinski	942.31	02/27/2023	101-13-4321-0000	Acet #842017386-00001
9926679227	612-581-4323-Joe Rigdon	354.95	02/27/2023	101-15-4321-0000	Acet #842017386-00001
9926679227	612-581-5835-Janelle Crossfield	55.05	02/27/2023	201-00-4321-0000	Acet #842017386-00001
9926679227	612-581-3609-Noone	55.05	02/27/2023	101-13-4321-0000	Acet #842017386-00001
9926679227	612-581-5469-Noone	55.05	02/27/2023	101-13-4321-0000	Acct #842017386-00001
	Check Total:	1,980.44			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 415	WARNER CONNECT			Check Sequence: 26	ACH Enabled: True
29941285	Marc Nevinski & Eric Wilson - Computers	5,458.85	02/27/2023	403-00-4640-0000	
	Check Total:	5,458.85			
Vendor: 408	WM MUELLER & SONS INC			Check Sequence: 27	ACH Enabled: True
284467	Salt & Sand	544.03	02/27/2023	101-33-4245-0000	
284490	Salt & Sand	279.77	02/27/2023	101-33-4245-0000	
	Check Total:	823.80			
Vendor: 411	XCEL ENERGY, INC.			Check Sequence: 28	ACH Enabled: True
815846623	5655 Merry Lane	31.62	02/27/2023	101-52-4380-0000	5655 Merry Lane
816045856	5500 Old Market Rd	63.54	02/27/2023	601-00-4398-0000	5500 Old Market Rd
	Check Total:	95.16			
	Total for Check Run:	424,306.18			
	Total of Number of Checks:	28			

2D



# Title/Subject: Approving Hiring of Grace Brisley Community Center Attendant

Meeting Date: Monday, February 27, 2023 Prepared by: Janelle Crossfield, Parks and Recreation Director Reviewed by: Marc Nevinski, City Administrator

**Policy Consideration:** Pursuant to Shorewood Personnel Policy Section 3.08 All new, rehired, promoted or reassigned employees shall complete a six (6) month probationary period upon assuming their new positions. This period shall be used to observe the employee's work habits and ability to perform the work they are required to do.

**Background:** The city most recently recruited candidates for the Community Center Attendant Position. Grace Brinsley was selected for the position based on her education and experience in a recreational setting.

Grace is a resident of Shorewood and has a Bachelor of Arts in Communication Studies. Her relevant experience consisting of communications, teaching pre-school programs and serving as a Service Desk Attendant/Building Supervisor at Williston Fitness Center in Minnetonka for the past five years.

**Financial Considerations:** Staff is recommending Grace's compensation rate be set at Grade 1, Step B of Shorewood's Compensation Plan of \$14.33 hourly. The position will be reviewed at the 6-month anniversary for consideration of permanent appointment. The position is non-exempt and PERA eligible.

**Action Requested:** Staff respectfully recommends the city council approve Grace Brisley's appointment as a probationary employee in the capacity of Community Center Attendant for the City of Shorewood. Motion, second and simple majority vote required. If the council approves his appointment, her first day of employment is anticipated to be March 3, 2023.

**Connection to Vision/Mission**: Consistency in providing residents quality public services, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.



Title/Subject:	Master Contract Agreement with Minnesota Department of Transportation
Meeting Date:	Monday February 27, 2023
Prepared by:	Andrew Budde, City Engineer
Reviewed by:	Matt Morreim, Director of Public Works
<b>Attachments:</b>	<b>Agreement, Resolution</b>

**Background:** The City of Shorewood and MnDOT often coordinate on roadway related items throughout the area and both entities wish to streamline the efforts to allow for quick service and delivery. Having a master contract agreement in place will speed up the approval process for both agencies. The master contract agreement would allow work and money to be exchanged in both directions depending on the needs and interests of the agencies. A formal work order would be prepared and approved at the staff level for both agencies for any work to occur unless it is already covered under the standard items of the agreement. The contract would remain in place until June 2027, at which time it could be terminated or renewed. One benefit of having this agreement in place is that it creates another option for the city to receive funds directly from MnDOT if Shorewood is to take the lead on the TH 7 Corridor Study.

# Financial Considerations: None.

**Recommendation/Action Requested:** Staff recommends the city council approve the resolution to approve and enter into the Master Partnership Contract with the Minnesota Department of Transportation.

# DEPARTMENT OF TRANSPORTATION

# STATE OF MINNESOTA MASTER PARTNERSHIP CONTRACT

This master contract is between the State of Minnesota, acting through its Commissioner of Transportation in this contract referred to as the "State" and the City of Shorewood, acting through its City Council, in this contract referred to as the "Other Party."

### Recitals

- 1. The parties are authorized to enter into this contract pursuant to Minnesota Statutes, §§15.061, 471.59 and 174.02.
- 2. Minn. Stat. § 161.20, subd. 2, authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the trunk highway system.
- 3. Each party to this contract is a "road authority" as defined by Minn. Stat. §160.02, subd. 25.
- 4. Minn. Stat. § 161.39, subd. 1, authorizes a road authority to perform work for another road authority. Such work may include providing technical and engineering advice, assistance and supervision, surveying, preparing plans for the construction or reconstruction of roadways, and performing roadway maintenance.
- 5. Minn. Stat. §174.02, subd. 6, authorizes the Commissioner of Transportation to enter into contracts with other governmental entities for research and experimentation; for sharing facilities, equipment, staff, data, or other means of providing transportation-related services; or for other cooperative programs that promote efficiencies in providing governmental services, or that further development of innovation in transportation for the benefit of the citizens of Minnesota.
- 6. Each party wishes to occasionally purchase services from the other party, which the parties agree will enhance the efficiency of delivering governmental services at all levels. This Master Partnership Contract (MPC) provides a framework for the efficient handling of such requests. This MPC contains terms generally governing the relationship between the parties. When specific services are requested, the parties will (unless otherwise specified) enter into a "Work Order" contracts.
- 7. After the execution of this MPC, the parties may (but are not required to) enter into "Work Order" contracts. These Work Orders will specify the work to be done, timelines for completion, and compensation to be paid for the specific work.
- 8. The parties are entering into this MPC to establish terms that will govern all of the Work Orders subsequently issued under the authority of this Contract.

### Contract

# 1. Term of Master Partnership Contract; Use of Work Order Contracts; Survival of Terms

- 1.1. **Effective Date**: This contract will be effective on the date last signed by the Other Party, and all State officials as required under Minn. Stat. § 16C.05, subd. 2. The Other Party must not begin work under this Contract until ALL required signatures have been obtained and the Other Party has been notified in writing to begin such work by the State's Authorized Representative.
- 1.2. Expiration Date. This Contract will expire on June 30, 2027.
- 1.3. Exhibits. Exhibit A is attached and incorporated into this agreement.
- 1.4. **Work Order Contracts**. A work order contract must be negotiated and executed (by both the State and the Other Party) for each particular engagement, except for Technical Services provided by the State to the Other Party as specified in Article 2. The work order contract must specify the detailed scope of work and deliverables for that project. A party must not begin work under a work order until the work order is fully

executed. The terms of this MPC will apply to all work orders contracts issued, unless specifically varied in the work order. The Other Party understands that this MPC is not a guarantee of any payments or work order assignments, and that payments will only be issued for work actually performed under fully-executed work orders.

- 1.5. Survival of Terms. The following clauses survive the expiration or cancellation of this master contract and all work order contracts: 12. Liability; 13. State Audits; 14. Government Data Practices and Intellectual Property; 17. Publicity; 18. Governing Law, Jurisdiction, and Venue; and 22. Data Disclosure. All terms of this MPC will survive with respect to any work order contract issued prior to the expiration date of the MPC.
- 1.6. Sample Work Order. A sample work order contract is available upon request from the State.
- 1.7. **Definition of "Providing Party" and "Requesting Party"**. For the purpose of assigning certain duties and obligations in the MPC to work order contracts, the following definitions will apply throughout the MPC. "Requesting Party" is defined as the party requesting the other party to perform work under a work order contract. "Providing Party" is defined as the party performing the scope of work under a work order contract.

### 2. Technical Services

- 2.1. Technical Services include repetitive low-cost services routinely performed by the State for the Other Party. If requested and authorized by the Other Party, these services may be performed by the State for the Other Party without the execution of a work order, as these services are provided in accordance with standardized practices and processes and do not require a detailed scope of work. Exhibit A Table of Technical Services is attached.
  - 2.1.1. Every other service not falling under the services listed in Exhibit A will require a work order contract (If you have questions regarding whether a service is covered under 2.1.1, please contact Contract Management).
- 2.2. The Other Party may request the State to perform Technical Services in an informal manner, such as by the use of email, a purchase order, or by delivering materials to a State lab and requesting testing. A request may be made via telephone, but will not be considered accepted unless acknowledged in writing by the State.
- 2.3. The State will promptly inform the Other Party if the State will be unable to perform the requested Technical Services. Otherwise, the State will perform the Technical Services in accordance with the State's normal processes and practices, including scheduling practices taking into account the availability of State staff and equipment.
- 2.4. **Payment Basis**. Unless otherwise agreed to by the parties prior to performance of the services, the State will charge the Other Party the State's then-current rate for performing the Technical Services. The then-current rate may include the State's normal and customary additives. The State will invoice the Other Party upon completion of the services, or at regular intervals not more than once monthly as agreed upon by the parties. The invoice will provide a summary of the Technical Services provided by the State during the invoice period.

### 3. Services Requiring a Work Order Contract

- 3.1. Work Order Contracts: A party may request the other party to perform any of the following services under individual work order contracts.
- 3.2. **Professional and Technical Services.** A party may provide professional and technical services upon the request of the other party. As defined by Minn. Stat. §16C.08, subd. 1, professional/technical services "means services that are intellectual in character, including consultation, analysis, evaluation, prediction, planning, programming, or recommendation; and result in the production of a report or completion of a task." Professional and technical services do not include providing supplies or materials except as incidental to performing such services. Professional and technical services include (by way of example and without limitation) cultural resources, engineering services, surveying, foundation recommendations and reports, environmental documentation, right-of-way assistance (such as performing appraisals or providing

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relocation assistance, but excluding the exercise of the power of eminent domain), geometric layouts, final construction plans, graphic presentations, public relations, and facilitating open houses. A party will normally provide such services with its own personnel; however, a party's professional/technical services may also include hiring and managing outside consultants to perform work provided that a party itself provides active project management for the use of such outside consultants.

- 3.3. **Roadway Maintenance**. A party may provide roadway maintenance upon the request of the other party. Roadway maintenance does not include roadway reconstruction. This work may include but is not limited to snow removal, ditch spraying, roadside mowing, bituminous mill and overlay (only small projects), seal coat, bridge hits, major retaining wall failures, major drainage failures, and message painting. All services must be performed by an employee with sufficient skills, training, expertise or certification to perform such work, and work must be supervised by a qualified employee of the party performing the work.
- 3.4. **Construction Administration**. A party may administer roadway construction projects upon the request of the other party. Roadway construction includes (by way of example and without limitation) the construction, reconstruction, or rehabilitation of mainline, shoulder, median, pedestrian or bicycle pathway, lighting and signal systems, pavement mill and overlays, seal coating, guardrail installation, and channelization. These services may be performed by the Providing Party's own forces, or the Providing Party may administer outside contracts for such work. Construction administration may include letting and awarding construction contracts for such work (including state projects to be completed in conjunction with local projects). All contract administration services must be performed by an employee with sufficient skills, training, expertise or certification to perform such work.
- 3.5. **Emergency Services**. A party may provide aid upon request of the other party in the event of a man-made disaster, natural disaster or other act of God. Emergency services includes all those services as the parties mutually agree are necessary to plan for, prepare for, deal with, and recover from emergency situations. These services include, without limitation, planning, engineering, construction, maintenance, and removal and disposal services related to things such as road closures, traffic control, debris removal, flood protection and mitigation, sign repair, sandbag activities and general cleanup. Work will be performed by an employee with sufficient skills, training, expertise or certification to perform such work, and work must be supervised by a qualified employee of the party performing the work. If it is not feasible to have an executed work order prior to performance of the work, the parties will promptly confer to determine whether work may be commenced without a fully-executed work order in place. If work commences without a fully-executed work order, the parties will follow up with execution of a work order as soon as feasible.
- 3.6. When a need is identified, the State and the Other Party will discuss the proposed work and the resources needed to perform the work. If a party desires to perform such work, the parties will negotiate the specific and detailed work tasks and cost. The State will then prepare a work order contract. Generally, a work order contract will be limited to one specific project/engagement, although "on call" work orders may be prepared for certain types of services, especially for "Technical Services" items as identified section 2.1.. The work order will also identify specific deliverables required, and timeframes for completing work. A work order must be fully executed by the parties prior to work being commenced. The Other Party will not be paid for work performed prior to execution of a work order contract and authorization by the State.

### 4. Responsibilities of the Providing Party

- 4.1. **Terms Applicable to ALL Work Order Contracts**. The terms in this section 4.1 will apply to ALL work order contracts.
  - 4.1.1. Each work order will identify an Authorized Representative for each party. Each party's authorized representative is responsible for administering the work order, and has the authority to make any decisions regarding the work, and to give and receive any notices required or permitted under this MPC or the work order.
  - 4.1.2. The Providing Party will furnish and assign a publicly employed licensed engineer (Project Engineer), to be in responsible charge of the project(s) and to supervise and direct the work to be performed under each work order contract. For services not requiring an engineer, the Providing Party will

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furnish and assign another responsible employee to be in charge of the project. The services of the Providing Party under a work order contract may not be otherwise assigned, sublet, or transferred unless approved in writing by the Requesting Party's authorized representative. This written consent will in no way relieve the Providing Party from its primary responsibility for the work.

- 4.1.3. If the Other Party is the Providing Party, the Project Engineer may request in writing specific engineering and/or technical services from the State, pursuant to Minn. Stat. Section 161.39. The work order Contract will require the Other Party to deposit payment in advance. The costs and expenses will include the current State additives and overhead rates, subject to adjustment based on actual direct costs that have been verified by audit.
- 4.1.4. Only the receipt of a fully executed work order contract authorizes the Providing Party to begin work on a project. Any and all effort, expenses, or actions taken by the Providing Party before the work order contract is fully executed are considered unauthorized and undertaken at the risk of nonpayment.
- 4.1.5. In connection with the performance of this contract and any work orders issued, the Providing Agency will comply with all applicable Federal and State laws and regulations. When the Providing Party is authorized or permitted to award contracts in connection with any work order, the Providing Party will require and cause its contractors and subcontractors to comply with all Federal and State laws and regulations.
- 4.2. Additional Terms for Roadway Maintenance. The terms of section 4.1 and this section 4.2 will apply to all work orders for Roadway Maintenance.
  - 4.2.1. Unless otherwise provided for by contract or work order, the Providing Party must obtain all permits and sanctions that may be required for the proper and lawful performance of the work.
  - 4.2.2. The Providing Party must perform maintenance in accordance with MnDOT maintenance manuals, policies and operations.
  - 4.2.3. The Providing Party must use State-approved materials, including (by way of example and without limitation), sign posts, sign sheeting, and de-icing and anti-icing chemicals.
- 4.3. Additional Terms for Construction Administration. The terms of section 4.1 and this section 4.3 will apply to all work order contracts for construction administration.
  - 4.3.1. Contract(s) must be awarded to the lowest responsible bidder or best value proposer in accordance with state law.
  - 4.3.2. Contractor(s) must be required to post payment and performance bonds in an amount equal to the contract amount. The Providing Party will take all necessary action to make claims against such bonds in the event of any default by the contractor.
  - 4.3.3. Contractor(s) must be required to perform work in accordance with the latest edition of the Minnesota Department of Transportation Standard Specifications for Construction.
  - 4.3.4. For work performed on State right-of-way, contractor(s) must be required to indemnify and hold the State harmless against any loss incurred with respect to the performance of the contracted work, and must be required to provide evidence of insurance coverage commensurate with project risk.
  - 4.3.5. Contractor(s) must pay prevailing wages pursuant to applicable state and federal law.
  - 4.3.6. Contractor(s) must comply with all applicable Federal, and State laws, ordinances and regulations, including but not limited to applicable human rights/anti-discrimination laws and laws concerning the participation of Disadvantaged Business Enterprises in federally-assisted contracts.
  - 4.3.7. Unless otherwise agreed in a work order contract, each party will be responsible for providing rights of way, easement, and construction permits for its portion of the improvements. Each party will, upon the other's request, furnish copies of right of way certificates, easements, and construction permits.

- 4.3.8. The Providing Party may approve minor changes to the Requesting Party's portion of the project work if such changes do not increase the Requesting Party's cost obligation under the applicable work order contract.
- 4.3.9. The Providing Party will not approve any contractor claims for additional compensation without the Requesting Party's written approval, and the execution of a proper amendment to the applicable work order contract when necessary. The Other Party will tender the processing and defense of any such claims to the State upon the State's request.
- 4.3.10. The Other Party must coordinate all trunk highway work affecting any utilities with the State's Utilities Office.
- 4.3.11. The Providing Party must coordinate all necessary detours with the Requesting Party.
- 4.3.12. If the Other Party is the Providing Party, and there is work performed on the trunk highway right-ofway, the following will apply:
  - a. The Other Party will have a permit to perform the work on the trunk highway. The State may revoke this permit if the work is not being performed in a safe, proper and skillful manner, or if the contractor is violating the terms of any law, regulation, or permit applicable to the work. The State will have no liability to the Other Party, or its contractor, if work is suspended or stopped due to any such condition or concern.
  - b. The Other Party will require its contractor to conduct all traffic control in accordance with the Minnesota Manual on Uniform Traffic Control Devices.
  - c. The Other Party will require its contractor to comply with the terms of all permits issued for the project including, but not limited to, National Pollutant Discharge Elimination System (NPDES) and other environmental permits.
  - d. All improvements constructed on the State's right-of-way will become the property of the State.

### 5. Responsibilities of the Requesting Party

- 5.1. After authorizing the Providing Party to begin work, the Requesting Party will furnish any data or material in its possession relating to the project that may be of use to the Providing Party in performing the work.
- 5.2. All such data furnished to the Providing Party will remain the property of the Requesting Party and will be promptly returned upon the Requesting Party's request or upon the expiration or termination of this contract (subject to data retention requirements of the Minnesota Government Data Practices Act and other applicable law).
- 5.3. The Providing Party will analyze all such data furnished by the Requesting Party. If the Providing Party finds any such data to be incorrect or incomplete, the Providing Party will bring the facts to the attention of the Requesting Party before proceeding with the part of the project affected. The Providing Party will investigate the matter, and if it finds that such data is incorrect or incomplete, it will promptly determine a method for furnishing corrected data. Delay in furnishing data will not be considered justification for an adjustment in compensation.
- 5.4. The State will provide to the Other Party copies of any Trunk Highway fund clauses to be included in the bid solicitation and will provide any required Trunk Highway fund provisions to be included in the Proposal for Highway Construction, that are different from those required for State Aid construction.
- 5.5. The Requesting Party will perform final reviews and inspections of its portion of the project work. If the work is found to have been completed in accordance with the work order contract, the Requesting Party will promptly release any remaining funds due the Providing Party for the Project(s).
- 5.6. The work order contracts may include additional responsibilities to be completed by the Requesting Party.
- 6. Time
  - 6.1. In the performance of project work under a work order contract, time is of the essence.
- 7. Consideration and Payment

- 7.1. **Consideration**. The Requesting Party will pay the Providing Party as specified in the work order. The State's normal and customary additives will apply to work performed by the State, unless otherwise specified in the work order. The State's normal and customary additives will not apply if the parties agree to a "lump sum" or "unit rate" payment.
- 7.2. **State's Maximum Obligation**. The total compensation to be paid by the State to the Other Party under all work order contracts issued pursuant to this MPC will not exceed \$1,000,000.00
- 7.3. **Travel Expenses**. It is anticipated that all travel expenses will be included in the base cost of the Providing Party's services, and unless otherwise specifically set forth in an applicable work order contract, the Providing Party will not be separately reimbursed for travel and subsistence expenses incurred by the Providing Party in performing any work order contract. In those cases where the State agrees to reimburse travel expenses, such expenses will be reimbursed in the same manner and in no greater amount than provided in the current "MnDOT Travel Regulations" a copy of which is on file with and available from the MnDOT District Office. The Other Party will not be reimbursed for travel and subsistence expenses incurred outside of Minnesota unless it has received the State's prior written approval for such travel.

### 7.4. Payment

7.4.1. **Generally**. The Requesting Party will pay the Providing Party as specified in the applicable work order, and will make prompt payment in accordance with Minnesota law.

# 7.4.2. Payment by the Other Party.

- a. The Other Party will make payment to the order of the Commissioner of Transportation.
- b. IMPORTANT NOTE: PAYMENT MUST REFERENCE THE "MNDOT CONTRACT NUMBER" SHOWN ON THE FACE PAGE OF THIS CONTRACT AND THE "INVOICE NUMBER" ON THE INVOICE RECEIVED FROM MNDOT.
- c. Remit payment to the address below:

### MnDOT

Attn: Cash Accounting

RE: MnDOT Contract Number 1052765W[XX] and Invoice Number: 00000[#####]

(see note above)

Mail Stop 215

395 John Ireland Blvd

St. Paul, MN 55155

# 7.4.3. Payment by the State.

- a. Generally. The State will promptly pay the Other Party after the Other Party presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted as specified in the applicable work order, but no more frequently than monthly.
- b. Retainage for Professional and Technical Services. For work orders for professional and technical services, as required by Minn. Stat. § 16C.08, subd. 2(10), no more than 90 percent of the amount due under any work order contract may be paid until the final product of the work order contract has been reviewed by the State's authorized representative. The balance due will be paid when the State's authorized representative determines that the Other Party has satisfactorily fulfilled all the terms of the work order contract.

# 8. Conditions of Payment

8.1. All work performed by the Providing Party under a work order contract must be performed to the Requesting Party's satisfaction, as determined at the sole and reasonable discretion of the Requesting Party's Authorized Representative and in accordance with all applicable federal and state laws, rules, and

regulations. The Providing Party will not receive payment for work found by the Requesting Party to be unsatisfactory or performed in violation of federal or state law.

# 9. State's Authorized Representative and Project Manager

- 9.1. The State's Authorized Representative for this master contract is the District State Aid Engineer, who has the responsibility to monitor the State's performance.
- 9.2. The State's Project Manager will be identified in each work order contract.

### 10. Other Party's Authorized Representative and Project Manager

- 10.1. The Other Party's Authorized Representative for administering this master contract is the Other Party's Engineer, and the Engineer has the responsibility to monitor the Other Party's performance. The Other Party's Authorized Representative is also authorized to execute work order contracts on behalf of the Other Party without approval of each proposed work order contract by its governing body.
- 10.2. The Other Party's Project Manager will be identified in each work order contract.

### 11. Assignment, Amendments, Waiver, and Contract Complete

- 11.1. **Assignment**. Neither party may assign or transfer any rights or obligations under this MPC or any work order contract without the prior consent of the other and a fully executed Assignment Contract, executed and approved by the same parties who executed and approved this MPC, or their successors in office.
- 11.2. **Amendments**. Any amendment to this master contract or any work order contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original contract, or their successors in office.
- 11.3. **Waiver**. If a party fails to enforce any provision of this master contract or any work order contract, that failure does not waive the provision or the party's right to subsequently enforce it.
- 11.4. **Contract Complete**. This master contract and any work order contract contain all negotiations and contracts between the State and the Other Party. No other understanding regarding this master contract or any work order contract issued hereunder, whether written or oral may be used to bind either party.

### 12. Liability

12.1. Each party will be responsible for its own acts and omissions to the extent provided by law. The Other Party's liability is governed by Minn. Stat. chapter 466 and other applicable law. The State's liability is governed by Minn. Stat. section 3.736 and other applicable law. This clause will not be construed to bar any legal remedies a party may have for the other party's failure to fulfill its obligations under this master contract or any work order contract. Neither party agrees to assume any environmental liability on behalf of the other party. A Providing Party under any work order is acting only as a "Contractor" to the Requesting Party, as the term "Contractor" is defined in Minn. Stat. §115B.03 (subd. 10), and is entitled to the protections afforded to a "Contractor" by the Minnesota Environmental Response and Liability Act. The parties specifically intend that Minn. Stat. §471.59 subd. 1a will apply to any work undertaken under this MPC and any work order issued hereunder.

### 13. State Audits

13.1. Under Minn. Stat. § 16C.05, subd. 5, the party's books, records, documents, and accounting procedures and practices relevant to any work order contract are subject to examination by the parties and by the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this MPC.

### 14. Government Data Practices and Intellectual Property

- 14.1. **Government Data Practices**. The Other Party and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this MPC and any work order contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Other Party under this MPC and any work order contract. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the Other Party or the State.
- 14.2. Intellectual Property Rights

14.2.1. Intellectual Property Rights. The Requesting Party will own all rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents created and paid for under work order contracts. Works means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Providing Party, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this master contract or any work order contract. Works includes "Documents." Documents are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Providing Party, its employees, agents, or contractors, in the performance of a work order contract. The Documents will be the exclusive property of the Requesting Party and all such Documents must be immediately returned to the Requesting Party by the Providing Party upon completion or cancellation of the work order contract. To the extent possible, those Works eligible for copyright protection under the United States Copyright Act will be deemed to be "works made for hire." The Providing Party Government assigns all right, title, and interest it may have in the Works and the Documents to the Requesting Party. The Providing Party must, at the request of the Requesting Party, execute all papers and perform all other acts necessary to transfer or record the Requesting Party's ownership interest in the Works and Documents. Notwithstanding the foregoing, the Requesting Party grants the Providing Party an irrevocable and royalty-free license to use such intellectual property for its own non-commercial purposes, including dissemination to political subdivisions of the state of Minnesota and to transportation-related agencies such as the American Association of State Highway and Transportation Officials.

