

CITY OF SHOREWOOD
CITY COUNCIL REGULAR MEETING
MONDAY, SEPTEMBER 26, 2022

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

MINUTES

1. CONVENE CITY COUNCIL REGULAR MEETING

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

PLEDGE OF ALLEGIANCE

A. Roll Call

Present. Mayor Labadie; Councilmembers Johnson, Siakel, Gorham, and Callies; City Attorney Shepherd; Interim City Administrator Shukle; City Clerk/HR Director Thone; Finance Director Rigdon; Planning Director Darling; Director of Public Works Brown; and, City Engineer Budde

Absent: None

B. Review Agenda

Councilmember Callies asked to remove item 2.F., the SLMPD Joint Powers Agreement, from the Consent Agenda and place it on the regular agenda.

Mayor Labadie suggested that it be added as item 8.C. under General New Business.

Siakel moved, Johnson seconded, approving the agenda, as amended. All in favor, motion passed.

2. CONSENT AGENDA

Mayor Labadie reviewed the items on the Consent Agenda.

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

A. City Council Work Session Minutes of September 12, 2022

B. City Council Regular Meeting Minutes of September 12, 2022

C. Approval of the Verified Claims List

D. Approve New Retail Tobacco License – Shorewood Tobacco Corp. at 19905 State Hwy 7, Adopting RESOLUTION NO. 22-088, “A Resolution Approving a License to Sell Tobacco Products in the City of Shorewood to Shorewood Tobacco Corp.”

- E. **Approve Temporary Liquor License for Oktoberfest, Adopting RESOLUTION NO. 22-089, "A Resolution Approving a Temporary On-Sale Liquor License for Excelsior Brewing in Conjunction with Oktoberfest."**
- F. **~~Approve SLMPD Joint Power Agreement, Adopting RESOLUTION NO. 22-090, - (Removed from Consent Agenda and placed as item 8.C.)~~**
- G. **Approve Agreement for 6070 Strawberry Lane, Adopting RESOLUTION NO. 22-091, "A Resolution Approving Agreement with the Property Owners of 6070 Strawberry Lane, City Project 19-05"**
- H. **Accept Boba Tonka Bubble Tea Donation to Oktoberfest Event, Adopting RESOLUTION NO. 22-092, "A Resolution Accepting Donations to the City of Shorewood 2022 Oktoberfest."**

All in favor, motion passed.

3. MATTERS FROM THE FLOOR

Thomas Robb, 5940 Boulder Bridge Lane, explained that he was here representing the Boulder Bridge HOA regarding the roads in their community. He distributed some photographs for the Council and gave an overview of his past conversations with Public Works Director Brown and City Engineer Budde. He stated that while City Engineer Budde acknowledged that there were some large potholes that needed to be fixed, in general, the message he was given was that the Boulder Bridge roads were some of the best in the City, which he disagrees with. He stated that he has lived in this neighborhood for 20 years and can attest that the roads have degraded. He asked that the City include mill and overlay for Boulder Bridge in their CIP for next year.

Mayor Labadie thanked Mr. Robb for bringing this concern to the Council and asked Public Works Director Brown to address this issue during his staff report, later in the meeting.

Tom Lesser, 26245 Birch Bluff Road, explained that he was here to ask the Council to vote 'no' on approval of the design of the Birch Bluff Road project. He stated that the impact to the residents is incomplete and explained that the Council had not scheduled a follow-up town hall meeting for further communication and clarification of the project and had just been on a one-on-one basis with the City Engineer. He explained that earlier today he received an answer to one of his questions that just raised more questions and noted that he did not think there has been enough time to digest the answers. He stated that within the design, he and the neighbors saw that CenterPoint Energy is relocating the gas line from the street to the right-of-way which is in the root zone of many of the existing trees. He reiterated his request for the Council to vote 'no' until there has been further clarification on the design and exact details on what will be happening with the gas line.

