

MINUTES

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

Absent: None

B. Review Agenda

2. REVIEW REAFFIRMATION OF BEE SALE RESOLUTION

Planning Director Darling explained that at a recent Work Session the Council had expressed concern that the wording in Resolution No. 14-066 does not allow for gradual implementation of the plan from IPM Institute. She stated that they had also expressed concern that the cost of full-scale implementation of the plan would exceed the amount that had been tentatively budgeted which was \$45,000/year. She explained that at that meeting, staff was directed to prepare some changes to the resolution with the goal of reflecting a realistic implementation process. She noted that City Attorney Shepherd had drafted a resolution that incorporated the comments made by the City Council. She explained that staff had sent out an e-mail blast to the residents that would receive ordinance changes and had also put information on the City's website. Staff received 5 e-mails which are now part of the public record from: Tom and Sandy Ahlstrom; Judy Chucker; Jeff Dinsmore and Patricia Houser; Pat Arnst; and Dan Koehler. She explained that staff would like them to review the proposed language in the resolution as well as the public comments that were received.

Mayor Labadie stated that in the past, she had made reference to herself, Councilmember Siakel and Councilmember Johnson were part of the original resolution. She explained that this was not accurate and rather than Councilmember Johnson, it was Councilmember Dick Woodruff. She noted that the proposed resolution has been reviewed by Interim City Administrator Shukle, City Attorney Shepherd, Public Works Director Brown, and Parks and Recreation Director Crossfield. She thanked the residents who took the time to submit comments to the City in this matter.

Councilmember Callies stated that she thinks the proposed resolution is actually worse than the first version in terms of what it is trying to do. She stated that she believes what the City had intended to do was provide more clarification, so that the City and staff have some more direction as to what will occur. She stated that in that regard, she agrees with the comments made by Ms. Chucker, Mr. Dinsmore, and Ms. Houser. She stated that the idea of best practices to 'refrain' from the use of chemicals is really meaningless because you cannot have best efforts to stop

doing something because that simply means you are not doing it. She stated that she feels that the City is basically being held hostage by this resolution and that the City did not need a resolution in order to implement an appropriate pest management plan. She stated that she thinks there are two separate issues here and noted that she would like there to be more public input on the specifics of what the City wants to implement with a pest management plan, but there was an e-mail blast and there are just a handful of people out of the seven thousand residents that have commented. She stated that she believes that there is too much focus on this resolution and every day it is effecting what the City does. She explained that she believed that the City needs to rescind the resolution and move towards the next step to implement the plan. She reiterated that she did not believe that the City needed to have the resolution in order to decide how they want to implement the plan. She stated that she did appreciate the report that was put together by IPM Institute and felt that they had some good ideas and felt that they also recognized that it was not a zero tolerance policy, but, unfortunately, that is what the resolution says. She stated that she did not think the resolution was helpful in providing guidance to the City and feels it should be scrapped. She noted that she did not feel the proposed resolution took into account any of the variables that may be present throughout the City. She explained that the consultants had stated that there are times when systemic pesticides need to be used which would not be allowed under the existing or the amended resolution. She explained that she would like to see the City move on from this and rescind the resolution because it is not a law and it has had unintended consequences. She stated that her other suggestion for consideration down the road is to put a question on the ballot at the next election and get citizen input as to how much they want to spend and find out how concerned they are about implementing this type of plan because decisions made surrounding this issue could potentially raise everyone's taxes. She reiterated that she feels the Council needs to move on from this resolution and start doing the work determining what the City wants to do in terms of handling chemicals on public properties and a way to implement the plans, gradually.

Councilmember Gorham stated that he agreed that the new resolution language is bad because it puts the City in an ambiguous area of wanting to follow, but not quite following the policy. He stated that he did not think he would go as far as rescinding the existing Bee Safe policy because he does not think the City has given the effort a fair shake yet. He stated that he was coming in with the idea of tabling any action for now because there is a plan. He noted that he feels that Councilmember Callies interpretation of the plan may be a bit off. He stated that he thinks the recommendations are getting the City away from the red zone of systemic pesticides in favor of moving into the yellow zone of 'not as bad'. He stated that he believed that there are ways for the City to follow the existing resolution without getting into the danger zone of super harmful chemicals. He stated that Shorewood was the first City to do this and they are 0-6 on the pledges that they made. He asked that the City give it at least a year under the new Public Works Director and new City Administrator before any changes are made. He stated that he thinks some of the solution will involve administration as well as oversight. He reiterated that he did not think the next step should be to rescind the resolution without ever trying would not look good for the City.