### 14.2.2. Obligations with Respect to Intellectual Property.

- a. **Notification**. Whenever any invention, improvement, or discovery (whether or not patentable) is made or conceived for the first time or actually or constructively reduced to practice by the Providing Party, including its employees and subcontractors, in the performance of the work order contract, the Providing Party will immediately give the Requesting Party's Authorized Representative written notice thereof, and must promptly furnish the Authorized Representative with complete information and/or disclosure thereon.
- b. **Representation**. The Providing Party must perform all acts, and take all steps necessary to ensure that all intellectual property rights in the Works and Documents are the sole property of the Requesting Party, and that neither Providing Party nor its employees, agents or contractors retain any interest in and to the Works and Documents.

### 15. Affirmative Action

- 15.1. The State intends to carry out its responsibility for requiring affirmative action by its Contractors, pursuant to Minn. Stat. §363A.36. Pursuant to that Statute, the Other Party is encouraged to prepare and implement an affirmative action plan for the employment of minority persons, women, and the qualified disabled, and submit such plan to the Commissioner of the Minnesota Department of Human Rights. In addition, when the Other Party lets a contract for the performance of work under a work order issued pursuant to this MPC, it must include the following in the bid or proposal solicitation and any contracts awarded as a result thereof:
- 15.2. Covered Contracts and Contractors. If the Contract exceeds \$100,000 and the Contractor employed more than 40 full-time employees on a single working day during the previous 12 months in Minnesota or in the state where it has its principle place of business, then the Contractor must comply with the requirements of Minn. Stat. § 363A.36 and Minn. R. Parts 5000.3400-5000.3600. A Contractor covered by Minn. Stat. § 363A.36 because it employed more than 40 full-time employees in another state and does not have a certificate of compliance, must certify that it is in compliance with federal affirmative action requirements.

15.3. Minn. Stat. § 363A.36. Minn. Stat. § 363A.36 requires the Contractor to have an affirmative action plan for the employment of minority persons, women, and qualified disabled individuals approved by the Minnesota Commissioner of Human Rights ("Commissioner") as indicated by a certificate of compliance. The law addresses suspension or revocation of a certificate of compliance and contract consequences in that event. A contract awarded without a certificate of compliance may be voided.

### 15.4. Minn. R. Parts 5000.3400-5000.3600.

- 15.4.1. **General**. Minn. R. Parts 5000.3400-5000.3600 implement Minn. Stat. § 363A.36. These rules include, but are not limited to, criteria for contents, approval, and implementation of affirmative action plans; procedures for issuing certificates of compliance and criteria for determining a contractor's compliance status; procedures for addressing deficiencies, sanctions, and notice and hearing; annual compliance reports; procedures for compliance review; and contract consequences for non-compliance. The specific criteria for approval or rejection of an affirmative action plan are contained in various provisions of Minn. R. Parts 5000.3400-5000.3600 including, but not limited to, parts 5000.3420-5000.3500 and 5000.3552-5000.3559.
- 15.4.2. **Disabled Workers**. The Contractor must comply with the following affirmative action requirements for disabled workers:
  - a. The Contractor must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The Contractor agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
  - b. The Contractor agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.
  - c. In the event of the Contractor's noncompliance with the requirements of this clause, actions for noncompliance may be taken in accordance with Minn. Stat. Section 363A.36, and the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.
  - d. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the commissioner of the Minnesota Department of Human Rights. Such notices must state the Contractor's obligation under the law to take affirmative action to employ and advance in employment qualified disabled employees and applicants for employment, and the rights of applicants and employees.
  - e. The Contractor must notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the Contractor is bound by the terms of Minn. Stat. Section 363A.36, of the Minnesota Human Rights Act and is committed to take affirmative action to employ and advance in employment physically and mentally disabled persons.
- 15.4.3. **Consequences**. The consequences for the Contractor's failure to implement its affirmative action plan or make a good faith effort to do so include, but are not limited to, suspension or revocation of a certificate of compliance by the Commissioner, refusal by the Commissioner to approve subsequent plans, and termination of all or part of this contract by the Commissioner or the State.
- 15.4.4. **Certification**. The Contractor hereby certifies that it is in compliance with the requirements of Minn. Stat. § 363A.36 and Minn. R. Parts 5000.3400-5000.3600 and is aware of the consequences for noncompliance.

### 16. Workers' Compensation

### MnDOT Contract Number: 1052765

16.1. Each party will be responsible for its own employees for any workers compensation claims. This MPC, and any work order contracts issued hereunder, are not intended to constitute an interchange of government employees under Minn. Stat. §15.53. To the extent that this MPC, or any work order issued hereunder, is determined to be subject to Minn. Stat. §15.53, such statute will control to the extent of any conflict between the contract and the statute.

# 17. Publicity

- 17.1. **Publicity**. Any publicity regarding the subject matter of a work order contract where the State is the Requesting Party must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Other Party individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from a work order contract.
- 17.2. **Data Practices Act**. Section 17.1 is not intended to override the Other Party's responsibilities under the Minnesota Government Data Practices Act.

### 18. Governing Law, Jurisdiction, and Venue

18.1. Minnesota law, without regard to its choice-of-law provisions, governs this master contract and all work order contracts. Venue for all legal proceedings out of this master contract or any work order contracts, or the breach of any such contracts, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

### 19. Prompt Payment; Payment to Subcontractors

19.1. The parties must make prompt payment of their obligations in accordance with applicable law. As required by Minn. Stat. § 16A.1245, when the Other Party lets a contract for work pursuant to any work order, the Other Party must require its contractor to pay all subcontractors, less any retainage, within 10 calendar days of the prime contractor's receipt of payment from the Other Party for undisputed services provided by the subcontractor(s) and must pay interest at the rate of one and one-half percent per month or any part of a month to the subcontractor(s) on any undisputed amount not paid on time to the subcontractor(s).

### 20. Minn. Stat. § 181.59.

20.1. The Other Party will comply with the provisions of Minn. Stat. § 181.59 which requires: Every contract for or on behalf of the state of Minnesota, or any county, city, town, township, school, school district, or any other district in the state, for materials, supplies, or construction shall contain provisions by which the Contractor agrees: (1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract, no contractor, material supplier, or vendor, shall, by reason of race, creed, or color, discriminate against the person or persons who are citizens of the United States or resident aliens who are qualified and available to perform the work to which the employment relates; (2) That no contractor, material supplier, or vendor, shall, in any manner, discriminate against, or intimidate, or prevent the employment of any person or persons identified in clause (1) of this section, or on being hired, prevent, or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed, or color; (3) That a violation of this section is a misdemeanor; and (4) That this contract may be canceled or terminated by the state, county, city, town, school board, or any other person authorized to grant the contracts for employment, and all money due, or to become due under the contract, may be forfeited for a second or any subsequent violation of the terms or conditions of this contract.

### 21. Termination; Suspension

- 21.1. **Termination by the State for Convenience**. The State or commissioner of Administration may cancel this MPC and any work order contracts at any time, with or without cause, upon 30 days written notice to the Other Party. Upon termination, the Other Party and the State will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.
- 21.2. **Termination by the Other Party for Convenience**. The Other Party may cancel this MPC and any work order contracts at any time, with or without cause, upon 30 days written notice to the State. Upon termination,

the Other Party and the State will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

21.3. **Termination for Insufficient Funding**. The State may immediately terminate or suspend this MPC and any work order contract if it does not obtain funding from the Minnesota legislature or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination or suspension must be by written or fax notice to the Other Party. The State is not obligated to pay for any services that are provided after notice and effective date of termination or suspension. However, the Other Party will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the master contract or work order is terminated because of the decision of the Minnesota legislature or other funding source, not to appropriate funds. The State must provide the Other Party notice of the lack of funding within a reasonable time of the State's receiving that notice.

# 22. Data Disclosure

22.1. Under Minn. Stat. §270C.65, subd. 3, and other applicable law, the Other Party consents to disclosure of its federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Other Party to file state tax returns and pay delinquent state tax liabilities, if any.

### 23. Defense of Claims and Lawsuits

23.1. If any lawsuit or claim is filed by a third party (including but not limited to the Other Party's contractors and subcontractors), arising out of trunk highway work performed pursuant to a valid work order issued under this MPC, the Other Party will, at the discretion of and upon the request of the State, tender the defense of such claims to the State or allow the State to participate in the defense of such claims. The Other Party will, however, be solely responsible for defending any lawsuit or claim, or any portion thereof, when the claim or cause of action asserted is based on its own acts or omissions in performing or supervising the work. The Other Party will not purport to represent the State in any litigation, settlement, or alternative dispute resolution process. The State will not be responsible for any judgment entered against the Other Party, and will not be bound by the terms of any settlement entered into by the Other Party except with the written approval of the Attorney General and the Commissioner of Transportation and pursuant to applicable law.

### 24. Additional Provisions

24.1. NONE

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#### **OTHER PARTY**

The Other Party certifies that the appropriate person(s) have executed the contract on behalf of the Other Party as required by applicable articles, bylaws, resolutions or ordinances.

By: \_\_\_\_\_

Title:

Date: \_\_\_\_\_

#### **COMMISSIONER OF TRANSPORTATION**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title:

#### **COMMISSIONER OF ADMINISTRATION**

By: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title:

Date: \_\_\_\_\_

Exhibit A – Table of Technical Services Master Partnership Contract Program FY 2023-2027

Date: 3/28/2022

Source Code Title Description Performing QA/QC physical testing at the plant; sampling and transporting of materials from the plant to the lab for lab testing, plant reviews, and operations; investigating plant discrepancies; and other technical services in the plant or office associated with 1735 Bituminous Plant Inspection bituminous plant inspection. 2830 Bridge Bearing Assemblies All tasks related to the repair and maintenance of fixed or expansion-bearing assemblies on bridges. Includes related traffic Repairing and maintaining bridge curb, walk, rail, coping, and fencing connected to the rail. Includes glare screen and median 2819 Bridge Curb, Walk And Railing barriers on bridges. Includes related traffic control. Work associated with bridge deck and slab repair regardless of removal depth or type of material used for patching. Includes deck 2820 Bridge Deck or slab overlays and replacements and underside deck delamination. Includes related traffic control. 2838 Bridge Deck Crack Sealing All tasks related to deck crack sealing. Includes related traffic control. All maintenance tasks associated with bridge expansion joints, except joint reestablishment. Includes tightening expansion device 2827 Bridge Expansion, Relief Joints bolts and replacing seal glands. Includes related traffic control. 2855 Bridge Inspection Direct Support Activities that support bridge inspection, but are not direct production (i.e., leadership, technical, administrative assistance. All bridge inspection tasks for non-MnDOT bridges funded by the federal Fracture-Critical Bridge Program (Project Code will begin with TSL and with the local bridge number). Includes related inspection reports. For MnDOT Trunk Highway bridges (Project Code begins with TSO followed by the bridge number) and local and Department of Natural Resources (DNR) (bridge number begins with 9A follow by bridge number) bridge inspections to be billed to the local government or Department of Natural Resources 2828 Bridge Inspection-Federal Fund (DNR) use Source Code 2824. All tasks related to inventory, inspection, and load capacity rating work done on trunk highway bridges to meet the requirements of the National Bridge Inspection System and/or Minnesota Bridge Safety Inspection Program or for billing to local governments. 2824 Bridge Inspection-Non-Federal Includes related inspection reports and deck condition surveys. Bridge Management System 1421 Operation/Administration/Data Use for tasks related to the Bridge Management System, including operations, administration, or data entry. All tasks associated with resealing bridge construction joints. Includes related traffic control. Related source type codes: Activities 2847 Bridge Poured/ Relief Joint Seal that support bridge inspection, but are not direct production (i.e., leadership, technical, administrative assistance). All tasks to repair any bridge component above the bridge seat that is not included in other source codes. Includes repairs to all types of bridge superstructure elements such as girders, beams, floor beams, trusses, stringers, t-beams, precast channels, and 2829 Bridge Superstructure box girders. Includes related traffic control. Maintaining, watering, trimming, and removing highway right of way tree and brush. Includes chipping of tree limbs and stump 2316 Brush & Tree Removal removal/grinding. Includes related traffic control. All expenses of business/office managers for general management and administration of support functions. includes 0032 Business Unit Management administering central facilities maintenance and facilities capital budgets. Use for frequency coordination done with APCO, AASHTO or FCCA. 3000 **Class Of Frequency Coordination** 

Source		
Code	Title	Description
		Performing QA/QC physical testing at the plant; sampling and transporting of materials from the plant to the lab for lab testing,
		plant reviews, and operations; investigating plant discrepancies; and other technical services in the plant or office associated with
1733	Concrete Plant Inspections	stationary concrete plants or mobile concrete paving plant inspection.
		Performing construction phase material inspection and engineering, for structural steel, precast and pre-stressed concrete,
		reinforcement steel, and electrical products and related technical services in the field and office for materials to be used in
		multiple projects. Includes travel time, sampling, and sample delivery. Includes tasks related to reviewing shop drawings furnished
		by suppliers or fabricators and contractor working drawings or calculations, and for tasks related to structural metals inspection
		(materials surveys, physical and chemical laboratory testing, material inspection and engineering, and technical services in the
1734	Construction Materials Inspections	field and offices).
1802	Construction Surveying	Use for surveys to provide staking for the contractor's operations and for any other construction phase surveying
24.06		All surface crack sealing, crack filling, or rout and seal operations. Includes related materials, hauling, stockpiling, and traffic
2106	Crack Sealing	control.
3023	Elec Comm Eq Rep - Miles	
0400	Equipment Calibration-Mat Insp	Use when performing periodic equipment calibration for equipment used in the materials lab or on construction projects.
		All construction project field inspection (not cyclical inspection of assets), including preparatory plans & spec review,
		measurement, and verification other than environmental monitoring. Includes field inspection of materials such as gradations,
		densities/DCP, proctors, compaction, slump tests, and field air tests. Witnessing claims, determination and computation of pay
		quantities, materials control and certification for progress vouchers, but not for final payments. Includes collecting and
		transporting samples for lab tests, but not the actual laboratory verifications. Includes all construction phase project related
		activities for project and resident engineers such as problem resolution, guidance and direction to field technicians. Includes all
		miscellaneous field engineering expenses used by district offices such as space rental, utilities, or other costs charged to the
		construction project Includes all work associated with evaluation of implementation of intelligent compaction devices to
1800	Field Inspection	determine if construction contract terms have been met.
		All district field and office tasks needed to respond to supplemental "Requests for Survey Data" and add the data to the surveys
1040	Final Design Surveys	base map or DTM.
		Use for time, materials, and travel expenses when developing or delivering training. includes course preparation, designing
0601	Gen Training Preparation - Delivery	materials, and managing training records.
		Install, repair, or maintain low tension cable, plate beams, and end treatments; cable tension adjustments; and reflector
2210	Guardrail-Install/Repair/Maintenance	replacement. includes related traffic control.
2624	Indirect Expense	Indirect shop expenses and shop equipment. Allocate to mobile equipment.
		All work related to installing, maintaining, restoring, or removing highway lighting systems and fixtures. Includes repairing,
		maintaining, or replacing supports necessary for roadway lighting luminaries. Includes patrol highway lighting, inspect lighting
		structures, electrical service for highway lighting, re-lamping, pump stations, anti-icing systems, truck roll-over warning systems
		and electrical repairs. Includes traffic control in support of roadway lighting activities. Use for tasks related to public
1871	Lighting Maintenance & Utilities	inquiries/complaints, review utility billings, provide data, and conduct field reviews.

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uit, cables, hand holes, loops, etc. in order to maintain or repair the traffic vay lighting systems. ohysical and chemical laboratory testing, and related technical services in the research and construction phase non-destructive testing materials surveys, and es. Includes detour surveys. Non-destructive tests include, skid resistance and falling for billing and deposit transactions and to record payments to the department for on a specific bridge or structure not covered by other source codes. Includes work
way lighting systems. obysical and chemical laboratory testing, and related technical services in the research and construction phase non-destructive testing materials surveys, and es. Includes detour surveys. Non-destructive tests include, skid resistance and falling for billing and deposit transactions and to record payments to the department for
physical and chemical laboratory testing, and related technical services in the research and construction phase non-destructive testing materials surveys, and es. Includes detour surveys. Non-destructive tests include, skid resistance and falling for billing and deposit transactions and to record payments to the department for
research and construction phase non-destructive testing materials surveys, and es. Includes detour surveys. Non-destructive tests include, skid resistance and falling for billing and deposit transactions and to record payments to the department for
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for billing and deposit transactions and to record payments to the department for
an a specific bridge or structure not equared by other source codes. Includes we de
an a charific bridge or structure not covered by other service redes. Industry
on a specific bridge of structure not covered by other source codes. Includes Work
ht bases, transient guards, and access doors. Includes transient removal, ordering
s related traffic control.
ns personnel to record on-call time.
f overhead sign panels, extruded sign panels mounted on I-beams, and overhead
and traffic control. Does not include structural work.
ing, 2104-Bituminous paving, 2105-Blow patching
ment management system, including development and maintenance/technical
al to MnDOT.
n, winging back, snow blowing drifts, and the application of de-icing chemicals using
edges during event and related traffic control.
nce of all equipment associated with wireless two-way radio communications
ios, base stations, console workstations, recorders, etc.). Non-MnDOT equipment -
ing agency (State Patrol, DNR, BCA, Fire Marshall). See OSRC Project Code list.
ms and programming mobile and portable radios. Does not include mobile radios
DP System (Use 3009).
nce of all equipment associated with wireless two-way radio communications
ios, base stations, console workstations, recorders, etc.). Non-MnDOT equipment -
ing agency; Department of Public Safety (DPS) includes State Patrol (SP) Bureau of
does not include Department of Natural Resources (DNR). See OSRC Project
llaneous electronic systems.
ded to provide major system upgrades or improvements to wireless or electronic
t or repair deficiencies found in a new installation.
listrict materials staff to verify inspector" sampling and testing procedures and
instruct materials start to verify inspector sampling and testing procedures and
istrict materials staff to verify inspector" sampling and testing procedures and t construction as required by FHWA. Use when performing field tests on split
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Source Code	Title	Description
coue	Inte	Description
2222	Sign/Delineation/Marker Repair	Replacing, repairing, and washing signs (including temporary stop signs). Includes re-sequencing intersection signing and repair/replace overhead and extrude signs mounted on I-beams. Includes related cable locates and traffic control. All laboratory testing necessary to provide geotechnical information to complete roadway soils recommendations and approvals for use in the development of Final Design Plans and Special Provisions. Lab work includes R-value, resilient modulus, soil
1182	Soils/Foundation Field/Laboratory Tests	classification, gradation, proctor testing, unconfined compression, consolidation, direct simple shear, direct sheer, permeability and triaxial tests. Use to record labor hours, equipment usage, and material costs to supply state furnished materials to a state road construction
1879	State Furnished Materials	project with federal participation.
		Performing material inspection and engineering for materials designated for a specific construction project (SP). Generally applies to inspection of such things as structural steel, prestressed concrete items, and most precast concrete items and related technica services in the field and offices when related to a particular SP. Use for SP specific tasks related to performing the review of shop drawings furnished by suppliers or fabricators and contractor working drawings or calculations, and for tasks related to structura metals inspection (materials surveys, physical and chemical laboratory testing, material inspection and engineering and technical
1738	State Project - Specific Materials Inspection	services in the field and offices). Reviewing shop drawings furnished by suppliers, fabricators, and contractors (working drawing or calculations), and for tasks related to structural metals inspection (materials surveys, physical and chemical laboratory testing, material inspection and
1434	Structural Metals Inspection-Non DOT	engineering, and technical services in the field and offices) for local agency projects.
2629	Supplies & Small Tools	Shop tools, small equipment, and supplies that cannot be directly charged to a mobile equipment unit. Work that supports general office management, system management such as entering data into SWIFT, PPMS, PUMA and other
0152	Support Services	MnDOT systems, attending staff meetings and other indirect support activities.
1312	Tech Assist-Outside MnDOT	Use when providing technical assistance to an organization external to MnDOT.
3025	Tower/Building Maintenance	Use for all tasks related to the maintenance of a tower building or site. Includes towers, buildings, generators, LP system, fencing, landscaping, grounding, ice bridge, cable management, climbing ladders, card key systems, and HVAC. Use to record labor, equipment usage, and material costs for activities related to traffic counts made for statewide traffic
1876	Traffic Counting	monitoring or traffic operations. Includes all activities related to traffic counting, such as taking requests, assigning priorities, collecting field data, processing data, and developing new techniques for collection.
		Used by traffic operations staff for all tasks that support the RTMC's operations center (or TOCC) providing traveler information, managing incidents and monitoring the FMS. Includes dynamic message sign maintenance, ramp meter maintenance, camera maintenance, and loop detection activities. Includes maintenance activities related to any ITS or TMS device such as RTMC cables monitor wall, switchers, routers, or modems. Use to record all costs for maintenance activities related to traffic management fibe optics. Use for tasks related to maintaining traffic operations software including minor software enhancements and fixes. Use
1501	Traffic Management System (TMS)	when providing traffic operations technical assistance external to MnDOT. Use with

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Source		
Code	Title	Description
1513	Traffic Management System (TMS) Integration	For tasks associated with the incorporation of new and existing TMS devices (cameras, loops, DMS, and other ITS devices) into existing infrastructure to ensure proper operation. Use with the Construction/Program Delivery Appropriation.
		Used by staff to maintain various Intelligent Transportation System (ITS) devices such as dynamic message signs, ramp meters, cameras, detection, cables, RICWS, video wall monitors, switches, routers or modems. Used to record all costs for maintenance
1500	Traffic Mgt System Maintenance	activities related to traffic management fiber optics. Not to be used for Lighting or Traffic Signal maintenance.
1721	Traffic Sign Work Orders	Use for work involved in preparing work orders for traffic signs. Use only with Maintenance Operations appropriation (T790081). Work related to cyclical structural and electrical inspection and preventive maintenance checks of traffic signal
2863	Traffic Signal Inspection	systems/structures. Includes labor, equipment, materials, and traffic control.
		Work related to the structural repair and replacement of traffic signal system structures and all electrical maintenance for traffic
		signal systems including electrical power, labor, equipment materials, GSOC locates, traffic control and responses to public
1870	Traffic Signal Maintenance	inquiries.
		All tasks related to waterway maintenance for deck bridges. Includes debris removal, waterway cleanup, channel repair, and
2834	Waterway Maintenance	channel protection repair that is not part of slope protection. Includes related traffic control.

#### CITY OF SHOREWOOD COUNTY OF HENNEPIN STATE OF MINNESOTA

#### **RESOLUTION 23-021**

#### A RESOLUTION TO APPROVE A MASTER PARTNERSHIP CONTRACT WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION

**WHEREAS,** The Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

**WHEREAS**, MnDOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

**WHEREAS**, the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write "work orders" against a master contract would provide the greatest speed and flexibility in responding to identified needs.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA AS FOLLOWS:

- 1. That the City of Shorewood enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the Council.
- 2. That the proper City officers are authorized to execute such contract, and any amendments thereto.
- 3. That the Public Works Director is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from MnDOT, and that the Public Works Director may execute such work order contracts on behalf of the City of Shorewood without further approval by this Board.

Passed by the City Council of Shorewood, Minnesota this 27<sup>th</sup> day of February 2023.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



# Title/Subject:Approving Hire of Christopher Pratley as Public Works LEOMeeting Date:Monday, February 27, 2023Prepared by:Sandie Thone, City Clerk/Human Resources DirectorReviewed by:Matt Morreim, Public Works Director

**Policy Consideration:** Pursuant to Shorewood Personnel Policy Section 3.08 All new, rehired, promoted or reassigned employees shall complete a six (6) month probationary period upon assuming their new positions. This period shall be used to observe the employee's work habits and ability to perform the work they are required to do.

**Background:** The city most recently recruited qualified candidates for the newly created Public Works LEO position that was approved by the city council in 2022. Candidates were interviewed by City Administrator Marc Nevinski, Public Works Director Matt Morreim, Public Works Supervisor Chris Heitz, and City Clerk/HR Director Sandie Thone on February 9, 2023. It was unanimously agreed to offer the position to Christopher Pratley, determining his knowledge, experience, and skills would be a good fit for the position and an asset to the team. Christopher's most recent experience is as an Equipment Operator for the City of Chanhassen, where he spent the last 11-1/2 years. If approved, Chris's start date will be March 1, 2023.

**Financial Considerations:** Staff is recommending Christopher's compensation rate be set at Year 3; \$32.76 per hour, of the AFSCME Union scale for the LEO position, as outlined in the AFSCME Union Contract. The position will be reviewed at the 6-month anniversary for consideration of permanent appointment. The position is non-exempt, PERA eligible, benefit eligible, and receives vacation, sick leave, and holiday benefits.

Action Requested: Staff respectfully recommends the city council approve Christopher Pratley's hire as a probationary employee in the capacity of Public Works LEO for the City of Shorewood. Motion, second and simple majority vote required.

**Connection to Vision/Mission**: Consistency in providing residents quality public services, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.



Title (Cubic of		2G
Title/Subject: Meeting Date: Prepared by: Reviewed by:	<b>Approve Recruitment for PW Seasonal Employees</b> Monday, February 27, 2023 Sandie Thone, City Clerk/HR Director Matt Morreim, Public Works Director	MEETING TYPE Regular

**Background:** Each year the Public Work's department recruits for and hires temporary seasonal workers who perform maintenance work in the city's parks. The position description has been updated to reflect the most recent duties and responsibilities of the position and the pay rate for the position has been reviewed as discussed below.