Mayor Labadie asked City Engineer Budde to address these concerns during discussion of item 7 on the agenda.

4. REPORTS AND PRESENTATIONS

- A. **Martin Scheerer and Dr. Nicholas Simpson, Hennepin County Emergency Management**

Martin Scheerer noted that they are from Hennepin County Emergency Medical Services (EMS) and not the County Emergency Management. He gave a brief presentation on what they do in Hennepin County EMS and the location of their service area. He explained that they cover fourteen cities including Minneapolis and the western suburbs. He reviewed call volume data and noted that in Shorewood, from January through June, there were one-hundred twenty-eight calls with the average response time being ten minutes and forty-eight seconds for a Code 3, and about eighteen minutes for Code 2 and noted that he feels there is room for improvement in their response times. He stated that from these calls, they ended up transporting about eighty-one people to the hospital. He explained the recent change in their hiring process which allows them to bring in EMTs and train them, on the job, to become paramedics. He stated that this program also requires them to give the County a guarantee of three years of services following their training. He reviewed their Talent Garden program where they take high school or college students that are brought into the hospital and are exposed to all the different areas within the healthcare system. He explained that through this program they are training people to become emergency medical responders. He shared examples from a 'typical' day in the life of a paramedic.

Dr. Nicholas Simpson gave an overview of their P3 specialized team that has access to ultrasound and additional medications that the other medics do not have. He stated that they are working on extending this so that all the medics will have the ability to have some diagnostic information like this prior to getting to the hospital. He reviewed some of the other things that they are doing to elevate the level of care such as the Tech Rescue Team and Special Response Teams.

Mr. Scheerer stated that the medical direction team is one of the best in the country. He explained that the very best people go through their program and they try to keep the best of the best. He noted that in an attempt to have more community engagement, they formed the EMS Advisory Work Group. He explained that the City should have received their brand new newsletter last month and noted that one of his goals was to have better communication with the cities. He stated that even though they are a County organization he asked that the City consider them one of their own, such as a police or fire department, and encouraged them to reach out if they have questions or concerns.

Councilmember Callies stated that when people call 911, it does not appear as though they have a choice as to who will respond.

Dr. Simpson confirmed that was correct and, in general, there is not a choice because it is simply based on geography. He stated that they do sometimes see that those lines are crossed if someone else is really busy but it is primarily determined by your address. He explained that they just wanted to be available to the City to answer questions or get input on ways they can improve service to the residents.

Mr. Scheerer noted that he believes the dividing line in Shorewood is Country Club Road so the western portion of the City is covered by Ridgeview Ambulance and Hennepin County covers the eastern portion. He explained that the entire State is divided into Primary Services Areas (PSA).

Councilmember Gorham stated that the data presented showed that in the same time period the calls for Shorewood moved from one-hundred in 2021 to one-hundred twenty-eight in 2022 and asked if that was just a change in data or if it was a dangerous trend.

Ms. Scheerer stated that it is a trend and explained that they are seeing about a thirty-five percent increase in call volume throughout the system.

Dr. Simpson stated that they certainly saw a dip in 2019-2020 with COVID because a lot of people were staying home and many people, if they needed help, still chose not to call for help because they were afraid to go into the hospital. He stated that he thinks because of this there were a number of medical and mental health issues that were left unattended and believes that some of this call volume may be just catching up. He noted that this is not just a local trend and the increase is happening nationwide.

Councilmember Gorham asked if the call volumes were larger than pre-COVID data.

Mr. Scheerer stated that it is a bit higher than pre-COVID data.

Mayor Labadie thanked Mr. Scheerer and Dr. Simpson for their report.

5. PARKS

- A.** Report by Commissioner Hirner on the September 13, 2022 Park Commission Meeting.

Planning Director Darling stated that Commissioner Hirner was not in attendance tonight.

Mayor Labadie noted that the minutes from the last Park Commission meeting had been included in the packet.

Councilmember Johnson noted that he attended as the Council Liaison and noted that the Park Commission received their first presentation regarding the Integrated Pest Management Plan.