Mayor Labadie stated that Shorewood was the first City in the State to pass a resolution of this nature and noted that many others have passed one since that time, and have used the language in the City's resolution as a model for theirs. She stated that tabling this for at least a year means the resolution is still there and puts staff in a bad spot as to what should be done moving forward.

Councilmember Johnson stated that he is torn on this issue because he can see the point Councilmember Callies was trying to make and her thought process that if the City cannot live up to it, why even have it. He stated that he also does not like the optics of rescinding it because

someone looking from the outside may deem that to mean that the City was not trying to make the effort to limit the use of systemic pesticides and be a Bee Safe City which he does not want to happen. He stated that he wants the City to make progress and go through the process of getting IPM's best recommendations and come up with a plan to implement them. He reiterated that he was torn as to whether the right approach would be to leave the existing resolution in place or to adopt a new resolution. He explained that for either approach, his understanding is that they are temporary, with the City moving towards taking the best information from the consultants that they have hired and then implementing the best possible solution.

Councilmember Callies stated that she understands the concerns about the optics, but questions how they can get around the second point in the resolution that says, 'The City shall refrain from the use of systemic pesticides on Shorewood City property, including pesticides from the neonicotinoid family.' She stated that this is in black and white and was what got the City into trouble before. She stated that if that stays on the books and the City moves into a gradual implementation, somebody will say that is not allowed, because it is written right there. She stated that she thinks, at a minimum, that language needs to be changed. She stated that she thinks the City needs to separate out what they do from the language of this resolution. She stressed that she did not think this language could be kept in place and the City then just go about with a gradual implementation process.

Councilmember Gorham stated that his understanding was that one of the IPM recommendations took the City away from the most harmful chemicals in the less harmful arena, which he feels is the spirit of the second point.

Councilmember Callies agreed that was what the recommendations are but noted that is not consistent with what the resolution states. She stated that with the way the resolution is written, people can rightfully say that the City is not refraining from the use of systemic pesticides. She noted that there are also inconsistencies in the resolution because the City is supposed to be undertaking the 'best efforts' to become a Bee Safe City. She stated that she does feel the City should work towards this but noted that she did not think the optics were worth keeping this in place, as it is. She stated that she feels it would have been better for the City to have done this study before the resolution was adopted.

Mayor Labadie stated that the word 'optics' has come up numerous times in this discussion. She explained that she received more complaints this past spring, summer, and early fall about buckthorn, weeds along the Smithtown sidewalk, and the recurrent algae in the Manor Park Pond which had previously been under control. She stated that the City had worked on the Manor Park Pond project for many years and had deemed it successful and noted that after the alum treatment, she received a lot of feedback from the neighborhood thanking the City for doing this because wildlife and birds were coming back. She stated that this past year, the pond took a step backwards, and she has been receiving a lot of complaints because it was not being managed the way it had been due to the resolution language.

Councilmember Gorham stated that he believes the complaints came because the City simply was not managing them at all and had just stopped using systemic pesticides but did not have a Plan B in place. He stated that there is no evidence that tells the City that something else would have worked at Manor Park Pond.

Mayor Labadie explained that the City had tried many other things at the Manor Park Pond over many seasons and nothing worked until the alum treatment.

Councilmember Johnson noted that the City had relied on expertise as to what the best options were in that situation. He stated that he also received more letters of thanks for the alum treatment at Manor Park Pond than he has received on any other issue in the City.

