

1. Agenda

Documents:

[05-12-25 CC REG MTG AGENDA.PDF](#)

2. Agenda Packet

Documents:

[05-12-25 CC REG MTG AGENDA PACKET.PDF](#)

CITY OF SHOREWOOD
CITY COUNCIL REGULAR MEETING
MONDAY, MAY 12, 2025

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

For those wishing to listen live to the meeting, please go to shorewoodMN.gov/CityCouncil for the meeting link. Contact the city at 952.960.7900 during regular business hours with questions.

AGENDA

1. CONVENE CITY COUNCIL MEETING

- A. Pledge of Allegiance
- B. Roll Call

Mayor Labadie____
Maddy____
Sanschagrín____
Gorham____
DiGruttolo____

- C. Review and Adopt Agenda

Attachments

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

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

- A. City Council Work Session Minutes of April 28, 2025 Minutes
- B. City Council Regular Meeting Minutes of April 28, 2025 Minutes
- C. Verified Claims List Claims List
- D. Athletic Association Agreements Park/Rec Manager Memo
- E. Accept Resignation/Approve Recruitment: PW LEO Position City Clerk/HR Director Memo
- F. Accept Resignation: Community Center Attendant City Clerk/HR Director Memo

- G. 2025 Mill & Overlay HCRRA Permit,
City Project 24-10, 23-01

City Engineer Memo

- H. Accept Resignation: Planning Commissioner Todd Eggenberger Planning Director Memo

3. MATTERS FROM THE FLOOR This is an opportunity for members of the public to bring an item, that is not on tonight's agenda, but related to the governance of the City of Shorewood, to the attention of the City Council. In providing this limited public forum, the City of Shorewood expects respectful participation. We encourage all speakers to be courteous in their language and behavior, and to confine their remarks to those facts that are relevant to the question or matter under discussion. Please remember that this is a public business meeting, available for viewing on television and the internet by members of the public, including children. Consistent with FCC rules, obscenity, and profane or indecent language will not be tolerated by the presiding officer. Anyone wishing to address the Council should raise their hand, or if attending remotely please use the "raise hand" function on your screen and wait to be called on. Please make your comments from the podium and identify yourself by your first and last name and your address for the record. Please limit your comments to three minutes. No discussion or action will be taken by the Council on this matter. If requested by the Council, City staff will prepare a report for the Council regarding the matter and place it on the next agenda.

4. REPORTS AND PRESENTATIONS

- A. Public Works Week

Public Works Director Memo

5. PARKS

- A. Report by Commissioner Hirner on 04-22-25 Park Commission Meeting Minutes

6. PLANNING

- A. Shorewood Carriage Homes PUD/Preliminary Plat
Applicant: Admark, LLC/Mark Kaltsas, PLA
Location: 24560 Smithtown Rd
Planning Director Memo
Resolution 25-046
- B. Vacation of Easement
Applicant: Heidi & Craig Johnson
Location: 27940 Smithtown Rd
Planning Director Memo
Resolution 25-047
- C. Fence Height Conditional Use Permit
Applicant: Richard Pearce
Location: 5905 Grant St
Planning Director Memo
Resolution 25-048

7. ENGINEERING/PUBLIC WORKS

8. GENERAL/NEW BUSINESS

9. STAFF AND COUNCIL REPORTS AND DISCUSSION

A. Staff

B. Mayor and City Council

10. ADJOURN

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**CITY OF SHOREWOOD
CITY COUNCIL WORK SESSION MEETING
MONDAY, APRIL 28, 2025**

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

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 Maddy, Sanschagrin, Gorham (arrived at 5:48 p.m.), and DiGruttolo; City Attorney Shepherd; City Administrator Nevinski; Parks and Recreation Manager Czech; City Clerk/HR Director Thone; Planning Director Griffiths; Director of Public Works Morreim; City Engineer Budde; and Park Commissioners: Hirner, Garske, Bahneman, and Wenner.

Absent: None

B. Review Agenda

Sanschagrin moved, Maddy seconded, approving the agenda as presented. Motion passed 4/0.

2. COUNCIL DISCUSSION WITH PARK COMMISSION

Park and Recreation Manager Czech explained that 2025 was shaping up to be a pretty big year for the Park Commission and the Parks Department so they felt it was a good idea to get the Council and the Park Commission together to review roles/responsibilities, the City's strategic priorities, and the 2025 Park Commission Work Plan to make sure they were in alignment with the Council.

Councilmember Sanschagrin referenced the discussion requested section of the staff report about the roles and responsibilities of the Park Commission and what information they needed to have from the Commission. He stated that something he felt would be helpful would be to get more data around usage of the parks related to things like volume of usage, demographics, and understanding what was going on in the parks related to visitors from other cities, such as Cathcart.

Councilmember Maddy asked if Councilmember Sanschagrin was expecting the Park Commission to document who was using the parks or if it would be staff's responsibility.

Councilmember Sanschagrin stated that he was envisioning the Park Commission working together with staff to gather data.

Park and Recreation Manager Czech stated that during the Parks Master Plan, there is a demographics portion that the consultant will help uncover for the City.

Mayor Labadie noted that the City had started doing a people counter for some of their large-scale events, like Movie in the Park. She asked if Tonka United did any counts for their large-scale tournaments or if they would be able to give the City a rough number based on the number of entrants.

Park and Recreation Manager Czech stated they can provide a rough number of attendees to the City.

Mayor Labadie stated that the warming house attendants also kept a tally of the usage. She asked Councilmember Sanschagrín if he had something beyond what was already in place in mind, and expressed concern that involving staff would involve time.

Councilmember Sanschagrín explained that he did not realize that the data that was just mentioned existed, and felt that starting with that data would be helpful. He stated that if possible, he would like to have the ability to take snapshots of the park usage at different times of the day and in different seasons would also be useful. He stated that it would be helpful to know what the residents were looking for about the City parks, but that sounded like it would be part of the data-gathering process for the Parks Master Plan. He asked if the Park Commissioners might have time to check out the parks a few times a month to see what was going on in them.

Parks Commissioner Wenner stated they had a meeting with one of the sports associations, and they had data related to the number of Shorewood residents who participated in their league, and asked if that would be something the Council would be interested in.

Councilmember Sanschagrín stated that he would be interested in that type of data.

Councilmember DiGruttolo stated that for her, she would like to see the Commission make recommendations on priorities, which she felt was the point that Councilmember Sanschagrín was trying to get to. She noted that the most useful information that the Council can get from the Park Commission was how to prioritize the City's scarce resources and ensure that everybody can enjoy the parks at and relatively the same level, supported by logic and data for funding decisions.

Councilmember Sanschagrín stated that the other thing that would be helpful for the Park Commission to reflect on their meetings over the last year and determine if there were any points where they had wanted direction from the Council. He asked what may be able to be done to exchange more information between the two bodies.

Mayor Labadie stated that the observation and opinions of the Park Commission meant a lot and noted that, for example, just doing a people count of Southshore Park would not provide an accurate reflection, and he would also like to hear their opinions and what they have seen. She explained that she was not intending to add to their duties and constrain them, but putting their minds together can sometimes result in a greater opinion.

Parks Commissioner Wenner stated that there were a few things that the Commission had been asking for, such as surveys, and noted that they did not have this data themselves. She explained that her understanding was that they would be doing extensive surveying, which would help. She noted that for CIP requests, things like playground equipment, she did not feel experienced enough to assess how long it may last. She stated that was one of her questions for when they do go visit parks they had been talking about getting their feet on the ground and visit the parks

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to make observations, but reiterated that she would not know how to assess the life span of playground equipment which she felt may also be a communication thing.

City Administrator Nevinski stated that he felt part of this would be, as residents of the City serving on this Commission, what they are seeing and hearing while they were in the parks or when they were out at the grocery store or dropping them off at school about what people want to see in the parks. He stated that he also did not think he would assess whether a piece of equipment had another year, but felt it may be more about what they hear or observe from the community, and gave the example of, over a five-year period, starting to see more young kids using the parks. He explained that he felt these kinds of observations would be incredibly helpful for staff and the Council to receive.

Mayor Labadie stated that she agreed and suggested that they pass along what they were hearing more frequently than when they come to report to the Council. She suggested that they could make a record of what they had heard or had seen and then periodically share that information with Park and Recreation Manager Czech, who can then share it with the Council. She asked what the Commission felt was needed from the Council to help them execute their role as Commissioners.

Park Commission Chair Hirner stated that he had served on the Commission for a long time, and they had never talked much about the City's trail system. He stated that they have been involved a bit in some of the trail aspects, but it would be helpful for them to have some guidance from the Council on where they see trails going, as well as their expectations and vision for the City and its trail system. He referenced the four-foot-wide section of trail along Vine Hill that was in pretty rough shape and explained that they had never talked about it but were assuming that it would be taken care of when the road was done, but were not sure if that was the right answer.

Councilmember Sanschagrin asked how 'trail' was defined and if it included sidewalks.

Park Commission Chair Hirner stated that there were examples like the Vine Hill trail throughout the City and asked how they should look at those.

Mayor Labadie stated that it popped out when she was reviewing the Park Commission handbook. She thanked staff for putting the handbook together and noted that it had not existed before. She noted that under Park Trails, it referred to Appendix H, the trail plan implementation report from 2011, which she believed was the plan that had three phases. She stated that Phase One trails were not done yet, and some may never be done. She noted that she felt it was important for the trail plan implementation report to be updated, and felt that it would help the Council, the Commission, and the community understand what was going on.

City Administrator Nevinski stated that as the City approaches the 2050 Comprehensive Plan, that was a component that would be an excellent project for it because spending time on that subject would help inform the Comprehensive Plan and would be a good use of time.

Park Commissioner Wenner noted that she also heard a lot of input from people about the trails in Freeman Park, and it would be helpful for the Commission to have some education on what their trails were made of and when they would be filled or tended to.

Mayor Labadie stated that there have been numerous times that staff have worked together to provide the Council with talking points on various topics so they could all have the same

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messaging within the community. She stated that if there were issues like that where the Commission was hearing from residents, they were probably not approaching staff like they were the Commission and suggested that they report this information to Park and Recreation Manager Czech so a statement could be prepared so all of the Commissioners would be up to speed on the messaging that could also be shared with the Council so they were all sharing the same unified message about the plans.

Park Commission Chair Hirner stated that he felt being able to have a consistent message would be good.

Councilmember Sanschagrin asked if it might be helpful to have a Frequently Asked Questions (FAQs)

Park Commission Chair Hirner stated that he did not feel it would hurt to have an FAQ section and felt having the same information would be beneficial, so there would be less confusion.

Councilmember DiGruttolo suggested that the Park Commission come up with the FAQs of the things that they have heard people asking about.

Park Commissioner Wenner asked if the idea was for an FAQ section for the website.

Mayor Labadie stated that if it were something for the website, the Council could discuss that with staff. She noted that if it were related to hypothetical things that may be done in twenty years, they may not want to include that on the website.

Park Commissioner Chair Hirner explained that the one that most frequently came to mind that they needed a good answer for was what is happening and what the City was going to do about the trees in the parks with the diseased trees.

Mayor Labadie asked the Park Commissioners to give some input on the recently updated Park Commission Handbook.

Park Commissioner Garske stated that he felt the Handbook was very comprehensive, beneficial, and would be very helpful for new Commissioners.

Park Commission Chair Hirner stated that he felt the Handbook was really helpful to have current, up-to-date information.

Park Commissioner Wenner stated that one thing she had added was that when they were asked to vote on whether the City would like to receive cash in lieu of land or land dedication, she felt that there would be some additional documents that would be helpful for the Commission to have. She stated that in addition to the Handbook, she would like to have access to the Tree Preservation Policy and the Tree Preservation Replacement Policy, the Davey Resources Tree Plan, and the relevant sections from the Comprehensive Plan. She shared an example from when she first started on the Commission and explained that she had seen some discrepancies with how the City was treating the development versus what their plans actually said, because they were supposed to be protecting trees that were on steep slopes and away from the shoreline. She reiterated that she felt this would be helpful information for them to have because they seem to be getting more questions related to trees.

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Park Commissioner Bahneman stated that it would also be helpful to have technical information about emails or tech support.

Councilmember DiGruttolo stated that she felt it may be good for the Park Commission to coordinate with the Planning Commission on some projects, such as Truffle Hill, and be able to crosstalk when there was a new development where trees would be involved. She noted that she felt the City should post their various policies and things like the tree inventory, so they could be found by the residents.

