

MINUTES

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, Siakel, Gorham, and Callies; City Attorney Shepherd; City Administrator Shukle; Finance Director Rigdon; Planning Director Darling; Director of Public Works Brown; and City Engineer Budde

B. Review Agenda

Johnson moved, Gorham seconded, approving the agenda as presented. Motion passed 5/0.

2. CONSENT AGENDA

Mayor Labadie reviewed the items on the Consent Agenda.

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

A. City Council Work Session Minutes of May 23, 2022

B. City Council Regular Meeting Minutes of May 23, 2022

C. Approval of the Verified Claims List

D. Adopting RESOLUTION NO. 22-055, "A Resolution Approving Agreements with Hennepin County Regional Rail Authority and Three Rivers Park District for Smithtown Pond Project City Project 20-07."

Motion passed 5/0.

3. MATTERS FROM THE FLOOR

Ann Raymond, 6140 Pleasant Avenue, stated she has lived in Shorewood for the past 13 years. She commented on the maintenance along Yellowstone Trail noting soil erosion, expensive yearly maintenance, trees growing into the road, and the above ground power lines. She stated that there are significant soil erosion issues along the trail and believed that is due to the construction of homes without a plan for drainage. She commented that this will lead to significant road maintenance costs as the road is breaking down. She noted a significant amount of dirt is landing in the yards because of a lack of curb and gutter. She asked the amount of funding being spent on yearly or every other year maintenance of the road rather than a long-term pavement

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

June 13, 2022

Page 2 of 9

management plan that would include curb and gutter. She stated the road has multiple sink holes from the previous improvement project and whether there are plans for repair. She believed that it would be time to have a road maintenance plan for the roads that includes curb and gutter to manage drainage. She stated the additional homes constructed in Minnetonka Country Club has added significant cash flow to the City and given the increased traffic on the road, now would be the time to address this issue. She stated that two-way traffic is nearly impossible given the overgrowth of trees into the road. She believed that the City could do better than this. She noted the above ground power lines which get knocked down during storms causing power outages and lack of water for those using wells.

Director of Public Works Brown commented that staff will bring this forward with additional data at a future meeting. He confirmed that someone from staff will also follow up with Ms. Raymond.

4. PUBLIC HEARING

5. REPORTS AND PRESENTATIONS

A. Tour de Tonka

Tim Litfin, Tour de Tonka, stated Tour de Tonka is an annual event that proudly comes through Shorewood and will take place on Saturday, August 6th. He noted there are many different length choices for participants and registration is open. He provided some statistics about the event, highlighted some of the sponsors, and reviewed the history of riders in the event to date. He commented that the event has not only local participants but has also has participants from counties throughout the state and from 44 different states. He stated the event raises funds for the ICA Food Shelf. He also thanked all the businesses that are providing mechanics for the event. He reviewed the merchandise that is available and welcomed those that wish to volunteer for the event. He displayed the ride routes for the different length rides and reviewed some of the positive comments received about the event. He thanked Shorewood for continuing to partner in the event.

B. Executive Director Tiffany King, Excelsior-Lake Minnetonka Chamber of Commerce

Tiffany King, Excelsior-Lake Minnetonka Chamber of Commerce Executive Director, introduced herself and described her career experience as well as her experience since joining this Chamber and helping to rebuild it. She stated it is a bit odd for a Chamber to host fireworks as typically that is hosted by municipalities. She commented that there were some missteps the previous year which resulted in a lack of funding. She stated a donation was accepted but was misallocated noting that occurred prior to her joining the Chamber. She stated that she looks forward to rebuilding the relationships and being able to host this tradition. She noted that in order to do so, they need to raise funds from municipalities. She stated that 50 percent of the \$40,000 for the fireworks is funded by Bingo and Burgers by the Bay which is hosted by Excelsior Morning Rotary and the remaining funds would be raised through municipalities and other donations. She asked the City for the \$7,500 that Shorewood typically contributes towards the event based on its population. She commented that they have learned from the past and hopes the City will continue to provide support for the event.

Mayor Labadie stated that because this is a presentation, action is not required tonight and therefore this could be discussed at a future meeting where action could be considered.

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

June 13, 2022

Page 3 of 9

Councilmember Callies asked if there are other costs involved in the event above the cost of the fireworks.

Ms. King replied there are other events along with the fireworks and highlighted some of those events. She stated that public funds are accepted for the fireworks, but the funds from municipalities are not used for the other events.

Councilmember Siakel commented that she would like this item to come back on a future agenda for continued discussion. She did not believe the contribution of \$7,500 was based on population and was just a random number that the City has contributed. She commented it would seem that Shorewood is then contributing a third of the public funds used for the fireworks. She asked what else is being done to fund the event other than going to the cities to request funds.