Councilmember Callies stated that the athletic associations want the fields taken care of, but again, this has to do with how the City will gradually implement a plan that is feasible economically and for manpower. She stated that she thinks the full Council is in agreement that they want to do these things and minimize unsafe practices, but she does not feel they can have the resolution leading the City by the nose. She noted that if the Council was going to spend months trying to figure out the resolution language, she would prefer they just scrap it and move on to what they will do to implement the plan. She stated that the consultant will be coming back and there will also be public meetings and then they can decide what is the best way forward. She reiterated that she did not feel the resolution should be dictating up front how the City should go about it.

Mayor Labadie stated that the Council has limited time on this item because they need to discuss the Capital Improvement Plan and encouraged them to wrap up their comments on this agenda item.

Councilmember Johnson asked when the City starts treating the parks in the spring.

Public Works Director Brown stated that it is usually around late April or early May.

Councilmember Johnson asked how many more steps the City had to go with the IPM companies before they really get a sense as to what the best options are. He noted that he understood that this was a somewhat open ended rhetorical question, but noted that he is leaning towards only modifying the second point in the original resolution.

Councilmember Gorham stated that he would like to know if there was an IPM recommendation that could meet the second paragraph.

Councilmember Johnson stated that he believes their answer to that was 'not at first' but they could get there gradually.

Councilmember Callies stated that she believes the representative from Good Nature said that the City would 'try to avoid'. She stated that she would agree with Councilmember Johnson that number two is the statement that was really creating problems for the City and reiterated that she feels 'shall refrain from' is just too strong for what the City is able to do. She stated that changing it to 'best efforts to refrain' is also not helpful.

The Council discussed the options for moving forward and what approach may have a consensus.

Councilmember Callies stated that she feels that the Council is making too big of a deal in calling this a monumental decision. She stated that she would like to know how the City is going to implement this plan and not just focus solely on the resolution. She stated that she could agree with the suggestion made by Councilmember Johnson to modify the language in number two so the City can do something and decide which portions of the recommendations of IPM can be implemented in a way that is appropriate for the City.

Mayor Labadie asked if the Council would like this issue to be placed on the regular agenda for discussion and potential action.

Councilmember Callies stated that she would like to see a decision be made.

Councilmember Gorham stated that he felt that the cart was a bit before the horse. He stated that the Council wants more information about the plan and, if there are ways to change the language and follow the spirit of the Bee Safe resolution, once they know which plan they will take, then he feels the language should be changed. He stated that, to him, it feels like they would be changing the language for a plan that the City does not even have in place yet.

Councilmember Callies stated that she felt the Council was just going around in circles and expressed her support for placing this on the regular agenda so action can be taken. She stated that if it does not end up passing, then it just does not pass, but reiterated that she would like to see some action be taken.

Councilmember Johnson stated that most of the attention tonight has been placed on number two, but he was looking at number four, which has similar language, but designates certain areas to be under taken 'in the future'. He asked if they may be able to come up with some language that uses number four to designate certain areas where today the City commits to not doing anything with systemic pesticides and then continue to work with the IPM consultants to figure out what the overall vision will be. He stated that he envisions this then being a temporary placeholder that the City can actually adhere to.

There was consensus to place this on the agenda as 7A, at the regular City Council meeting for potential action.

Ms. Arndt spoke from the audience and asked how many households were touched by the e-mail that was sent out to the residents.

Planning Director Darling noted that City Clerk/HR Director Thone would have that list, but noted that she could get that information for Ms. Arndt.

3. CAPITAL IMPROVEMENT PLAN (CIP)

Finance Director Rigdon gave a brief overview of the proposed 2023-2032 CIP that will be on the agenda at the Regular City Council meeting.

Planning Director Darling stated that for the Freeman Park Overlay Trails project most of the trails would be replaced in-kind and a few that would be widened to eight feet. She reviewed a few areas where they had asked the Parks Commission how they would like to proceed. She noted that if all the options were taken, this project would cost about \$400,000 from the City and between \$300,000- \$380,000 for Three Rivers Park District.

Mayor Labadie asked if nothing was going to happen in 2024 because of the large proposed expenditure at Freeman Park in 2023.

Planning Director Darling confirmed that was the reason and explained that the City needed to have some recovery time in between large projects to allow time to accumulate funds.

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Finance Director Rigdon noted that the City was looking at a possible transfer in 2023 of about \$200,000 to cover some of these costs.