You may recall that last year we were unsuccessful at filling either of the city's two posted Public Work's department seasonal positions. In a survey of local seasonal wages, it was determined the hourly advertised pay for the position, at \$14, was well under what surrounding cities were paying their seasonal public works employees. The city paid an hourly wage of \$11.75 for the position in 2021. A comparison is listed below.

City	Seasonal PW Employee Hourly Rate for 2023
On an Dawida	¢10.07
Coon Rapids	\$16.87
Northfield	\$14.96-\$16.85
Fridley	\$15.65-\$18.04
Champlin	\$16-\$20
Excelsior	\$15-\$17
Eagan	\$16.67-\$18.33
Crystal	\$16.27
Golden Valley	\$17.33-\$19.44
Burnsville	\$14.19-\$16.92
Eden Prairie	\$15-\$18
Savage	\$14.33-\$22.85
Prior Lake	\$15.50-\$16.25
Mound	\$18
White Bear Lake	\$14.68-\$16.48
Anoka	\$17
Lakeville	\$15.35-\$17.35
Edina	\$15.97-\$18.13

*Mission Statement:* The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership. Page 1

In a meeting to discuss the position, the wages, and the recruitment, it was determined that an hourly rate of \$18 would be most competitive for the position and align nicely with the surrounding communities of Mound and Excelsior.

**Action Requested:** Staff respectfully recommends the city council approve the recruitment to fill the positions for two (2) seasonal public works employees to perform park maintenance as presented and at the rate of \$18.00 per hour. Motion, second and simple majority vote required.



Title/Subject:	Service Recognition: Shorewood Planning and Park Commission
Meeting Date: Prepared by: Reviewed by:	Monday, February 27, 2023 Sandie Thone, City Clerk/HR Director Marc Nevinski, City Administrator Marie Darling, Planning Director

**Background:** The city has a need for citizens to serve on advisory committees to the city council. Pursuant to Shorewood City Code Chapter 201, the Shorewood Planning Commission was established to be the city planning agency authorized by MN Statute and is advisory to the City Council. The Commission consists of five members who must be current residents of Shorewood. Terms of appointment commence on March 1 and terminate on the last day of February and run for three (3) years. The Planning Commission shall have the powers and duties given to city planning agencies, generally by law, including the authority to conduct public hearings.

Pursuant to Shorewood City Code Chapter 202, the Shorewood Park Commission was established and is advisory to the City Council. The Commission consists of five members who must be current residents of Shorewood. Terms of appointment commence on March 1 and terminate on the last day of February and run for three (3) years. The purpose of the Park Commission shall be to aid the City Council in the expenditure of monies so that the greatest benefit may be obtained from the use and maintenance of the city parks.

We sincerely thank and recognize the outstanding service of the following outgoing commissioners:

Planning Commissioner and Vice-Chair Marc Riedel Planning Commissioner and Chair Dustin Maddy Park Commissioner Matt Gallivan Park Commissioner James Heinz Park Commissioner Joanne Schmid

The Shorewood City Council recognizes and expresses appreciation to the above commissioners for their dedication and service on the Shorewood Commissions. An engraved Yeti will be presented to them in honor of their contributions. No Formal Action Requested.

**Connection to Vision/Mission**: Consistency in providing residents quality public services, a healthy environment, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.

**Mission Statement:** The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership. Page 1

5755 COUNTRY CLUB RD
SHOREWOOD CITY HALL
7:00 P.M.

#### MINUTES

#### 1. CONVENE PARK COMMISSION MEETING

Chair Hirner convened the meeting at 7:01 p.m.

- A. Roll Call
  - Present: Chair Hirner, Commissioners Levy, Garske, and Wenner; City Parks and Recreation Director Crossfield; and Planning Director Darling
    - Absent: None
- B. Review Agenda

Garske moved to approve the agenda as written. Wenner seconded the motion. Motion carried 4-0.

#### 2. APPROVAL OF MINUTES

A. Park Commission Meeting Minutes of October 25, 2022

Levy moved to approve the minutes of the October 25, 2022 meeting, as written. Hirner seconded the motion. Motion carried 4-0.

#### 3. MATTERS FROM THE FLOOR

There were none.

4. NEW BUSINESS

#### A. Silverwood Park Grand Opening

Chair Hirner stated that the Silverwood Park project was completed at the end of the season in 2022 and looks fabulous. He stated that the park has been getting a lot of visitors and noted that the City is planning to host a grand opening event and explained that the Commission has been asked to provide input on when to hold this event, if there should be food/refreshments, as well as entertainment or vendors. He gave a brief overview of what was done when the City held a grand opening event for Badger Park.

Planning Director Darling stated that she would recommend waiting to hold the grand opening event until after the frost is out of the ground.

The Commission talked about the possibility of holding the grand opening in late June during the week, and ways to market the event.

Planning Director Darling suggested that staff take a look at some possible mid-week dates in June and come back with more specific options at the next meeting. She noted that the City had received a grant from Hennepin County for the parks and believes that they would like to be invited to the grand opening event as well.

Commissioner Levy noted that it may also be a good idea to make sure that the MCES knows that this park has special needs equipment in place and available for use.

Chair Hirner asked if there may be a way for children to actually conduct the ribbon cutting rather than the City officials.

The Commission discussed ideas for food/refreshments and noted the importance of considering that this is a much smaller park that Badger. They suggested perhaps the easiest option may be to have a way to simply pass out popsicles or ice cream rather than have a vendor, but also discussed the possibility of having a small vendor be situated on the service drive.

Commissioner Levy suggested that perhaps having signage related to the mowing plans related to the Bee Friendly policy be put up prior to this event, so it can serve as an update for residents on that possible change.

Planning Director Darling noted that she was not sure all the decisions would be made by then, but agreed that would be a nice addition.

Commissioner Wenner noted that her neighbor hosted a graduation party where they had a Ben & Jerry's cart that worked really well and even had compostable ice cream cups. She asked how many people the City would expect to be at the event.

Planning Director Darling explained that because of the limited amount of parking, she envisions it as being more of a neighborhood party which would probably mean around 50 people.

Commissioner Garske asked what type of entertainment options staff was thinking may be appropriate for this type of smaller scale event.

Planning Director Darling stated that the City hired an individual who made balloon animals that was very popular at the Badger Park event that could work for this event as well. She noted that they could also have some small games and things like sidewalk chalk available.

There was consensus to look into hiring the balloon artist, having chalk available, having some sort of ice cream or snow cone type of refreshment available, and to schedule the grand opening for Silverwood Park mid-week in mid to late June.

#### B. Eddy Station Concession Stand

Chair Hirner explained that the City has had a long standing vendor who has operated the Eddy Station concession stand each summer but they are no longer able to do it. He stated that the City is in need of looking at options for concessions including sports associations, food trucks, City-run, or by having other community organizations run the concession stands.

Commissioner Levy asked why the company that used to run the concession stand would no longer be doing it.

Planning Director Darling explained that it has originally run by the father of the individual who ran it last year. She stated that she believed that the father passed away and the family member no longer wants to run the business. She noted that, in the past, the concession stand was primarily run when there were games at Eddy Station.

Park and Recreation Director Crossfield stated that from what she has seen, the last vendor did try to maintain having the concession stand open Monday – Sunday from 5:30 to 8:30 p.m..

Commissioner Wenner asked what type of facilities and equipment were available at this concession stand.

Park and Recreation Director Crossfield stated that her understanding is that pre-packaged snacks are what would be allowed to be served out of Eddy Station. She stated that there is a refrigerator and a freezer, but believes that is the only equipment.

Planning Director Darling explained that in the past they sold popcorn and hot dogs as well, but the stand is lacking a 3-compartment kitchen sink, so they cannot sell food that has been made on site.

Commissioner Wenner asked if there was someplace to the north of the concession stand where a food truck would be able to park before the park traffic would accumulate. She stated that she knows how congested the parking lot can be and expressed concern about a food truck being able to get to that portion of the site.

Chair Hirner stated that he thinks the end of the parking lot may be able to accommodate this kind of use, but there may be an issue with getting power to this location. He questioned whether there would be somebody willing to have a food truck at this site for 3 hours every night and whether the projected sales would be enough to entice a food truck to want to do that.

Commissioner Garske stated that he would lean away from food trucks because he thinks it may be difficult to produce enough revenue in this location and it may be difficult to find enough trucks to rotate through. He stated that he likes the idea of the sports association or enabling the community organizations an opportunity to operate the concession stand as a way to fund raise.

Chair Hirner stated that would also be in favor of community organizations or sports associations handling concessions for this location. He stated that he thinks that the Minnetonka Baseball Association is a good example of how well this kind of solution can work.

Commissioner Wenner asked if the City made any money off of the concessions.

Park and Recreation Director Crossfield noted that she had found a record of a small fee that was charged each season to the vendor.

Commissioner Wenner asked if there were numerous sports associations that have expressed an interest in operating the concession stand.

Park and Recreation Director Crossfield explained that former Park and Recreation Director Grout had reached out to associations last year and at the time, none of the associations had expressed

#### PARK COMMISSION MINUTES TUESDAY, FEBRUARY 14, 2023 PAGE 4 OF 9

an interest in it, but since that time, one association has expressed interest regarding the possibility of a Monday through Thursday operation.

Commissioner Wenner stated that her experience with kids playing soccer at Freeman Park is that finding parent volunteers can be extremely hard with the younger age group because parents are already overloaded. She stated that she loves the idea, in theory, but is not sure if they would be able to practically come up with enough commitment from the parents to actually run the concession stand and also wondered if it was necessary. She noted that she has been there for games when the players, parents, and grandparents have all been a little hungry and cranky and agreed that it would have been nice if they had something more substantial available. She asked if there may be a way to partner with local restaurants to have sponsored nights with their food available.

Commissioner Levy stated that her children are swimmers and staffing the booth with products was a pain because they had to make Costco runs for supplies and agreed with Commissioner Wenner that parents do not have a lot of time for this kind of commitment. She stated that she is wondering about the idea of having it be City-run and to give some young people a job. She stated that the City would also be able to control the consistency and product quality of what is sold. She stated that she agreed with Commissioner Wenner that she loves the idea of involving the community or sports associations, but having been on the other side of this issue, has seen how hard it can be.

Commissioner Wenner stated that it is has been difficult for the City to find seasonal workers over the last few years.

Chair Hirner asked when they needed to have an answer for this situation.

Park and Recreation Director Crossfield stated that would depend on which route they select and reviewed some of the timelines related to staffing, food truck approvals, agreements, and potential fees.

Commissioner Wenner asked about the possibility of reaching out to the high school to see if there were any of their clubs who may want to sign up to take turns running the stand in order to raise money for their organizations/clubs. She referenced the coffee house on Excelsior Boulevard in Hopkins that is run by students.

Chair Hirner suggested that it may be worthwhile to have a conversation with the business teacher at the high school. He stated that he has been involved in a few organizations that supported groups that have had the local business teacher put together a plan that will teach the students how to run a business and noted that this could possibly be that kind of situation.

Commissioner Garske stated that he thinks the Commission is in agreement that they would like to have something available at Eddy Station. He stated that it sounds like the preferred route would be to have some sort of group or organization staff it rather than trying to hire someone. He stated that he thinks there have been a lot of good ideas thrown out and asked if that was enough to give staff a start looking into some of the options.

Park and Recreation Director Crossfield suggested that staff take a look at a few of the options suggested by the Commission and come back to the Park Commission next month with a more formalized idea of what may be required.

Commissioner Garske asked if the Commission felt that the association that was interested in potentially staffing the concession stand Monday through Thursday would be sufficient.

Commissioner Wenner stated that she did not think that would be feasible.

Hirner moved to direct staff to look into having the sports associations run the concession stand as option #1; community organizations as option #2; and City-run as option #3; and that if there is not much weekend coverage that the City look at giving the option for the organizations to work with food trucks for things such as tournaments. Garske seconded the motion.

Commissioner Wenner asked if the City would take a portion of the sales from the concession stand.

Park and Recreation Director Crossfield explained that in other cities she has seen the City has received a percentage of the profits.

Commissioner Wenner asked if there was a food truck site where the City could post the opportunities and available time slots to see if there was any interest.

Park and Recreation Director Crossfield stated that would be an option, but in her experience, the food trucks like to know how many people will be there and what other food vendors may be available. She stated that there are different routes that the City could take, for example, starting small and working with a hot dog cart vendor.

Commissioner Wenner stated that she would like to see this done prior to looking at having it by City-run because of the proven difficulty in finding seasonal staff. She offered a friendly amendment to the existing motion to replace the City-run option #3 with food trucks.

Amended motion by Hirner, seconded by Garske, to direct City staff to look into having the sports associations run the concession stand as option #1; community organization as option #2; and food trucks as option #3, including giving the option for food trucks for things such as tournaments. Motion carried 4-0.

#### C. Smithtown Townhouse Development 24250 Smithtown Road

Chair Hirner explained that the plot of land for this townhouse development straddles both Shorewood and Tonka Bay but tonight's discussion should focus only on the Shorewood aspect of the proposal. He stated that they are planning four buildings with eight units and gave a brief overview of the City ordinance regarding park dedication fees. He explained that the Park Commission is being asked to make a recommendation to the City Council on whether they would like to see park land dedication or park dedication fees in this instance. He stated that because of its location, he did not think land dedication made much sense and would suggest that the City accept park dedication fees in lieu of land.

Commissioner Garske stated that he agreed and did not feel like the space would add much value to the City's parks and the fees would be better used for upgrading other City facilities.

#### PARK COMMISSION MINUTES TUESDAY, FEBRUARY 14, 2023 PAGE 6 OF 9

Commissioner Levy asked about the number of bedrooms in these units and how many families are expected to live there.

Ryan Lundgren, stated that there would be about 3 bedrooms per home.

Commissioner Wenner asked what would be considered a 'park'. She stated that she understands that this is not a feasible area for a park because of its location and its proximity to Badger Park, but explained that she was a big tree advocate. She stated that this area contained one of the last stand of old growth trees in the area. She stated that if that whole stand of trees is taken down that would mean a pretty big loss. She noted that it did appear as though the developer has stated that they plan to leave as many trees as possible.

Mr. Lundgren agreed and explained that was the benefit of the homeowners from a sales perspective to leave as many of the trees in place as possible so it looks like it has been there the whole time.

Commissioner Wenner reiterated her question about what the City's definition would be of 'park'.

Planning Director Darling stated that, in this case, the definition the City would be using is what is the area of useable public space that could be gained in this area. She stated that there a number of parks in the area as well as the LRT trail and noted that the Comprehensive Plan does not indicate any additional land needed in this particular area for a park.

Commissioner Wenner explained that she understood that there were no parks 'needed' in the area but asked if there was anything from the City's perspective that would address conservation of trees, especially if they are valuable, older trees.

Planning Director Darling stated that the City wants to look at areas and pick up conservation areas where it is feasible. She explained that in this case, if the City was going to preserve the trees on the space, the City would end up having to purchase the property in order to do that. She stated that this proposal does not include much open space for dedication to the public. She reiterated that for any kind of meaningful conservation on the site, the City would need to purchase a portion of the property rather than getting a small percentage of the property set aside for public open space.

Commissioner Wenner asked about the landscaping plans and what trees they have identified in their plans.

Mr. Lundgren stated that they have not gotten into those kinds of details yet. He stated that this plan was something that their engineer had put together as an initial idea. He stated that they have spoken with Planning Director Darling, the fire department, and the police station nearby because they felt screening on that side would be very important. He explained that this plan was meant to just show them what they had in mind, but have not had any meaningful discussions at this point regarding landscaping or which trees will need to come out.

Planning Director Darling noted that a survey with the tree inventory was included in the meeting packet, but noted that it is a bit hard to see in this format and may be easier to examine in its electronic form.

Commissioner Levy asked about the number of residents per park from the most recent census and asked if this development was added if the City would still be within the prescribed number of people per park.

Planning Director Darling stated that she would need to take a look at the Comprehensive Plan and see if there is an actual number.

Park and Recreation Director Crossfield explained that the National Recreation and Park Association determines a healthy community is when everyone is within a ten minute walk of a park.

Commissioner Garske asked if the Planning Commission had already approved this project.

Planning Director Darling stated that they have not seen it yet and explained that the Park Commission is the first stop for this proposal and noted that the City Council has also not yet seen this proposal.

Commissioner Wenner clarified that the Park Commission was being asked to consider a cash donation rather than park land.

Chair Hirner confirmed that was correct and noted that how he has looked at these in the past is that you look at the number of units and the size of the lot. He stated that in this proposal that would mean a fairly small piece of property and his thought process is surrounding whether that small piece of land would really be useable for a park. He stated that, in this instance, he does not think the City having this small amount of land for a park would be beneficial.

## Garske moved to recommend approval of the staff recommending to accept a park dedication fee rather than land for the Smithtown Townhouses at 24250 Smithtown Road. Levy seconded the motion. Motion carried 4-0.

Planning Director Darling noted that the second topic for discussion on this property is whether the open space should be owned privately or publicly. She explained that staff is recommending that it be owned privately because most of the common space would be used for storm water, some green space around the units, the driveways, and a private drive.

Mr. Lundgren confirmed that there would be a full HOA that would maintain the grounds on this site.

Commissioner Wenner asked about the proposed filtration basin.

Mr. Lundgren stated that it is like a drainage pond and noted that they have been working with Hennepin County on that easement. He stated that his understanding was that there would be an agreement between the County and the HOA to ensure the maintenance is done.

Planning Director Darling stated that the agreement would be with the City of Shorewood, City of Tonka Bay, and the Minnehaha Creek Watershed District.

Wenner moved, to recommend that the open spaces at 24250 Smithtown Road remain privately owned and maintained. Garske seconded. Motion carried 4-0.

#### 5. OLD BUSINESS

#### 6. STAFF AND LIAISON REPORTS / UPDATES

- A. City Council
- B. Staff

Planning Director Darling stated that she wanted to give an update to the Commission on things that happened when the Commission did not have a quorum and could not meet. She explained that there were several items that staff took directly to the City Council.

#### a. Freeman Park Trails

She stated that when the Freeman Park Trails initially came up, the plan was that once the plans were about 50% ready, they would come back and ask for direction on some of the details. She stated that the Three Rivers Park District is constructing a new trailhead segment that would extend from the LRT all the way down to the gravel parking area near the entrance of Freeman Park. She noted that there is a small segment of paved trail that goes through the woods on the north side which would essentially be running parallel to the more highly used trail. She stated that the question staff brought before the Council was whether or not that trail should continue to be paved or if the City should create a more natural experience for walking through there and creating more of a gravel or mowed trail. She stated that the Council determined that it made sense to mill it up and have the gravel trail in that area which results in a substantial cost savings for that portion of the trail. She noted that there is another segment of the trail along Eureka Road and there was discussion of expanding it from 6 feet wide to 8 foot wide and the Council elected to keep it as a 6 foot wide segment, so it is more of a sidewalk rather than a multi-use trail. She stated that the third element that was discussed was the roadway connection between the north and the south parts of the trail that has been closed down to vehicle traffic. She stated that they had proposed narrowing up the road bed so it was less comfortable for people to sneak through with their vehicles. She stated that it would still be wide enough at 12 feet for emergency vehicles to access it and explained that this was also approved by the City Council. She stated that there is one trail segment between the southerly parking lot and the neighborhood to the west that is current unpaved and that is the only segment that is currently unpaved that the Council approved paving. She stated that the next phase for this project will be that staff will apply for grants to help cover some of the costs.

Chair Hirner asked if the Freeman Park trails project would happen in 2023.

Planning Director Darling stated that she expects it will happen in 2023, but will most likely be later in the year.

#### b. Vandalism Deterrence

Park and Recreation Director Crossfield explained that vandalism had taken place in both restrooms at Manor Park. She noted that the Council recommended moving forward with the FlashCAM security camera. She stated that they also encouraged communicating with residents near Manor Park that were involved in the pond clean-up project to get some community feedback regarding a possible mural on the park shelter. She stated that there is an existing pole that would

allow the camera to be mounted high enough across the parking lot and would have a fairly good angle of the entrance to the restrooms.

Commissioner Levy noted that she believed the camera was motion sensing and even had a voice.

Park and Recreation Director Crossfield stated that was correct and confirmed that the City can add a voice recording.

Planning Director Darling asked for volunteers for reporting at upcoming City Council meetings.

February 27 – Commission Garske March 27 – Commissioner Levy April 25 – Commissioner Wenner May 22 – Chair Hirner

Planning Director Darling noted that last night, the City Council appointed a new Park Commission member who should be at next month's meeting.

#### 7. ADJOURN

Garske moved to adjourn the Park Commission Meeting of February 14, 2023 at 8:17 p.m. Wenner seconded the motion. Motion carried 4-0.



#### DRAFT MINUTES

#### CALL TO ORDER

Vice-Chair Riedel called the meeting to order at 7:00 P.M.

#### ROLL CALL

Present: Commissioners Riedel, Eggenberger, and Huskins; Planning Director Darling; Planning Technician Carlson, and Council Liaison Maddy

Absent: Commissioner Holker

#### 1. APPROVAL OF AGENDA

Huskins moved, Eggenberger seconded, approving the agenda for February 8, 2023, as presented. Motion passed 3/0.

#### 2. APPROVAL OF MINUTES

• January 17, 2023

Commissioner Huskins noted a minor correction needed on page 2 in the second to the last paragraph to clarify the names of roadways/intersections.

Huskins moved, Eggenberger seconded, approving the Planning Commission Meeting Minutes of January 17, 2023, as amended. Motion passed 3/0.

#### 3. MATTERS FROM THE FLOOR - NONE

#### 4. PUBLIC HEARINGS - NONE

Vice-Chair Riedel explained the Planning Commission is comprised of residents of the City of Shorewood who are serving as volunteers on the Commission. The Commissioners are appointed by the City Council. The Commission's role is to help the City Council in determining zoning and planning issues. One of the Commission's responsibilities is to hold public hearings and to help develop the factual record for an application and to make a non-binding recommendation to the City Council. The recommendation is advisory only.

#### A. PUBLIC HEARING – CONDITIONAL USE PERMIT FOR A COLLOCATION OF ANTENNAS ON EXISTING TOWER Applicant: SMJ International, LLC (T-Mobile) Location: 24283 Smithtown Road

Planning Director Darling explained the request to add telecommunication antennas, six radio receiving units, and various other equipment within a new triangular array on the existing tower. Staff recommends approval subject to the conditions noted in the staff report.

#### CITY OF SHOREWOOD PLANNING COMMISSION MEETING FEBRUARY 7, 2023 Page 2 of 7

Commissioner Huskins stated that he did not see any communication from any of the neighbors and asked if the Commission could assume that they had been notified and that no one had any comments about this request.

Planning Director Darling stated that was correct and explained that the City sent out all notices, as required to 500 feet from the site and the City received no correspondence in response.

Commissioner Eggenberger stated that the last time this was before the Commission, part of the recommendation were surrounding some clean up of the trees and asked if that was for the previous applicant.

Planning Director Darling confirmed that was for a different applicant and confirmed that they would be handling the clean-up requested by the City. She noted that the ground equipment for this applicant is shorter and does not have a generator.

Andy Bobrytzke, 132 W 8<sup>th</sup> Street, Mankato, stated that he was at the last meeting for the same tower, but represented a different client.

Vice-Chair Riedel stated that the addition of the antennas requires additional supports and asked for a description of the engineering.

Planning Director Darling explained that the structural information was included in the packet and stated that there will be running bars up the existing monopole.

Mr. Bobrytzke noted that if the monopole needs additional supports, they will add them on the outside and then paint them to match so they blend in.

Vice-Chair Riedel asked if Mr. Bobrytzke asked if he was in support of the recommendation from staff that there be no lighting on the antenna unless required by the FAA.

Mr. Bobrytzke stated that what the client likes to do is put in a small LED light so they can see when working on the equipment. He stated that they have asked them to put in a dial, like there would be on a bathroom fan, so when the technician is there, he can turn the light on and it will stay on for a certain amount of time and then automatically turn off.

Planning Director Darling noted that there was no lighting included on the application.

Mr. Bobrytzke pointed out a rendering that listed a 'proposed LED luminaire' as the lighting he was referring to that used a timer dial on the H-frame.

Vice-Chair Riedel suggested that this be noted since the original staff recommendation listed that there would be no lighting.

Commissioner Huskins asked how long it takes from beginning to end to make this modification.

Mr. Bobrytzke explained that a typical installation takes about 2-3 days and modifications may take a few extra days. He stated that everything will be built ahead of time and installed on site with whatever crane or equipment is needed.

Commissioner Huskins confirmed that if any of the landscaping is damaged as part of the installation that they will return it to its former state before they are done. He asked about the

#### CITY OF SHOREWOOD PLANNING COMMISSION MEETING FEBRUARY 7, 2023 Page 3 of 7

frequency of maintenance and repair now that there is another vendor being served by the monopole and array.

Mr. Bobrytzke stated that the maintenance and repair is handled by each individual carrier. He noted that typically once it is up and running, they do not require a lot of work, especially up on top.

Commissioner Huskins asked how the City can hold them responsible if there is any damage done to things like landscaping when there are different carriers doing the work.

Planning Director Darling stated that she has not noticed a lot of damage on the site and noted that in this particular location she thinks mostly it is a gravel surface and it is not too complicated to repair. She stated that the City's Building Inspector will go out and do a final inspection on the ground and will note any unusual activity or disturbances. She stated that typically the tower owner will hold the carriers responsible for the damage that may occur on the site and explained that the City has not had to get involved.

Commissioner Eggenberger noted that he feels the light described by Mr. Bobrytzke is a good idea and would not be a problem.

Vice-Chair Riedel stated that he agreed and recommended that this be included in the recommendations to the City Council.

Commissioner Huskins agreed and stated that he likes the idea of this light from a safety standpoint and noted that it would also alert people nearby that there is someone there working on the equipment.