Ms. King replied the Chamber is discussing that. She stated the Chamber is a business association with a staff of two, therefore they cannot spend a lot of time fundraising for something that does not answer to the mission of the organization. She stated they are ensuring they are careful with financing and would plan to create a reserve account just for fireworks if additional donations are received that could be used for future fireworks events.

Councilmember Siakel stated a business in Excelsior used to have a donations container for assisting in the funding of the fireworks. She asked if there is a plan to advertise to businesses.

Ms. King commented that businesses are stretched thing and there are businesses sponsoring the other events that day. She noted they have a donation button on the website that is live all year and there are QR codes on different mailing and advertising.

Councilmember Gorham thanked Ms. King for coming tonight and making the statements about the previous year as many people were disappointed. He asked what the plan is for the event this year.

Ms. King replied the event will be held in Excelsior Bay, and they are working with the previous barge owner and fireworks vendor.

Mayor Labadie asked if there is any assurance that can be given to cities that if funds are donated, there will be fireworks and they will not be moved.

Ms. King confirmed there are no plans to move the event and she could provide that in writing. She stated that they would like to mend fences and ensure that mistakes are not repeated.

Mayor Labadie invited Ms. King to come back to a future meeting when this item will be on the agenda for further discussion. She asked if Ms. King could bring information on funding raised to date for the fireworks this year.

Ms. King replied that as of now, the \$7,500 from Shorewood would complete the needed funds for the fireworks this year. She stated if additional donations are received, those funds would be placed in a reserve fund to be used towards the cost of fireworks the following year.

Mark Kozikowski, Excelsior Chamber of Commerce Board Member, stated he was surprised at how little the public gives towards the fireworks. He noted many people show up to watch the

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

June 13, 2022

Page 4 of 9

fireworks, but he was surprised that people do not make donations. He stated he was on the Committee that brought Ms. King into the position and noted that she has been doing a terrific job in the position.

Councilmember Siakel asked if there is competition, noting that perhaps Wayzata had fireworks the previous year as well.

Ms. King stated she did meet with the Director of the Wayzata Chamber, and they have no interest in having fireworks. She stated a private group was interested in having fireworks after their event but noted that would not conflict with these fireworks.

6. PARKS

7. PLANNING

8. ENGINEERING/PUBLIC WORKS

A. Approve Scoping Document and Authorize Preparation of Final Plans and Specifications for Birch Bluff Street and Utility Improvements, City Project 21-01

City Engineer Budde explained that on June 14, 2021, City Council authorized the preparation of the scoping document for the Birch Bluff improvement project that is included in the Capital Improvement Plan (CIP) for construction in 2023. He provided a brief overview of the design options for the Birch Bluff improvements. He reviewed some of the things they attempted to implement through this process in order to better manage the process and summarized the comments received from the public thus far. He reviewed his recommendations for the project including road width, speed limits, and other options.

City Engineer Budde stated staff recommends the City Council approve the resolution accepting the scoping document with the included engineering recommendations and authorize preparation of final plans and specifications for the Birch Bluff Road reconstruction project.

Councilmember Siakel commented that City Engineer Budde did a great job with the document and noted that she agrees with all the recommendations. She asked if all fire lanes would be used for the discharge of water or whether only the fire lane adjacent to the beach would be used.

City Engineer Budde replied that three fire lanes would be utilized and identified those locations, two of which are existing and one that would be a new addition.

Mayor Labadie stated that she noticed some concerned looks when the 15-mph strip was mentioned and asked staff to provide clarification.

City Engineer Budde noted the sharp corner location which is currently designed to handle traffic at 20 mph. He stated the actual roadway encroaches onto the corner property and therefore they are attempting to clean that up and get it off private property. He commented that it would look and feel similar to what it is, and they would install signage that say 15 mph rather than 20 mph.

Mayor Labadie asked staff to provide a brief overview of why the overhead power lines are not being buried.

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

June 13, 2022

Page 5 of 9

City Engineer Budde stated the City's practice is that the cost to bury the power lines is an assessable cost. He noted that on this size of project the estimated cost to bury the lines would be about \$500,000 and with 50 property owners the cost would be about \$10,000 per property. He stated that this project is not currently proposed to be assessed for the project and therefore a 429 process would need to be used to assess for the power lines to be buried. He noted 100 percent participation would be needed prior to the project, and it is very unlikely that would be obtained.

Public Works Director Brown commented that there is another practice that the City has considered in the past which states if the City chooses to bury the power lines, all of the repairs within the City would be charged a utility fee which would be clearly marked on the utility bill. He stated a number of years ago many communities had interest in burying all their power lines and therefore a maximum was placed on the fee a City could charge, which was \$25 and is significantly less than what it would cost to bury lines. He noted the last estimate the City received for a quote was \$10,000 between each span. He stated there would also be a cost directly to the homeowner because the service to the home would also need to be updated which has an approximate cost of \$5,000.