6. PLANNING

- A.** Report by Commissioner Eggenberger on September 20, 2022 Planning Commission Meeting

Planning Commissioner Eggenberger gave an overview of the discussion and action taken at the September 20, 2022 Planning Commission meeting.

7. ENGINEERING/PUBLIC WORKS

- A.** Approve Final Plans and Specifications and Authorize Advertisement for Bids for Birch Bluff Street, City Project 21-01

City Engineer Budde stated that on June 13, 2021, the Council authorized the preparation of the Final Plans and Specifications for the Birch Bluff Road Street and Utility Improvement project, which included watermain and storm sewer improvements. He stated that the City has gone through a series of open houses and public engagement with residents and neighbors in the area. He stated that the project details include: roadway width of twenty-six feet; on street parking allowed on the south side of Birch Bluff Road; speed limit to remain at 25MPH; the curve designed for 15 MPH; Lee Circle cul-de-sac increased to an eighty foot diameter; all stops signs to remain; no sidewalk or trail; eight inch watermain construction; four specific parcels remaining on Tonka

Bay municipal water; utilize fire lands for storm sewer discharge to Lake Minnetonka; and pursue ponding associated with drainage and utility easement at 26045 Birch Bluff Road. He stated that they are still in the process of requiring easements, right-of-entries, and completing the appraisal of where the stormwater pond would be located in addition to continuing to meet with residents to discuss any other concerns they may have. He stated that if the Council elected to approve this and move forward, they would open bids and be back for final action from the Council at the November 14, 2022 City Council meeting, with tree removal happening throughout the winter months. He stated that he would expect minor utility relocations to happen in the spring and the major street reconstruction to happen in June through November. He explained that with regard to the utility relocation that was referenced during Matters from the Floor, the City has been coordinating with all the small utilities that are in there and explained that they are permitted through the City's ordinances and are allowed to be within the right-of-way. He explained that many times the utility companies do not even start their design until the City has actually approved the project and when they do, the plans will be submitted to the City and will be reviewed and approved through the City permitting process which gives them some control. He noted that his expectation is that they will directionally drill their new lines which is relatively minorly invasive which should mean that there will just be minor impacts to the trees. He stated that this has been included in the City's budget plans and staff recommends approval and authorization to advertise for bids.

Councilmember Gorham asked about the radius design at Birch Bluff and Grant Lorenz in its current form.

City Engineer Budde stated that he believes it is either 20 or 25 MPH. He explained that the existing pavement encroaches onto the Lesser's property. He stated that they are trying to reduce the radius so it will no longer encroach on their property and will also help slow traffic.

Mayor Labadie thanked City Engineer Budde for his efforts to hold meetings and communicate with residents. She stated that the road was staked last week and feels that may have cleared up a lot of confusion about the actual parameters of the project.

Councilmember Gorham stated that he thinks there are a lot of nice things about this proposed project, but explained that he wished it were a 24 foot wide street and not 26 feet. He stated that there is a lot of charm along this street and loves driving down it and feels that there is a big difference between 22 feet and 26 feet.

Councilmember Siakel noted that most of the road is not 22 feet wide and it actually varies between 22 and 25 feet so for most people, there will be a very minimal impact. She stated that she has not heard complaints about the width of the street. She stated that she thinks City Engineer Budde has done a phenomenal job communicating and working with the residents. She stated that there are a number of residents along the road that want updated infrastructure, including water and noted that this project has been planned for a long time and explained that she was in full support of it.

Councilmember Johnson asked about parking and asked if his assumption was correct that if the road width was under 26 feet there would be no on-street parking.

City Engineer Budde answered that would be typical practice, but there are some exceptions, for example, Glen/Amlee which is only 24 feet wide and allows for parking on one side of the street.

Councilmember Gorham stated that there is not a hard and fast rule about not allowing parking at streets narrower than 26 feet and noted that he thinks that the City could still provide the infrastructure Councilmember Siakel referred to without increasing to 26 feet wide.