Vice-Chair Riedel opened the Public Hearing at 7:18 P.M. noting the procedures used in a Public Hearing. There being no comments, he closed the Public Hearing at 7:18 P.M.

Eggenberger moved, Huskins seconded, recommending approval of the CUP for Collocation of Communication Antennas at 24283 Smithtown Road, subject to the conditions listed in the staff report with the addition of proposed LED work light with a timer. Motion passed 3/0.

#### 5. OTHER BUSINESS

#### A. Variance to Setback to OHWL on Silver Lake Applicant: Gardner Building and Remodeling Location: 19960 Sweetwater Curve

Planning Director Darling stated that this request is from Gardner Building and Remodeling for a variance from the OHWL of Silver Lake. She stated that staff recommends approval of the request, subject to the two conditions as noted in the staff report.

Vice-Chair Riedel stated that the OHWL of Silver Lake has been the subject of quite a few discussions by the residents. He noted that he had also spoken to the DNR about this issue and explained that the OHWL is set by permit with the DNR with a weir structure that controls the level. He stated that the permit and the weir structure is designed for 898.1 feet, but for a period of at least 20 years, the lake level was substantially higher than that by almost 2 feet. He stated that what he has learned is that the OHWL is not where the water is, but it is where it is permitted and where it should be. He stated that the explanation for why it was pretty consistently higher

than that was that the weir was pretty consistently clogged, possibly due to beaver activity. He stated that believes that part of the shoreline floated away during the high water levels which is why some of the setback numbers may be a bit off of what they should be.

Commissioner Eggenberger asked where the existing patio was located that staff is recommending be removed.

Planning Director Darling showed a photo of the patio and explained that it is a paved patio of some sort.

Zach Gardner, Gardner Building and Remodeling, explained that his clients moved into the house about a year ago and assumed when they purchased it that everything attached to the home and on the property was legally conforming. He stated that they have learned through this process that it was not and he was asked to come in and update the home including repair to the deck.

Vice-Chair Riedel asked for a description of the plans for a cantilevered section of the deck.

Mr. Gardner gave an overview of their plans to run a footing and foundation straight out that would not be cantilevered out because they are planning to screen in the lower section. He stated that if they were to just put normal footings back in, due to the water table, they would heave and the deck would once again be a mess. He stated that the cantilevered section is just for the upper section to give the upper deck a bit more room to have a table and things like that.

Commissioner Huskins asked about the patio portion and the request from staff to remove it.

Mr. Gardner stated that as part of the application process for this variance, they discovered that the patio that has a fire pit and limestone stone work was non-conforming. He stated that they bought the home with the patio there and asked if the requirement to remove it could be dealt with separately because it is covered in snow. He asked if that might be something that could be addressed in the springtime and someone from the City could come out and help them figure out what is actually okay. He stated that ideally they would like to leave it there, but they understand that some of it is apparently non-conforming.

Vice-Chair Riedel noted that most of the exceptions for things located in setbacks are for things like pathways, docks, and stairs. He noted that it would be unlikely that a patios such as this one would be allowed.

Commissioner Eggenberger explained that if they had not applied for a variance, the patio could remain because they would not be changing anything. He stated that when people apply for a variance, then the City takes a look at everything.

Mr. Gardner stated that it was his understanding the fire pit in the patio area was conforming and acceptable.

Vice-Chair Riedel stated that he believed a built up fire pit would not be allowed within 150 feet of the OHWL.

Planning Director Darling explained that the City had allowed some fire rings and stone circles but nothing that is built up. She noted that the way she wrote the proposed approvals for this project was that they could move forward with the application for the deck even though the patio will be there. She explained that the patio would need to be removed prior to the final inspection of the deck. Vice-Chair Riedel asked if there was anyone in the audience who wanted to speak on this issue.

Shawn Breaux, 19960 Sweetwater Curve, stated that when they go to remove the fire pit, he believes it will require heavy machinery. He asked if there was a separate process that they would need to follow when it comes to things like erosion to ensure that the shoreline is okay.

Vice-Chair Riedel stated that as part of the process they will need things like a silt fence.

Planning Director Darling stated that typically what they would need to do is to use whatever equipment needed to remove it and then restore the ground cover or turf to repair the damage.

Vice-Chair Riedel stated that the most important thing is that whatever contractor their hire to do the work makes sure that they properly install the silt fencing.

Huskins moved, Eggenberger seconded, to recommend approval of the Variance to Setback from OHWL of Silver Lake at 19960 Sweetwater Curve, subject to the two conditions included in the staff report. Motion passed 3/0.

#### B. Variance to Front and Side Setbacks Applicant: Todd Nelson Location: 20980 Ivy Lane

Planning Director Darling explained the request for a variance to the front and side setbacks to build an addition to an existing, non-conforming home. Staff recommends approval of the variance requests but would also acknowledge that the variance criteria are open to interpretation and that there is potential impact to the streetscape in the area. She noted that the City had received two letters of support for this application from the adjacent two homes.

Vice-Chair Riedel noted that Planning Director Darling had discussed other possible locations for the addition and stated that it sounded like she had been in favor of the version that had it on the rear or north side.

Planning Director Darling explained that location would have less of an impact on the streetscape, but it would also not be without potential difficulties.

Commissioner Huskins stated that he had recently driven through the area and the homes on the south side of Ivy are considerably further back from the road and it is just the north side of Ivy that has this issue. He stated that he was also interested in the prominence from the staff report of the option to build the addition in the back. He stated that it is a little disconcerting to be that close to the street, but appreciated the picture that shows that the garage is quite close to the street as well.

Vice-Chair Riedel stated that he also felt the picture was quite compelling and shows how small this lot is.

Todd Nelson, 20980 Ivy Lane, stated that he feels the pictures speak for themselves and show that they are in a predicament. He stated that he has had many discussions with Planning Director Darling about different options and possible locations. He stated that to address her suggestion to build onto the back, there are a number of issues with that option, including how it will impact the current floor plan of the house. He stated that it would involve major reconstruction of the interior of the home because the windows would be looking into the new addition. He noted that

#### CITY OF SHOREWOOD PLANNING COMMISSION MEETING FEBRUARY 7, 2023 Page 6 of 7

it would also require work to be done with the HVAC system. He stated that with what they are proposing it is just adding a living room, moving the stairs and explained that it would be much more simple nor would be require any mechanical systems work. He stated that their plans maintain the current roofline of the house and noted that they will not be as close to the street as the garages that were mentioned. He stated that the developer that they have hired to do the work, if the City approves, lives in a home he just built across the street.

Commissioner Eggenberger asked if Mr. Nelson parks on the street.

Mr. Nelson stated that they have an asphalt parking area and pointed it out on a map.

Commissioner Huskins asked if there was any anticipation that the actual building process may cause any issues for traffic on the road.

Mr. Nelson stated that he did not think so because there is plenty of yard space and would still be room to park their cars. He stated that this is a not a very large structure, so there will also not be a lot of material that would need to be stored on site.

Planning Director Darling explained that if approved, the City will require a construction management plan that would identify these types of details.

Vice-Chair Riedel stated that the addition is about 400 square feet and asked if this project would cease to be worthwhile if they had to bring it in a few feet in order to be further from the road.

Mr. Nelson stated that limit on the width is the stairwell which is where the 16 feet comes from because it is a 12 foot stairwell and a 2 foot bottom landing and a 2 foot top landing. He stated that he feels their plans are as minimal as they could make them considering the space.

Vice-Chair Riedel stated that it appears as though every option may require a variance and noted that another option may be to build up, but that would mean tearing off the existing roof.

Mr. Nelson stated that he had looked into that option and most of the contractors felt it would be better at that point to just tear down and rebuild because the foundation and supports were built in the 1950s and they were not sure they could support another level.

Vice-Chair Riedel stated that he feels the 60 foot right-of-way makes a big difference in this situation because otherwise he would have a harder time recommending approval of an 8 foot setback and building that close to the roadway.

Commissioner Eggenberger stated that he agreed and also took into consideration the difficulties of the lot itself. He stated that it truly appears that the applicant has taken a look at this project every possible way they could and this one seems to be the best solution. He stated that for him, it carries a lot of weight that the two neighbors on either side have given their support of the plans.

Commissioner Huskins stated that given the nature of the neighborhood and the existing structures, he is also in support of this request.

Vice-Chair Riedel noted that it is also in favor, but is also a bit on the fence because the counter argument would be that, as small as the existing house is, it actually may be the right size for that tiny little lot.

Eggenberger moved, Huskins seconded, recommending approval of the variance request to the front and side setbacks for a home addition at 20980 lvy Lane, subject to the condition included in the staff report. Motion passed 3/0.

#### 6. **REPORTS**

#### Council Meeting Report

Council Liaison Maddy gave an overview of recent activities related to Planning that were discussed by the City Council.

Planning Director Darling stated that the City has received 4 additional applications for the vacant Commission openings in the City. She noted that she expects the interviews for those seats to take place on the February 13, 2023.

Council Liaison Maddy stated that this would be Vice-Chair Riedel's last meeting with the Planning Commission and expressed his appreciation to the years of service that he had given to the Planning Commission.

#### • Draft Next Meeting Agenda

Planning Director Darling stated there are quite a few items slated for the March 7, 2023, Planning Commission meeting and gave a brief review of applications she expected to be completed in time for the meeting.

#### ADJOURNMENT

Huskins moved, Eggenberger seconded, adjourning the Planning Commission Meeting of February 7, 2023, at 8:09 P.M. Motion passed 3/0.



City of Shorewood Council Meeting Item

Title / Subject: Location: Applicant:	CUP to Collocate Antennas on an Existing Monopole 24283 Smithtown Road SMJ International, LLC. on behalf of T Mobile
Meeting Date:	February 27, 2023
Prepared by:	Marie Darling, Planning Director
Review Deadline:	April 16, 2023
Attachments:	Planning Memorandum from the February 7, 2023 Meeting Resolution

**Background:** See attached planning memorandum for detailed background on this request. At their February 7, 2023 meeting, the Planning Commission unanimously recommended approval of the conditional use permit, subject to the conditions in the attached resolution.

**Summary of Public Notice and Testimony:** Notice was published in the city's official newspaper and mailed to all property owners within 500 feet of the property at least 10 days prior to the Planning Commission public hearing on November 15, 2022. The applicant was present at the meeting and spoke in favor of the application. No one from the public submitted any comments or requested to speak.

At their meeting, the Planning Commission found the proposed light on the ground equipment acceptable, subject to it being on a timer with an automatic shut-off. Staff added this as a condition as well as providing a fixture that meets the requirements of the lighting section of the zoning regulations.

**Financial or Budget Considerations:** The application fees are adequate to cover the cost of processing the request.

**Recommendation / Action Requested:** Staff and the Planning Commission recommend approval of the request.

**Proposed motion:** Move to adopt the attached resolution approving a conditional use permit Road for SMJ International, LLC. to allow T-Mobile antennas to be collocated on an existing tower at 24283 Smithtown Road, as recommended by the Planning Commission.

Any action on this request would require a simple majority.

**Next Steps and Timelines:** If the item is approved, the applicant would submit the information as required in the attached resolution with a building permit request.

**Mission Statement:** The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.

#6B



### CITY OF SHOREWOOD

5755 Country Club Road • Shorewood, Minnesota 55331 • 952-960-7900 www.ci.shorewood.mn.us • cityhall@ci.shorewood.mn.us

#### **MEMORANDUM**

TO: Planning Commission, Mayor and City Council

FROM: Marie Darling, Planning Director

MEETING DATE: February 7, 2023

APPLICANT: SMJ International LLC. (on behalf of T-Mobile)

REQUEST: C.U.P. for Collocation of Telecommunication Antennas

LOCATION: 24283 Smithtown Road

REVIEW DEADLINE: April 16, 2023

LAND USE CLASSIFICATION: Commercial

ZONING: C-1

FILE NO.: 22.07

#### REQUEST

The applicant, on behalf of T-Mobile, proposes to add telecommunication antennas, six radio receiving units (RRUs), and various other equipment with a new triangular array on the

existing tower. They would also add a new cabinet and equipment on a metal equipment platform within the existing fenced area at the base of the tower.

Notice of this application was published in the City's official newspaper and mailed to all property owners within 500 feet of the property at least 10 days prior to the public hearing.

#### BACKGROUND

<u>Context:</u> The property is currently developed with a car dealership. The existing tower is located behind the dealership and accessory building. It is designed as a monopole at 155 feet tall. It was originally built in 1983 as a tower for telephone switching equipment. Since 1988, it has been used for cell antennas. Antennas have been installed and replaced several times since then.



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In 2022, the City Council approved a similar application for two other providers on the tower (Dish Wireless and ATT).

The properties to the south are all owned by the City of Shorewood as part of the Badger Park/City Hall complex. The properties to the east and west of the subject site are zoned C-1 and developed with a gas station and a car repair business (which is proposed for renovation to an office use). The properties to the north are within the City of Tonka Bay and developed with retail center and a chocolate shop.

#### ANALYSIS

All CUP applications for antennas are reviewed according to the standards listed in section 1201.04 Subd. 1. d. 1. of the zoning regulations, which include the following:

- Consistent with the City's Comprehensive Plan
- Compatible with present and future land uses in the area
- Will not tend to or actually depreciate the area in which it is proposed
- The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.
- Conform to applicable regulations in 1201.03 Subd. 21 (Telecommunications towers and facilities) and other sections of the zoning regulations as may be applicable



#### The Request

The applicant would install a new triangular platform and array at about 126 feet above grade (about center-point of the new antennas). The cables connecting the antennas and RRU's to the ground equipment would be placed inside the tower running between the tower equipment to an ice bridge, then extend to the equipment to be placed on the southwest side of the tower next to the equipment recently approved for ATT. Additional supports would be required to sustain the weight of the additional antennas and the applicant has provided stamped engineered drawings showing improvements needed for all four of the providers antennas (Verizon, Dish, AT&T, and T-Mobile) on the tower.

As shown on the attached plans, the cabinet would be placed on a roughly eight-foot by 18-foot equipment platform. The fence surrounding the accessory equipment would be altered to include the proposed equipment. There are no lights proposed on the ground equipment.

The tower is currently home to an osprey nest. Staff recommends a condition to any approval of the request which only allows the equipment to be added to the tower outside of nesting season.

All CUP applications for antennas are reviewed according to the standards listed in section 1201.04 Subd. 1. of the zoning regulations, which include the following:

- Consistent with the City's Comprehensive Plan
- Compatible with present and future land uses in the area
- Will not tend to or actually depreciate the area in which it is proposed
- The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.
- Conform to applicable regulations in 1201.03 Subd. 21 (Telecommunications towers and facilities) and other sections of the zoning regulations as may be applicable.

#### Findings

<u>Comprehensive Plan</u>: Staff finds that the application is consistent with the intent of the Comprehensive Plan and Zoning Ordinance to encourage additional antennas on existing structures rather than to have additional freestanding towers constructed.

<u>Compatibility with present and future land uses, depreciate area</u>: The ground equipment consists of an equipment cabinet and utility boxes placed near the ground. The equipment would be similar to the existing equipment in the area and not noticed by the traveling public, especially as the trees mature on the City Hall site directly south of the tower. The applicant has not proposed a generator or other equipment which would produce noise.

*Finish*: The antennas and other attachments and accoutrement on the tower should be painted to match the tower to reduce notice of the equipment and impact to the area.

<u>Screening</u>: The ground equipment would be behind the existing accessory building and would be behind the new trees to be planted on the subject property as required for the AT&T collocation application. Staff finds no additional screening would be required.

Public Services: None needed.

#### RECOMMENDATION

Staff recommends approval of the conditional use permit on the finding that the application meets the criteria for review of the application subject to the following conditions:

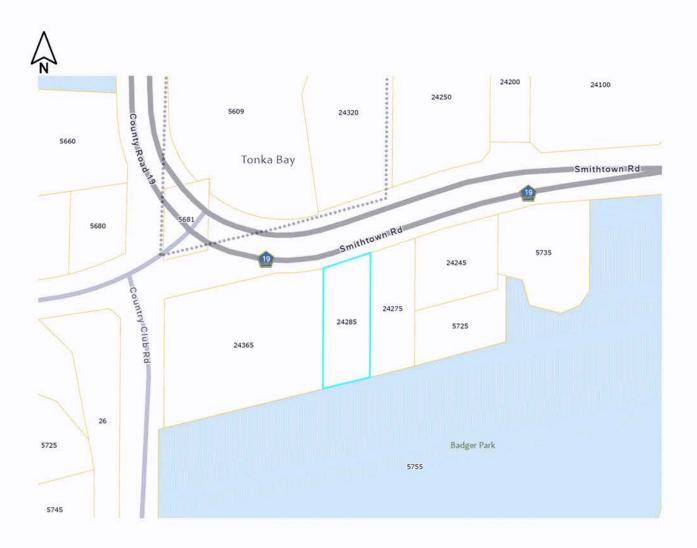
- 1. The applicant must apply for and acquire all necessary building permits prior to beginning any construction on the site and provide third-party inspectors.
- 2. The applicant shall install the new antennas and tower equipment outside of the osprey nesting season.
- 3. No lights shall be added to the tower unless required by the FAA and no lights shall be installed on the ground equipment without additional review.
- 4. Prior to approval of any permit, the applicant shall submit the following:
  - a. Revised plans noting the antennas and all appurtenances on the tower shall be factory coated or painted to match the existing tower.
- 5. All disturbance of the site shall be restored to preconstruction condition by the end of the next growing season.

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#### ATTACHMENTS:

Location Map Applicant's Narrative and Plans

## 24285 Smithtown Road Location Map (Tower is addressed as 24283 Smithtown Road)



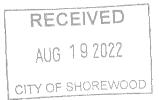
#### **CUP Request Narrative**

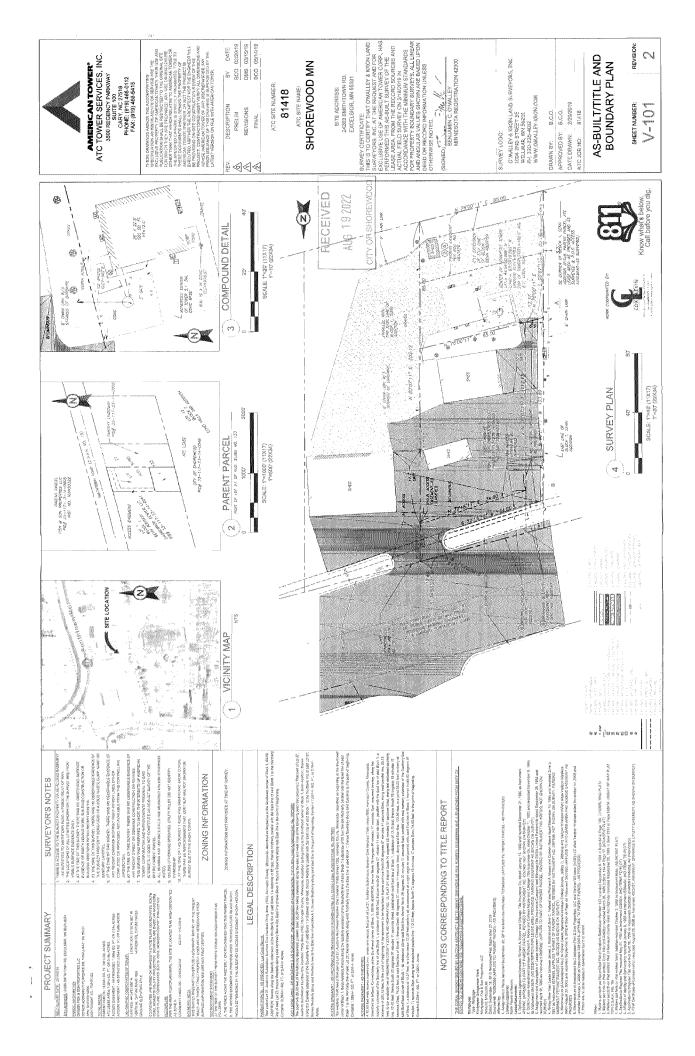
#### ATC Site 81418 24283 Smithtown Rd, Shorewood, MN 55331

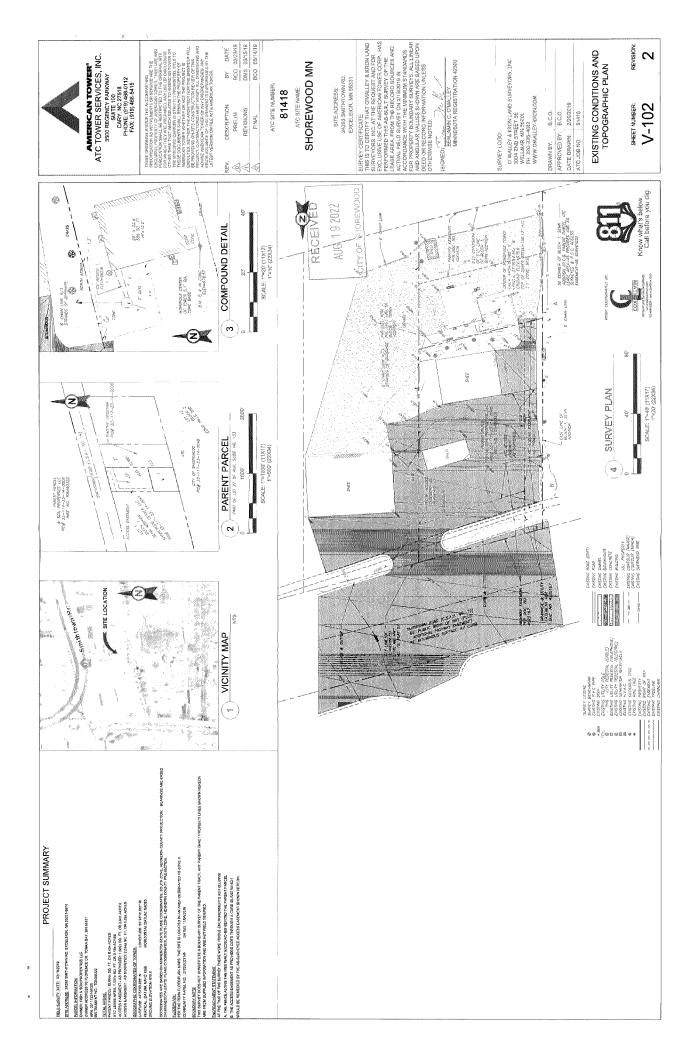
#### Parcel: 3311723140005

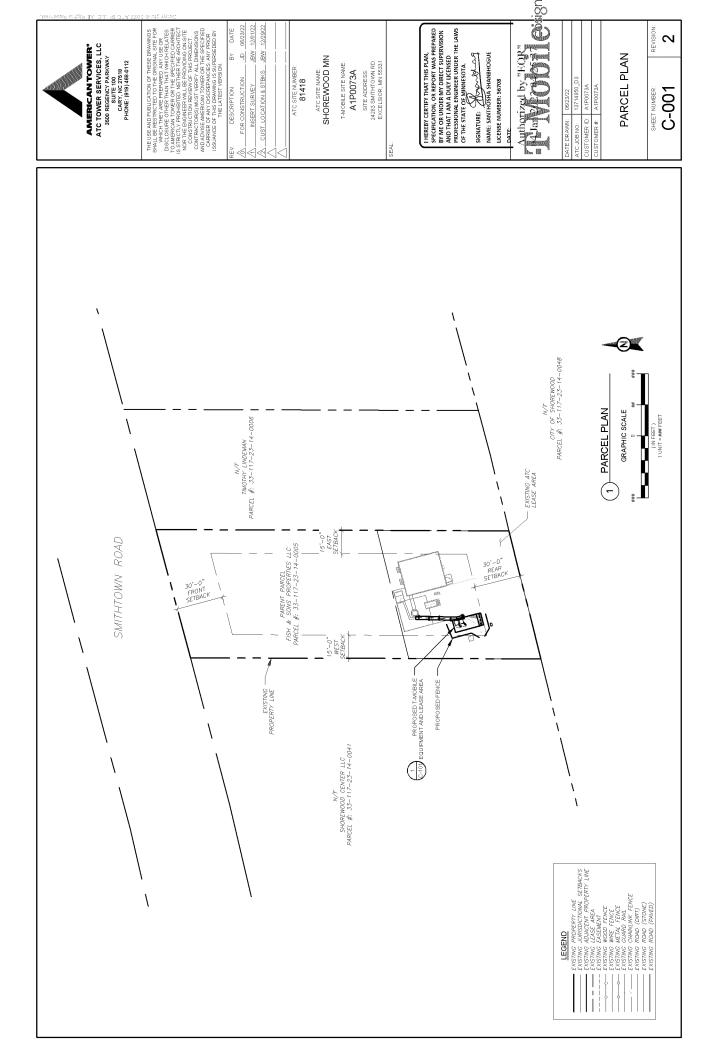
This CUP application is for an existing American Tower monopole. ATC is adding T-Mobile as a new collocation tenant as per the construction drawings submitted. This CUP application adheres to Shorewood Code Sections 1201.03 and 1201.04 as follows:

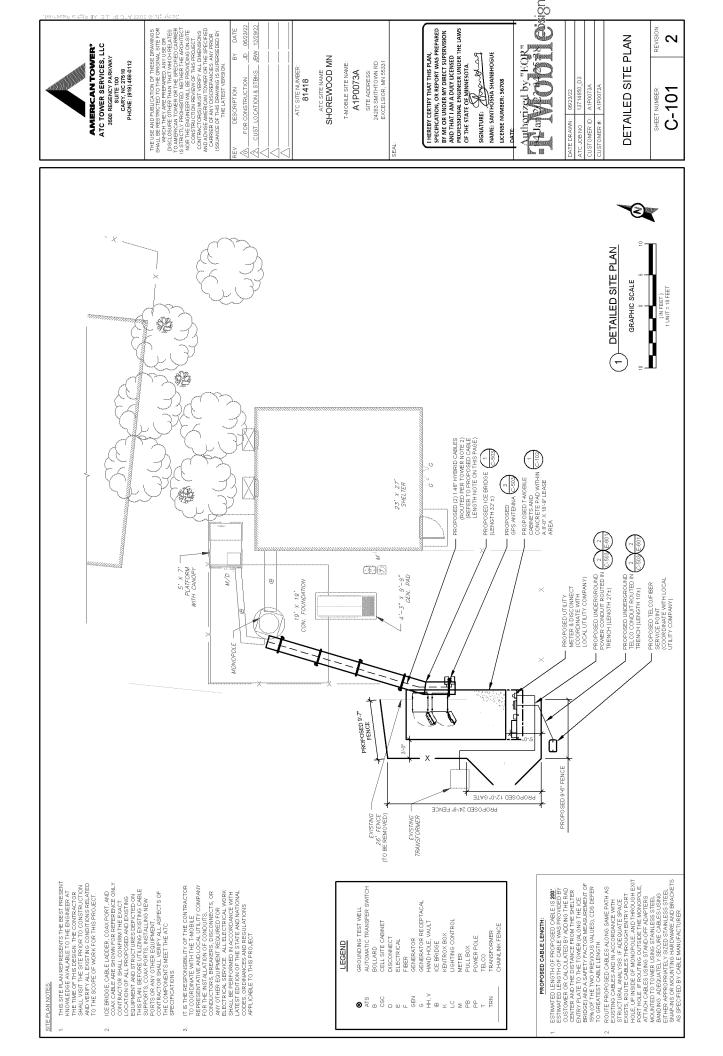
- 1. <u>Complies with Sec. 1201.03</u>, Subd.21 as it complies with the 1996 Telecon Act and is an eligible facilities request.
- 2. Reduces potential adverse impacts by collocating.
- 3. Will not change the height or illumination of the tower.
- 1. <u>Complies with Sec. 1201.04</u> as to submittals and general requirements:
- 1. The tower use is established and consistent with zoning and uses of nearby properties
- 2. Approval will enable collocation.
- 3. The facility has existed for several decades.
- 4. The communications facility provides a desirable service to the public and plays an important role in providing emergency communications.