Councilmember Callies referenced the street drainage that would use the fire lanes and asked if that would be untreated.

City Engineer Budde explained most of the water would be routed to the stormwater pond. He commented that there are areas where water leaves the site untreated, and baffles could be used to capture sediment and debris before it goes into the lake.

Councilmember Siakel stated most of Birch Bluff is 22 to 25 feet, therefore this will add curb and gutter to what is already there. She commented that it will be different to people on the end of the road. She agrees with the width of 26 feet as there are vehicles parked on both sides of the street along with pedestrian traffic. She believed that there would be benefits to the project, noting that most of the trees impacted are scrub trees and not of good quality. She commented that there was a resident earlier tonight requesting curb and gutter and believed that will be a good addition to the project. She stated she has talked to a lot of neighbors, some of which had signed a petition and noted that their concerns seemed to center around the speed of traffic. She commented that the assumption was that if the road is widened it would increase speed but believed the opposite would be true with the striping and curb. She believed that the utility upgrade would also be a welcome addition and noted that some of the neighbors have been saving for years to connect to water. She recognized that some new homes have invested in water systems and noted residents are not required to connect to City water. She stated the purpose of the scoping document is to get to the next stage. She acknowledged that it is more problematic on the west end, but that is part of this process, and she has trust in City staff to work with those residents to address challenges. She commented she supports this project and believes it is needed.

Mayor Labadie stated that her mind goes back to a fire a few years ago where there was no hydrant or City water available, and a tanker truck had to go back and forth. She noted the fire code requires 24 feet width for emergency vehicle access. She stated there is a reality that a fire can happen, and fire trucks need access. She recognized that these are difficult decisions but need to be made for the best interest of all. She commented that this is a generational decision because once this project is completed, the road would not be touched again for a long time. She

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

June 13, 2022

Page 6 of 9

stated therefore she does support widening the road to support the fire code requirements and provide safe access for emergency vehicles. She commented that although she did want the sidewalk and trail, she does not support that at this time because so many residents spoke against that option. She also believed that the City water connection has to be provided with the project.

Councilmember Callies stated she agrees with the recommendations of the City Engineer for the reasons stated. She also agreed that it is a congested road that needs improvements.

Councilmember Gorham commented this is the second 26-foot width but noted that it feels different than the last because of the difference of going from 22 feet to 26 feet. He does not want all the roads in Shorewood going to 26 feet in width to support water and fire access. He commented that he does not want to start designing the city to meet the rare instance when a fire truck may show up. He stated that 24 feet is reasonable in his opinion. He did not believe that the fire code is applicable.

Councilmember Siakel commented that she believes the Fire Marshal would disagree with that statement. She noted most of the street is already at least 24 feet in width and the addition of curb and gutter would not expand the road width much above what is already in place. She asked why there would be a standard if it were not going to be followed.

Councilmember Gorham commented that he does not believe there should be a standard and that it should be based upon the conditions of the street. He noted this road gets through traffic from people cutting through, but it is not necessarily a through road connection. He did not believe 26 feet should be the standard. He believed that instead they should consider what the city should look like. He preferred that this be narrower with more trees. He recognized that some of the road is already 25 feet.

Councilmember Siakel commented that there is a City standard in place and if there is a desire to rediscuss that, it could be added to a future agenda. She noted that while some streets have been constructed at a lesser width, those were dead end streets and even those residents have said they wished the road were wider.

Councilmember Callies stated she understands the point of view that Councilmember Gorham does not want “cookie cutter” streets. She noted that when she traveled down the road it was clear that this road needs the width.

Callies moved, Siakel seconded, Adopting RESOLUTION NO. 22-056, “A Resolution Accepting the Scoping Document with the Included Engineering Recommendations and Authorize Preparation of Final Plans and Specifications for the Birch Bluff Road Reconstruction Project.”

Councilmember Gorham commented that there seems to be consensus on the 26-foot-wide street width. He acknowledged that while that might fit in this instance, he would ask that the Council consider each street individually as they move forward.

Motion passed 4/1 (Gorham opposed).

9. GENERAL/NEW BUSINESS

A. Bond Reimbursement Resolution

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

June 13, 2022

Page 7 of 9

Finance Director Rigdon explained the reimbursement resolution allow one or more City funds to loan money to a capital project fund or enterprise fund for capital costs and to require reimbursement to the original funds. For the 2022 street and utility projects, it is advisable that the City have an approved reimbursement resolution. The resolution allows the City to reimburse itself with tax exempt bond proceeds for project expenses the City has already paid as well as provide flexibility for financing as there will be multiple projects financed through a single bond issue.