Councilmember Gorham asked if the City was required to construction the trails if Three Rivers Park District was doing the trailhead, or if the City was just being opportunistic.

Planning Director Darling explained that the City has had this trail project in the CIP for several years and was noted a while back as an area that needed improvement because they are 'crocodiled' and broken up into small scales with cracks. She stated that it is opportune that the Three Rivers Park District was willing to rehab a big chunk of one trail segment and widened to their standard and add some additional trail to function as a trailhead parking area.

The Council reviewed the proposed Freeman Park project and other items included in the CIP, including: the hockey boards and playground equipment at Cathcart Park; Badger Park tennis court overlay; and Southshore Park.

Councilmember Gorham stated that he would like to see the Park Commission focus on the Southshore Park Master Plan during 2024.

Planning Director Darling stated that can be done as long as it can be done internally. She noted that she was also planning on doing some more grant writing to see if they can get more funding.

The Council discussed other CIP plans; discussions about other possible projects; grant opportunities; and pickleball courts/tennis courts.

Public Works Director Brown gave an overview of equipment replacement plans, challenges within the labor market, challenges in buying vehicles off the State contract, and safety of City employees.

Mayor Labadie stated that she felt having the Building Inspector in a City vehicle was important.

Councilmember Johnson asked if the \$204,000 was for a new street sweeper and whether it would solve the City's woes of the sweeper going out of commission.

Public Works Director Brown stated that the money that has been programmed into the CIP ais for a new street sweeper, but the idea is to put the existing sweeper into the original equipment manufacturers repair shop since the City has just finished the fall sweeping, and rehabilitate it, which would no longer be time sensitive. He stated that as long as the street sweeper is in tip top shape in the spring, he thinks the City will be good to go.

City Engineer Budde gave an overview of the streets and utilities projects included in the CIP including: Strawberry Lane; Birch Bluff; Shorewood Land ravine; St. Alban's Bay Road in partnership with Greenwood; Vine Ridge Road watermain; Badger Park watermain; chip and crack seals for pavement maintenance.

Councilmember Callies asked what 'reclaim' meant in the CIP information.

City Engineer Budde stated that reclaim is when they come and grind up the entire surface along with the aggregate below and create more base material. He explained that then they repave thicker over the top of it. He reviewed the differences between a reclaim, mill and overlay, and a

full street reconstruction. He reviewed a few of the major projects that are slated for 2025 and 2026 such as: Eureka Road North; and the possibility of adding watermain in conjunction with trail on Mill Street that the County is looking to add. He noted that they are currently projecting a 6% inflation rate every year moving forward which has jumped up 3% from the past years. He noted that inflation puts a lot of stress on the funding of these projects.

Public Works Director Brown stated that staff has been really looking at the numbers because the City does not have a mandatory hook-up policy for watermains. He stated that they have been looking at what the hook-up rates have been in the past and explained that the City needs to keep a very close eye on this because it may mean, in the future, that projects may have to be prolonged in order to let revenues build up so the City can pay for them. He stated that he feels City Engineer Budde has done a great job in trying to balance the needs of the roadway, keep installations moving forward with watermain, and bringing Finance Director Rigdon into the equation to make sure the City can pay for it. He stated that if they cannot pay for it, one of those things will need to give and the project delayed. He stated that staff, right now, feels good about the plan that is in front of the Council, but cautioned them that it will need to be looked at every year to make sure it is working financially.

Councilmember Gorham asked about the Highway 7 Corridor Study.

City Engineer Budde stated that was added into the CIP as a placeholder knowing that there has been strong interest in moving something forward. He stated that they do not know yet what that means, but explained that there are some meetings with MnDOT slated for later this week that should help the City better understand MnDOT's vision moving forward.

Planning Director Darling noted that for the Freeman Park trails, the City had videotaped the condition of the trails last summer and those videos are all available on the City's website under Parks/Trails.

4. ADJOURN

Johnson moved, Gorham seconded, Adjourning the City Council Work Session Meeting of December 12, 2022, at 6:48 P.M. Motion passed 4/0.

ATTEST:



Sandie Thone, City Clerk


Jennifer Labadie, Mayor