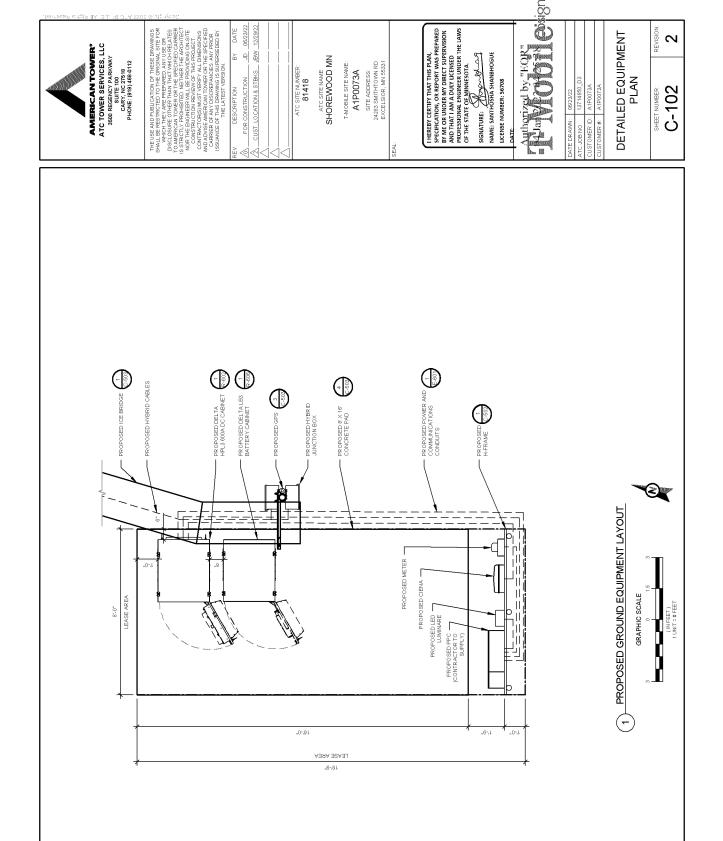


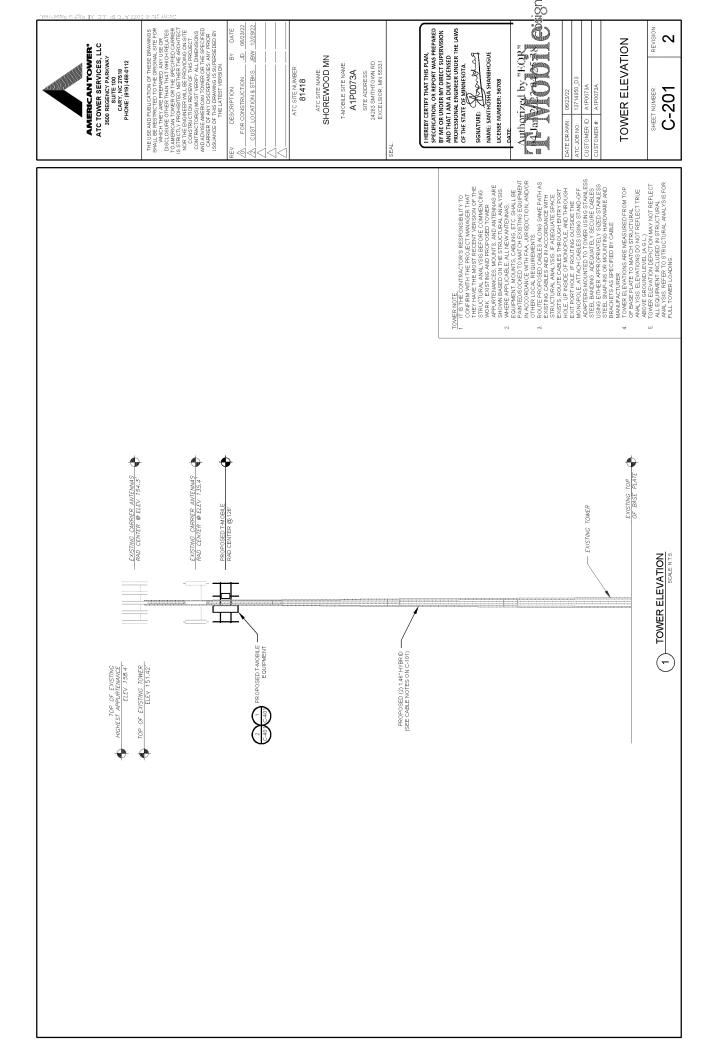


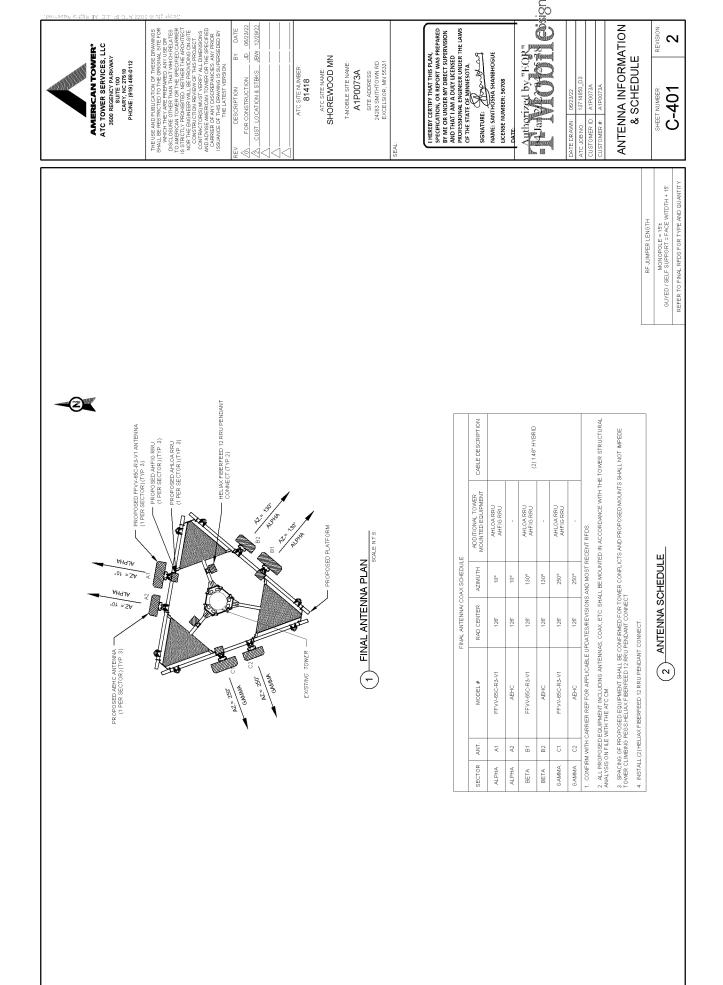


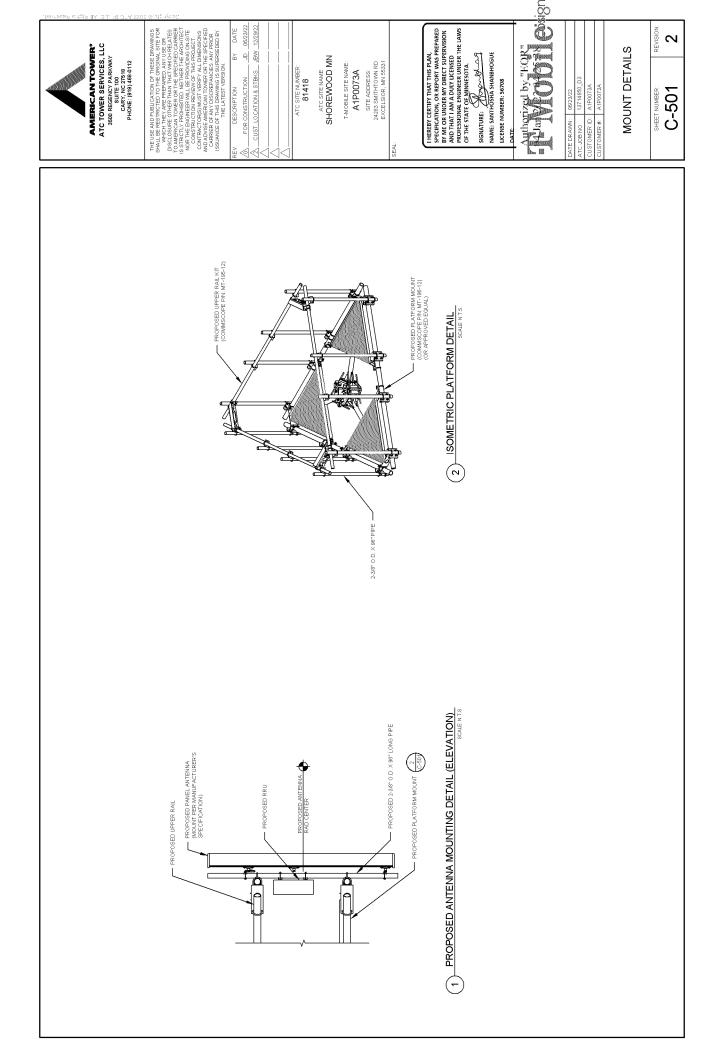


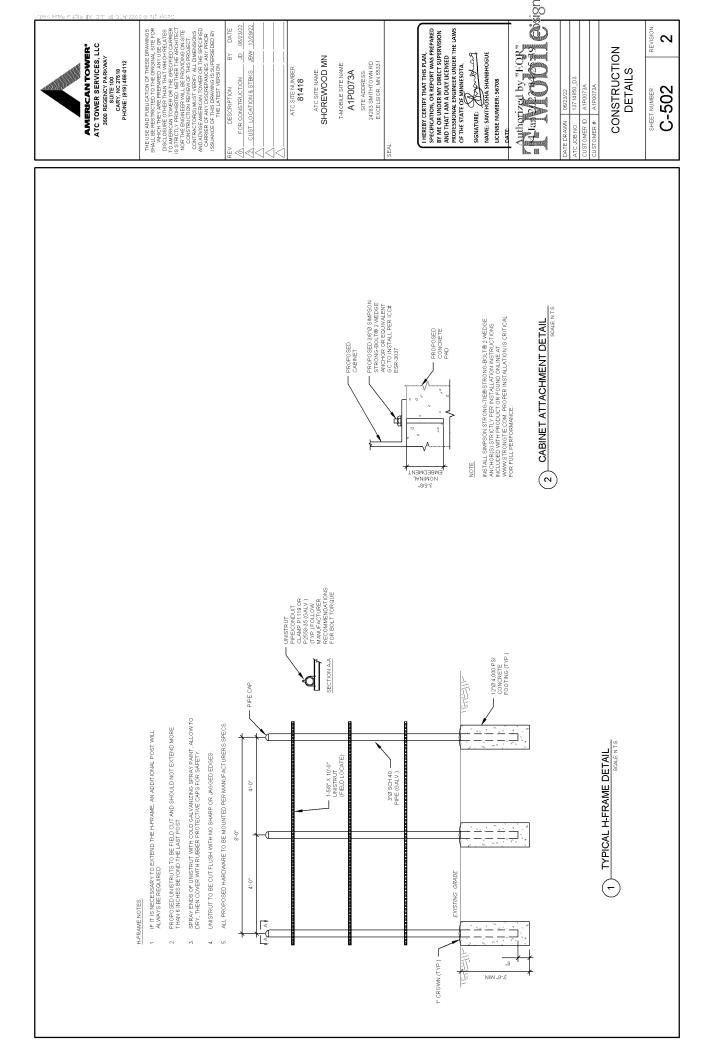


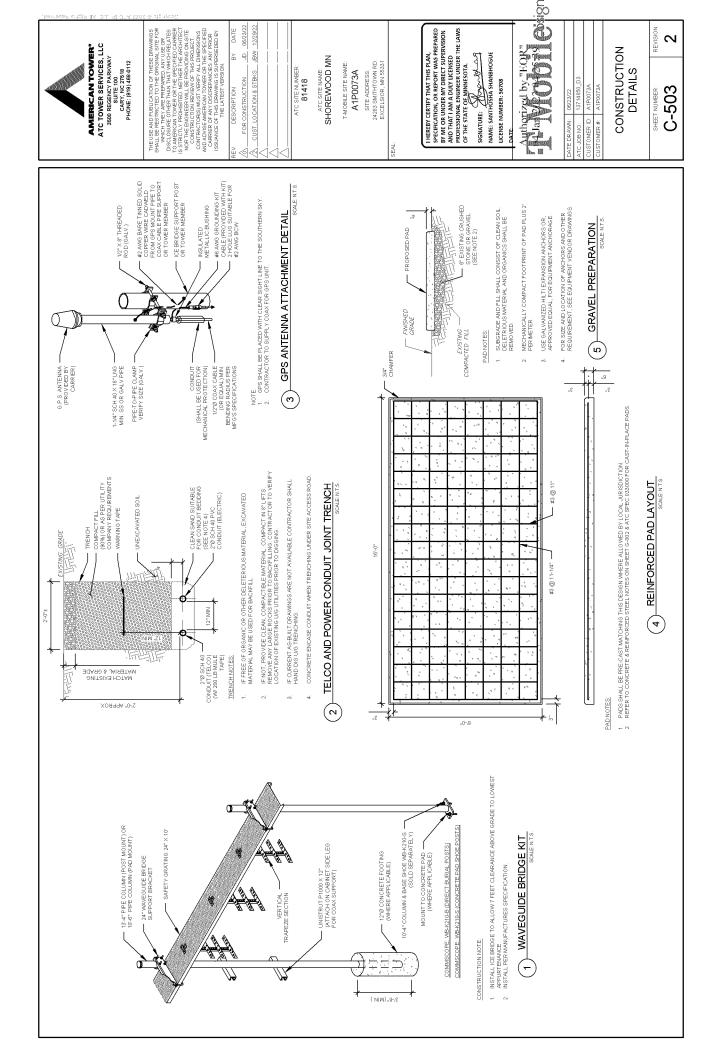


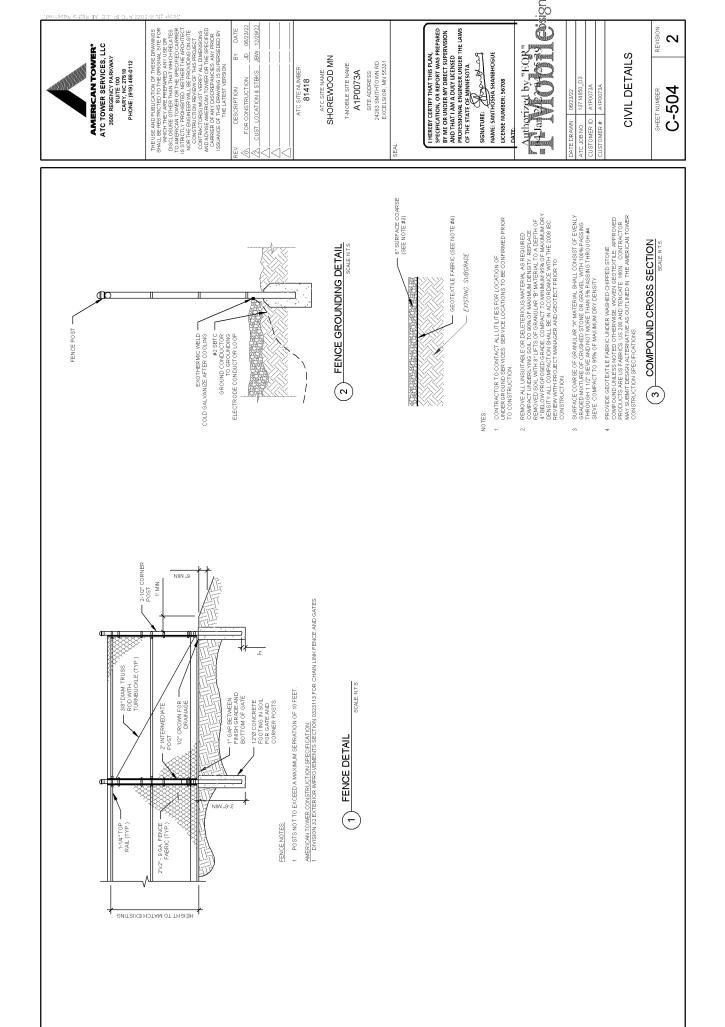


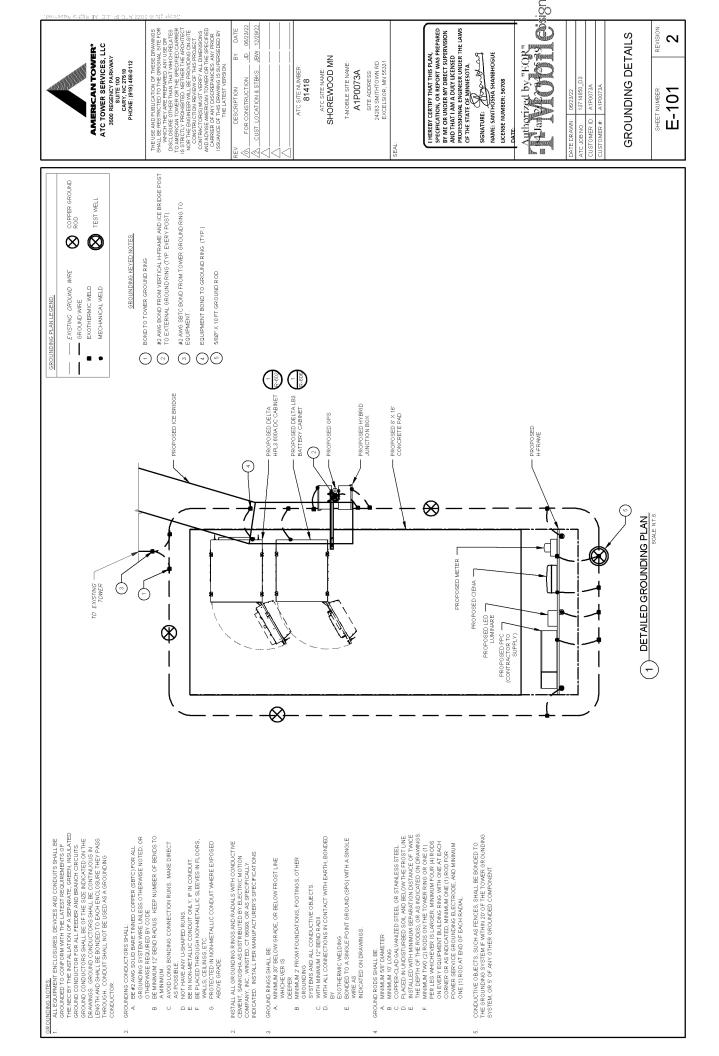


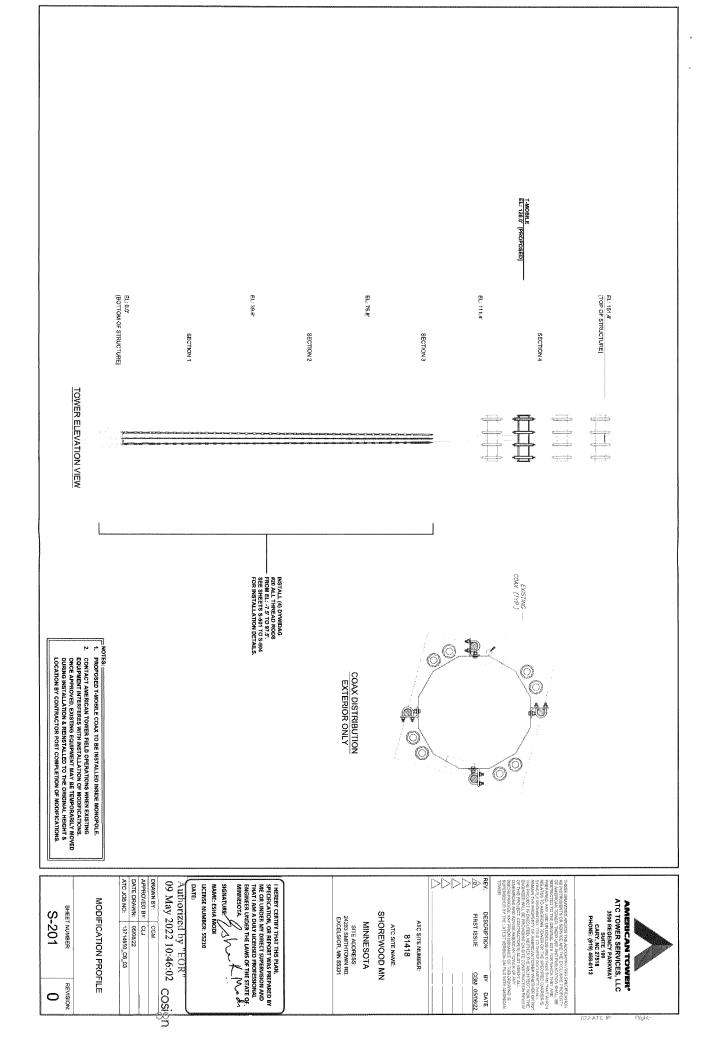


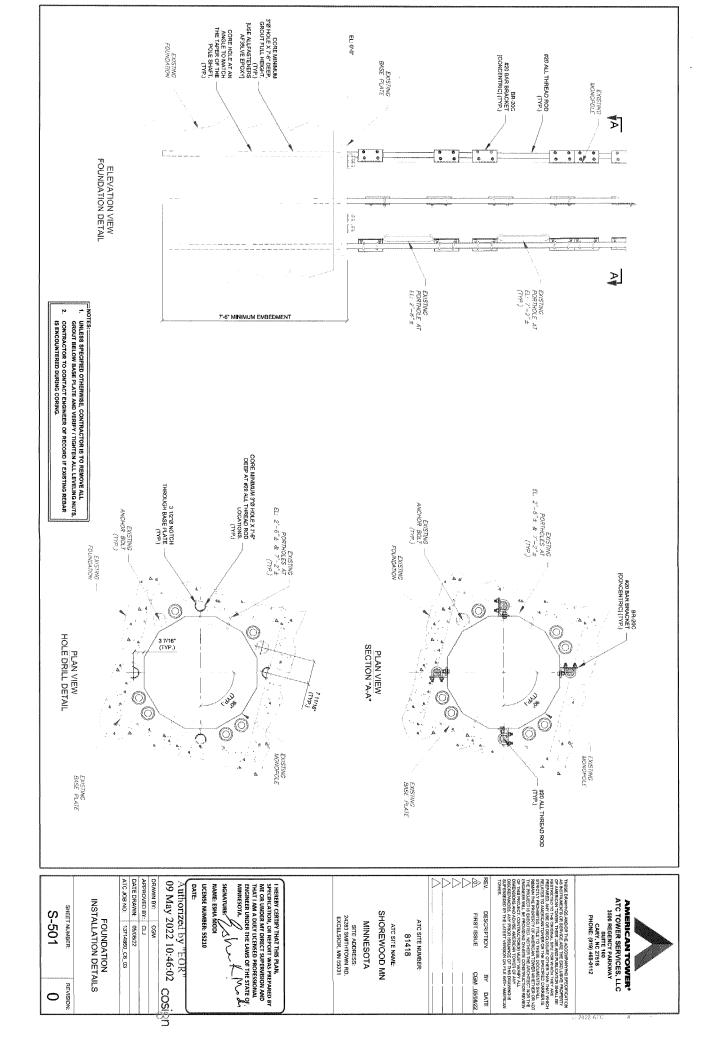


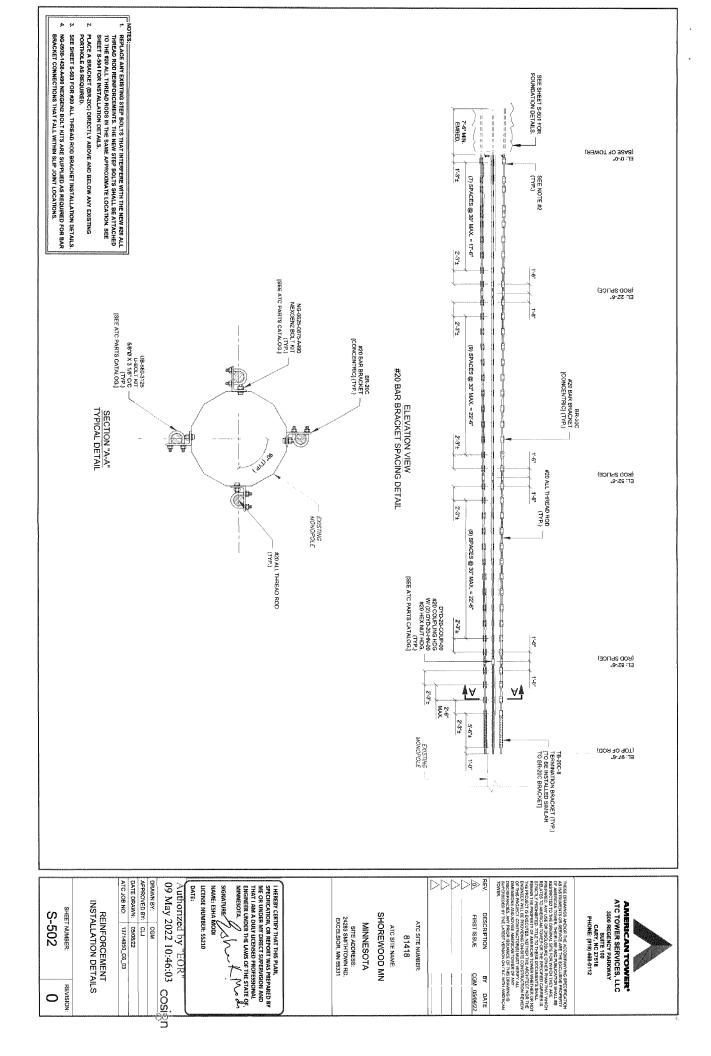












#### RESOLUTION 23-022 CITY OF SHOREWOOD COUNTY OF HENNEPIN STATE OF MINNESOTA

#### A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AN ANTENNA COLLOCATION ON AN EXISTING MONOPOLE AND RELATED EQUIPMENT AT 24283 SMITHTOWN ROAD

**WHEREAS**, SMJ International, LLC. (the "Applicant), on behalf of T-Mobile, has applied to add six telecommunication antennas and other equipment in a triangular array on the existing monopole and add related ground equipment on the property legally described as:

Lot 27, Auditor's Subdivision No. One Hundred Thirty-three (133), Hennepin County, Minnesota, described as beginning at the southeast corner of Block 1, Senn Addition; thence along the easterly extension of the southerly line of said Block 1 a distance of 85 feet; thence northerly parallel with the east line of said Block 1 to the northerly line of said Lot 27; thence westerly along said northerly line to the east line of said Block 1; thence southerly along said east line to the point of beginning.