Mayor Labadie stated that twenty-fix feet is the recommended width according to the State Fire Standards and code and explained that she would not be comfortable going against those recommendations. She stated that she wants to do this road right which would include following the State Fire Code recommendation.

Councilmember Callies stated that she agreed and would error on the side of safety in this situation. She stated that parking is a challenge in this area and while she understands that trees are a concern, as City Engineer Budde has outlined, there have been some steps taken to try to reduce those impacts and she is in favor of approving this project.

Councilmember Gorham stated that the City did not create an 'unsafe' condition with 22 foot wide streets.

Councilmember Siakel reiterated that a portion of the road is already 26 feet wide and there were just a few individuals speaking up tonight. She noted that these individuals do not represent the entire street or neighborhood, but just a portion.

Siakel moved, Callies seconded, Adopting RESOLUTION NO. 22-093, "A Resolution Approving the Plans and Specifications for the Birch Bluff Road Reconstruction Project and Authorizing Advertisement for Bidding, City Project 21-01." Motion passed 4-1 (Gorham opposed).

8. GENERAL/NEW BUSINESS

A. Approve Appointment of Park Commissioner

Interim City Administrator Shukle stated that Patricia Levy attended an interview during the Council Work Session prior to this meeting.

Mayor Labadie explained that she and Councilmembers Callies and Gorham were present for the interview and noted that she felt that Ms. Levy would be a wonderful addition to the Park Commission.

Councilmember Gorham stated that he agreed and he felt she brought a lot of energy and fresh ideas.

Callies moved, Labadie seconded, Adopting RESOLUTION NO. 22-094, "A Resolution Making an Appointment to The Shorewood Park Commission." All in favor, motion passed.

Mayor Labadie stated that she would like to reverse the order of the remaining agenda items since Police Chief Tholen was present.

B. Approve SLMPD Joint Power Agreement (JPA), Adopting RESOLUTION NO. 22-090 (Moved from the Consent Agenda, and Formerly item 8.C.)

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Councilmember Callies stated that she asked for this to be removed from the Consent Agenda because she wanted the Council to have more discussion on this item. She asked about Section 7, Subd 1, that references that the Committee funds may be expended by the Committee. She asked how this would affect day to day operations because she assumed the Coordinating Committee did not get down to how Chief Tholen runs the department on a day- to- day basis. She stated that she did not think the internal operation details were very clearly stated because this document almost makes it seem like the Coordinating Committee has to agree on every check that is written.

Chief Brian Tholen, SLMPD, explained that he does handle the day-to-day operations and whenever he has a question, he brings them up to the mayor or the specific city it may affect.

Mayor Labadie stated that there has been a slight change in the check writing policy.

Chief Tholen stated that was correct and explained that initially the Chair of the Coordinating Committee would have to sign every check which caused a delay. He explained that the Coordinating Committee decided to have two signatures necessary, himself, and his administrator, so he can review every bill and every check that goes out the door, without a delay.

Councilmember Callies noted that procedure was not really spelled out within the JPA. She referenced Subd. 2 which refers to Exhibit 1, however there appears to only be an Exhibit A. She asked where things were in the process of approving the JPA.

Mayor Labadie stated that she knew that Greenwood has already approved the JPA.

Chief Tholen stated that the goal is to have this completed by the end of 2022.

Mayor Labadie suggested that if there are concerns raised about the JPA, she could bring them to the next Coordinating Committee meeting for discussion.

Councilmember Siakel asked if City Attorney Shepherd had already reviewed this document.

City Attorney Shepherd stated that he had not reviewed it prior to it being in the agenda packet.

Councilmember Siakel asked if the changes to the JPA were intended to be housekeeping matters.

Chief Tholen explained that this was already in process before he came on board, but believes the idea was to remove language that was not necessary and streamline how the operation of the SLMPD is actually working.

Councilmember Callies stated that she felt there should have been a bit more time to look through it before it is placed on something like the Consent Agenda for approval, but noted that she believes the entire Council is in favor of having a JPA.

Mayor Labadie stated that if the Council felt they needed more time to review the JPA, it can always be placed on a future agenda and suggested the October 11, 2022 meeting. She noted that the Coordinating Committee meeting is on October 12, 2022 so if there were any concerns raised at the Council meeting, she could bring those to the Committee a few days later.

Councilmember Callies continued with her questions about the JPA related to Section 10 and the change in notice from twenty months down to eight months.

Mayor Labadie stated that during discussion at the Coordinating Committee, it was felt that twenty months was too long a time.

Chief Tholen stated that there were also concerns about budgeting, so this would allow them to be able to budget quicker if a city decided to leave.

Councilmember Callies asked about Sub. Para. C, Subd. 1.c. and noted that it appears that something may have been left out or was written poorly. She referenced Section 10, Subd. 3, and noted that she feels it would probably be under Section 9, not Section 10. She stated that Exhibit A had such small print that she was not able to read it, but Interim City Administrator Shukle had provided her with a larger print-out. She asked for an overview of the reallocation and if her understanding was correct that it would be done very five years.

Mayor Labadie stated that she had noted all the comments outlined by Councilmember Callies. She encouraged the Council to take a look at the JPA and plan to bring it back to the next meeting for discussion prior to the Coordinating Committee meeting.

Labadie moved, Siakel seconded, tabling discussion of the SLMPD Joint Powers Agreement resolution and bring it back to the October 11, 2022 City Council meeting. All in favor, motion passed.

Mayor Labadie noted that if the Council discovered any other items such as Councilmember Callies brought up, that they are communicated to Interim City Administrator Shukle or City Attorney Shepherd prior to the Council meeting.

C. Utility Rates Review – (Formerly item 8B)

Finance Director Rigdon stated that the City has put together a 10-year Capital Improvement Plan as well as a 5-year street reconstruction plan. He stated that when they began this analysis a few years ago, they found that there were some significant shortfalls in their projections. He stated that the City then built in some rate increases over the last few years to address the shortfall. He reviewed the proposed annual increases in utility rates and the cash for operations for the Water Fund. He noted that the cash for the Water Fund has been negative over the last several years and explained that there is a similar situation within the Sewer Fund. He reviewed budget details and explained that the cash being drawn down is directly occurring because of the Met Council bill for waste water service which has shot up rapidly over the past few years. He stated that there is some operating income in the Storm Water Management Fund, but noted that the cash in this fund has also been decreasing. He stated that for the long term, the City needs to have some income coming in and explained that staff is recommending approval of the new utility rates, as outlined.

Councilmember Gorham asked what a 'normal' rate increase would be after this 5 year program has been completed.

Finance Director Rigdon stated that historically it would be in the 3% range, but with inflation is currently higher than that.

Councilmember Gorham stated that inflation right now is somewhere between 9-11% and asked if that meant the City would adjust to that for next year.

Finance Director Rigdon explained that the City would want to closely review this every year.

Councilmember Siakel stated that she thinks the City's current rates are really a bargain and noted that she did not think anything that Finance Director Rigdon was suggesting for the rate increases was out of line.

Councilmember Callies stated that she agreed that these adjustments do not appear to be out of line and thanked Finance Director Rigdon for laying the information out the way he has because she felt it was a very good explanation. She noted that she agreed that the City should review this information periodically in order to ensure that the fund correctly balances.

Siakel moved, Johnson seconded, Adopting ORDINANCE NO. 593, "An Ordinance Titled "Utility Service Charges". All in favor, motion passed.

9. STAFF AND COUNCIL REPORTS

A. Administrator and Staff

1. Tree Sale update

Mayor Labadie noted that a memo from Communications and Recycling Coordinator Moore was included in the packet which thanked Wade Woodward for his assistance during the tree sale. She noted that she would also like to recognize Communications and Recycling Coordinator Moore because she also put a lot of work into the tree sale.

Other

Public Works Director Brown stated last week Ryan Brandt started as a Light Equipment Operator and today Todd Roden also began training and noted that this is the first time the department has been up to full staffing in quite a while. He explained that he can also address the questions that had been raised during Matters from the Floor by Mr. Robb related to the condition of Boulder Bridge roadways. He explained that both he and City Engineer Budde had met with Mr. Robb out in the field and while portions of the roadways were aesthetically displeasing, they are superficial and not structural. He stated that he went back and took a look at the ratings and they are rated as a seven out of ten, which is where pavement spends most of their 'lives'. He explained that a seven rating means that the roadways have some blemishes and cracks, but not large areas of 'alligating'. He noted that there is a small section of alligating in the photos submitted by Mr. Robb, but overall, the roadways are structurally performing well, despite their age. He stated that when the City began the Pacer rating program, the goal was to try to keep all roadways above a four, which they have been able to do. He stated that over the past two to three years, the City has put a great deal of effort into the mill and overlay program, however, it is based on the funding that is available. He explained that they have tried to aggregate the funds into a two-year program, which means mill and overlay was done this year and would not be done in 2023. He stated that the plans for the 2025 mill and overlay program are already full and do not include the Boulder Bridge roadways. He understands that there is frustration there, but the City is limited by the funds and are doing their best to follow the Paser rating program objectively. He stated that Boulder Bridge is slated for patching and noted that he has spoken with City Engineer Budde

about sealcoating which could buy a bit more time to get more life out of the pavement before additional restoration is needed, however that was discontinued under former City Administrator Lerud. He explained that former City Administrator Lerud believed that sealcoating was essentially painting over the problems, but some still feel that sealcoating can be worthwhile. He stated that he does not think Boulder Bridge roadways will meet the current criteria for the 2025 program, but he and City Engineer Budde have discussed whether there is any way they can come up with funds and do a major patch and sealcoat of that area to try to buy some time.

Councilmember Siakel stated that she thinks this comes back to the Council because there need to be some standards and a schedule that they stick to. She stated that she thinks the City has gotten into the situation where they get beaten down by the public or people come in and want something a certain way so the City gets away from their planned calendar. She stated that she feels strongly that there have to be standards and the City has to stick to the calendar, regardless of who is coming before the Council. She stated that she thinks it will get more difficult in neighborhoods along the west side because these are neighborhoods that have been there a long time. She stated that the Council needs to balance resident needs with being good financial stewards. She stated that the standards and how they are followed should be consistent, the residents should be treated consistently, and feels that the City seems to be moving away from this piecemeal approach.

Mayor Labadie asked when Public Works Director Brown had met in the field with the Boulder Bridge residents.

Public Works Director Brown stated that it was about three months ago.

Mayor Labadie asked how often the Paser ratings are reviewed.

Public Works Director Brown explained that he typically does the ratings every year, in the late fall.

Mayor Labadie stated that she agreed with Councilmember Siakel that the City needs some sort of standard, but she felt that the Paser system already provides that standard. She stated that this is reviewed annually and likes how the City does the major constructions/reconstructions one year and then the mill and overlays the following year.

Public Works Director Brown stated that Boulder Bridge has been slated for some hot patching.

Mayor Labadie asked that the City notify the neighbors when the patching has been completed and perhaps put together information explaining to residents about the Paser system and how the City uses it.

Public Works Director Brown noted that the City has begun the watermain flushing a bit earlier than normal.

City Engineer Budde reminded the Council that the contractor will be out doing some of the mill and overlay on the Christmas Lake Lane area within the next week or two, which is a bit behind schedule.

Planning Director Darling stated that the two items that were presented this evening by Planning Commissioner Eggenberger will be in front of the Council at their October 11, 2022 City Council

meeting. She noted that she will be sending out letters to residents involved, because the Planning Commission had referenced the City Council meeting would be on October 10, 2022, however that is Columbus Day and the City Council meeting will be held on Tuesday, October 11, 2022.

City Attorney Shepherd stated that following up on the discussion with the City Prosecutor at the last meeting, there will be a disposition report that will come from Hennepin County. He explained that this report is created three weeks after the end of the month and the City Prosecutor will also provide a listing of the number and type of appearances for the Council along with that report.

Interim City Administrator Shukle explained that there were 13 candidates for the Park and Recreation Director position and they have interviewed eight of them. He noted that they have narrowed the candidates down to four and explained that the Personnel Committee will take part in interviewing those four candidates later this week. He noted that there will be a Special City Council meeting held on September 27, 2022 to discuss the City Administrator search.

B. Mayor and City Council

Councilmember Callies stated that she had been out walking near the Smithtown Ponds project and really liked the signage because it contains a good explanation of what is coming. She noted that she feels like it is going to be a really beautiful project when it is completed, but noted that the sidewalks in that area have a lot of weeds and vegetation in them.

Public Works Director Brown stated that the weather lately has been favorable for weed growth. He stated that normally they would apply a chemical to the weed growth, but as the Council is aware, the City is holding off until the Integrated Pest Management Plan has been approved.

Councilmember Callies stated that her understanding is not that the City will accept the completed report 'as is'. She stated that she thought that the City would take a look at it and decide how they want to proceed and thinks the resolution should be amended to take into consideration some of these issues, so it is not an all or nothing proposition. She stated that there were areas in the report that were not noticed, such as the area near the water tower on the east side that was planted a few years ago with natural plantings such as milk weed. She stated that at the Park Commission meeting there the idea that the meeting was not terribly well publicized and believes that there was going to be some more outreach to ensure people know about these ongoing discussions.

Public Works Director Brown stated that the last phase of the report is due in March of 2023. He stated that this issue will require a fair amount of public input and public education, so it will need to be well advertised. He stated that Councilmember Callie's point is well taken regarding this time of suspension of applying any chemicals because that means that the City is suffering some setbacks in infrastructure and noted that the parks would definitely take a hit. He stated that this will need to be a cultural shift and the City and residents will have to have a higher tolerance for weeds. He stated that during this suspension, the City will be taking a few steps backwards, but agreed that areas like the sidewalk she mentioned will begin to degrade the City's infrastructure.

Councilmember Callies stated that she feels what he is referencing is a policy decision and she does not recall that the Council made that kind of decision that the City was just going to suspend everything until this report is completed. She stated that she did not think the Council had agreed on what the cultural shift would actually be.

Councilmember Siakel stated that she feels this is another example of something that has gotten completely unbalanced. She explained that she feels that there was great intention when the whole Bee Pollinator thing came through, but to Councilmember Callies point, not having it be an all or nothing approach would be a much better place to be. She stated that she feels the City can say, yes, we are the first City to do this, but is clearly needs some revamping. She stated that she feels this has ended up weaponizing certain people in the public to attack people and make it a polarizing issue. She stated that she does not think the Council had asked the question about what would happen in the interim time period. She agreed with Councilmember Callies that there could be a better balance within that resolution and it may be a good idea to amend it for that policy.

Mayor Labadie explained that she did not disagree, but thinks the Council did give the order to halt pesticide applications until the Integrated Pest Management study was completed. She noted that when the Council gave that order, she does not think they anticipated that it would take this long to complete the various phases of the study.

Councilmember Callies stated that they can review the minutes to see if the Council actually made that decision and reiterated that she did not recall ordering the Public Works Department to not do anything at all.

Councilmember Siakel noted that she did not think staff has done anything wrong and stated that it may just be an unintended and unforeseen consequence to these discussions. She stated that she fully expects the pendulum to swing the other way and for the City to start getting complaints from people about the weeds and questions about why the City was not keeping up with the maintenance in the parks. She stated that she feels Councilmember Callies said it perfectly that there just needs to be a balance between nothing and everything and feels that amending the resolution may be a good idea.

Public Works Director Brown stated that he does not believe there was a statement made from the Council with the direction to not apply any chemicals but that it fell back to the resolution that was passed for the Bee-Safe situation. He explained that declared that the City would not use certain types of chemicals or systematic pesticides which is where the prohibition comes into play.

Councilmember Callies noted that she did not think the definition was clear and noted that she went back and took a look at the minutes from 2014 and when the Council was discussing it at the time, it never said that the City would never use systemic pesticides anywhere.

Councilmember Gorham stated that he also did not think the City was stopping 'cold turkey'.

Councilmember Siakel stated that she understood why staff would have thought that they should stop "cold turkey", because there were people coming asking for data requests and screaming about purchases that were quite nasty. She stated that if it had been her, she would have stopped "cold turkey" after those actions.

Mayor Labadie stated that the argument was made that any type of pesticide was in violation of that resolution.

Councilmember Callies reiterated that she feels that the Council needs to revisit this issue and consider amending the resolution sooner than just waiting for the final phase of the report. She

stated that she would like to at least see a minor amendment to the language to reduce the amount of chemicals rather than 'abstain' from them.

Mayor Labadie asked City Attorney Shepherd to weigh in on this discussion.

City Attorney Shepherd stated that the Council could direct staff to bring forward an amended resolution that would be slightly more permissive, not a full prohibition, and clarify that the City was in the process of examining the use of organic material and pollinator friendly treatments.

Planning Director Darling noted that Phase One and Phase Two of the Integrated Pest Management Plan will come to a Council Work Session on October 24, 2022 and noted that the consultants will be present at the meeting as well.

Public Works Director Brown stated that Phase Two of the study is what he considers the 'meat and potatoes' of the document because it outlines more of the practices and the actual costs. He stated that staff can also take a look at the language of the resolution for further discussion at the Work Session as well.

Planning Director Darling noted that she believes this Work Session discussion will need to have at least two hours set aside to allow for detailed discussion.

Councilmember Siakel suggested that be scheduled for a separate date because if the discussion was going to take that long, that would make for a very long night in addition to the regular City Council meeting.

Councilmember Callies stated that she would agree that this would be a lot to schedule in addition to a regular City Council meeting. She noted that she wishes that the study would have been completed prior to the City passing the resolution so they knew what they would be getting into.

Councilmember Siakel reiterated that she feels there needs to be a conversation about balance and would like to see some representation during the discussions from some of the sporting leagues so they know that this is going on and make sure they know that they can voice their opinions.

Public Works Director Brown stated that he had been talking to them weekly and agreed that they do have concerns.

Mayor Labadie stated that from the grumbling she has heard, she believes the sports organizations are disappointed with the condition of the City's fields.

Councilmember Siakel stated that she was unaware of that sentiment because they had not contacted the City Council.

Public Works Director Brown stated that staff will do their best to ensure that the sporting leagues are at the table for these discussions because in some areas, such as the warning tracks, weeds can cause a safety issue.

Mayor Labadie stated that the fields will continue to decline unless the City does something and she thinks the sports organizations will pull out of the City parks and find somewhere else to go, if they are unhappy, which she does not think the City wants. She reminded the Council that

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October 1, 2022 from 5:30 to 7:30 p.m. there will be the Oktoberfest Celebration at the Shorewood Community and Event Center and October 6, 2022 will be the Open House at the Public Safety building from 5:00 p.m. to 8:00 p.m.

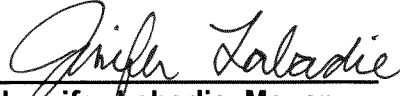
10. ADJOURN

Johnson moved, Siakel seconded, Adjourning the City Council Regular Meeting of September 26, 2022, at 8:57 P.M. All in favor, motion passed.

ATTEST:



Sandie Thone, City Clerk



Jennifer Labadie, Mayor