City Administrator Nevinski stated that they can check on that information but was not sure about the tree inventory because it was almost ten years old and was not sure there would be much value in it. He stated that as the City developed plans and data, that would typically be information that would want to be out there for the public. He stated that he felt they would need to have a conversation with Planning Director Griffiths on where the intersection may be with the Park Commission and the Planning Commission.

Mayor Labadie stated that the idea confused her because the Park Commission would be dealing with park land, and the tree preservation policy was different from the park dedication fee and was not overly discretionary. She clarified that she was not sure how much overlap there may be between City parks and private development.

Planning Director Griffiths stated that the park dedication fee was a flat rate based on the plan that was currently being updated. He explained that the way the Comprehensive Plan established that relationship was that now it says the City's park system was essentially built out, and the only time they should be taking park land instead of cash in lieu was if parkland became available immediately adjacent to existing parks. He noted that meant that there may just be one or two situations where the Park Commission would get to weigh in on a project, but otherwise it would just continue to follow the plan with the Planning Commission.

Park Commission Chair Hirner stated that he felt the Commission was involved in the process just to say 'yes' to taking the cash in lieu of land.

Park Commissioner Wenner stated that in their roles and responsibilities, the second point from the bottom says that they need to submit to the Planning Commission comments on any proposed subdivisions and explained that she was not clear on this point either.

Planning Director Griffiths reiterated that the situation would not come up very often.

Councilmember Sanschagrín stated that he thought the Council had, in the past, held joint meetings with the Park and Planning Commission and asked if that was something they envisioned making sense to do again.

Planning Director Griffiths stated that he felt it would make sense to do it once they get into the Comprehensive Plan process, because there would end up being a lot of crossover between them.

Mayor Labadie stated that she can only recall this happening once, and it was related to the fire lane issue.

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Councilmember Maddy noted that the last time he recalled the City doing a park dedication fee rather than park land donations was with the golf course development and asked if the City was considering that open space a park.

Planning Director Griffiths stated that he would have to go back and look at the specifics of that situation but believed that most of it was just open space because the City was still interested in receiving a park dedication fee for that project.

Councilmember Gorham apologized for arriving late and asked if they had talked about the Parks Master Plan, in relation to the Park Commission Work Plan.

Mayor Labadie stated that they had not gotten there yet and explained that she had been planning to go through the three items listed in the staff report labeled 'Discussion Requested'. She moved the discussion onto the second request regarding the Council's strategic priorities and stated that over the years, she felt that the Park Commission presentations before the Council have gotten better and better. She noted that the information they share has been professional and thorough, and makes her feel like she has attended the meetings.

Councilmember Sanschagrin referenced fiscal responsibility and thinking about things in terms of return on investment, but clarified he was not necessarily thinking just in terms of dollars, but also personal enjoyment of the parks for the public was always helpful information. He stated that he felt that environmental stewardship was a given, and making sure there was engagement with the community. He explained that he felt those things were what could be tied most closely between the Council and the Park Commission.

Councilmember DiGruttolo stated that, for her, she felt it was the Vegetation Management Plan because the City spent so much time and money on buckthorn, and it would be good to have a consolidated consensus on the appropriate amount of financing for that. She explained that she felt it was important for the Park Commission to help the Council prioritize the City's financial resources. She stated that she knew they were getting into the IPM and the Bee Safe Policy and would appreciate it if they could help level set and harmonize that for the Council, so they can also make sure they were adhering to those policies.

Mayor Labadie stated that if the Park Commission was not all in alignment in their thinking about things, that was okay, but the Council needed to know that as well. She stated that because the Park Commission was an advisory body so if something came to the Council with a recommendation where the vote was 3-2, that was okay and encouraged the Commission to speak their mind.

Councilmember DiGruttolo clarified that she had not meant harmonization amongst the Commission, but within the City's policies.

Councilmember Gorham noted that one of the things discussed at the last Park Commission meeting was the Bee Safe report that was written into the City's resolution. He stated that with the leadership in the Park Commission, he felt this was something that they could shape the report, how they report, its formatting, tone, and overall purpose. He stated that the resolution does not say much except that the City must do it. He explained that he did not see it as a lengthy technical report on invasive species management, but they could provide a link to that kind of information that would be found elsewhere. He stated that he would like to see it be more user and resident-friendly and noted that the bigger the report, the fewer people who will read it. He

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stated that he felt the current Park Commission was filled with competent people and believed that they would be able to come up with a recommendation and work with staff to create that vision for this report.

Park Commissioner Wenner stated that the actual ordinance says that the City shall communicate to residents the importance of creating and maintaining a pollinator habitat and shall publish a Bee Safe City progress report on an annual basis. She stated that the way that was worded made it sound like it was out of the Park Commission's hands but noted that one of their ongoing questions since its implementation and since the Park Commission was named as the oversight body, was to get clarity on how they were supposed to be reviewing and reporting to the Council on park and natural space maintenance. She stated that it seemed like the Park Commission was supposed to be questioning Public Works and going out on their own and gathering this information and then reporting to the Council but noted that they were not clear on that either.

Mayor Labadie stated that in the past, the Commission has done park tours and the Council and public could tag along with them but noted that last year was the first time anyone from the public tagged along. She stated that beyond that, she was not sure if the City had historically done anything and explained that she felt comfortable with the approach based on the feedback from the tours. She noted that she understood the Commission was questioning the validity of the tours and whether they were a good use of their time.

Councilmember Gorham explained that he did not see the Commission going home and crafting a newsletter about the Bee Safe report, but he did think that working with Public Works and coming up with what that will look like did make sense. He stated that there had been two reports for the last few years that he did not think were Bee Safe progress reports, and felt there was a void in leadership there, and what it wanted to become. He explained that he could see Park and Recreation Manager Czech working with Public Works to come up with what they want, for example, two pages maximum covering these specific topics.

Councilmember Sanschagrín stated that in addition to that, he could picture a scorecard that evaluated how the City did over the past year versus what the plan was. He stated that it could show the extent to which the City followed their Turf Management program and noted that he felt something easy to measure would be the amount of treatments that were purchased and what treatments were used. He noted that the overall intent would be that those items would decrease over time.

Councilmember DiGruttolo stated that she liked the idea of a scorecard because it would show where the City had room for improvement.

Park Commissioner Garske stated that Councilmember Sanschagrín had said something earlier in the meeting that stuck in his head about prioritizing the parks. He asked if it would be helpful for the City to have tiers of its parks and explicitly state, for example, that the City's Tier 1 parks were Freeman and Badger, which meant that they needed to be in a certain condition, and the lower tier parks had different overall condition standards. He stated that he felt that it may help them in their CIP planning.

Councilmember DiGruttolo noted that this was what she had originally asked for and felt that was where they needed to have the data and input, because they were all making assumptions that people do not use some parks as much as they use the others. She stated that this was how they handled things in the military too because you have enough resources to make every unit a

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Tier 1 unit, so they have to prioritize, which meant that, for example, Tier 1 units get fully resourced all the time, Tier 2 units get resourced most of the time, and Tier 3 units get resourced when they had available resources. She stated that she did not think that was a bad idea for the City, but the Council would look to the Park Commission for input on those designations.

Mayor Labadie asked Park and Recreation Manager Czech if he thought that was something that would be beneficial.

Park and Recreation Manager Czech stated that in a Parks Master Plan, there is a tiered approach where they have designations or classifications for destination parks, community parks, and neighborhood parks. He noted that he felt Freeman would be considered more of a destination park, which had a lot of people from outside the community who come in to use it, and Manor would have more use by the neighborhood.

Councilmember Sanschagrin stated that he felt that was a good way to think about it, instead of tiers, where they would be saying that one park was less than another, because they all have different purposes, and they could craft their approach that way.

Park and Recreation Manager Czech stated that they could classify them by looking at what community they serve.

Park Commission Chair Hirner stated that the City has seven parks and, in his opinion, tiering them seemed a bit crazy. He stated that he would see it differently if the City had thirty parks but felt that there would be residents who believed that their local park was the most important. He stated that if the City began using a tier process, he felt it may cause unintended consequences within the community.

Mayor Labadie stated that for the park tours last year, it was mainly the people who used Freeman Park who attended that portion of the tour and then drove away, and it was like that for the remaining parks, as well. She stated that she felt the point being made by Park Commission Chair Hirner was accurate, that people were interested in the park they use. She stated that she felt this was something that staff could work on with the Commission and moved the discussion onto the Park Commission 2025 Work Plan.

Councilmember Gorham stated that he had a gnawing feeling that the Cathcart Park playground needed to temporarily take a backseat. He stated that the Parks Master Plan, which will give them all new priorities, and he was not sure that replacing the playground equipment right now would be the best use of money in 2025 and suggested that they hold off for now.

Park and Recreation Manager Czech stated that the Park Commission had also discussed this late last year/early this year, and their idea was also to essentially kick the can down the road a bit on the Cathcart playground equipment. He noted that with playground planning, it was not just a simple thing to pick out the equipment and install it the next month, but was a long process to undertake. He stated that he believed the initial thought for this year was to start the planning process, so if it was identified in the Parks Master Plan as a necessary capital investment, they would be ready to roll moving into 2026.

Councilmember Sanschagrin stated that they should evaluate the equipment to see if it needed replacement and noted that he did not want the City to just replace it for the sake of replacing it.

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Park and Recreation Manager Czech explained that the Cathcart playground equipment will be thirty years old in August, and generally, playgrounds are designed to last fifteen to twenty-five years.

Park Commissioner Chair Hirner stated that he agreed that spending money to plan for something that was already in the Parks Master Plan did not make a lot of sense. He stated that he felt the Commission could do some preliminary work and look at some of the catalogues and decide what general kind of equipment they would like to see go into the park, because there would be little to no cost in doing that kind of work. He reiterated that he did not believe it made sense for them to spend money on Cathcart this year while the Parks Master Plan was being worked on.

Councilmember DiGruttolo stated that she was glad the City had consultants coming in to do some data collection for the City because she did not want to spend two hundred fifty thousand dollars on a playground that four kids use, especially if the demographics were changing. She stated that she did not want the City to just make a plan because this is what should be done, because the equipment was thirty years old. She stated that with what was currently happening with the economy, it may be advantageous and prudent to think about ordering playground equipment sooner rather than later, if it will be imported from outside the country.

Councilmember Gorham asked if playground equipment was usually American made.

Park and Recreation Manager Czech stated that it would depend on the company.

City Administrator Nevinski stated that there is a company in Delano that makes playground equipment.

Mayor Labadie noted that their raw materials may be imported, though. She stated that she agreed that the City should not be rushing if improvements do not need to be made right away.

Councilmember Maddy stated that the Council was being asked to allocate forty thousand dollars to a Parks Master Plan later tonight and asked if that was a requirement to get this done. He stated that if someone gave him forty thousand dollars to spend on parks, he did not think he would go hire a consultant to tell him how to spend it, and would go update some of the equipment and add pollinator areas. He explained that he was trying to figure out how important the Parks Master Plan contract was.

Park Commission Chair Hirner stated that from an expertise perspective, the contractor brings a lot of different skill sets that were not represented on the Commission. He stated that they would potentially do some of it with staff time, but much of it was construction-related and would do the work to canvas the community, which took time. He stated that he felt that, from a value perspective, he thought the cost was a bit low and had been expecting it to come in higher. He stated that he felt what they were asking them to do would be of value to the City as a whole and having them coordinate it and do the work would save a lot of work that would be necessary within City staff.

Park and Recreation Manager Czech stated that he would not disagree that forty thousand dollars was a lot of money, but believed many of the questions that had already been asked tonight would be answered with the Parks Master Plan, and would give the City a concrete plan to operate off of. He stated that, in addition to that, it will also give them something to refer to when people ask why they were spending money on things like the Cathcart playground. He stated that he felt the

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Parks Master Plan would help answer a lot of questions and noted that during the park tours last summer, there were a lot of residents who were super upset about a trail because all of their documents were outdated. He stated that updating those things will provide some certainty for residents and also guide the Park Commission for the next ten to fifteen years.

Councilmember Gorham stated that they cannot even refer to the Trails Plan because it was so outdated and stated that the consultant will also look at that to analyze it and give the City a vision for a trail plan. He stated that he felt the point was that they were bringing in experts to give the City a unified vision, direction, and priorities for the City parks with a document that they can all refer to. He stated that if Shorewood was a City that valued its parks, he felt they should also bring in experts to reinforce and guide the overall vision.

Park and Recreation Manager Czech stated that the Parks Master Plan would not be trail-specific, due to the budget.

City Administrator Nevinski stated that they had talked about trails as part of the Comprehensive Plan process.

Park Commissioner Garske noted that the 'updated' Parks Master Plan was older than the Trail Plan. He stated that having the consultant come in and give the City ideas about what other cities have, what may be missing, or what they have too much of in this community would be helpful and may prevent the City from making narrow decisions. He stated that, for example, pickleball was something that they constantly hear about, but he did not know if that was something that the City needed to have, but having the consultant's expertise to look things over and let them know what is and is not a good idea for the City.

Mayor Labadie noted that at the Council retreat, they had talked about ways to engage the residents more on the large, generational type decisions, and her understanding was that the consultants were going to engage with the residents regarding the City parks.

Councilmember Sanschagrin asked if there was an appetite for dog play areas within the parks.

Park Commissioner Wenner stated that she felt there was an interest in having dog play areas within the parks. She noted that Councilmember DiGruttolo had several good ideas when she served on the Park Commission and hoped her research was still on file somewhere in the City. She shared an example of the contentious situation in Minnetonka, where people want to take away the off-leash areas and fence them in, and would like the City to get ahead of that kind of issue.

Mayor Labadie stated that there are a lot of cities that have off-leash areas are taking them away and have become extremely contentious within those cities. She stated that if this was something they were discussing, she suggested that they discuss it with Park and Recreation Manager Czech and the consultant, and possibly City Attorney Shepherd if there may be liability issues.

Park Commission Chair Hirner stated that the Commission has had some damage and vandalism take place in a few of the parks, and they have put up a few security cameras. He stated that he would like the Council's perspective on whether they should plan to put up cameras in all of the parks or not. He stated that he did not think they needed an immediate answer from the Council, but felt it may be useful to be able to prioritize this within the Parks Master Plan.

Mayor Labadie stated that security measures are great, but they all cost money.

City Administrator Nevinski noted that on tonight's regular Council meeting agenda, they had an item related to investing in security cameras and access controls for buildings and parks because there had been more vandalism than they wanted to see.

Councilmember DiGruttolo cautioned that they had to be careful when they talked about surveillance and putting up cameras, and felt that they needed input from the community because there have been a lot of complaints about privacy since the cameras on Highway 7 went up, which was nothing the City had control over.

Mayor Labadie asked if the Park Commission had ever thought about including someone from the high school age group as a Park Commissioner, as a non-voting member. She stated that she felt students would clamor for the position because it was something that would look good on their college applications. She noted that she also felt their input may give the City a voice that they would not normally hear from. She asked about Gideon Glen Park, which is a wild, open area. She stated that she liked it how it was and felt that was what it was meant to be, but stated that she felt the signage was past its prime. She noted that the existing signage was done in partnership with other agencies and suggested that if they update the signs they reach out to the same agencies who partnered with the City last time to see if they would be interested in assisting again.

Councilmember DiGruttolo stated that there was a question asked in the staff report about whether the park goal statement needed to be updated, and she felt that the statement from August of 1996 still worked for the Commission.

Park Commissioner Wenner stated that she felt they should add some verbiage that mentions their natural areas or the environment and be able to change the date.

Mayor Labadie stated that she felt the discussion between the Council and the Commission was very worthwhile.

3. SHOREWOOD COMMUNITY AND EVENT CENTER (SCEC) TASK FORCE DISCUSSION

Park and Recreation Manager Czech stated that at the Council retreat, there had been discussion about the formation of an SCEC task force to help analyze the building and provide recommendations to the Council. He stated that staff have put together a framework of what that kind of task force may look like and what some of their duties may be. He briefly reviewed roles, responsibilities, and a tentative timeline for their meetings. He explained that he was looking for some guidance from the Council on their vision for this task force and what they saw as the goals and outcomes they were hoping to see.

Councilmember DiGruttolo stated that she felt the primary goal and expected outcome of the task force would be recommendations on how the City can make the SCEC self-sustaining and self-supporting, and if that meant repurposing the building or charging more money. She stated that if they were not able to make it self-sustaining, she would like to have some recommendations for what the City can do with that piece of property.

Councilmember Sanschagrin stated that he would like to see a financial plan around the SCEC. He stated in considering other possible uses, a resident had mentioned the idea that the VFW may be interested in the facility and noted that there may be some other potential uses that could benefit the community. He stated that he would like them to look at how they could market it better and find out what the community wanted and how they would use it, if they could. He stated that he felt part of the challenge to the SCEC was that its location was concealed and asked how they might be able to compensate for that shortcoming.

Councilmember Gorham stated that he liked the text about the composition of volunteers, but his concern was if the City put out a 'wanted' ad in the Shore Report looking for people to serve on the task force, they may not get a marketing or hospitality person. He asked if there may be a way to support the people they end up getting with some additional marketing support, because he felt that they were talking about ways to lift the SCEC by its bootstraps and make something of it. He explained that he did not want to set the task force up to fail.

Mayor Labadie stated that she felt that was a good point and referenced the Country Club because when it was going in, there were a lot of concerns about traffic, and the City formed a task force. She explained that they had a hard time getting enough people interested in serving and felt the concern shared by Councilmember Gorham on whether they would be able to get people with marketing and hospitality backgrounds was a real concern. She stated that she was not against forming a task force but would agree that if the City was going to do this, it needed to be set up so they could feel they were useful.

Councilmember DiGruttolo stated that she felt the City should have a decision point that, if, after three months or sixty days, there was no task force or its composition was not appropriate to the task, the City would decide that they would put money towards hiring a consultant instead. She stated that the City absolutely had to figure out what they were going to do with the SCEC and could not just keep passing a levy increase every year for something unsustainable.

Councilmember Gorham stated that he felt the City should hire a consultant because he did not foresee the City getting the perfect mix of people the City needed to serve on this task force, but still felt there was value in forming the task force. He stated that he felt like they needed expertise, but also needed locals to work hand in hand on the outcomes the City was looking for.

Mayor Labadie stated that she agreed with Councilmembers DiGruttolo and Gorham and felt it was a good idea.

Councilmember Gorham stated that he felt participation in the task force may be more appealing if it were being led by a market professional. He stated that he liked the proposed timeline from the staff report because it lands them in March of 2026 when they would need to start making budget recommendations.

City Administrator Nevinski stated that he has been told that there was a wealth of experience and skill within Shorewood. He stated that what he felt would be helpful for the next level of this process was if the Council had other ideas for skillsets that they would like to see as part of the task force, which would be helpful for staff. He explained that he felt staff could use that to put something together to bring back to the Council and then wrestle more with the decision point once they have a bit more meat to the task force idea. He stated that what they presented tonight was still very conceptual, and they were still working on putting some structure into it.

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Mayor Labadie stated that if there were frequent users of the facility for renters, it may be a good idea to also reach out to them to see if they have any ideas about the SCEC or may want to contribute someone to serve on the task force. She stated that she believed the Council supported the concept of having a task force, with a deadline, for the SCEC and that they want to stay on the proposed timeline as much as possible.

City Administrator Nevinski encouraged the Council to email him and Park and Recreation Manager Czech if they had other thoughts or areas they felt should be considered before this is brought back to the Council.

Councilmember DiGruttolo asked if this may be a potential Vantage kind of project for the high school.

Mayor Labadie stated that she felt it could be a Vantage project for one of their strands and suggested that they talk to Communications and Recycling Coordinator Wilson because he was working with them as part of their Global Sustainability strand.

City Administrator Nevinski stated that they have contacts with the Vantage program and would reach out to them about this idea.

Mayor Labadie stated that the other thing she heard from the Council tonight was that they would be open to the possibility of hiring a consultant.

4. COUNCIL BYLAWS

Mayor Labadie noted that they needed to wrap up this meeting in time for their regular Council meeting and outlined their options for covering this agenda topic.

City Administrator Nevinski explained that at the very least, he was looking for direction on where the Council was, in relation to the Bylaws, because he felt they were important from a good governance kind of standpoint. He stated that they have not had a chance to talk about them, but if the Council had a little bit of guidance to pass along, it would be appreciated but acknowledged that he did not feel it needed to happen tonight.

Mayor Labadie asked City Administrator Nevinski to add Council Bylaws to a future Work Session meeting agenda.

5. ADJOURN

Maddy moved, Sanschagrín seconded, Adjourning the City Council Work Session Meeting of April 28, 2025, at 6:54 P.M. Motion passed 5/0.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk

**CITY OF SHOREWOOD
CITY COUNCIL REGULAR MEETING
MONDAY, APRIL 28, 2025**

**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.

A. Roll Call

B. Pledge of Allegiance

Present. Mayor Labadie; Councilmembers Maddy, Sanschagrín, Gorham, and DiGruttolo; City Attorney Shepherd; City Administrator Nevinski; City Clerk/HR Director Thone; Planning Director Griffiths; Director of Public Works Morreim; Park and Recreation Manager Czech; Finance Director Schmuck, and City Engineer Budde

Absent: None

C. Review Agenda

Sanschagrín moved, Maddy seconded, approving the agenda as presented.

Motion passed.

2. CONSENT AGENDA

Mayor Labadie reviewed the items on the Consent Agenda.

Councilmember Sanschagrín stated that he had some clarifying questions to ask on a few of the Consent Agenda items and would also like to remove item 2.E. for a separate discussion. He referenced item 2.I. Eddy Station Concession Agreement and asked if the City was requiring a damage deposit.

City Administrator Nevinski stated that he did not believe a damage deposit was necessary and noted that it was an \$850 contract and the City has a good working relationship with Tonka United. He noted that there is an insurance requirement, and a statement included in the agreement about making repairs if equipment breaks, but stated that there have not been any issues in the past.

Councilmember Sanschagrín referenced item 2.J. and asked if the City had ever used this type of code enforcement mowing contract before or if it was just something just needed to be available.

Planning Director Griffiths explained that the City has periodically used it on fewer than five properties a year. He stated that just this handful of properties end up getting their grass cut by the City and explained that it would always be after quite a bit of notice. He clarified that even though it was not used super often, it was important to have it in place, if needed.

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Councilmember Gorham stated that he also had a question on item 2.J. and noted that there was a statement that the City charges them or takes other recourse and asked about the past outcomes of those actions.

Planning Director Griffiths stated that if a property owner is billed for that service, if it is unpaid, it will be assessed to their property taxes at the end of the year.

Councilmember Gorham asked if the City has had to assess these onto property taxes recently.

Finance Director Schmuck stated that her understanding was that they have not, because all of them were paid based on the invoices sent by the City.

Councilmember DiGruttolo stated that she had a few questions about items 2.F. and 2.K. She asked about item 2.F., the Park Trail Head Amended Agreement and asked for clarification on what the actual amendment was.

City Engineer Budde explained that amending the agreement was to be able to get money for two other small projects that are not related to the Freeman Park Trailhead and explained that this ended up being the easiest mechanism to accomplish that. He stated that the one on Strawberry Lane was for fifty thousand dollars and noted that they had already given the City a verbal agreement that they would reimburse the City for that amount. He explained that their original intent was to add it to the Freeman Park Agreement, but they had unintentionally left it out. He noted that the Eureka project was still forthcoming, and they told the City to just go ahead and throw it in as well.

Councilmember DiGruttolo explained that she would like to move item 2.K., 2025 Strategic Work Plan, off the Consent Agenda and move it onto the regular agenda.

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

- A. City Council Work Session Minutes of April 14, 2025**
- B. City Council Regular Meeting Minutes of April 14, 2025**
- C. Approval of the Verified Claims List**
- D. Retail Liquor License Renewals, Adopting RESOLUTION NO. 25-040, "A Resolution Approving 2025 Retail Liquor License Renewals."**
- E. ~~Parks Master Plan Contract~~ (moved to item 8.B.)**
- F. Freeman Park Trail Head Amended Agreement, City Project 22-05, Adopting RESOLUTION NO. 25-041, "A Resolution Approving Amended Agreement with Three Rivers Park District for Freeman Park Trail Improvements Project, City Project 22-05."**
- G. Building Permit Escrow Agreement for 6140 Apple Road**
- H. Turf Maintenance Service Agreement**

- I. Eddy Station Concession Agreement
- J. Code Enforcement Mowing Contract
- K. ~~2025 Strategic Work Plan~~ (moved to item 8.C.)

Motion passed.

3. MATTERS FROM THE FLOOR

Duane Laurila, 5595 Eureka Road, stated that he knew a water issue was going to be coming up but he had also heard talk about the City making people that have well in their street hook up to it and he did not think that was a good idea because he felt there was a reason why people did not hook up when the water was put there. He asked who made the decision that when Birch Bluff, Strawberry Lane, and Glen were redone that the homeowners were not assessed for the water that was put in the street and explained that he believed everybody else had to be five or eight thousand dollars. He shared the history of development in the Eureka Road area from the mid-1990s, where he believed this was done because a developer did not want to punch in wells for everyone. He stated that he felt the City should realize that just because they put water in did not mean that people would decide to hook up to it, and that forcing them to hook up would end up putting an undue burden on the residents. He reiterated that he would like to know who had made the decision not to assess the residents on Birch Bluff, Strawberry Lane, and Glen when water was put in, because that decision was not fair to everyone else in the City.

Mayor Labadie asked if City Administrator Nevinski could reach out directly to Mr. Laurila and answer some of his questions.

City Administrator Nevinski stated that he would be happy to reach out to Mr. Laurila and would also get this information back to the Council.

Mayor Labadie confirmed that the Council was intending to have many discussions related to water and recommended residents keep their eyes on the City website and their meeting agendas for when those are scheduled. She reminded residents that all City meetings were open to the public, so they were welcome to attend any of them.

Sarah Eigenmann, 23825 LaTonka Drive, explained that she was here to advocate for the City to adopt curbside organics collection for all residents. She explained that she had moved to this location in the summer of 2022, and curbside composting followed her from Plymouth with Republic Services, because they thought that she lived in Excelsior, which did have curbside service. She noted that Excelsior no longer does curbside services, which meant that she lost her curbside organics pickup. She explained one of her hobbies was to serve as a 'Green Living Coach,' which means she educates people about recycling, composting, and plastic-free alternatives, and was a Hennepin County Master Recycler. She noted that she had served on the City's Recycling Committee since 2022, when she moved to the City, and shared some of the door-knocking efforts she and fellow committee members had done to help educate the community about organics waste. She noted that most of the homeowners they spoke with wanted to participate, but the current system of having drop-off sites was inconvenient for most people. She shared some statistical information about composting and how much food is currently wasted in the United States.

4. REPORTS AND PRESENTATIONS

5. PARKS

6. PLANNING

A. Report by Commissioner Magistad on April 1, 2025, Planning Commission Meeting

Planning Commissioner Magistad gave a brief overview of the discussion and recommendations from the April 1, 2025, Planning Commission meeting and answered clarifying questions from the Council.

**B. Rezoning Three Parcels to R-3A
Applicant: City of Shorewood
Location: 24560, 24590, and 24620 Smithtown Road**

Planning Director Griffiths reviewed the request to rezone three parcels on Smithtown Road to R-3A, which was essentially the City's medium-density zoning district. He explained that this item was the last step of implementing the previous amendments made by the Council for medium density as required by the 2040 Comprehensive Plan. He stated that at the Planning Commission level, there was one public comment received that was in opposition to this action. He noted that the Planning Commission held a public hearing and unanimously recommended approving this rezoning request. He explained that, at this point, staff felt that this was a housekeeping item, ensuring that all of the City's plans were consistent with each other, and agreed with the recommendation made by the Planning Commission.

Councilmember Sanschagrín asked for an explanation of the difference between R-2A and R-3A.

Planning Director Griffiths explained that R-3A was a medium-density district that the Council had just created recently, which was a six to eight unit per acre range, and R-2A would be a step down from that level, with lower density and a mix of single-family homes and duplexes.

Councilmember Sanschagrín noted that there had been feedback received about how R-2A would be a better way to have a separation between the commercial and the single-family home next to it. He asked what that option may look like.

Planning Director Griffiths stated the City was stuck with rezoning the property to R-3A because those were the decisions that had been made leading up to this point with the Comprehensive Plan and the Code amendments. He explained that the City was essentially obligated at this point, unless they go back and unwind several years of decisions that they had made to go in this particular direction. He noted that the other issue they would face in going a different direction would be that the City would no longer meet the Met Council's goals for density in the community.

Councilmember Sanschagrín asked if the buffer property in this area was owned by the City.

Planning Director Griffiths clarified that the EDA owned the property that was farthest to the west. He noted that there was also a small property to the east that was a six-unit apartment complex, so it already had a density that was closer to medium density.

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Mayor Labadie explained that Councilmember Sanschagrin had referred to an email by Brian Maghan, 5670 Christopher Road, where he had referred to a property owned by Welty and Gherke and asked if the City had heard anything from those individuals.

Planning Director Griffiths stated that he had not heard from Ms. Welty or Mr. Gherke.

Councilmember Gorham asked Planning Director Griffiths his thoughts on Mr. Maghan's point at the end of his email about density needs being met by future developments. He explained that the City had begun this process many years ago and felt that perhaps the City had not taken into account the development that they have had since that time. He noted that Planning Director Griffiths had talked about unwinding some of the decisions that had been made and asked if he did do some unwinding and took a look at what has happened in the City since they did the Comprehensive Plan, if he felt the need for density may not be as great.

Planning Director Griffiths stated that the City would just barely meet the density requirements with the current Comprehensive Plan and clarified that they were not in a position to go back and lower density in a substantial way throughout the community. He stated that the City just did not have a lot of wiggle room with what had been developed and noted that the City had not seen a lot of development at higher densities since the Comprehensive Plan had been adopted, and has been more medium density. He clarified that the Council could go that direction, but from staff's perspective, they would rather just implement the plan in front of them right now, since they have already traveled down this path for so many years. He stated that if they wanted to have a conversation about it in the future, the discussion related to the next version of the Comprehensive Plan would start at the end of the year.

DiGruttolo moved, Maddy seconded, Approving ORDINANCE NO. 618, "An Ordinance Amending Section 1201.09, Subd. 2. Of the Shorewood Zoning Code – The Shorewood Zoning Map for Three Parcels Located at 24560 Smithtown Road, 24590 Smithtown Road, and 24620 Smithtown Road;" AND, Adopting RESOLUTION NO. 25-042, "A Resolution Approving the Summary Publication for Ordinance 618 Amending Section 1201.09, Subd. 2. Of the Shorewood Zoning Code – The Shorewood Zoning Map for Three Parcels Located at 24560 Smithtown Road, 24590 Smithtown Road, and 24620 Smithtown Road."

Motion passed.

- C. Rezoning Three Parcels to R-2A**
Applicant: City of Shorewood
Location: 6055, 6065, and 6067 Lake Linden Drive

Planning Director Griffiths gave an overview of the request to rezone three parcels along Lake Linden Drive to R-2A and explained that it was very similar to the previous agenda item because it was a housekeeping item. He noted that these three properties were currently zoned R-3A, but since the recent changes to the City Code, that zoning district did not make sense for the property owners anymore. He stated that if they left them in their current zoning, it would limit the property owners to what they can do with their properties and force them into the need for variances or legal non-conformities. He explained that the R-2A zoning requirements are substantially the same as what the property owners had before the City updated the City Code. He stated that the Planning Commission had held a public hearing on this item at their last meeting and received one comment just before the meeting their meeting which was in opposition to this action. He

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noted that staff had reached out to this individual asking if they would like to provide some additional context to their comment, and they have not responded to staff. He explained that the Planning Commission unanimously recommended approval of the rezoning of these parcels.

Councilmember Sanschagrin asked why Planning Director Griffiths felt the public commenter was opposed to this action.

Planning Director Griffiths explained that he could not speculate as to why they would be opposed and clarified that he had given them a few different opportunities to provide additional context, which they have not done.

Councilmember Sanschagrin asked for an example of how this rezoning would help avoid the need for a variance.

Planning Director Griffiths shared a few of the differences between R-3A and R-2A and explained that if the zoning were left at R-3A, the property owners would need a variance to do just about any work on their property.

Maddy moved, Sanschagrin seconded, Approving ORDINANCE 619, An Ordinance Amending Section 1201-09 Subd. 2 of the Shorewood Zoning Code – The Shorewood Zoning Map for Parcels Located at 6055 Lake Linden Drive, 6065 Lake Linden Drive, and 6067 Lake Linden Drive; AND, Adopting RESOLUTION NO. 25-043, “A Resolution Approving the Summary Publication for Ordinance 619 Amending Section 1201-09 Subd. 2 of the Shorewood Zoning Code – The Shorewood Zoning Map for Parcels Located at 6055 Lake Linden Drive, 6065 Lake Linden Drive, and 6067 Lake Linden Drive.”

Motion passed.

D. Public Hearing: Subdivision Ordinance Update
Applicant: City of Shorewood
Location: City-wide

Planning Director Griffiths introduced Rita Trapp, HKGi, and explained that she had been working as the City's consultant on this issue.

Rita Trapp, HKGi, gave a brief update on their work on the code updates and noted that it had begun last year, and clarified that their only focus has been the subdivision code. She explained that from staff's perspective, the City's current Subdivision Ordinance was outdated. She noted that it was first adopted in 2002 but has had a few updates over the years, but were done in a piecemeal fashion so HKGi was asked to come in to help the City modernize it, and also to do things like incorporating City practices and ensure that it reflected the direction given in the Comprehensive Plan. She briefly reviewed some of the work HKGi had done as part of reviewing and proposing updates to the City's Subdivision Ordinance. She highlighted some of the proposed reorganization of the Ordinance, details related to premature subdivisions, procedures and enforcement, optional pre-application meetings for sketch plans, administrative adjustments in minor subdivisions, when hook up to City water and sewer would be required, and the expanded park dedication section. She stated that the Planning Commission had held a public hearing, and two people shared their concerns, primarily related to the new proposed water policy for subdivisions. She explained that the only real concern they heard expressed from the Planning Commission was related to the new water hook-up requirement policy but noted that they had

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recommended approval of the proposed subdivision ordinance, but had recommended that the Council not include the new water hook-up requirements. She explained that based on the previous direction the Council had provided in January, the draft Subdivision Ordinance included all the elements staff had recommended, so if the Council wanted to revisit the water hook-up policy, that would require a change to the language.

Planning Director Griffiths stated that he would just note that there would also be a few residual updates to other portions of City Code, which have been identified in the resolution, such as the water section.

Councilmember Sanschagrin asked if, as part of this process, the City had done any kind of assessment on how properties would be impacted by the proposed changes.

Planning Director Griffiths stated that what they looked at was that this policy would essentially apply to every property in the City, so the impact would be that if someone wanted to subdivide their property, then these would be the new requirements they would need to meet. He stated that there was a limited amount of land that was identified in the Comprehensive Plan that can be subdivided and noted that for many properties in the City, these rules will just not pertain to them.

Mayor Labadie opened the public hearing at 7:56 p.m.

Mike Sheritt, 5590 Woodside Lane, stated that he had lived at this address for thirty-three years and noted that his business address was in Excelsior at 464 2nd Street. He explained that he was here to speak on behalf of Matt and Ashley Tierney, who own a duplex property on Shorewood Lane. He explained that they have a lot that was right at forty thousand square feet and were applying to subdivide it into two lots. He stated that they submitted the request late in 2024, and when they received the staff report information back, it stated that there would be a requirement for a water hook-up. He outlined the location of a fire hydrant in comparison with their property and noted that on Shorewood Lane, there were currently seven duplexes and one single-family home, and his clients own one of the duplexes. He noted that the current ordinance stated that one to three units would be allowed, which is what they were proposing. He stated that Shorewood was a community that had very little developable land left, and there would not be many twenty or thirty-unit lot subdivisions. He stated that he felt the City's ordinance was okay, given the nature of Shorewood, and was oriented more toward one and two-lot subdivisions. He explained that the Tierneys wanted to propose a new duplex on the proposed new lot that would be subdivided, but because of a life situation, they would like to be able to subdivide the lot and sell the land. He explained that when they had gotten the information from the staff report of having to install a six-inch watermain off of the fire hydrant, they researched costs for that came out to between one hundred thirty and one hundred fifty thousand dollars to hook up the watermain to the property line of the next property. He noted that the numbers he was quoting were not exact, but were rough estimates from the industry and show that the costs to extend the watermain would be about half of the value of the lot itself, which his clients decided that they could not do. He stated that if they did what the City was saying needed to be done to extend the lines, it would mean that his clients would end up paying sixty-four percent of the total cost of the water main. He explained that he felt that most of the subdivisions that they would be looking at in the future were going to be this same type of smaller subdivision, and if water service is far away, it just did not seem fair or that it was responsive to the nature of this community.

Duane Laurila, 5595 Eureka Road, stated that he cannot believe the City was even considering approving this ordinance because it puts an undue burden on the residents. He gave the example

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of an elderly couple who may want to subdivide their property and sell it, but the costs of putting in a water main will make it less likely to happen. He stated that he felt this was a really bad idea and was concerned that the City had already made up their minds and would approve this ordinance.

There being no additional public comment, Mayor Labadie closed the public hearing at 8:06 p.m.

Councilmember Sanschagrín asked about an application that came in before the ordinance changes were made, and if they would be grandfathered in.

Planning Director Griffiths explained that this was typically how it was written and, in this situation, the clients were seeking a variance application to construct a duplex on their property, which otherwise would not have been allowed by the City Code. He stated that as part of staff's preliminary evaluation, they informed the property owner that for staff to support the variance request, they would likely require water to be extended since it was available to the property, and at that point, the applicant had withdrawn their request. He stated that over the past few months, as this policy has been underway, he has consistently informed people who had asked about subdivisions that this policy change was coming, so they should get their applicants in if they wanted to get them in before this went into effect.

Councilmember Sanschagrín asked how many applications for subdivision the City had received as a result of those conversations with interested residents.

Planning Director Griffiths stated that they had just received one application.

Councilmember DiGruttolo asked about the downsides of not requiring anyone to hook up, connect, or pay for water.

Planning Director Griffiths stated that he believed the reason that the policy was drafted this way was in response to the Council's January work session meeting, where they had discussed this policy question. He stated that the City currently has a policy that if you were subdividing four or more units and water was reasonably available, they are required to hook up. He noted that if the smaller subdivisions came in, they were not required to hook up. He referenced the Shorewood Meadow development, which was a three-lot development, and even though City water was immediately available off of Smithtown Road, under the current policy, that development was not required to hook up to City water, but they did choose to do it without the requirement. He noted that within the staff report, there was information that went off some of the Planning Commission discussion surrounding the costs to hook up. He stated that there were a lot of wells in the City, and there are also known issues with groundwater contamination within the community that require mitigation strategies. He stated that if the City allows developments to go in when there is no City water available, that also meant the developer was not installing things like fire hydrants. He reiterated that the proposed changes were kind of riffing on the discussion the Council had in January to move towards this type of policy.

Councilmember DiGruttolo stated that her understanding of the explanation Planning Director Griffiths had just given was that if the City did not require the developers to pay for this, then the other residents of the City would end up bearing those costs, and taxes would continue to increase. She stated that the benefit of this change was that when they do go to sell, they have access to fire hydrants, which could affect their property value and homeowners' insurance, but would also have the water hooked up and would not have to worry about testing wells. She stated

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that she was not present for the Council discussion that took place in January and explained that she wanted it to be clear and on the record what the Council's overall thought process has been around this issue in trying to determine what was best for all of the residents of the City and not just one small group of people.

Planning Director Griffiths acknowledged that all the things mentioned by Councilmember DiGruttolo were certainly considerations that can go into this decision. He noted that when development occurred, it was kind of the City's one shot to get these kinds of public improvements built because otherwise, if they had to make those improvements in the future, the taxpayers and the community are the ones that end up shouldering those costs in the future. He explained that retrofitting neighborhoods after the fact was often substantially more expensive than doing it at the time things were being built.

Councilmember Gorham gave the example of an existing property with four or more units and asked if this rule was already in place in that situation, and if they were required to connect.

Planning Director Griffiths clarified that, for the most part, this rule was already in place and noted that the language says that it has to be 'reasonably available', so this proposed language would take it a bit further and say that it was required even if it was not reasonably available. He stated that the intent would be that if water was not reasonably available for a project, that meant they were proposing it too early, and would be considered premature. He stated that their option in that situation would be to either extend the infrastructure or wait until the City did it. He noted that in situations where the infrastructure was already there, this policy already existed for the larger developments.

Councilmember Gorham asked if the first section in black and the new underlined section were mutually exclusive ideas.

Planning Director Griffiths confirmed that they are mutually exclusive.

Councilmember Gorham asked if it would be possible for a new development, rather than subdividing, to just build a duplex or triplex as a way to avoid the water hook-up requirement.

Planning Director Griffiths stated that it could be a possibility and clarified that this policy was solely focused on subdivision, so there would be other ways to get around this requirement if the property was not subdivided.

Councilmember Gorham stated that he was wondering about the four or more units and asked if that could conflict with the spirit of the new language.

Planning Director Griffiths stated that the four or more units language would be deleted as part of the amendment to the Code and would essentially say that it did not matter how many units were being proposed.

Councilmember Gorham asked if the existing language needed to be changed to match the spirit of the new language.

Planning Director Griffiths stated that he did not believe it needed to be changed because the existing language was saying that, if the City Council wanted to, they could mandate hook-up within ninety days for a commercial or multi-family property, and noted that was a separate

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requirement from the subdivision stuff. He noted that requirements for existing properties were not part of the scope of their discussion on this topic.

Councilmember Gorham stated that they could discuss requirements for existing properties if the Council wanted to. He asked how the Council felt about lowering the number and how they felt about four or more units, because that would mean that anything with three units would suddenly come into focus.

Planning Director Griffiths reminded the Council that this language was saying that it would be required for hook-up within ninety days after the City Council gives notice. He stated that none of this has anything to do with subdivision, and they could drop that number, but it would not impact any existing property unless the City Council wanted to decide that they wanted to order this property to hook up to City water within ninety days.

Councilmember Sanschagrín shared that he was concerned about the equity question and the requirement to extend the water main and asked why that had been included.

Planning Director Griffiths stated that it was included based on the direction from the City Council at their January meeting. He stated that typically, if you are going to require water to be extended to a project, you require it to be extended to the next property line, otherwise, the next property owner would have to go back and pay the cost to extend the water main. He stated that most cities require water mains to be extended to the property line, so everyone pays their own fair costs for extension of the infrastructure.

Councilmember Sanschagrín asked if there was anything the City could do to help with the costs associated with this action.

Planning Director Griffiths explained that under the City's current fee structure, developers are allowed a ten-thousand-dollar per lot credit on their watermain area charge if the costs to install those improvements exceed the fee. He referenced the Shorewood Meadow development and explained that the developer wrote a check to the City for thirty thousand dollars to help pay for that infrastructure. He noted that a project like Maple Shores, where infrastructure was extended underneath Highway 7, the developer got a seventy-thousand-dollar credit by not having to pay the watermain fee because they did the work themselves. He explained that the City already provided a level of credit by reducing the fee when these kinds of projects come in.

Councilmember DiGruttolo asked if the City had considered other need-based subsidies for when they consider this type of policy, which could potentially be burdensome.

Mayor Labadie stated that she felt that was a possibility, but that was not the current noticed agenda item on the table for tonight. She stated that to discuss that it would need to be placed on a future agenda so it could be noticed to the public.

Councilmember Maddy stated that the idea of installing dead legs into the City's water distribution system seemed dangerous because you cannot maintain clean water on a dead leg if you are extending the water main past where it was being used. He asked how the City could manage that if the City was requiring it to be installed to the next property line.

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Planning Director Griffiths stated that he would yield the technical answer to that question to Public Works, but noted that he had worked in several communities and this has been the policy in every community he had worked in, and explained that it was pretty standard operating procedure.

City Engineer Budde agreed that it was a pretty typical practice and explained that normally, at the end of the run, they would install a hydrant, so they could easily locate it within the infrastructure.

Councilmember Maddy asked if the City required someone to run half a street worth of pipe, if they would also have to buy a hydrant on the far side of their lot as well.

City Engineer Budde stated that was correct.

Councilmember Maddy stated that the City has a lot of properties that are dividable as minor subdivisions and felt that people were banking on that for when they downsize. He stated that if they are far away from a water main, the City was telling them 'not yet' in an already pretty much fully developed community. He stated that he was having trouble with the one example that was given to the Council because that situation was relatively common in the City.

Planning Director Griffiths reiterated that staff and the consultant had proposed the amendments based on the City Council's direction from the January meeting.

Councilmember Maddy stated that he was thinking that if they had access to water and were doing a lot split that they should be required to hook up, but did not think the City would be charging people a quarter of a million dollars to run a pipe down their road.

Councilmember DiGruttolo stated that she did not think that was what the Council was saying and was saying that if water was not available, then it was premature, so they could not subdivide yet.

Councilmember Maddy stated that they could not subdivide yet, or they would have to pay for water to come from the nearest main.

Planning Director Griffiths stated that was correct, and if they wanted to work around it being premature, that would be one of their alternatives. He noted that another option is that a resident could work with their neighborhood to petition the City for water and then share those costs with their neighbors. He noted that the overall intent of the Council's January discussion was that this was an opportunity, where they have development, to require this to occur and also protect the areas where they have development occurring, at those locations where infrastructure already existed. He stated that without this, they would continue to see unrestricted private well development throughout large areas of the City.

Mayor Labadie stated that a neighborhood could follow the City's code language and petition the City for access to City water.

City Engineer Budde gave a brief overview of the petition process if a certain percentage of the neighborhood wanted City water and noted that in the Shorewood Lane example that was raised, the property owner could reach out to people on the street to petition the City and then spread out the costs amongst themselves. He clarified that this would have to be done by the property owner because the City would not go out and knock on doors to try to make that happen.

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Councilmember Sanschagrín stated that he felt that this proposed regulation still needed some more work because it was approved, and gave examples of some language changes that he would like to see made. He explained that for these reasons, he would be in favor of tabling this item.

Mayor Labadie asked what specific information he felt he needed before he would be able to vote on this item.

Councilmember Sanschagrín stated that he felt the Council still needed to think through some of the unintended consequences that this may create and explained that he did not think the City wanted to cause people to lose their retirement savings because of an ordinance that ended up causing financial hardship. He reiterated that there were issues that he found when reviewing this document related to some of the language that was used to make it more about an ordinance that was for the community and residents, and not the City authority. He explained that he had a hard time with forced connections and felt that the City should work on developing a program that was more about a high-quality product that people want rather than compelling people to connect to that product. He clarified that he was worried about City overreach on this item.

Councilmember DiGruttolo stated that she did not have an issue with ensuring that the language matched the Comprehensive Plan and agreed that if it did not match, this would be the time to make it right. She asked if staff knew how many potentially subdividable properties there were in the City.

Planning Director Griffiths explained that it would be difficult to come up with an exact number, but noted that the Comprehensive Plan calls for about fourteen acres of substantial development. He noted that several properties could be split into one other property, but staff had not gone through the entire community to look at those because it would require staff to analyze every individual property.

Councilmember Gorham stated that he agreed with Councilmember Sanschagrín that he did not want to forsake someone's retirement, but also did not want to throw the baby out with the bath water because of a potential outlier of an example about the outcome of the process. He stated that there is a variance process in place, and in this case, were a variance came before the Council, he would want to know where the street was located on the CIP and would also want them to get the temperature of their neighbors about this possibility. He explained that he felt there was a great process in place for the City to be able to consider variance requests on a case-by-case basis.

Councilmember Sanschagrín stated that he felt those were great points and would like to add that into this document somehow to create more protections for the residents.

Planning Director Griffiths explained that the language already calls out that the subdivision variance process exists and could be used by the Council to grant exceptions on a case-by-case basis.

Councilmember Sanschagrín noted that the City was also going to be updating the Comprehensive Plan and was working on developing a water plan and explained that he felt approving this would be a little bit like putting the cart before the horse. He reiterated that he felt it would make sense for the Council to defer a decision on this until those other initiatives are further developed.

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Councilmember DiGruttolo stated that she agreed with Councilmember Sanschagrín and noted that she felt the Council should figure out what the plan was going to be for water, in general, before they decide this one small portion of it.

Councilmember Gorham stated that he has been thinking that the Council needed to tackle this issue piece by piece because it was not just subdivisions. He stated that he had also been thinking about home sales and turning things over parcel by parcel when there was a sale, if water was available. He noted that on his street, he went door to door to get resident signatures in support of having a watermain installed, and they have half of the neighborhood did not sign up for water. He explained that one of the people was happy to get it, but did not sign up for water, and had just sold her home, which he felt was a missed opportunity. He stated that he did not want more time to go by and the water decisions to keep getting bogged down within the process, when the City had the opportunity in front of them to make an incremental gain. He stated that he felt this was one tool and would hate to see the City lose more opportunities and suggested that they carve this one out and add a brick to what the City was trying to build, and keep working on subdivision regulations and fine-tune things. He stated that if there was the option of a variance process and the language that could be changed a bit, they could begin working towards a solution.