Subject to a lease agreement dated January 15, 1982 and filed for record December 21, 1982 as County Recorder Document No 4760996 in favor of Chicago Title Insurance Company, amended by lease amendment dated January 15, 1982 and filed for record November 8, 1983 as County Recorder Document No. 4843529; with assignment and assumption of the vendee's interest in said lease in favor of Minneapolis SMSA Limited Partnership, a Delaware Limited Partnership, dated September 28, 1984 and filed for record April 16, 1985 as County Recorder Document No. 4985882; (the "Property") and

**WHEREAS**, the applicant proposes to collocate their equipment on and near the existing monopole tower; and

**WHEREAS**, after required notice a public hearing was held and the application reviewed by the Planning Commission at a regular meeting held on February 7, 2023, the minutes of the meeting are on file at City Hall; and

**WHEREAS**, the City Council considered the application at its regular meeting on February 27, 2023, at which time the Planning Director's memorandum and the Planning Commission's recommendations were reviewed and comments were heard by the City Council from the Applicant, the public and City staff.

**NOW, THEREFORE, BE IT RESOLVED** BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA FINDS AS FOLLOWS:

### **FINDINGS OF FACT**

1. The subject property is located in a C -1 General Commercial district, which allows antenna collocations subject to the approval of a conditional use permit.

2. The applicant's proposal is identified on plans and materials submitted to the City on August 18, 2022 and January 13, 2023 (the "Plans").

3. Conditional Use Permits are reviewed subject to section 1201.04 of City Code.

#### CONCLUSIONS

- 1. The Applicant's plans have satisfied the criteria of a conditional use permit to collocate antennas under the Shorewood City Code.
- 2. The Applicant's plans are consistent with the policies and provisions of the Comprehensive Plan.
- 3. The Applicant's plans indicate the collocation would be compatible with the present and future land uses in the areas and would not tend to depreciate the area.
- 4. The application would not overburden the city's service capacity and existing public services and streets.
- 5. The establishment, maintenance and operation of this use would promote and enhance the general public welfare and would not be detrimental to or endanger the public health and safety.
- 6. The proposed use conforms to the applicable regulations of the district in which it is located and otherwise conforms to the applicable regulations of city code.
- 7. Based upon the foregoing, the City Council hereby grants to the Applicant a conditional use permit to collocate additional antennas, radio receiving units and related equipment on the tower and on a new equipment platform within the existing fenced area as shown on the Plans, subject to the following:
  - a. The applicant may not proceed with improvements prior to issuance of required permits.
  - b. Prior to issuance of permits, the applicant shall revise the plans consistent with city code and as follows:
    - 1) Provide a third-party special inspector and either structural drawings stamped by an engineer or a structural report showing that the tower can support the additional antennas and equipment.
    - 2) The antennas, structural reinforcements, and all equipment installed on the tower shall be painted or factory coated to match the existing monopole.
    - The fixture details for the lights proposed on the H-frame shall be provided and shall be full cut-off fixtures that are on a timer and automatically shut off.
  - c. The applicant shall not install any of the antennas or related equipment on the tower during osprey nesting season or otherwise disturb the nest.
  - d. The applicant shall provide 24-hour emergency contact information and the information shall be kept current and updated as necessary.

- e. The applicant shall not install any lights on the tower (unless required by the FAA).
- f. All disturbance of the site shall be restored to preconstruction condition by the end of the growing season.
- 8. The City Clerk is hereby authorized and directed to record a certified copy of this resolution with Hennepin County.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA this 27th day of February, 2023.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk



City of Shorewood Council Meeting Item

Title / Subject: Location: Applicant:	Variance to OHWL setback for Silver Lake 19960 Sweetwater Curve Gardener Building and Remodeling
Meeting Date:	February 27, 2023
Prepared by:	Marie Darling, Planning Director
Review Deadline:	May 12, 2023
Attachments:	Planning Memorandum from the 2/7/2023 Meeting Resolution

**Background:** See attached planning memorandum for detailed background on this request. At their February 7, 2023 meeting, the Planning Commission unanimously recommended approval of the variance to the setback from the ordinary high water level (OHWL) of Silver Lake to allow construction of a deck attached to the home, subject to the conditions in the attached resolution.

**Summary of Public Notice and Testimony:** Notice was mailed to all property owners within 500 feet of the property prior to the Planning Commission public meeting on February 7, 2023. The applicant was present at the meeting and spoke in favor of the application. No one from the public requested to speak at the meeting or submitted a letter.

**Financial or Budget Considerations:** The application fees are adequate to cover the cost of processing the request.

**Recommendation/Action Requested:** Staff and the Planning Commission recommend approval of the variance from the setback to the OHWL of Silver Lake, subject to the conditions in the attached resolution.

**Proposed motion:** Move to adopt the attached resolution approving a variance to the setback from the OHWL of Silver Lake for Gardener Building and Remodeling for property located at 19960 Sweetwater Curve, as recommended by the Planning Commission.

Any action on this request would require a majority of Councilmembers.

**Next Steps and Timelines:** If the item is approved, the applicant would submit the information as required in the attached resolution with a building permit request and remove the nonconforming patio prior to final inspection of the deck.

**Mission Statement:** The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.

#6C



## CITY OF SHOREWOOD



5755 COUNTRY CLUB ROAD, SHOREWOOD, MINNESOTA 55331-8927 • 952.960.7900 www.ci.shorewood.mn.us • cityhall@ci.shorewood.mn.us

## **MEMORANDUM**

TO:	Planning Commission, Mayor and City Council		
FROM:	Marie Darling, Planning Director		
MEETING DATE:	February 7, 2023		
<b>REQUEST:</b>	Variance to setback from OHWL of Silver Lake		
APPLICANT:	Zach Gardner		
LOCATION:	19960 Sweetwater Curve		
REVIEW DEADLIN	<b>NE:</b> May 12, 2023		
LAND USE CLASS	IFICATION: Low Density Residential		
ZONING:	PUD/S		

FILE NUMBER: 23.01

#### **REQUEST:**

The applicant requests a variance to the setback from the ordinary high water level (OHWL) of Silver Lake in order to expand their deck with a lower level screened porch. The applicants proposed deck is 140.8 feet from the OHWL where 150 feet is required. A portion of the deck would include a two-foot cantilever projection further into the setback.



Notice of this application and the public meeting was mailed to all property owners within 500 feet of the property at least 10 days prior to the meeting.

#### BACKGROUND

<u>Context</u>: The lot was created around 1991 as part of Sweetwater at Near Mountain 4<sup>th</sup> Addition. The home was constructed in 1992.

There is likely wetland along the shoreline of Silver Lake, but no identified FEMA floodplain. The property is within the shoreland district and is riparian to Silver Lane. The property contains mature trees,

#### Page 2

but the proposed project is not subject to the tree preservation policy. No trees are proposed to be removed for the proposed project.

The OHWL for Silver Lake is at 898.1 feet. The Shoreland Regulations were adopted in 1987.

At some point around 2008-9, a previous property owner added a patio within the shoreland setback about halfway between the home and the shore. At around the same time, an adjacent property owner installed play equipment over the property line.

The impervious surface coverage on the property is about 17 percent, not counting the patio mentioned above.

The adjacent properties are all developed with single-family homes and zoned PUD.

#### Applicable Code Sections:

Section 1201.26 subd. 5. a. of the zoning regulations require all structures except stairs, lifts, piers and docks to be setback 150 feet from the OHWL of Silver Lake. Where development exists on both sides of a proposed building site, building setbacks may be altered to more closely conform to adjacent building setbacks. The surveys on file for the properties to the north and south indicate the adjacent homes and decks are 150 or more feet from the OHWL.

#### ANALYSIS

The applicant's narrative is attached and indicates that the property owners propose to replace their aging deck with a larger deck and screen in the area below. Part of the deck would have a cantilevered section that would project another two feet into the setback. In comparing the original survey to the

survey submitted with this application, the OHWL of the Silver Lake is shown closer to the home than it was in 1990. As a result, the home is currently legally nonconforming. Without a variance, the applicants could only replace the previous deck in the same size, shape and location.

The shoreline of Silver Lake meanders and the portion behind the applicants home projects into their lot leaving the homeowners with little area behind the home to build a deck. The previous homeowners had installed a narrower, irregularly shaped deck to meet the setback. (See aerial to the right.)



#### Variance Criteria:

Section 1201.05 subd.3.a. of the zoning regulations sets forth criteria for the consideration of variance requests. These criteria are open to interpretation. Staff reviewed the request according to these criteria as follows:

- 1. *Intent of comprehensive plan and zoning ordinance*: The property owner would continue to use the property for residential purposes.
- 2. *Practical difficulties*: Practical difficulties include three factors, all three of which must be met. Staff finds that the practical difficulties for the property are related to the original location of the home on the lot.

- b. Unique Situation vs. Self-Created: The situation is unique as the home was located with an attempt to meet the setback, but through no fault of this property owner has been found to be closer than was originally required.
- c. *Essential Character*: The deck would not be out of character with the adjacent properties and are a customary improvement. The deck would not impact the essential character of the neighborhood.
- 3. *Economic Considerations*: The applicant has not proposed the variance solely based on economic considerations, but to enhance the livability of the home.
- 4. *Impact on Area*: The property owner is not proposing anything that would impair an adequate supply of light and air to an adjacent property, increase the risk of fire, or increase the impact on adjacent streets.
- 5. *Impact to Public Welfare, Other Lands or Improvements*: Staff finds the deck addition would not be detrimental to the public welfare. The improvements would be customary addition and virtually invisible to other homeowners. The removal of the non-conforming patio within the lake setback would provide regulatory consistency.
- 6. *Minimum to Alleviate Practical Difficulty*: Staff finds the variance request is the minimum necessary to alleviate the practical difficulties on the property.

### FINDINGS/RECOMMENDATION

Staff finds the variance proposal meets the criteria above and recommends approval of the variance. Staff acknowledge that the variance criteria are open to interpretation and the Planning Commission could reasonably find otherwise.

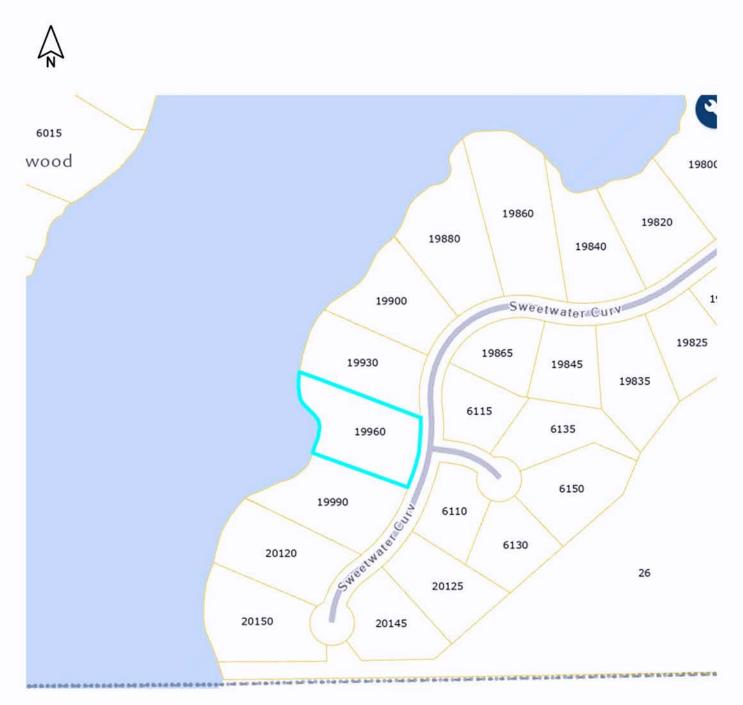
Should the Planning Commission recommend approval of the variance, staff recommends that the following conditions:

- 1. Prior to construction of the deck, the applicant shall acquire all necessary permits.
- 2. Prior to the final inspection of the deck, remove the patio located within the shoreland structure setback.

### ATTACHMENTS

Location map Applicants' narrative and plans

## 19960 Sweetwater Curve Location Map



The homeowners at 19960 Sweetwater Curve have proposed to build a new deck on their property. When the home was purchased in March 2022, there was an existing deck attached to the house but it was in great disrepair. Many deck boards were rotting along with footings that had either sunk or heaved due to long periods of moisture sitting directly at the footings. The old deck has since been removed for safety purposes.

The proposed deck is slightly larger than the previous and seeks to add a screened in porch below. After consulting with structural engineers and concrete contractors, it was suggested to add full frost-depth footings and block walls into the ground to support the new deck, concrete slab, and screen porch. Without the footings/block walls there would be an extreme risk for the deck to heave as it had previously (due to the high water table on the property).

The square footage of the proposed deck is ~ 620 sq. ft. (not including the stairs which, pursuant to Chapter 1201.26, Subd. 5.a - NE Natural Environment, the code does not apply to stairs). We understand that this structure would add to the impervious surface coverage on the lot but given the lot width of 162.22 ft (see Certificate of Survey) and a 150' setback from the OHWL we would only encroach upon 2.5% of the impervious surface area in the setback. And that surface coverage percentage is significantly reduced when factoring the size of the entire lot (and including the house and driveway) and keeps us under the total allowed 25% impervious surface coverage maximum.

We believe our request for the variance complies with all standards set forth in Section 1201.05 of the Shorewood Zoning Regulations as follows (response in RED):

(1) The variance, and its resulting construction and use, is consistent with the intent of the comprehensive plan and in harmony with the general purposes and intent of this chapter. We understand that the natural and aesthetic quality of the lakeshore is important to preserve and that trees and vegetation are valuable assets not only to the lakeshore but the community. These features are exactly what drew the homeowners to the property in the first place. We only seek to build a deck upon ground that contains no trees or other vegetation (besides grass) and does not affect the lakeshore in the slightest.

(2) The applicant has established that there are practical difficulties in complying with this chapter. Practical difficulties mean:

(a) The property owner proposes to use the property in a reasonable manner not permitted by this chapter; The homeowners want to build a new deck on the home so they might enjoy more of the natural beauty of the lakeshore and wildlife. The OHWL currently prohibits building where we wish to put this deck.

(b) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and The home was built directly up to the 150' variance of the OHWL, therefore making it impossible for any future homeowner to build any structures closer than the house currently sits.

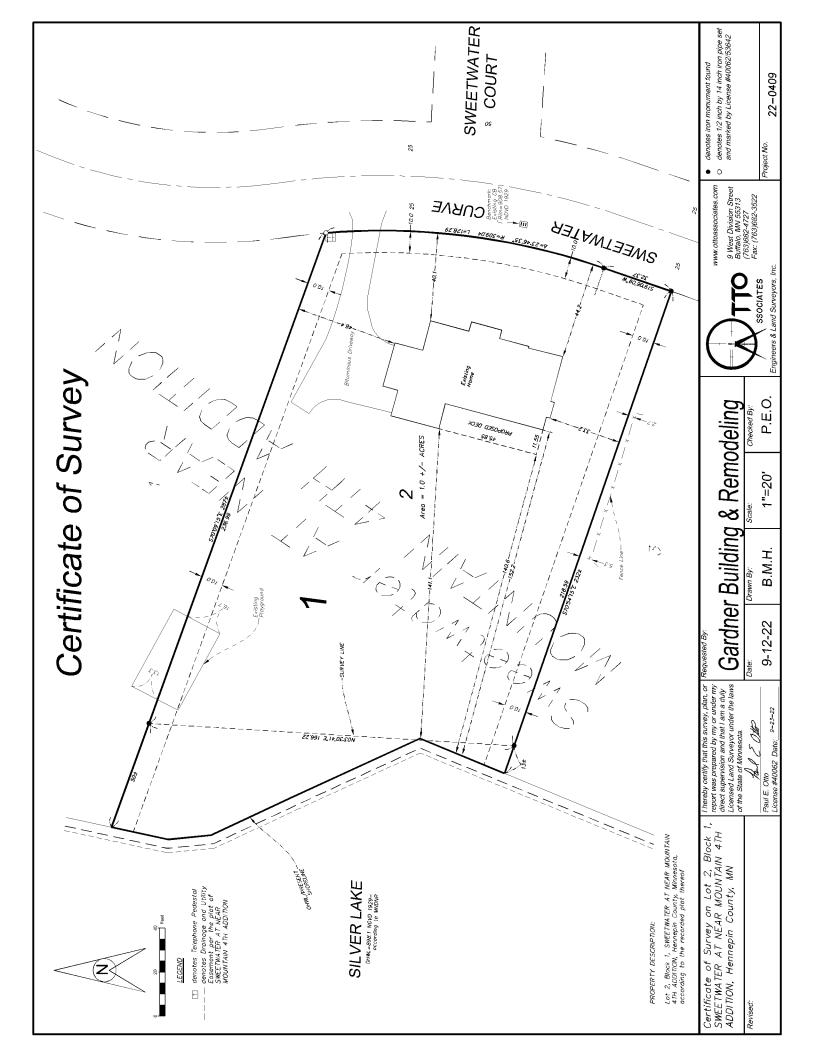
(c) The variance, if approved, would not alter the essential character of the locality. We seek only to build a deck on the back of the home.

(3) The variance would not be based exclusively on economic considerations. There are many factors for why this variance would be granted (see answers above)

(4) The variance shall not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in the public street, or increase the danger of fire or endanger the public safety. The deck will follow the basic structure of the home and should not have any impairment of light or air supply to the adjacent property. Nor would this have any affect on street congestion or endanger the public.

(5) The variance, and its resulting construction or project, would not be detrimental to the public welfare, nor would it be injurious to other land or improvements in the neighborhood. The variance would only be on the homeowners property and would not affect public welfare nor have any impact on land or improvements in the neighborhood.

(6) The variance is the minimum variance necessary to address or alleviate the practical difficulties. The maximum depth of impervious surface needed from the house is 12'. Due to normal building conditions and slight variations during the building process we request 16' of variance into the OWHL.



JAN 0 9 2023

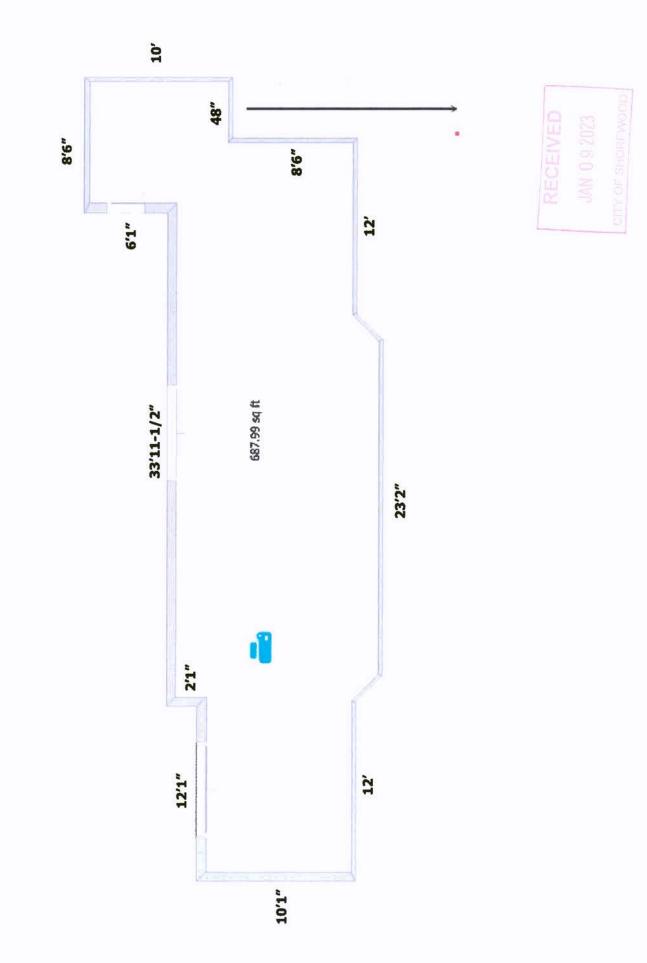


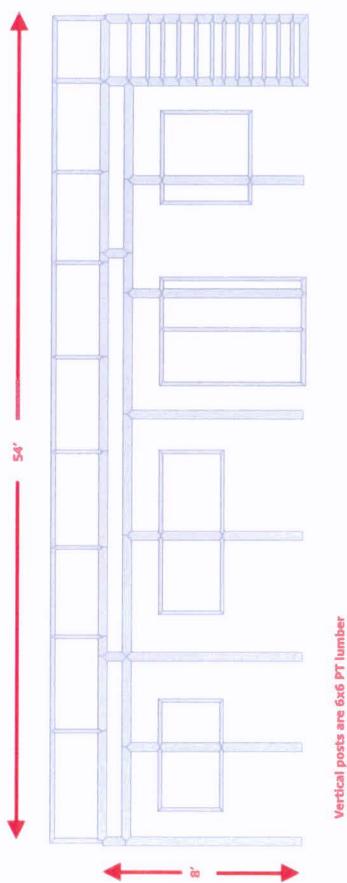
Existing

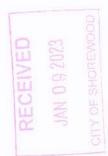




Proposed







Vertical posts are 6x6 PT lumber resting on concrete slab (which rests on a footing and foundation wall)

#### **RESOLUTION 23-023**

#### CITY OF SHOREWOOD COUNTY OF HENNEPIN STATE OF MINNESOTA

#### A RESOLUTION APPROVING A VARIANCE TO THE OHWL SETBACK FOR SILVER LAKE FOR A PROPERTY LOCATED AT 19960 SWEETWATER CURVE

**WHEREAS,** Gardner Building and Remodeling, (the "Applicant") proposed to install a deck on the back of a home that would be 140.8 feet from the ordinary high water level (OHWL) of Silver Lake on property legally described as:

Lot 2, Block 1, Sweetwater at near Mountain 4<sup>th</sup> Addition, Hennepin County, Minnesota, according to the recorded plat thereof; (the "Subject Property") and,

**WHEREAS**, the Applicant has applied for a variance to allow the deck addition to be 140.8 feet from the OHWL where 150 feet is required; and

**WHEREAS**, the Applicant's request was reviewed by the planning staff, whose recommendation is included in a memorandum for the February 7, 2023 Planning Commission meeting, a copy of which is on file at City Hall; and

**WHEREAS**, the Planning Commission held a public meeting on February 7, 2023 to review the application, the minutes of the meetings are on file at City Hall; and

**WHEREAS**, the City Council considered the application at its regular meeting on February 27, 2023, at which time the planning staff memorandum and the Planning Commission's recommendations were reviewed and comments were heard by the City Council from the Applicant, staff and public.