Johnson moved, Siakel seconded, Adopting RESOLUTION NO. 22-057, “A Resolution Declaring the Official Intent of the City of Shorewood to Reimburse Certain Expenditures from the Proceeds of Bonds to be Issued by the City.” Motion passed 5/0.

10. STAFF AND COUNCIL REPORTS

A. Administrator and Staff

1. Water Efficiency Grant

Mayor Labadie commented that the report was well prepared.

Councilmember Callies asked how people would access this money.

Public Works Director Brown commented that residents would apply to the City for the funds.

Councilmember Siakel asked the types of appliances that would be eligible.

Public Works Director Brown replied that he believes that any appliance that uses water would be eligible.

Councilmember Siakel asked when the purchase would need to be made.

Mayor Labadie stated that perhaps staff could provide more information in a newsletter or email to answer these questions as residents would most likely have similar questions.

2. Integrated Pest Management Program

Public Works Director Brown stated the integrated pest management program was developed based on a desire to protect pollinators. He stated the City approved a proposal from a firm to prepare that management plan and staff is currently reviewing the draft to provide comments. He stated that staff is working through the draft and envision the document going before the Park Commission prior to coming to the City Council for review. He noted that when this comes before the Council, staff would ensure that those groups that have expressed interest would also receive a copy of the document.

Councilmember Callies commented that she believes the policy should be revisited as it does not appear to be accomplishing what was desired.

Mayor Labadie suggested the item come back in the fall.

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

June 13, 2022

Page 8 of 9

Public Works Director Brown commented that the review will determine whether this meshes with the resolution. He stated there is a substantial cost to the recommendations to use different treatments and equipment. He stated the Council, Commission, and staff may decide that not all of the things are practical, and the policy may need to be amended to develop that compromise.

Councilmember Callies stated she saw in the public notice section of the Sun Sailor, that the city of Hopkins provided advance notice of when the city was going to spray its athletic fields. She stated that perhaps there are alternatives such as this which could be considered.

Other

Public Works Director Brown stated the street sweeper has begun in the west end, and they encourage residents to be patient. He explained the crews completing the street sweeping are also responsible for filling potholes.

City Engineer Budde provided updates on current construction projects within the community.

City Administrator Shukle commented that the process for the 2023 budget and CIP has begun. He stated they will also be interviewing for Public Works positions this week and the brochure for the City Administrator position is being finalized.

B. Mayor and City Council

Councilmember Johnson commented on the soccer association for its recent soccer splash, noting that it was well organized. He reported that the Fire Board met to discuss the budget and is currently proposing a five percent increase in the budget to provide increases in salaries for officers and an increase to the remaining paid on-call firefighters that will make them more competitive.

Councilmember Siakel asked for a follow up on a resident inquiry.

Mayor Labadie stated she responded to that resident and followed up with the Police Chief and therefore considers the matter addressed. She noted that she attended the Regional Council of Mayors meeting today, which had 20 to 25 mayors in attendance and provided a summary of the presentations provided. She attended the LMCD Board meeting the previous week for their boat generated wake listening session. She commented that it is a hot topic, and many people were in attendance to discuss the controversial topic but noted that all speakers were very respectful. She stated that the SLMPD JPA joint meeting is scheduled for Wednesday night and encouraged the Council to attend.

Public Works Director Brown commented that he spoke with Mayor Labadie about a potential scouting project related to a silver award for the Girl Scouts for a compost bin in the parks and provided details. He commented that the benefit would be the education and public education that would be involved in the project.

Councilmember Callies asked if the meeting on Wednesday will focus on the budget rather than the JPA?

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

June 13, 2022

Page 9 of 9

Mayor Labadie stated the budget will be part of the discussion and provided additional details on the topics that will be discussed. She believed that a large part of the agenda will focus on the JPA.

11. CLOSED SESSION

City Attorney Shepherd explained that pursuant to Minn. Stat. 13D.05, Sub 3 (d), the Council meeting would be closed to discuss issues related to the City's security system and emergency response procedures at City Hall.

Labadie moved, Johnson seconded, to close the meeting, pursuant to Minn. Stat. 13D.05 for attorney-client privileged discussion of issues related to the City's security system and emergency response procedures at City Hall. Motion passed 5/0.

Mayor Labadie reconvened the Regular Council meeting at 8:38 p.m.

The meeting returned to open session at 9:00 p.m.

12. ADJOURN

Siakel moved, Gorham seconded, Adjourning the City Council Regular Meeting of June 13, 2022, at 9:01 P.M. Motion passed 5/0.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk