

MINUTES

1. CONVENE CITY COUNCIL REGULAR MEETING

Mayor Labadie called the meeting to order at 7:05 P.M.

- A. Pledge of Allegiance**
- B. Roll Call**

Present. Mayor Labadie; Councilmembers Johnson, 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

- C. Review Agenda**

Callies moved, Gorham seconded, approving the agenda as presented. All in favor, motion passed.

2. CONSENT AGENDA

Mayor Labadie reviewed the items on the Consent Agenda.

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

- A. City Council Work Session Minutes of November 28, 2022**
- B. City Council Regular Meeting Minutes of November 28, 2022**
- C. Approval of the Verified Claims List**
- D. Approve 2023 City Council Meeting Schedule, Adopting RESOLUTION NO. 22-126, "A Resolution Setting the 2023 Regular City Council Meeting Schedule for the City of Shorewood."**
- E. Approve Appointments of Matthew Morreim as Public Works Director**
- F. Accept Donation from Lucky's Station for Arctic Fever Event, Adopting RESOLUTION NO. 22-127, "A Resolution Accepting Donations to the City of Shorewood 2023 Arctic Fever Event."**
- G. Approve Programmatic Stormwater Agreement with Minnehaha Creek Watershed District, Adopting RESOLUTION NO. 22-128, "A Resolution to**

Approve Programmatic Maintenance Agreement with Minnehaha Creek Watershed District.”

- H. Approve Temporary Liquor License for Arctic Fever Event, Adopting RESOLUTION NO. 22-129, “ A Resolution Approving a Temporary On-Sale Liquor License for Excelsior Brewing in Conjunction with Arctic Fever,”**
- I. Approve City Amendments to MS4, Adopting Ordinance 596, 597 and RESOLUTION 22-130 “A Resolution Approving Summary Publication of Ordinance 596 Regarding City Code Ordinance Amendments Related to Illicit Discharge into Stormwater System.”; and RESOLUTION NO. 22-131, “A Resolution Approving Summary Publication of Ordinance 597 Regarding City Code Ordinance Amendments Related to Illicit Discharge into Stormwater System.”**
- J. Approve Bolton & Menk Contract Renewal**
- K. Approve Campbell Knutson Civil Legal Services Contractor Renewal**
- L. Approve Campbell Knutson Criminal Prosecution Services Renewal**

All in favor, motion passed.

Mayor Labadie expressed appreciation for the donation made by Lucky’s for the upcoming Arctic Fever event.

3. MATTERS FROM THE FLOOR

4. TRUTH IN TAXATION PUBLIC MEETING

A. Adopt 2023 Property Tax Levy and General Fund Budget

Finance Director Rigdon gave a brief presentation on the proposed 2023 Property Tax Levy and General Fund Budget. He noted that in 2021 the City used reserves in order to balance the General Fund revenues and expenses, but explained that was not something that the City wanted to continue to do because it was not the best budgeting tactic. He explained that in 2023, the City is structurally balanced with the revenues equal to expenditures. He noted that the time for residents to discuss their property valuations was through the Board of Review in the spring. He stated that the City needs to certify their Property Tax Levy by December 28, 2022. He gave an overview of various scenarios for the property taxes based on different valuation increases. He reviewed budget information for the Shorewood Community and Event Center and Enterprise Funds. He stated that the Capital Improvement Plan is updated on an annual basis and gave a brief overview of the proposed projects for 2023.

Mayor Labadie opened this item for public comment at 7:22 p.m.

George Greenfield, 24715 Yellowstone Trail, stated that every citizen should take pleasure in paying their taxes because it indicates membership in the community. He explained that he felt this was a sentiment that should be preserved and cultivated, but it is undermined when irrationality invades the taxation system. He stated that he feels that there was some irrationality

in the City and gave the example of the Tax Increment Financing (TIF) District and Shorewood Landings. He gave an estimate of much money the City will lose because of the TIF and shared his thoughts on things that make this situation even more egregious.

There being no additional comments, Mayor Labadie closed the public comment portion of the meeting at 7:29 p.m.

Councilmember Callies noted that the Council had already held a number of meetings on this information.

Callies moved, Johnson seconded, Adopting RESOLUTION NO. 22-132, “A Resolution Adopting the 2023 General Fund Operating Budget and Approving the Property Tax Levy Collectible in 2023.” All in favor, motion passed.

Callies moved, Johnson seconded, Adopting RESOLUTION NO. 22-133, “A Resolution Adopting the 2023 Shorewood Community and Event Center Budget and 2023 Enterprise Fund Budgets.” All in favor, motion passed.

Johnson moved, Gorham seconded, Adopting RESOLUTION NO. 22-134, “A Resolution Adopting the 2023-2032 Capital Improvement Plan and 2023 Capital Project Fund Budgets.” All in favor, motion passed.

5. REPORTS AND PRESENTATIONS

A. Employee Service Awards

Interim City Administrator Shukle explained that the City enthusiastically and historically recognizes employees who have reached certain milestones in their employment with the City. He acknowledged: Chris Heitz, Public Works Lead Supervisor; Marie Darling, Planning Director; and Sandie Thone, City Clerk/HR Director who have all been with the City for five years.

Mayor Labadie shared an example of an instance on a Saturday that Public Works Lead Supervisor Heitz and two other Public Works employees came out to a neighborhood that had a flooding street and spent hours taking care of the problems and pumping water from the street. She stated that anytime she has a question, Planning Director Darling, goes above and beyond to ensure that she understands the situation and is always willing to take time to explain things to the Council and put things into terms that they can understand. She stated that she also frequently stays late and in the past has attended all the Park Commission as well as the Planning Commission meetings. She noted that City Clerk Thone has been able to implement a lot of things within the City that prior to her employment did not exist. She explained that she feels many of them have made a huge impact on the morale of the City staff.

The Council thanked the employees for their service to the City.

B. Recognition of Service:

- **Larry Brown, Director of Public Works**
- **Nat Gorham, City Council**

Interim City Administrator Shukle stated that Public Works Director Brown has been with the City for over twenty-seven years. He stated that he came in when this position really did not exist and

was able to develop improvements in the department and has also led a crew of very good employees. He stated that one thing that the City will miss is the amount of institutional memory that he has and expressed the desire that he be willing to correspond with his successor when necessary. He stated that at the time Public Works Director Brown was hired, he was working for the City of Mound. He explained that he was impressed with Public Works Director Brown twenty-seven years ago and has remained impressed in his time working with him this past year.

Public Works Director Brown stated that it has been a treat working for the City for the last twenty-seven years. He stated that he has seen a number of Councils and a number of City Administrators in his time with the City. He noted that he has had many opportunities and reiterated that it has been a pleasure serving the Council and the residents of the City.

There was a round of applause for Public Works Director Brown.

Mayor Labadie stated that she has a lot of nicknames for various staff members and Public Works Director Brown's nickname is LLB, 'Legendary Larry Brown'. She stated that she will miss him and noted that his last day with the City will be an emotional day for her. She stated that his institutional knowledge will not be going away because she plans to call him and bug him with questions. She noted that Councilmember Gorham's term on the Council will also be ending soon. She stated that she appreciated his stepping up to fill her Council seat after she was elected Mayor. She explained that there were thirteen applicants that applied for the position and he was the candidate the Council had selected to finish out her term. She stated that the Council was very confident in their selection and his time on Council has proven that this confidence was not unwarranted.

Councilmember Gorham thanked the Council for giving him this opportunity and noted that it had a dramatic two years. He stated that he did not realize all the tough decisions and conversations that he would be part of by serving on the Council. He expressed his desire that the next few years would be smooth sailing for the Council and wished incoming Councilmembers Maddy and Sanschagrín the best in their new positions.

Councilmember Johnson pointed out that Councilmember Gorham also served on the Planning Commission for years and expressed his hope that he may consider throwing his hat back in to serve in that capacity again.

Councilmember Gorham thanked the Council, Mayor Labadie and staff for all their assistance and guidance during his time on the Council.

There was a round of applause for Councilmember Gorham.

Mayor Labadie noted that there were many times that this Council did not agree with each other, but stated that Councilmember Gorham was always respectful when expressing his opinion regardless of whether he agreed or not.

6. PLANNING

A. Presentation by Commissioner Huskins on December 6, 2022 Planning Commission Meeting

Commissioner Huskins gave an overview of the discussion and recommendations from the December 6, 2022 Planning Commission meeting.

7. GENERAL/NEW BUSINESS

A. Review Reaffirmation of Bee Safe Resolution

Planning Director Darling stated that the Council had reviewed the Bee Safe Resolution at their Work Session earlier this evening. She stated that they reviewed the revised resolution and believes that there was consensus at the Work Session to make a few changes to the language. She noted that City Attorney Shepherd was able to quickly make some changes to the language and explained that copies of those revisions have been placed in front of the Council and were available for review on the table just outside the chambers.

City Attorney Shepherd gave an overview of the concerns the Council had expressed about the previous draft of the resolution and the desire to revise portions of the existing resolution.

Councilmember Callies stated that she thinks the revised changes to the resolution provide workable solutions and can be used as the City moves forward into the main work in how to implement the recommendations from the IPM Institute. She stated that she is in favor of these changes and noted that she feels they are stated more clearly than the previous draft.

Councilmember Gorham stated that he did not think a gradual reduction was in the spirit of being a Bee-Safe City. He referenced the e-mail the City received from Judy Chucker and explained that the phrase he has in the front of his mind is that you 'either do it or you do not do it'. He stated that he thinks the City needs to understand what they are doing first because he does not think they can really know if they are going to do a gradual reduction or not. He stated that he feels they are letting an idea of what they think the IPM strategy will be to lead the Council to a resolution. He stated that he thinks that there should be a higher bar set than just a gradual reduction and asked if the Council was concerned about a specific liability or if there was a fear of being sued.

Councilmember Callies stated that she did not think the issue was related to liability, but noted that there is a lot of push back or upset by the public if the City does not comply with the resolution. She stated that this is stating a policy and if the City is going to have a resolution, she feels that they should do something that is stated in a way that the City is able to undertake that. She explained that she felt the most recent proposed change does a better job of that than the previous resolution. She stated that she would disagree that the City needs to have the plan first because the current resolution dictated every single thing the City did in terms of parks, City property management, and use of pesticides.

Councilmember Gorham noted that he was not sure if the gradual reduction plan would actually be the plan. He noted that the most recent language draft had not been reviewed by residents because it has kind of just been shuffled in prior to the meeting, which he does not like.

Mayor Labadie stated that the Work Session and this meeting were public meetings and residents had not been asked to leave. She noted that she agreed with Councilmember Callies that she did not think the Council was doing this out of fear. She stated that she had shared at the Work Session meeting that she had received a lot of calls this past year about buckthorn, weeds, and

the deterioration of the Manor Park Pond. She stated that she thinks taking this action would be a good step.

Councilmember Gorham asked when the next meeting with IPM would be held.

Planning Director Darling stated that the meeting was not yet scheduled.

Councilmember Callies stated that in 2014 when the original resolution was passed, there was not a huge public hearing or input from the public surrounding the adoption of the resolution. She stated that she thinks the items that need additional public input would be related to the specific portions of implementation that the City will undertake, as well as the actual aspects of the work. She stated she felt the plan needed to evolve from the resolution and not the other way around.

Councilmember Johnson stated that he understood where Councilmember Gorham was coming from, but, in his opinion, as he reads the resolution in its entirety, there are 'whereas' statements at the top of the page that talk about the City's commitment which shows the direction the City wants to go. He stated that he feels making these revisions are better than rescinding the original resolution and he would be in favor of the revised language.

Callies moved, Johnson seconded, Adopting RESOLUTION NO. 22-135, "A Resolution Reaffirming the City's Commitment to "Bee-Safe" Management Practices", as revised and provided to the Council following the Work Session meeting. On a vote of 3-1 (Gorham opposed), motion passed.

8. STAFF AND COUNCIL REPORTS

A. Staff

Public Works Director Brown stated that there is a major storm event coming and encouraged everyone to stay aware and be careful.

Mayor Labadie noted that she had gotten a lot of positive feedback regarding Public Works related to snow removal but noted that she has gotten a lot of kickback regarding the dirt on Smithtown Road.

Councilmember Johnson agreed and stated that he had also received quite a few complaints about the dirt on Smithtown Road.

Mayor Labadie noted that she had forwarded the complaints to Public Works Director Brown and City Engineer Budde and explained that they seem to have been resolved.

City Engineer Budde explained that Smithtown Road did get pretty mess and sloppy for portion of the last week and he had communicated with the contractor that they need to change their best management practices so sediment is not tracking out the way it had been. He noted that he is still awaiting a response from them as to their plan for correcting and addressing this situation. He stated that staff has a meeting set up with MnDOT later this week to discuss the Highway 7 corridor and the next steps moving forward. He thanked Public Works Director Brown for his work in the City and stated that it had been a pleasure working with him over the past three years.

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Public Works Director Brown stated that regarding Smithtown Road, he and City Engineer Budde discussed the situation. He explained that when he heard what was happening, City Engineer Budde had promptly issued a 'stop work' order for them which got their attention and noted that they had been encouraged to come up with a different plan.

Planning Director Darling stated that the Parks Commissioner Matt Gallivan has resigned along with Commissioners Schmid and Heinz, so, the City is no longer able to have a quorum until those positions have been filled. She encouraged residents to consider volunteering for the three seats open on the Parks Commission or the two open on the Planning Commission.

B. Mayor and City Council

Councilmember Gorham stated that the communities local chocolate shop, Truffle Hill, was vandalized and their entire inventory was ruined. He stated that they are open again and encouraged anyone who may need chocolate for the holidays to contact them.

A man from the audience shared information about a crowd-funding effort on-line that was able to raise over \$15,000.

Councilmember Johnson noted that while they are back open, he did not think that they were taking orders on-line. He stated that he also wanted to thank Mayor Labadie for the countless interviews that she has given on Highway 7 safety and noted that he felt that they were very professionally done. He stated that he is hopeful that this will help bring some changes to the Highway 7 corridor more quickly.

Mayor Labadie stated that some of those interviews occurred as a result of residents reaching out to the news agencies who then contacted her to make a statement on behalf of the City. She thanked the residents who took the time to contact those agencies about the safety of Highway 7 and assured the residents that she would not be giving up on this issue. She attended the Regional Council of Mayors meeting earlier today where she encouraged them to have topics and speakers in 2023, such as infrastructure, that were geared more towards smaller cities.

9. ADJOURN

Johnson moved, Labadie seconded, Adjourning the City Council Regular Meeting of December 12, 2022, at 8:05 P.M. All in favor, motion passed.

ATTEST:



Sandie Thone, City Clerk


Jennifer Labadie, Mayor