**NOW THEREFORE**, **BE IT RESOLVED** THAT THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA FINDS AS FOLLOWS:

#### **FINDINGS OF FACT**

1. The subject property is located in the PUD zoning district, which requires all buildings to be set back 150 feet from the OHWL of Silver Lake.

2. The existing lot was created in 1991 and existing home was constructed in 1992.

3. Section 1201.05 of the zoning regulations provides that the purpose of a variance is to allow a process to deviate from the strict provision of the zoning regulations when there are practical difficulties, and the action is the minimum to alleviate the practical difficulties.

4. Section 1201.05 of the zoning regulations includes criteria for making the above determination.

5. The Applicant's proposal is identified on the application materials and plans submitted on January 9 and 12, 2023 (the "Plans").

#### CONCLUSIONS

A. Based upon the foregoing, and the records referenced herein, the City Council hereby approves the Applicant's request to construct a dock at 140.8 feet from the OHWL of Silver Lake where 150 feet is required consistent with the Plans.

B. The City Council finds the variance request for a deck and its resulting construction and use, is consistent with the intent of the comprehensive plan and in harmony with the general purposes and intent of the zoning regulations.

C. The City Council finds that the request specifically demonstrates practical difficulties based on the location of the original construction of the home on the property. The deck is a reasonable residential use, the issue that the original home construction is closer to the OHWL than currently allowed and that the deck would not alter the essential character of the neighborhood.

D. The City Council finds that the improvements proposed are not solely based on economic considerations, but to enhance the livability of the home.

E. The City Council finds that the deck would not impair an adequate supply of light and air to an adjacent property, increase the risk of fire or increase the impact on adjacent streets.

F. The City Council finds that the deck would not be detrimental to the public welfare nor would it be injurious to other lands or improvements in the neighborhood.

G. The variance is the minimum variance necessary to address or alleviate the practical difficulties caused by the original construction.

H. The variance approval shall be subject to the following conditions:

- 1. Prior to beginning any construction on the Property, the applicant shall acquire all necessary permits.
- 2. Prior to the final inspection of the deck, remove the detached patio located within the 150-foot setback to the OHWL of Silver Lake.

I. The variance shall expire one year after approval unless the applicant has completed the project, or an extension has been requested in accordance with Section 1201.05 Subd. 3 of City Code.

J. The City Clerk is hereby authorized and directed to provide a certified copy of this resolution for filing with the Hennepin County Recorder or Registrar of Titles.

## **ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA** this 27th day of February, 2023.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



City of Shorewood Council Meeting Item

Title / Subject: Location: Applicant:	Variances to front and side setbacks 20980 Ivy Lane Todd Nelson
Meeting Date:	February 27, 2023
Prepared by:	Marie Darling, Planning Director
Review Deadline:	April 28, 2023
Attachments:	Planning Memorandum from the 2/7/2023 Meeting Resolution

**Background:** See attached planning memorandum for detailed background on this request. At their February 7, 2023 meeting, the Planning Commission unanimously recommended approval of the following variances:

- An 8.5-foot front setback
- A combined 17.7-foot, side-yard setback where 30 feet is required with the east side at 5.4 feet where a minimum of 10 feet is required

**Summary of Public Notice and Testimony:** Notice was mailed to all property owners within 500 feet of the property prior to the Planning Commission public meeting on February 7, 2023. The applicant was present at the meeting and spoke in favor of the application. No one from the public requested to speak at the meeting, but two neighbors submitted letters supporting the request.

**Financial or Budget Considerations:** The application fees are adequate to cover the cost of processing the request.

**Recommendation / Action Requested:** Staff and the Planning Commission recommend approval of the variances, subject to the conditions in the attached resolution.

**Proposed Motion:** Move to adopt the attached resolution approving variances to the front and side setbacks for Todd Nelson for property located at 20980 Ivy Lane, as recommended by the Planning Commission.

Any action on this request would require a majority of Councilmembers.

**Next Steps and Timelines:** If the item is approved, the applicant could submit the information as required in the attached resolution with a building permit request.

**Mission Statement:** The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.

#6D

MEETING TYPE Regular Meeting



## CITY OF SHOREWOOD

5755 COUNTRY CLUB ROAD, SHOREWOOD, MINNESOTA 55331-8927 • 952.960.7900 www.ci.shorewood.mn.us • cityhall@ci.shorewood.mn.us

## **MEMORANDUM**

TO:	Planning Commission, Mayor and City Council		
FROM:	Marie Darling, Planning Director		
MEETING DATE:	February 7, 2023		
<b>REQUEST:</b>	Variances to front and side setbacks for a home addition		
APPLICANT:	Todd Nelson		
LOCATION:	20980 Ivy Lane		
REVIEW DEADLIN	<b>NE:</b> April 28, 2023		
LAND USE CLASS	<b>IFICATION:</b> Low to Medium Density Residential (3-6 units/acre)		

ZONING: R-1D/S

FILE NUMBER: 22.15

### **REQUEST:**

The applicants request variances in order to build an addition to an existing, nonconforming home. The applicants propose to construct the addition with:

- An 8.25-foot front-setback where a minimum of 30 feet is required
- A combined 17.7-foot side-yard setback where 30 feet is required with the east side at 5.4 feet where a minimum of 10 feet is permitted

Under the plan, the addition would provide area on two levels with a living room on the main floor and mechanical/storage space below.

Notice of this application and the public meeting was mailed to all property owners within 500 feet of the property at least 10 days prior to the meeting.



#### Page 2

#### BACKGROUND

<u>Context</u>: The lot was created around 1920 as part of Minnetonka Manor subdivision, with additional subdivision and consolidation after the original plat was recorded (prior to modern record keeping). The home was constructed in 1953.

The property is within the shoreland district for Lake William and the property is riparian (adjacent to lakeshore). The property contains mature trees but is not subject to the tree preservation policy.

The adjacent properties are all developed with single-family homes and zoned R-1D\S.

In 2020, the City granted a variance to the property owner at 20940 Ivy Lane to expand a non-conforming garage. The garage was previous and is now at four feet from the front property line. (See blue structure in the photo to the right.) The adjacent property at 4880 Rustic Way includes a legally non-conforming garage at three feet from the front property line.

Applicable Code Sections:

The R-1D section of code requires the following setbacks: Front 30 feet, Rear 35 feet, Side 10 feet.



Section 1201.26 Subd. 5 (shoreland regulations) requires a combined side-yard setback of 30 feet, with no one side less than 10 feet.

Section 1201.03 subd. 3. d. of the zoning regulations states: "Where adjacent residential structures within the same block have front yard setbacks different from those required, the front yard minimum setback shall be the average of the adjacent structures." Staff notes that the two adjacent structures are located 21 feet from their respective property lines.

Subd. 1201.03 Subd. 1 i. states that lawful nonconforming, single-family residential units may be expanded without variance, subject to the following:

- The expansion cannot increase the nonconformity and complies with the height and setback requirements of the district in which it is located
- The expansion can't exceed a floor area/lot area ratio of 30 percent
- The expansion can't adversely affect the aesthetics or character of the adjacent property
- The expansion shall take into consideration the protection of light and air to the adjacent property
- The city may enlarge the opposite required yard space by an equivalent amount on the opposite side

The applicants' proposal to add an addition does not qualify for the above exception, as the proposed addition does not meet the required setback.

Impervious Surface Coverage

	Required	Existing	Proposed
Impervious Surface Coverage	25 % (max.)	11.7 %	14.3 %

Page 3

#### ANALYSIS

The applicants' narrative is attached and indicates that the property owners propose the variances to add more living area to their home. They propose to add living space to the south (Ivy Lane) side of their home as their lot is wedge shaped and narrows on the north (lake) side. They also state that adding living area to the north side of their home would block their neighbors view of the lake.

#### Variance Criteria:

Section 1201.05 subd.3.a. of the zoning regulations sets forth criteria for the consideration of variance requests. These criteria are open to interpretation. Staff reviewed the request according to these criteria as follows:

- 1. *Intent of comprehensive plan and zoning ordinance*: The applicants propose to use the property for residential purposes, which is consistent with the Comprehensive Plan and the intent of the Zoning ordinance.
- 2. Practical difficulties: Practical difficulties include three factors, all three of which must be met.
  - a. *Reasonable*: The applicants have proposed reasonable residential uses on the property.
  - b. Unique Situation vs. Self-Created: The setback variance is due to a unique situation and was created by the previous subdivision and re-subdivision of the property prior to modern zoning rather than being self-created. The lot is smaller than would be allowed by today's standard (about 8,700 square feet where 10,000 feet is required) and narrower (about 40 feet where 100 feet is required). The pie-shape of the lot also contributes to the unique circumstances. The applicants have very limited potential to add onto their home without a variance request.
  - c. *Essential Character*: Many of the homes along Ivy Lane are constructed closer to the street than required by the current regulations. This request, however, would create the closest home from the front property line along Ivy Lane. An addition in the back would have less impact on the street scape.
- 3. *Economic Considerations*: The applicants have not proposed the variance solely based on economic considerations, but to increase the livability of the home.
- 4. *Impact on Area*: The property owner is not proposing anything that would impair an adequate supply of light and air to an adjacent property, or increase the risk of fire. Ivy Lane has a 60-foot right-of-way, which is slightly wider than typical for a residential street.
- 5. *Impact to Public Welfare, Other Lands or Improvements*: The variances could have a limited impact to the public welfare and other lands and improvements due the addition's proximity to the street. The impact of an addition on the north side of the home would be less impactful to the street scape. The applicants stated that an addition would block the neighbor's views, but both the neighboring homes have decks or additions further north than the applicants' home.
- 6. *Minimum to Alleviate Practical Difficulty*: Staff finds the home on the property is not likely to be able to be expanded without a variance. However, an addition on the north side of the home would minimize the number of variances.

#### FINDINGS/RECOMMENDATION

Staff finds the proposed variances meets the majority of the variance criteria and recommends approval of the front and side yard variance for the addition. Staff acknowledge that the variance criteria are open to interpretation and with there is potential impact on the area. Consequently, the Planning Commission could reasonably find otherwise.

Staff recommends that if the Planning Commission recommends approval that the applicants be required to acquire all necessary permits prior to construction of the addition.

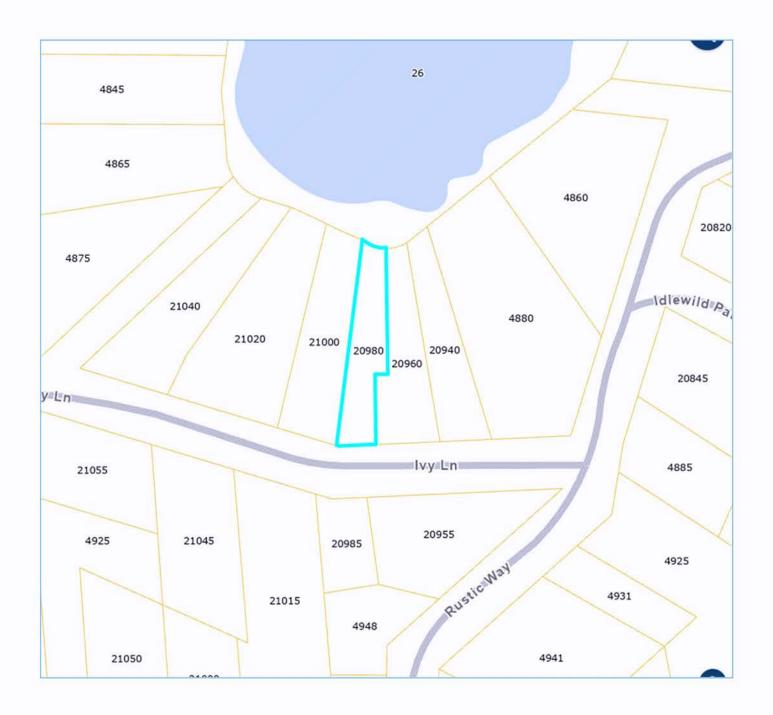
#### ATTACHMENTS

Location map Applicants' narrative and plans Correspondence Received

S:\Planning\Planning Files\Applications\2023 Cases\20980 Ivy Lane Var\PC memo.docx

# 20980 Ivy Lane Location Map

 $\mathbb{A}$ 



Todd Nelson 20980 Ivy Lane, Shorewood, MN 55331

The Nelson family at 20980 Ivy Lane consists of a mother, a father and a 5-year-old boy. We are raising our son in this neighborhood, and we have family in this neighborhood. The current congested space we live in makes it very burdensome and difficult to function as a family. Our kitchen is very small and very difficult to live in. We are going to be living in this house for the rest of our lives, and our child will be here through graduation in 2036. This is our home, and we are struggling to function with the limited space. The addition proposed will greatly increase the quality of our lives, as we can then move the stairs to the new space and hence make the kitchen area larger and more habitable.

The property at 20980 Ivy Lane, Shorewood MN 55331 is very narrow and forms a wedge type shape and as a result, has significant constraints that create an unfair and unreasonable burden on the family. The practical difficulties are apparent when observing this lot. The lot protrudes to the north in a narrowing fashion, which creates increasing constraints as well as visual encroachments on the neighbors and the lake views. The close proximity of the houses to the property lines of neighbors on both sides of the subject creates an unfair challenge and hardship that requires a variance to solve.

The owner is proposing a 16' X 24' addition for livable space in the form of 1 single room/living room. This space will include extending the basement- and first floor. The new space will allow for the current location of the stairs in the kitchen to be moved to the new living room. The relocation of the stairs will then allow the kitchen to be expanded. The added basement space will be used for storage and mechanical purposes. The roof pitch will remain the same (5/12) and blend seamlessly into the existing structure. New cedar/cottage type siding and roof as well as doors and windows will create an appealing structure for the neighborhood. The Nelson Addition will not alter the essential character of the neighborhood in any way, in fact, the new structure will blend in well with the current and new homes in the area.

The owner is also seeking a side yard variance. The current structure's East side property line distance from the house is 3.4 feet. The New Addition will have a distance of 5.4 feet at its closet east side corner. (see site plan). The west side closest distance to property line will be unchanged. This is a net improvement in east side distance that will benefit all parties concerned.

The proposed structure is consistent with other homes and structures in the area. To name just a few homes and structures that are closer to the property line and street than the proposed structure would be, and in our immediate 2 block area:

- 1) 20960 Ivy Ln, Shorewood, New large garage
- 2) 4880 Rustic Way, Shorewood Garage, which is next to 20960 lvy Lane
- The variance, if approved would not alter the essential character of the locality.
- The variance and its use is consistent with the intent of the comprehensive plan and in harmony with the general purpose and intent of the zoning regulations
- The property owner is proposing to use the property in a reasonable manner, but which is not permitted by the chapter.

- The plight of the owner is due to circumstances unique to the property and not created by the landowner
- The variance would not alter the essential character of the locality.
- This variance is the minimum variance necessary to address and alleviate the hardship and burden historical property line decisions have placed on the owner.

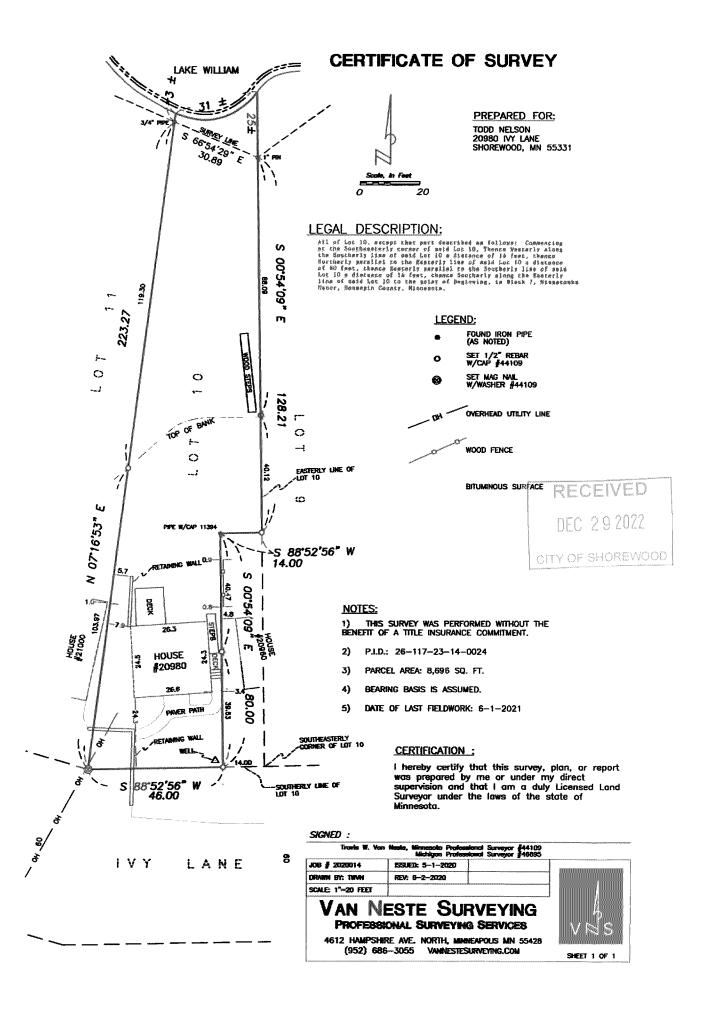
## **Existing and Proposed Impervious Surface Calculations:**

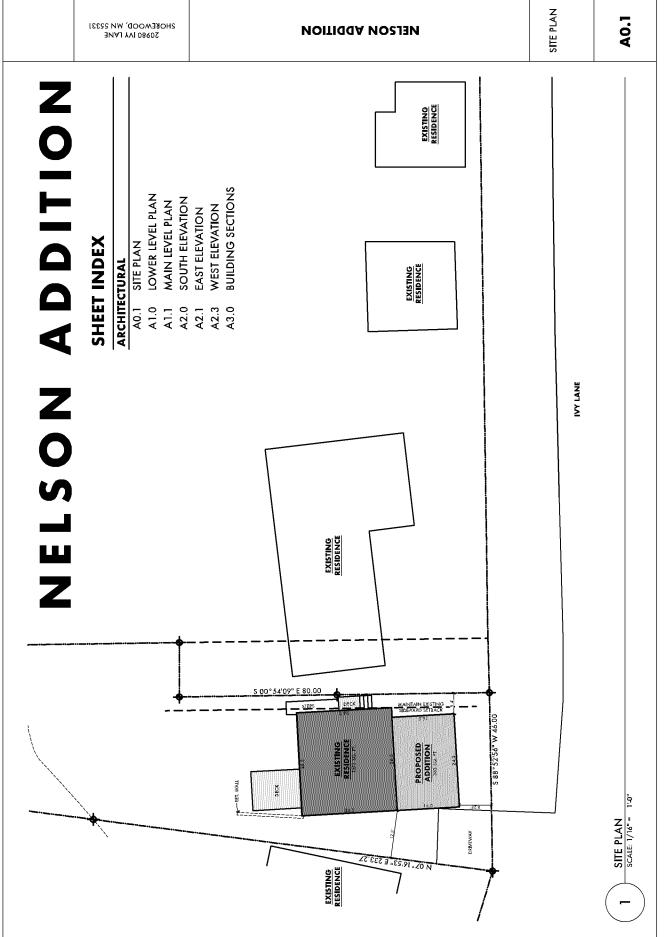
These calculations include the current structure and the asphalt driveway.

Existing Impervious surface calculation:

**Current** structure 625 sqft + driveway 325 sqft + 75 sqft sidewalk divided by total sq ft of lot 8712 sqft = .117

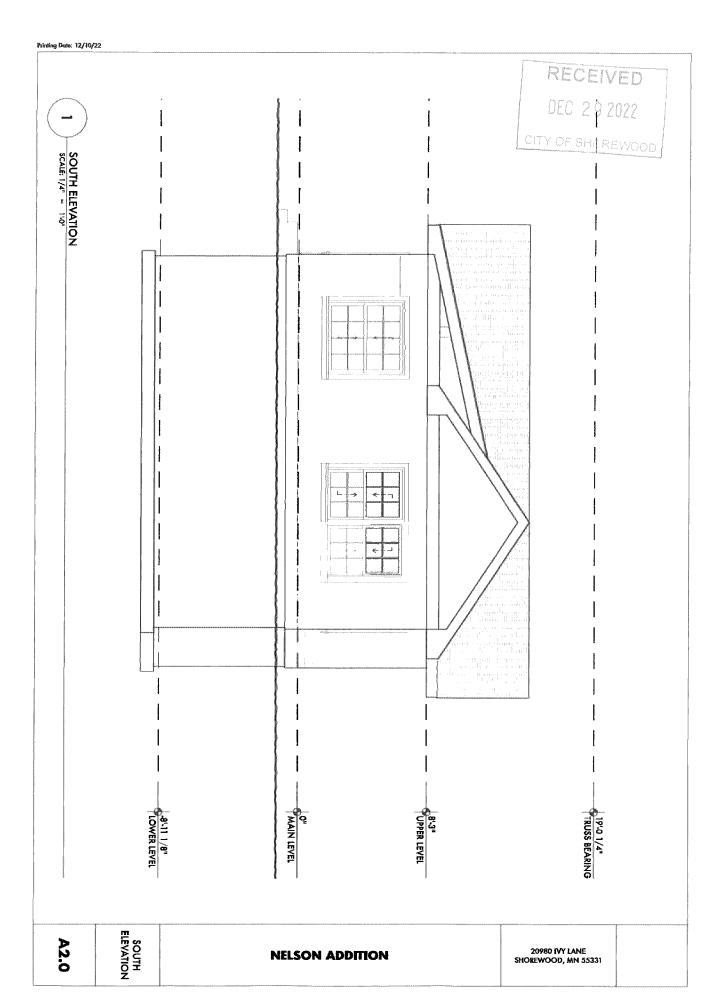
**Proposed** structure 960 sqft + driveway 325 sqft - 75sqft sidewalk + 36 sqft new sidewalk divided by total sqft of lot 8712 = .143



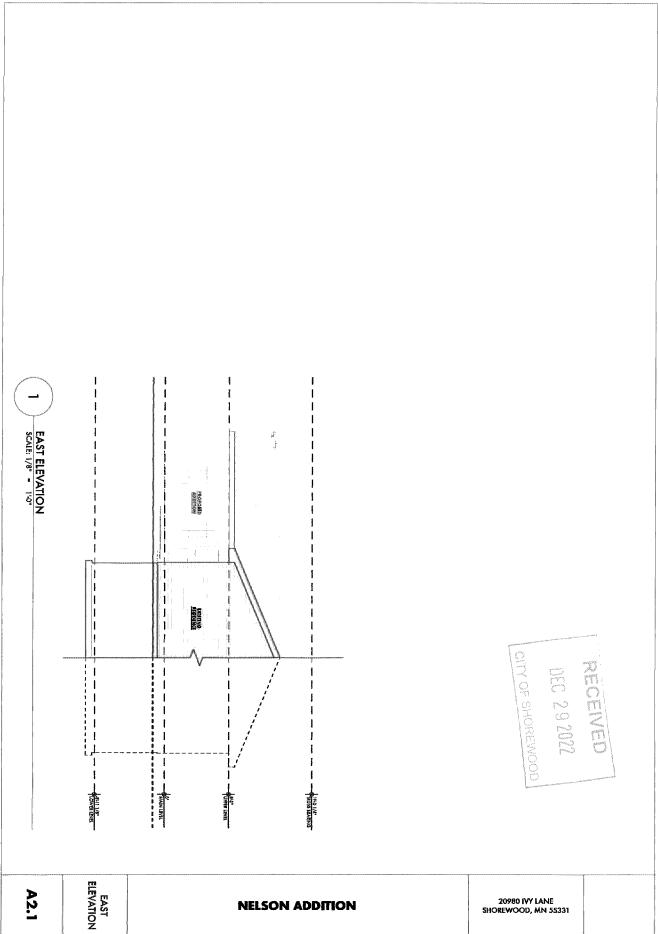


Printing Date: 1/28/23

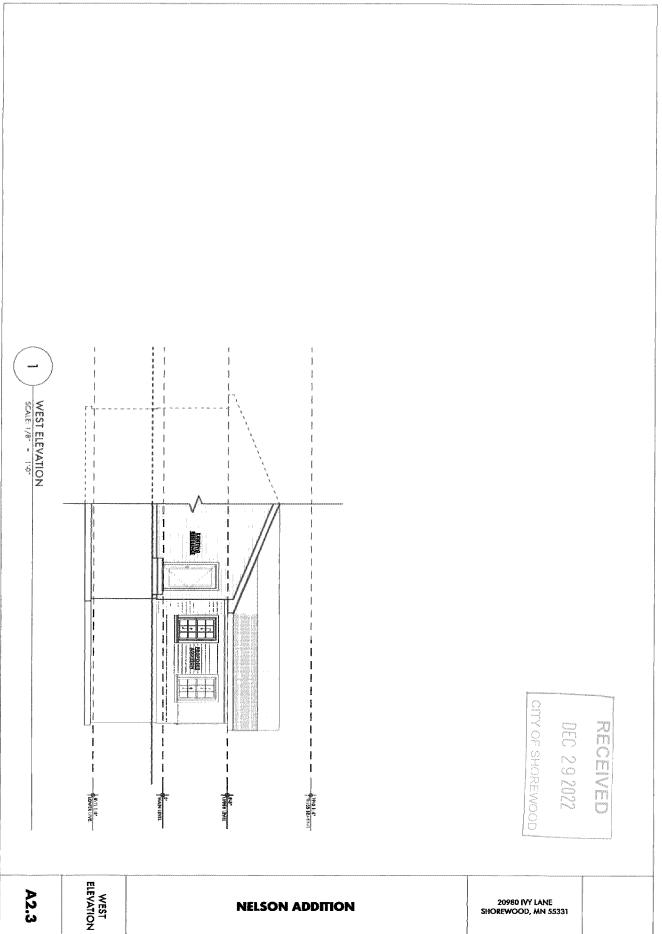




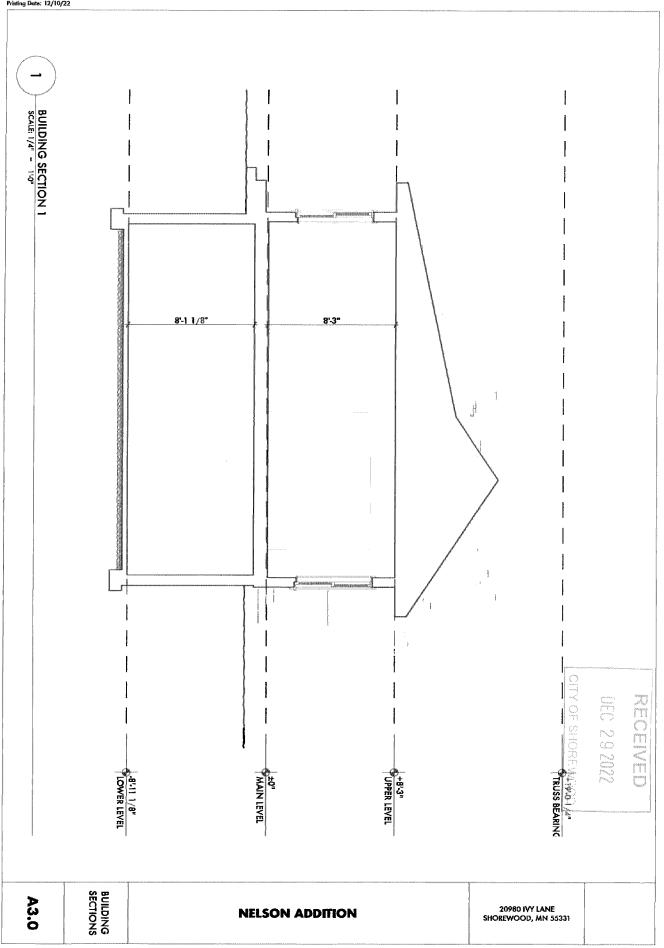




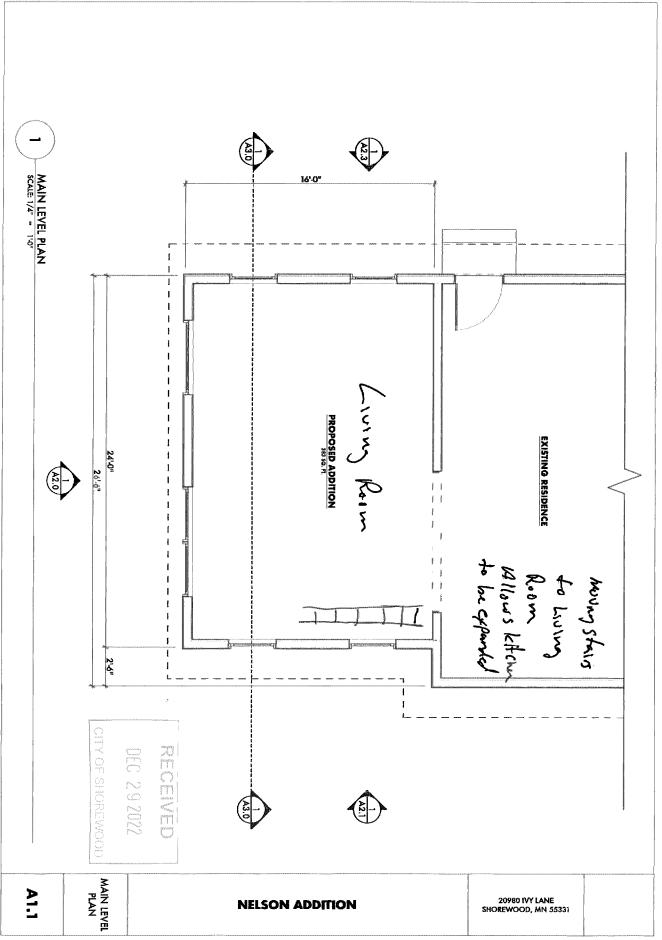




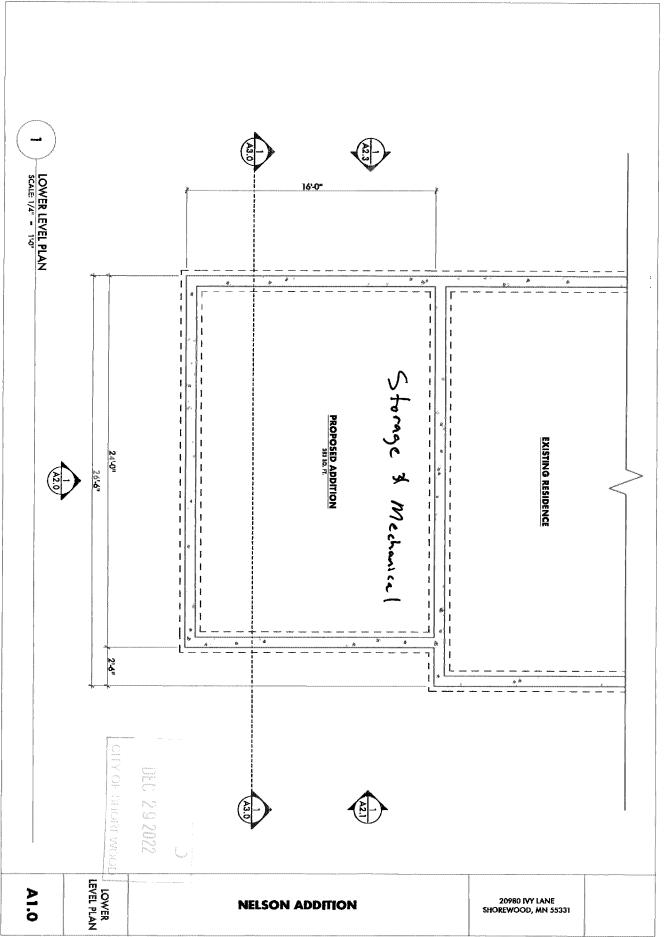




#### Printing Date: 12/10/22



#### Printing Date: 12/10/22



## **Marie Darling**

From:	Dan Neitge <dnbbdtech@gmail.com></dnbbdtech@gmail.com>
Sent:	Wednesday, February 1, 2023 3:20 PM
То:	Marie Darling
Subject:	Todd Nelson Proposed Home Addition

Hi Marie,

My name is Dan Neitge at 21000 Ivy Lane. Todd Nelson is my neighbor that has submitted home addition plans to the City of Shorewood. I looked at the plans and I approve what he would like to do. They are a very nice young family that need more room for their young family.

Thank You Marie

Sincerely,

Dan Neitge

## **Marie Darling**

From: Sent: To: Cc: Subject: Gretchen Hagle <gretchenhagle@gmail.com> Monday, February 6, 2023 10:01 AM Marie Darling A Rob Cerreta 20980 Ivy Lane - Support

#### TO:

Marie Darling, AICP Planning Director City of Shorewood

Hello, Marie.

Our neighbor, Todd Nelson at 20980 Ivy Lane asked if we might send you an email in support of their proposed addition and two variances for front and side yard setbacks. As one of their immediate neighbors, we are sending this note to let you know we are fine with this request – and support it as outlined in the Why section of your Feb., 7<sup>th</sup> Planning Commission Meeting letter.

Best wishes,

Gretchen Hagle and Robert Cerreta 20960 Ivy Lane Excelsior, MN 55331

#### **RESOLUTION 23-024**

### CITY OF SHOREWOOD COUNTY OF HENNEPIN STATE OF MINNESOTA

#### A RESOLUTION APPROVING VARIANCES TO FRONT AND SIDE-YARD SETBACKS FOR A PROPERTY LOCATED AT 20980 IVY LANE

**WHEREAS**, Todd Nelson, (the "Applicant") proposed to construct an addition to the home that would be 8.25 feet to the front property line where 30 feet is required and a combined setback of 17.7 feet, where 30 feet is required with the east side at 5.4 feet where a minimum of 10 feet is required; and,

WHEREAS, the property is legally described as:

All of lot 10 except that part described as follows: Commencing at the southeasterly corner of said Lot 10, thence westerly along the southerly line of said lot 10 a distance of 14 feet, thence northerly parallel to the easterly line of said Lot 10 a distance of 80 feet, thence easterly parallel to the southerly line of said Lot 10 a distance of 14 feet, thence southerly along the easterly line of said Lot 10 to the point of beginning, in Block 7, Minnetonka Manor, Hennepin County, Minnesota; (the "Subject Property") and,

**WHEREAS**, the Applicant's request was reviewed by the planning staff, whose recommendation is included in a memorandum for the February 7, 2023 Planning Commission meeting, a copy of which is on file at City Hall; and

**WHEREAS**, the Planning Commission held a public meeting on February 7, 2023 to review the application, the minutes of the meetings are on file at City Hall; and

**WHEREAS**, the City Council considered the application at its regular meeting on February 27, 2023, at which time the planning staff memorandum and the Planning Commission's recommendations were reviewed and comments were heard by the City Council from the Applicant, staff and public.

**NOW THEREFORE**, **BE IT RESOLVED** THAT THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA FINDS AS FOLLOWS:

### **FINDINGS OF FACT**

- 1. The subject property is located in the R-1D zoning district, which requires all buildings to be set back 30 feet from the front property line and 10 feet from the side property line.
- 2. The subject property is located in the Lake William shoreland overlay district which requires all homes to have a combined side-yard setback variance of 30 feet, with no one side less than 10 feet from the property line.
- 3. The existing lot was created in 1920 and was further subdivided prior to modern record keeping.

- 4. Section 1201.05 of the zoning regulations provides that the purpose of a variance is to allow a process to deviate from the strict provision of the zoning regulations when there are practical difficulties, and the action is the minimum to alleviate the practical difficulties.
- 5. Section 1201.05 of the zoning regulations includes criteria for making the above determination.
- 6. The Applicant's proposal is identified on the application materials and plans submitted on December 29 and 30, 2022 and January 30, 2023 (the "Plans").

## **CONCLUSIONS**

A. Based upon the foregoing, and the records referenced herein, the City Council hereby approves the Applicant's request to construct an addition to their home at 8.25 feet from the front property line with a combined side-yard setback of 17.7 feet where 30 feet is required and the east side of the addition would be 5.4 feet from the side property line where 10 feet is required, as shown on the Plans.

B. The City Council finds the variance request for an addition and its resulting construction and use, is consistent with the intent of the comprehensive plan and in harmony with the general purposes and intent of the zoning regulations.

C. The City Council finds that the request specifically demonstrates practical difficulties based on the existing size and shape of the lot. The addition is a reasonable residential use, the difficulties were not created by the homeowner but created by the lots narrower and smaller size and that the addition would not alter the essential character of the neighborhood.

D. The City Council finds that the improvements proposed are not solely based on economic considerations, but to enhance the livability of the home.

E. The City Council finds that the deck would not impair an adequate supply of light and air to an adjacent property, increase the risk of fire or increase the impact on adjacent streets.

F. The City Council finds that the deck would not be detrimental to the public welfare nor would it be injurious to other lands or improvements in the neighborhood.

G. The variance is the minimum variance necessary to address or alleviate the practical difficulties caused by the original construction.

H. Prior to beginning any construction on the Property, the applicant shall acquire all necessary permits and submit a construction management plan including storage of construction materials, parking of contractors and subcontractors, trash management, erosion control, etc.

I. The variance shall expire one year after approval unless the applicant has completed the project, or an extension has been requested in accordance with Section 1201.05 Subd. 3 of City Code.

J. The City Clerk is hereby authorized and directed to provide a certified copy of this resolution for filing with the Hennepin County Recorder or Registrar of Titles.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA** this 27th day of February, 2023.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



Title/Subject: Meeting Date:	<b>NEOGOV Recruiting and Applicant Tracking Software</b> Monday, February 27, 2023	8A
Prepared by: Reviewed by: Attachments:	Sandie Thone, City Clerk/HR Director Marc Nevinski, City Administrator NEOGOV Insight Executive Summary	MEETING TYPE
Attachments.	Insight Software Quote (2-Year) Resolution	

Background: During the past year, city staff have updated employment applications, job descriptions, job advertisements, applicant rating forms including Veteran's preference, specific to each open position. Staff have recruited, advertised, rated, screened, ranked, interviewed, notified applicants, conducted reference checks, conducted background investigations, and, negotiated job offers for 13 open positions. We have since onboarded or are in the process of onboarding each of these employees as well. Although, we have been fortunate to have successfully hired a significant number of well-qualified and exceptional staff to our organization, our system is manual and lacks automation and efficiencies.

We historically only advertise open positions on our website and the League of MN Cities job board/website. In assessing hiring process feedback many applicants have complained about having to fill out applications and email them in to apply for a job. The current process reflects on the organization and may not portray us in the best light for potential candidates. Furthermore, it may deter applicants for applying for open positions due to the laborious process. NEOGOV will upload all of Shorewood's job descriptions, streamlining the process and all jobs on our website will be automatically linked to govjobs.com.

In January, city staff began the process of researching and reviewing what other cities were doing regarding recruiting for and onboarding employees. On January 26, 2023, staff received a demonstration and met with the most popular HRIS software vendor being used by the public sector called NeoGov. We specifically requested to learn more about the recruiting module "Insight." Insight is an applicant tracking software complete with compliance reporting. Insight automates the hiring process, reducing the hiring process time. It is integrated with NEOGOV's online job board GovernmentJobs.com which will allow the city to reach job applicants nationwide. It comes with a City of Shorewood Career Page that allows candidates to find our job openings and submit online applications.

The system includes easy-to-use job application templates and an applicant self-service portal. The applications avoid incomplete applications with required fields. With Insight, we can manage all applicants and recruitment data, list open positions on our website that will link directly to the Government Jobs website, accept online applications, while ensuring ADA/Section 508 compliance with built-in, auditable, and a legally defensible hiring process, including applicant reporting, applicant flow, EEO, adverse impact, and passpoint analysis. Insight pre-screens applicants, something we currently do manually, using auto scoring and highlights the best candidates by weighted scores and rankings to generate a ranked eligible list. Insight provides more than 90 report options that help in making the best hiring decisions and streamline the recruiting and hiring process.

**Mission Statement:** The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership. Page 1 The candidate self-service portal streamlines the communication process for the applicant and the city. Applicants can check the status of their application, access job-specific supplemental questions, self-schedule backgrounds, exams, performance tests, or schedule their interview. All emails sent by the city are conveniently together in one job seeker in-box. The information entered into NEOGOV when they applied is saved for future applications, so only a quick review and an occasional update is needed when applying for a new position. 86% of job seekers would use their smartphone to apply for a job (Source: Staff.com). Please see the NEOGOV Insight Executive Summary (attached) for additional information.

Once a job offer is made, NEOGOV provides the template and automates the process to notify the selected candidate, and all other applicants or candidates that were not selected. This presents as a significant efficiency in the current process. Currently all candidates are notified manually.

In a survey of local cities, staff worked with league of MN Cities staff to provide alternatives to NEOGOV, to obtain a comparison, but were unable to find a public sector entity who was currently utilizing a competitor's software. Local cities of similar size that currently are using NEOGOV are St. Paul Park with 21 full-time employees and Otsego with 32 full-time employees compared to our 25 full-time employees and numerous part-time positions.

We were however able to receive an additional \$900 off the initial set up fee, from the original \$2,700 to \$1,800 which reduced the quote (attached) to \$2,357.50 (which represents a 50% off promotion) for the first-year subscription, and \$4,715.00 for the second-year subscription, and the \$1,800 one-time set-up fee for a total of \$8,872.50 for the 2-year period (attached).

**Financial or Budget Considerations:** Funds are available for the purchase of this software subscription within the 2023 General Fund budget.

#### **Action Requested:**

Staff respectfully recommends the city council discuss and consider the NEOGOV "Insight" proposal, and if approved, confirm by passing the resolution. Motion, second and simple majority vote required.

**Connection to Vision/Mission**: Consistency in providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership.

### RESOLUTION NO. 23-025 CITY OF SHOREWOOD COUNTY OF HENNEPIN STATE OF MINNESOTA

### A RESOLUTION ACCEPTING QUOTE AND AUTHORIZING EXECUTION OF NEOGOV INSIGHT SUBCRIPTION AGREEMENT

**WHEREAS**, the City of Shorewood ("City") requested and researched professional vendors who offered online human resources software for recruiting and applicant tracking; and

**WHEREAS**, the City Council reviewed the quote from NEOGOV for Insight, an online applicant and tracking recruiting software used by the majority of the metro area cities, including cities the size of Shorewood.

**NOW, THEREFORE, IT IS RESOLVED** that the City Council of the City of Shorewood, Minnesota, approve a 2-Year Subscription Agreement with NEOGOV for their online recruiting module "Insight":

1. Staff are hereby authorized and directed to enter into a service agreement with the company for and on behalf of the City of Shorewood.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD** this 27th day of February, 2023.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk

## **Exhibit A** Order Form

NEOGOV

## NEOGOV

Customer:

Governmentjobs.com, Inc. (dba "NEOGOV") 2120 Park PI, Suite 100 El Segundo, CA 90245 United States billing@neogov.com Sales Rep: Riley Bailey Shorewood, City of (MN) Shorewood, MN USA

Quote Valid From: 1/31/2023 Quote Valid To: 2/28/2023 Quote Number: Q-08989 PaymentTerms: Annual,Net 30 Subscription Term in Months: 24

Employee Count: 25 Order Summary

Group1TypeStart DateEnd DateTerm PriceInsight SubscriptionRECURRING\$2,357.50Insight SetupONE-TIME\$2,700.00Group1 TOTAL:\$5,057.50

Group1

Service Description		Туре	Start Date	End Date	Term Price
Insight Subscription		RECURRING			\$4,715.00
			Grou	up1 TOTAL:	\$4,715.00

ORDER TOTAL: \$9,772.50

#### A. Terms and Conditions

- 1. Agreement. This Ordering Document and the Services purchased herein are expressly conditioned upon the acceptance by Customer of the terms of the NEOGOV Services Agreement either affixed hereto or the version most recently published prior to execution of this Ordering Form available at https://www.neogov.com/service-specifications. Unless otherwise stated, all capitalized terms used but not defined in this Order Form shall have the meanings given to them in the NEOGOV Services Agreement.
- 2. Effectiveness & Modification. Neither Customer nor NEOGOV will be bound by this Ordering Document until it has been signed by its authorized representative (the "Effective Date"). Unless otherwise stated in this Ordering Document, all SaaS Subscriptions shall commence on the Effective Date. This Ordering Document may not be modified or amended except through a written instrument signed by the parties.
- 3. Summary of Fees. Listed above is a summary of Fees under this Order. Once placed, your order shall be non-cancelable and the sums paid nonrefundable, except as provided in the Agreement.
- 4. Order of Precedence. This Ordering Document shall take precedence in the event of direct conflict with the Services Agreement, applicable Schedules, and Service Specifications.

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B. Special Condit	ions (if any).	and the second			
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"Shorewo (MN)"	od, City of			a second and a second sec	REFERENCE.
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Print Name:	121	and the second sec			
Date:					

# NEOGOV

## INSIGHT

RECRUIT

Applicant tracking software helps you attract and hire high quality candidates, complete with compliance reporting.

8

## BENEFITS

## TRANSFORM HIRING WITH THE LEADING - applicant tracking system -FOR THE PUBLIC SECTOR

Built to serve the public sector, NEOGOV's applicant tracking system automates the hiring process and meets compliance requirements, reducing time to hire. With easy-to-use job application templates and an applicant self-service portal, Insight makes it easier to find and hire more qualified candidates.

With Insight, HR teams can quickly and easily manage all applicants and access recruitment data throughout the application process. List open positions on your company website and accept online applications, while ensuring ADA/ Section 508 Compliance. Ensure compliance with the built-in, auditable, and legally defensible hiring process, complete with reporting on applicants, applicant flow, EEO, adverse impact, and passpoint analysis.

Integrated with NEOGOV's online job board GovernmentJobs.com, Insight allows you to broaden your reach by advertising to job seekers nationwide. Show your agency in the best light with a customized Career Page that lets candidates find your job openings and submit online applications.

## CREATED FOR YOU and your candidates

- Public Sector Focus
- Compliance & Fairness Automation
- Decreases Time to Hire
- ✓ Automates Recruiting and Hiring





Besides making everything a lot easier, what I value most is that NEOGOV listens to the users and implements our ideas.

JANET FAGER Kankakee Community College

## HIGHLIGHTED FEATURES

## CANDIDATE SCORING

As candidates apply, Insight pre-screens them using auto-scoring to highlight the best candidates. By showing weighted scores and rankings based on screening protocols, tests, and interviews, Insight helps you narrow candidates down and find the best fit.

- Configurable screening hurdles and weights
- Customize scoring rules to rank candidates
- Generate and manage your ranked eligible list

## COMPREHENSIVE REPORTING

Insight's easy-to-navigate reports and dashboards help optimize the hiring process by offering data visualization and analysis. With Insight you get more than 90 standard reports, advanced ad-hoc reporting, adverse impact statistics, and dashboards that help you make more informed hiring decisions. Monitor job health and boost job postings to increase your exposure and reach more candidates.

- See real-time applicant flow and job posting health and boost jobs that are not attracting enough candidates
- Perform passpoint analysis to ensure hiring does not result in adverse impact
- Analyze recruitment timelines to identify opportunities to reduce your time to hire

## CANDIDATE SELF-SERVICE PORTAL

Maintain transparency and streamline communication for both the applicant and HR with an online self-service portal. Save time by giving applicants the ability to check the status of their application and self-schedule written exams, oral panel interviews, and performance tests.

- Allow candidates to monitor where they are in the application process
- View all email notifications sent by the employer in the job seeker inbox
- Access complete application history for all jobs the candidate has applied for

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## MODERNIZING FOR TODAY'S APPLICANT

Enhance both the applicant and staff experience by eliminating paper and automating processes. In today's age of technology, Insight helps your organization stay up-to-date.

- ✓ Integrate job postings with GovernmentJobs.com
- ✓ Configure online job application forms
- Ask job-specific supplemental questions to better screen applicants
- ✓ Avoid incomplete applications with required fields



86% of job seekers would use their smartphone to apply for a job. (Source: Staff.com)



IN

The system is built to meet compliance requirements for EEOC and FCRA. Generate more accurate background reports and field fewer candidate disputes. Our integration partners report a 10x lower dispute rate compared to manual background checks.

- Shorter time to hire
- Lower risk of noncompliance
- Visibility for HR, hiring managers, and candidate

## **VENDORS INCLUDE**



## IMPLEMENTATION

## DISCOVERY

### KICK OFF

Discovery sets the stage for the implementation by scoping the work needed, creating the timeline, and establishing expectations. Project resources are also assigned, including staff assignments and project management materials.

## PHASES 1 & 2 INITIATION

#### **ADMIN TRAINING**

Customers start learning the Insight system through a combination of self-paced training modules, demonstrations from the implementation consultant and practicing in a training environment.

#### PROCESS MATCHING

Existing recruitment processes are mapped onto the Insight system and customers are given the ability to select and configure functionality that meets their needs.

## PHASES 3 & 4 PRODUCTION

#### PRODUCTION ENVIRONMENT SETUP

Implementation Consultants guide customers through setting up the proper system configurations in their production environment. Class spec, department and user imports are also completed during this time.

#### **TESTING & REVIEW**

System validation (testing) and full production review are done before the customer signs off on the Insight system for going live.

#### TRAIN

Ensure successful adoption through end user training for HR Users and Managers. Leverage the online resources available from NEOGOV to conduct training sessions.

Add-On Service: Remote training for end users available for purchase.

## **POST-IMPLEMENTATION**

Transitional support is set up for the live system. Implementation Consultants conduct 30-day and 60day check-ins to provide additional assistance.



## Ongoing

## 2-3 Weeks

4-8 Weeks



Title/Subject:
Meeting Date:
Prepared by:
Reviewed by:
Attachments:

Tree Sale 2023 Monday, February 27, 2023 Eric Wilson, Communications Coordinator Sandie Thone, City Clerk/HR Director n/a

9A.1	
MEETING TYPE Regular Meeting	

**Background:** For several years, the City of Shorewood has participated and hosted an annual tree sale. This year the event is scheduled for September 2023. As in the past, the City of Shorewood will order the trees, offer them for sale, and be responsible for the purchase of any unsold trees that were ordered. Unsold trees purchased by the city will be planted in public spaces.

The City of Shorewood will offer 10-20 varieties of trees and shrubs. These include some fruit trees, species native to Minnesota, and others recommended for Shorewood per the city's Tree Preservation Policy adopted in 2004.

**Action Requested:** Staff respectfully recommends the city council authorize the expenditure of funds up to \$9,600 for trees to be pre-paid by the city and reimbursed by residents as trees are purchased.

**Timeline:** Upon City Council approval, tree sales will begin Saturday, April 1, 2023 12:00 a.m. The order form will be made available online on the City of Shorewood website. A printed order form will be shared in the late March/April 2023 newsletter, and available for print online or pickup at City Hall. The tree sale will be advertised on the city website and through social media until all trees are sold.

**Connection to Vision/Mission**: Consistency in providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership. This program helps protect, preserve and enhance the environment of the community.

*Mission Statement:* The City of Shorewood is committed to providing residents quality public services, a healthy environment, a variety of attractive amenities, a sustainable tax base, and sound financial management through effective, efficient, and visionary leadership. Page 1