Councilmember DiGruttolo asked if Councilmember Gorham was suggesting that they take out the water portion and sign the rest of it.

Councilmember Gorham stated that he was suggesting the opposite scenario and stated that he viewed this as Step One of the process related to water, and they could then work on fine-tuning the other points that have been brought up.

Councilmember Sanschagrín noted that would be the inverse of the Planning Commission recommendation.

Councilmember Gorham explained that he felt good about this because there is language that gives people the option of seeking a variance, for cases like they heard about today.

Councilmember Maddy referenced a house in his cul-de-sac that had a lot split done and were adjacent to the watermain, and when they built their new home, they were not allowed to connect to the watermain because of an engineering challenge. He asked if that scenario came before the Council, if it would have to go through the variance process for them to get any water, and if the City had already said that they could not connect.

Planning Director Griffiths stated that he was not aware of that specific situation, but the way this was written was that the property owner needed to work with the City to overcome the challenge or seek a variance to subdivide. He noted that he felt the example shared by Councilmember Maddy was exactly why the variance process was there.

Councilmember Sanschagrín asked if there was a way to include a mechanism that would measure this kind of hardship situation.

Planning Director Griffiths stated that the variance review criteria were pretty specific within State law that needed to be followed, and going outside of that process would be questionable.

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City Attorney Shepherd stated that there was a variance process under State law for subdivisions, but when the Council was talking about the provision in Section 903, that was not the zoning. He explained that it was connected to subdivisions, but was not a subdivision code, and noted that there was language included that was 'may be deemed premature' if water was not available for hook-up. He stated that there was nothing in it right now that stated they can vary whether or not a two or three-lot subdivision was subject to a hardship waiver, so the subdivision variance does not apply, and wanted to make sure the Council understood that point.

Mayor Labadie stated that her understanding from past Council discussions was that they were planning to take the water issue on a piece of piece basis. She noted that this item is a piece of a really large issue and felt that if the City tried to put everything together all in one decision, it would take a very long time to reach any type of agreeable language.

Councilmember DiGruttolo explained that her concern with taking the piece-by-piece approach was that this was not the piece that the City should start with. She stated that she understood the concept of breaking it down into digestible, easier to under pieces, but reiterated that she did not feel this place was where it should begin. She explained that she did not think the Council could have a full conversation about the benefits, trade-offs, pros, cons, and was also not capturing the Council's thought process for the future. She stated that the City was in this situation now, but they do not know how they got here because no one on the Council was here when the initial decisions were made. She stated that she felt they were currently trying to lay the foundation that whoever comes in the future will be able to understand the logic of what their thought process was before they make their own decisions. She stated that even more important than that was making sure the community understood why the City was making those decisions and choices. She stated that she liked what the City was trying to do and felt this was probably the right way to go, but she was concerned that they would not have the level or amount of transparency that they want with the full discussion, so people will be able to see how all the pieces fit together.

Councilmember Gorham stated that he had said the same thing a few weeks ago about the Mill Street project.

Mayor Labadie stated that for this item, the applicant was the City of Shorewood and asked if this was time sensitive, like it would be for an individual applicant.

Planning Director Darling stated that there was no statutory time frame on these amendments, but several things are coming down the pipe that it would be very beneficial to have this in place before they arrive. He gave the example of the legislative session ending on May 19, 2025, which had several bills still in process that would significantly limit the City's authority over zoning and development. He noted that one of the key components of the proposed bills was the availability of infrastructure, so this type of policy could become very important if some of those bills are approved. He noted that the City was consistently receiving development applications and explained that staff was concerned that some of the current policies in the subdivision section may be questionable. He stated that he felt there was some pressure to move forward with these more quickly, but there was not a statutory deadline to get them done.

Councilmember Sanschagrin asked if the possible legislative changes would be another reason that the City should wait before approving this, or if he was saying that these ordinances would get grandfathered in.

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Planning Director Griffiths clarified that he was saying that several of the bills that have been proposed, condition their requirements on the availability of local infrastructure. He stated that, right now, the City had no requirements related to acquiring City water, so if some of the bills pass, the City could allow much greater housing density on properties and if this policy was not in place, the City may see that development occur with private wells instead of City water and would also mean that this development could happen more broadly across the community instead of the locations where the City had planned for the growth. He explained that this was why there was a bit of pressure to get these policies in place and noted that even if the proposed legislation did not pass this year, he did not think the conversation would be going away and reiterated that the City's current policy leaves them somewhat exposed if they are passed.

Councilmember Maddy stated that defending the City from an overreach at the State level was probably the first good argument he had heard, but was not sure if the timing pressure was there and felt they would be able to come back and cover themselves afterwards if they do something crazy like they did in 2023, unless they preempt new restrictions.

Planning Director Griffiths stated that a number of the bills have been written that cities need to follow the regulations that they have in place, as of June 1, 2025, not the end of the calendar year. He explained that the reason this policy was being brought forward was because staff were working on broader updates to the subdivision code and because they had a conversation with the Council in January, which was what moved these forward as part of the process. He stated that the Council could choose to pull those elements out but reminded them that they were included based on the Council's direction at the January meeting.

Councilmember Maddy stated that he did not like surprising people with expenses and noted that a point of sale requirement to connect, made sense to him. He gave an example of assessing people for street work when they did not see it coming, because they may not be able to front the money, which meant they had to borrow from the County, which was something he did not like to see done to people. He stated that the ninety day rule included in this language concerned him even though it was seemingly directed at investor owned properties/ He stated that he also did not like a situation where someone may have been sitting on a spare conforming lot that they were planning to split and sell would not be able to split anymore. He noted that he did not see the City getting water everywhere until another twenty or thirty years later. He explained that because of these reasons, he was torn on his opinion and noted that he wanted to do it because it would not affect that many people, but the people it does affect would be a substantial burden compared to what they had the legal right to do currently.

Councilmember Gorham stated that the impact of the proposed bill, if passed, would be dramatic.

Councilmember Maddy stated that he felt it was probably worth having an insurance policy in place to cover themselves from whatever the State may be up to with the odd bedfellows that were behind the missing middle proposals.

Councilmember Gorham referenced the explanation by City Attorney Shepherd related to variances and asked if there may be better language that could be used for a variance situation or some discretion that the City could build into the language to be able to take them case by case.

City Attorney Shepherd stated that the subdivision variance process was unusual hardship and not practical difficulties, and noted that even if it was the practical difficulties test, they were not

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supposed to take into account finances in the decision. He noted that the framework for zoning and subdivisions they were talking about the land. He explained that his concern would be if there was a process by which people would be required to hook up, but then build in some sort of equity hardship test, that would put the Council in a difficult spot for making that determination on a case by case basis and may leave them open to some legal challenges. He stated that he would recommend an all-or-nothing approach and from a more global perspective, and not on an individual basis.

Councilmember Gorham stated that he did not want the Council to be inundated with variance requests where they would have to serve as judge and jury.

Mayor Labadie stated that last week, Senator Ann Johnson Stewart held a meeting with all the mayors in her district, and she did bring up the missing middle housing bill and other things that were in the pipeline. She explained that Senator Johnson Stewart had said that very few of the bills, at the State level, have bipartisan support, but this concept did. She noted that she did not think the worry expressed by Planning Director Griffiths was a scare tactic because it mirrored what Senator Johnson Stewart had shared with the mayors last week. She stated that if the City lost local control of the City and the future of how it will look and be developed, it could have devastating impacts on Shorewood. She stated that she felt this was a difficult decision and noted that she had not come into this with her mind already made up and felt the entire Council was taking this very seriously. She stated that this may be one of the many steps that the City needed to take to right their Water Fund.

Councilmember Maddy stated that Greenwood notoriously does not have any fire hydrants or a public water system, and there was a structure fire there last week, which ended up filling up the street with tanker trucks from multiple departments. He stated that as the cities develop further west, they will not have the luxury of some of these departments having tanker trucks ready to roll.

Councilmember DiGruttolo stated that Councilmember Maddy had raised a really good point, which was why she wanted to have a conversation, nor did she think this was the best place to start the overall water conversation. She stated that it was currently drier than it has been, wildfires are spreading faster than they have along the Canadian border, and she felt that water and sharing water were going to become a big issue. She stated that she did feel the City needed to have this conversation, which had many complexities, and they have to serve the interests of the majority of residents and not just small communities, which can be painful, but sometimes they have to face hard realities. She stated that all she was asking was for the Council to be able to have the conversation about the big picture before they start taking on the little pieces.

Councilmember Gorham stated that he had thought the same thing about the Mill Street project, but with the timing of the missing middle thing, if it is passed and this policy is not in place, it could just totally dissolve what the City was trying to do.

Councilmember Sanschagrín stated that he was not sure he understood why and asked what the risk would be.

Mayor Labadie asked City staff to answer the question related to the proposed legislation at the State level and how it could impact the City's Water Fund, in a worst-case scenario.

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City Administrator Nevinski explained that what was being proposed was that cities are not able to set their zoning requirements. He stated that the State was saying that if certain conditions exist, the cities would have to allow housing at much higher densities on much smaller lot sizes. He stated that staff was worried that there would be a lot more development pressure and more opportunities for people to sell land for more parcels. He stated that the City could see higher density developments with everything being put on wells because that would be cheaper, easier, and more convenient.

Planning Director Griffiths stated that part of the reason that he was substantially concerned about this was because Shorewood's existing zoning had prioritized larger lots, and setbacks had pushed things to the center and back of the lots. He explained that in the areas where City water was not available are the one-acre lot neighborhoods that have chosen not to hook up to the system. He noted that the way the State was proposing this legislation was that those lots are prime candidates for additional housing, and if this was approved, they could potentially see three additional houses on that lot, in addition to the existing home. He stated that without having this policy in place, the City would not be able to say 'no' because they would be able to use private wells, which also meant that there would not be fire hydrants or public safety elements in place and would just be permitted via a building permit.

Councilmember DiGruttolo stated that it was character and the City did not have the rest of the infrastructure to support that rapid of a buildup, and the City would lose its ability to have pacing. She stated that she felt it was important for local government to be able to maintain the character that the majority of residents want, but also the pace of progress.

Councilmember Sanschagrin asked about the likelihood of this legislation passing.

Councilmember DiGruttolo stated that it seemed to be pretty high.

Planning Director Griffiths stated that he was not sure if it would pass during this session, but from individuals he had spoken with in his profession, it sounded like it would continue to be a hot topic year after year, until something passes.

Mayor Labadie explained that this was also what Senator Johnson Stewart had alluded to.

Councilmember Gorham asked if the House had passed this last year.

Planning Director Griffiths stated that it did not pass the House last year because of the way the legislative session ended in turmoil but acknowledged that they were very close to the finish line. He stated that the direction he had received through his professional organizations and groups was that this coalition was building and continued to get larger, and that this was also one of the few issues for which there was bipartisan support within the State legislature.

Mayor Labadie stated that during the last legislative session, all the cities had spoken out in outrage, and most of the cities are members of the League of Minnesota Cities. She stated that the League of Minnesota Cities had supported the cities that were in opposition and provided other support as advocates for city controls and individuality, which she felt was helpful at the end of the last session.

Councilmember Maddy stated that curb and gutter had been mentioned and asked if that would be required for a minor subdivision.

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Planning Director Griffiths explained that curb and gutter would be required in situations where a street was going to be built.

Councilmember Gorham stated that the City had received a comment from a former Councilmember who was an attorney about line thirty-three that suggested a change from 'may' to 'shall' and asked City Attorney Shepherd if he had an opinion on this.

City Attorney Shepherd stated that he agreed with former Councilmember Callies and stated that it goes back to the discretion that he had talked about, and this was not a scenario where the Council wanted to be calling balls and strikes, whether it was available or not.

Gorham moved to push the proposed Subdivision Ordinance Amendments to a future meeting to allow the Council time to discuss more details; AND, Approving Ordinance 617, Amending Shorewood City Code Title 900 Public Right-of-Way and Property, and Title 1200 Zoning and Subdivision Regulations, with the replacement of language 'may be deemed premature' with 'shall be deemed premature'; AND, Adopting RESOLUTION NO. 25-044, "A Resolution Approving the Summary Publication for Ordinance 617 Amending Shorewood City Code Title 900 Public Right-of-Way and Property and Title 1200 Zoning and Subdivision Regulations."

Planning Director Griffiths noted that the language change proposed by Councilmember Gorham was included in the broader Subdivision Ordinance, so the Council cannot adopt one without the other because this language referenced proposed City Code 1202.47, which established all the standards for premature subdivision. He stated that Councilmember Sanschagrín had not shared his other concerns related to the language and suggested that he could try to answer other questions about the text concerns.

Councilmember Gorham asked if the Council could approve the section that referred to City Code 1202.47.

City Attorney Shepherd stated that if the intent was to carve out and deal with the amendments for Chapter 900 rather than the whole scale Subdivision Ordinance, he would suggest a motion to bring that back and put the minor, discreet amendment on a Consent Agenda, because he felt that would be cleaner.

Councilmember Gorham stated that he felt putting this on a Consent Agenda would not look good or sound good.

City Attorney Shepherd explained that, from his perspective, they had already held several public hearings, had discussed it, and if they were not changing the language, he felt that they could put that in a discreet ordinance. He noted that in that scenario, it would not be uncommon for something like that to be placed on the Consent Agenda.

Motion failed for lack of a second.

Sanschagrín moved, DiGruttolo seconded, to table Ordinance 617, Amending Shorewood City Code Title 900 Public Right-of-Way and Property, and Title 1200 Zoning and Subdivision Regulations.

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Councilmember Maddy asked if this was being tabled because of an alleged flag lot discrepancy or if there was another motivation.

Councilmember DiGruttolo stated that she felt they were looking to table it because the Council had not had the larger conversation about water. She stated that the Council had been told that they could not remove that section and approve it, so they wanted to have the conversation about water before they approve it.

Councilmember Gorham stated that was not what he had heard.

Mayor Labadie asked how quickly this item may be able to come back to the Council as a whole issue and be able to vote on something before the legislative session deadline of June 1, 2025.

Councilmember Gorham stated that they did not know if the June 1, 2025, deadline was a real thing. He stated that he would rather see the City go through their edits because he did not think that they would be able to have a robust conversation about this anytime soon. He stated that if they were getting held up by the subdivision language, he would suggest the Council just go through the subdivision language.

Councilmember Sanschagrin stated that he also felt there was an issue with this because it tied into the water plan.

Councilmember Gorham agreed but noted that the risk was that there may be new legislative language that would open up the entire City to subdivisions without the water language and would deep-six any hope for a fully sustainable Enterprise Fund.

Councilmember Sanschagrin stated that he felt there were other ways of addressing the Water Fund.

Councilmember Gorham stated that this was just one piece and felt that there was still a robust conversation that needed to take place about all the other water solutions and explained that he had no idea how the City would implement water. He stated that this was one that just affected fourteen acres in the City.

Councilmember DiGruttolo stated that if the City made the choice here to force people to hook up, it would be very strange and hypocritical if, in the end, the City decided that would be the only one and nobody else would have to hook up. She reiterated that the Council had not had a conversation in public where they had discussed why they did this here but not in any other places. She suggested that they go ahead and take a vote.

Mayor Labadie clarified that the Council was still in the discussion phase and reminded Council that this magnitude of a decision impacted the City for current homeowners but also for the next generation. She stated that she was very concerned about the way the housing bill because she felt that it would pass, at some point, and would restrict cities' rights. She noted that it may not be the best time to make a decision based on speculative statewide legislation, but if the City misses the opportunity and it does pass in June of 2025, shame on the Council. She stated that the Council was trying to do the right thing and gather information, but that could financially impact their City.

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Councilmember DiGruttolo asked if the Council passed this and then decided later, when they start having those other conversations, that they made the wrong choice, if they would have the political will to turn around and change this back the way it was. She stated that this may need to happen and noted that she did not think anyone on the Council was wrong, but these were the current facts. She explained that she had appreciated that everyone on the Council was throwing out potential scenarios and was glad it was public because she wanted the residents to understand that this was an agonizing decision and were not just making a snap decision, or that they had already made their minds up before the meeting.

Councilmember Sanschagrín stated that as part of their discussion, they talked about a development that was not required to hook up but had voluntarily done it, so he felt that if the Council did not pass this tonight, it would be an 'all is lost' situation. He stated that he felt the City could work hard to convince the future subdividers that it would be in their best interest to hook up to City water.

Councilmember Maddy explained that he was starting to see this more as stop poking holes in the community aquifer rather than some other concerns that had been raised. He stated that he felt that this was the first step in that goal and noted that further down the road, he would like to start offering a better water product. He stated that it was not an easy choice, but he was comfortable with it, so he would be against the current motion.

Mayor Labadie stated that the Council had heard from City Engineer Budde in the past that to drastically improve the water quality would be astronomically expensive, and they cannot get there without having more people hook up. She stated that the City was not funding it appropriately, as it currently was, and did not think it was realistic to convince people to hook up because it was a better product.

Councilmember Sanschagrín stated that he believed the necessary improvements would be about one million dollars for an iron filter and noted that it was not much more than putting in the pipe.

Public Works Director Morreim stated that they were going through improvements on an existing filter and building right now, which was about three hundred thousand dollars. He stated that they have four different sites, and if the City wanted treatment, it would be on the other three sites that do not have buildings for treatment or anything and felt that it would cost multiple millions of dollars for each site.

Councilmember Sanschagrín stated that he thought they would just do Badger because that was their main well.

Public Works Director Morreim stated that they were still quite a distance from looking at the feasibility of any of this, and what the Council was discussing tonight was just a piece of that, and explained that some of those pieces needed to align before they could get into those discussions. He stated that improving the water quality really cannot occur before the City gets more people connected and the City has more of a revenue stream to even get on the path.

Councilmember DiGruttolo asked if the City could apply for grants for water infrastructure.

City Engineer Budde stated that there are grants, but to get them, they typically would have to have contaminants in the municipal supply. He stated that Shorewood does not have any significant contaminants and is mostly just iron.

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Public Works Director Morreim explained that iron was considered a secondary contaminant and referenced grants/funding from the legislature for Mound and stated that it was for different issues than just iron.

Mayor Labadie noted that some of Mound's money was coming from the Federal government, and there was currently uncertainty about when or if those funds might come through.

Councilmember DiGruttolo asked if the Council may be able to have a mini retreat where they meet for a few hours to discuss this issue publicly and hammer this out sometime before the proposed legislation may be passed. She stated that she agreed that there was a sense of urgency because of that possible legislation.

City Administrator Nevinski stated that if the Council wanted to hold a special meeting or a mini retreat, that could be done and asked if she would want to hammer through the Subdivision Ordinance, including the concerns that Councilmember Sanschagrin had raised.

Councilmember DiGruttolo clarified that was not what she was suggesting and explained that she wanted to talk about water.

City Administrator Nevinski stated that the City was going through the long-term Financial Management Plan with the consultants, who would present to the Council by the end of June. He stated that he felt there were three buckets for the water issue, and this particular one was a small bucket because they were talking about land that can be further subdivided and the City's policy around that. He noted that in addition to the rules for subdivision, they were also talking about the utility hook-up or the availability of water. He stated that he understood that someone may be ready to sell their house and do some subdividing, but for the most part, it would not directly impact a lot of people in the City. He stated that he felt the second bucket was people who have water available, but they have chosen not to hook up, and the Council has had discussions about what could be done to incentivize this decision. He explained that he felt the third bucket was whether the City should start to extend its water system and, if so, what steps needed to be taken. He stated that this current issue was something he felt was relatively straightforward and does not impact people as they sit in their homes today in the same way as saying they needed to hook up tomorrow or in ninety days, because that would be a much more difficult issue. He stated that the subdivision requirement was something that would get dealt with as development opportunities emerge.

Councilmember DiGruttolo stated that she agreed, in theory, but the part that she had a problem with was that the Council had yet to decide together, as a Council, what their vision was for the next generation, and explained that would guide what they decide with the water. She stated that she felt they needed to have this conversation about what they want the next generation to look like and how they accomplish this with limited resources, in the most fairly and equitable way, so the majority of residents felt seen and heard. She reiterated that this was why she did not feel the City should do this piece first before they have that conversation and hammer things out. She explained that she felt making this decision was putting the cart before the horse.

Councilmember Sanschagrin stated that he agreed with everything Councilmember DiGruttolo had shared.

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Councilmember Gorham stated that a few weeks ago, he had come out of the meeting frustrated that the Council had not had this conversation yet, and the Mill Street project was in front of them. He stated that he found it annoying that the decision had to be made because of the timing of the project and could not be done on the City's timeline, which he found frustrating. He asked what was preventing the City from just kicking this thing off and having those discussions.

City Administrator Nevinski stated that he felt a big piece was understanding the finances and noted that they were working to gather that information so they could have that conversation. He explained that he was also feeling a bit frustrated because they keep having these conversations in pieces, and the message is that they want more information, but he was not sure at what point it would be determined that they had enough information. He acknowledged that this was a tough issue, but asked when they would have enough and explained that he also was not sure what he would be chasing for the Council. He asked what else the Council needed to know and what they needed to know that would help them in their decision.

Councilmember DiGruttolo explained that she would like to know things like the percentage of residents who want City water, or if their mindset was that they all think they are just going to have wells forever. She explained that these were the kinds of questions that she felt the City did not have good answers for yet. She stated that she would like data to help with their decision making and noted that it would be nice to know how many people had been given the opportunity to hook up and reiterated that she did not think the Council had enough information about what the residents wanted and how much they were willing to pay. She noted that Council and staff had gotten lots of questions about this topic via email and felt that people were very agitated and worried about it. She explained that she would like to allow them to come in and be part of this conversation, and if they choose not to do that and do not like the decision that the Council made, they will need to realize that was how democracy worked.

Mayor Labadie stated that the City had given that opportunity to residents and has only had one resident come during Matters from the Floor, and noted that residents have that opportunity at every Council meeting. She stated that it had also been noticed at their annual retreat meeting, and nobody came, and the Council discussed water for hours. She stated that it was noticed again tonight, on this specific issue, and explained that she felt that people who have wells will keep them until they are dry, and that people who had the opportunity to hook up and chose not to, are still not going to hook up. She stated that she did not think the community was uneducated on this issue, and the expense involved in hooking up to City water. She acknowledged that the City has gotten occasional emails from residents on this topic and was not sure why they were not coming in to speak to the Council. She explained that she felt they would end up having them come in after the fact to scream at the Council. She stated that if the Council continued to wait for residents to speak up, she did not know how many would speak up.

Councilmember DiGruttolo stated that she counted the email messages as them speaking up. She stated that when she moved to Shorewood, she did not think she got much information about it. She noted that they asked the former City Administrator if the City could help them get things hooked up all the way, and he was not helpful. She explained that when they got the quotes for individuals, they knew that they could not afford it on top of the ten-thousand-dollar fee and noted that the whole situation felt overwhelming.

Councilmember Maddy stated that the only thing the Council was voting on tonight, related to water, was that properties needed water to divide their property. He noted that anyone who was not going to divide their property would be status quo for the foreseeable future.

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Councilmember Gorham stated that he felt they were going to come up against this issue again when they talk about Mill Street and will have to make the best decision with the information they have, because they have to be opportunistic. He stated that right now it was about the potential missing middle bill that could devastate the City's future water plans and would be doing it again next month to capitalize on savings for the County project. He noted that he did not think the City would be able to have the discussion they wanted or be able to roll out the plans they wanted because they just were not there.

Councilmember Sanschagrín stated that he felt using the statement of a 'devastating impact' was an exaggeration.

Councilmember Gorham stated that there was a risk.

Councilmember Sanschagrín reiterated that it was an exaggeration and asked what they were really talking about and how many subdivision applications would come in. He stated that this does not impact that many people.

Councilmember Gorham stated that he felt like they were talking about two different things. He stated that the existing subdivisions were for fourteen acres and this would apply to the entire City, because anyone can subdivide. He stated that this was a landscape-changing bill and the impact would be high.

Councilmember Sanschagrín stated that he felt the City could put the adjustments that needed to be made on the fast track.

Councilmember Gorham stated that they may not because what they were just talking about was a larger discussion and getting a lot more input, which he did not believe would be able to happen before the session ended. He noted that the Council may just need to be emotionally prepared, like Councilmember DiGruttolo had described, to come back and explain what the City's plan had been and be willing to admit if they end up being wrong.

Mayor Labadie stated that she did not think the Council should make decisions while thinking like that, but noted that the Council or residents can speak to staff and try to get things on future agendas so the Council can vote on it. She reminded the Council that there was a live motion on the table to table this item and bring it back at a future meeting.

Councilmember Gorham asked what was meant by bringing it back at a later time.

Councilmember Sanschagrín explained that he had meant after the Council came up with a water plan.

Motion failed 2-3 (Labadie, Gorham, and Maddy opposed).

Maddy moved to Approve ORDINANCE 617, Amending Shorewood City code Title 900 Public Right-of-Way and Property and Title 1200 Zoning and Subdivision Regulations, with a change to line 33 on page 1, to change the word 'may' to 'shall'; AND, Adopting RESOLUTION NO. 25-044, "A Resolution Approving the Summary Publication for Ordinance 617 Amending Shorewood City Code Title 900 Public Right-of-Way and Property and Title 1200 Zoning and Subdivision Regulations".

Motion failed for lack of a second.

Councilmember Gorham stated that he did not want to approve something when Councilmember Sanschagrín still had concerns and issues with the current proposed language.

Councilmember Maddy asked if he could get a list of the issues and areas of concern.

Councilmember Gorham suggested that they take them one by one.

Councilmember Sanschagrín stated that he wanted to be clear that he also had issues with the Ordinance, because of the water plan, and not just the Resolution.

City Administrator Nevinski asked if the suggestion was for the Council to go through this line by line, and expressed concern about that approach because it was already 9:40 p.m. He stated that he did not feel that approach would be practical.

Mayor Labadie stated that the Council was able to see how many flags and highlights Councilmember Sanschagrín had added to these documents and asked him if he felt the overall number of things he had flagged could be answered this evening.

Councilmember Sanschagrín stated that it would likely take a lot of time to go through everything he had marked and agreed that it may not be a good use of the Council's time during the meeting to go through them together. He explained that the language on the purpose of the regulation was one of the first things he wanted to be able to nail down because it seemed to be positioned that the purpose was to safeguard the best interests of the City and he would like to change that language to say that it was going to safeguard the best interests of the residents, not the City.

Mayor Labadie stated that she felt that all of Councilmember Sanschagrín's concerns would not be able to be addressed tonight and noted that the Council needed to figure out how they were going to proceed with relation to this item. She reminded the Council of what the most recent motion had been that was not seconded.

Councilmember Gorham stated that he did not think that motion would have been possible.

Planning Director Griffiths stated that the Council could make the change from 'may' to 'shall' so it would be possible.

Councilmember Gorham stated that they could not change the City Code references that do not exist.

Planning Director Griffiths stated that, as he had pointed out earlier, it would be difficult to separate one from the other because there were a lot of teeth included within the Subdivision Ordinance that was referenced, so they do intertwine quite a bit.

City Attorney Shepherd stated that upon further reflection, he would retrack his earlier statement about ways to proceed, because he agreed with Planning Director Griffiths that they were really intertwined and if the Council chose to keep the water live for discussion, they would potentially have to go back and make changes to the Subdivision Ordinance. He clarified that he felt bundling this and doing it all at once was probably the way to go.

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Councilmember Gorham asked if there were references that could be used instead of City Code 1202.47, for example referencing existing code, instead.

Planning Director Griffiths stated that they could not reference existing code instead because there was no language in the existing code relative to premature subdivisions, which the proposed text substantially relied on for implementing this policy and reiterated that this was one unified package because they rely on each other.

Councilmember Gorham referenced a sentence that could state, 'all subdivision applications received after the effective date shall be required to connect to the municipal water systems at the applicant's expense'.

Planning Director Griffiths acknowledged that they could proceed with that if the Council chose.

Councilmember Gorham stated that they could take it back at their next visit when they look at the rest of the language and amend it to include the actual reference.

Planning Director Griffiths stated that they would do that but noted that this was the section that trips a public hearing requirement, so it may not be as simple as just bringing it back to the Council because they would have to notice and advertise another public hearing in order to add language back in, which would increase the City's costs and the overall timeframe.

Mayor Labadie stated that the Council had been advised by Planning Director Griffiths and City Attorney Shepherd that this language needed to be voted on or tabled, as a package, she felt the Council should follow their advice.

City Attorney Shepherd stated that he appreciated Councilmember Gorham's attempts to find a way to move this forward but was not sure that they even had three members of Council who were interested in carving out that section, much less the Subdivision Ordinance as a whole, without that section, or the whole kit and kaboodle, in order to move this forward. He suggested that the Council want to do an informal poll because he felt that they may be at an impasse for moving anything forward.

Mayor Labadie asked for clarification from the Council on what motion they would support related to Ordinance 617. Following Council's indication of what they would support, she stated that the Council did not have enough votes to move this forward and suggested that they give staff appropriate direction to bring this back as quickly as possible. She explained that she felt time was of the essence and noted that at least two members of the Council have indicated that they do not want to move forward with this until they have the larger water discussion. She noted that she understood the statements made by Finance Director Schmuck and City Engineer Budde that this would have implications in their departments. She asked how quickly this may be able to come back and for engineering and finance to be able to answer questions on the larger water issue.

Finance Director Schmuck noted that many of the concerns with the large water discussion is what scenario they want to take and explained that they were trying to line things up in different ways for the Council to consider and shared various examples. She noted that the City had done a survey in 2011 and was doing a similar survey now, so they have the data and have comments from residents. She noted that in 2011, twenty percent of those who responded to the survey did

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not want to hook up to City water because it was too cost-prohibitive, and felt the City would get a similar answer with the current survey.

Councilmember DiGruttolo stated that she had not seen a survey.

Finance Director Schmuck stated that they can run different scenarios, but staff needed more specific direction from the Council to give them data in areas they were interested in and shared some additional examples of scenarios.

Mayor Labadie stated that if the City was going to survey residents, that meant drawing this process out for a long time. She stated that she felt this was a big enough, potentially destructive thing not to pass before a potential legislative session ended, and explained that she would vote with Councilmember Maddy to pass this.

Councilmember DiGruttolo stated that she understood that it would take too much time to get resident input, but she still felt it would be a worthwhile endeavor for the Council to have a conversation, even if they have to make certain assumptions, but noted that they should be very public and very clear about the assumptions that were made and be able to communicate to the residents why the City was doing whatever they decide to do.

Councilmember Gorham asked City Attorney Shepherd if Councilmember Sanschagrín's comments were mostly clerical and nuanced in a non-statutory way, if the Council could make a motion to approve it, subject to incorporation of his suggested edits, which would mean that only the edits would go through and not the water language.

City Attorney Shepherd stated that he was not sure his comments were just simple edits, and some were more substantive.

Councilmember Gorham suggested that this item come back to the next meeting, and the Council go through it line by line, and explained that he did not want to wait months to get this done.

Mayor Labadie asked how beefy the next Council agenda was.

City Administrator Nevinski stated that they did have some things coming up, but did not think it would be like tonight's meeting.

Planning Director Griffiths noted that there would be at least one subdivision application on their next agenda and felt it was likely that their agenda would be pretty full.

City Administrator Nevinski stated that one path forward may be to hold a meeting with Councilmember Sanschagrín about some of his proposed changes and overall concerns. He stated that he did not feel it would be effective for the Council to sit and go through this document line by line because there may end up being things that need further research.

City Attorney Shepherd stated that one other option would be to bring back a version of the Subdivision Ordinance to the next meeting that was everything that had been worked on for the last several months, except the prematurity section, the 900 section, and the other section that talks about water and sewer connections. He stated that they could carve that out, even though it would not be perfect, but it would help them advance the ball as much as possible because the Council still had so many concerns related to the water discussion.

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Planning Director Griffiths stated that they could pare back the text to eliminate all the water policy changes.

Councilmember Maddy asked if the water policy changes were what would defend the City from what the legislature may pull off.

Planning Director Griffiths stated that was correct but noted that he did not want to short-sell the other proposed amendments because they also had substantial value. He explained that the Council's impasse was around the water topic, he would rather they move forward with some of the proposed language because it would provide some protection.

City Administrator Nevinski reiterated that he felt staff needed to get together with Councilmember Sanschagrin to understand his concerns.

Councilmember DiGruttolo stated that she would vote on this tonight if everyone on the Council was very clear on what their position was related to water, and it could be articulated.

Mayor Labadie explained that she did not have her position defined for every single issue related to water.

Councilmember DiGruttolo asked what the rationale was behind forcing subdivisions to hook up to water even though it may cause hardship.

Mayor Labadie stated that she felt the Council all had different reasons and shared numerous examples of what would allow her to vote in favor of it, as presented, but noted that she would share an equally long list of why she also struggled with this. She explained that she had served on the City Council for a long time and they have talked about water many times, but it has been very rare that residents have shown up for those discussions or submitted comments. She noted that she was very scared about cities losing control over zoning and regulations with the proposed missing middle bill. She noted that a portion of the bill would no longer allow the City to hold a public hearing related to certain development issues. She stated that he understood that what was being proposed by the City was not perfect, but she felt the City needed to do something.

Councilmember DiGruttolo stated that she agreed with Mayor Labadie on everything she just shared, but noted that where she was concerned were things like equity and having a small portion of residents pay for a service that was enjoyed by other residents, or that they do not get to enjoy, in some cases. She stated that she felt having everyone on City water would be progressive and felt that would be an equity and inclusion centerpiece, but the emails she had received and people who have knocked on her door have said that they cannot afford to hook up to City water and would also have to pay for water that they had been getting for free. She stated that until the City can find an equitable way to do this or makes a decision not to be equitable, she was struggling because she wanted to be as fair as possible, and reiterated that she wanted them to be as public and transparent as possible.

Councilmember Maddy stated that he was afraid that people watching this meeting were going to think that the City was going to force people to connect to water, which they have not even discussed.

Councilmember DiGruttolo stated that they had not had the larger water discussion.

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Councilmember Maddy stated that tonight they were talking about almost a moratorium on subdividing a lot if there was no access to water, which did not affect many people, and could also prevent bad things from happening in a very desirable community. He stated that one of the reasons this was pushed was to try to protect the City from whatever the State legislature was currently doing.

Councilmember DiGruttolo stated that this was not a vehicle to protect the City from the State legislature.

Councilmember Maddy stated that he felt it was a vehicle to protect the City from the State legislature.

Councilmember DiGruttolo clarified that the intent of this was not to protect the City from the State legislature, and she did not think the Council should look at it that way. She stated that this was a code that was designed to implement the vision that the Council had for the City for today and in the future.

Councilmember Maddy asked if she was referring to the subdivision standards or requiring people to hook up to water if they divide their lot.

Councilmember DiGruttolo stated that was what they were talking about and felt it was two sides of the same coin.

Councilmember Maddy stated that the Council had not decided tonight about water distribution network in the City will look like in thirty years and were just saying that people need water to divide a lot and had tweaked the rest of their expectations on larger subdivisions. He explained that he did not know where the controversy was in this situation.

Councilmember DiGruttolo explained that the controversy was that by passing this, a resident would lose their right to not hook up to City water. She stated that she felt this was serious and the Council needed to talk about it and needed to look at it from all different angles. She explained that she was not trying to be obstructive and was trying to be as equitable and fair as possible, and also to have a conversation that forces the City to step through their logic clearly, so it was public and on the record.

Councilmember Gorham stated that he did not think they had a path forward on approving the whole thing because there were still open comments and suggested that they just table this item and move on, and risk whatever may happen with the legislature.

Councilmember Maddy noted that the City had a forward-thinking Council thirty years ago who wanted everyone hooked up to City water, and then the other Councils since that have been kicking the can down the road because they did not have the political will to expand the network. He referenced former Mayor Bob Dean and explained that he was the reason that there was a fire suppression system at Minnewashta Elementary, and what ended up happening to him was that he was kicked out of office because he dug up Smithtown Road to put in a water main. He stated that former Mayor Dean had the political courage to do it and believed that they could all look back now and realize that it was the right decision, but they also need to know that today, ninety-nine percent of residents have working wells so this was not in the top of their minds and will not want the City to change the rules until they no longer have a working well. He clarified that it would take political will to finish this forty-year-old project, and he felt this would just be one

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small step to move closer to completing it. He stated that he would be happy to push having incremental gains that would get them closer with every new development or street reconstruction project.

Mayor Labadie noted that was pretty much how she felt about it, too, because they have to support their water system and the only way to do that was to get more people hooked up to it.

Councilmember Gorham stated that the City's water plan should have come first, and they should have already had this overall discussion.

Councilmember Maddy stated that they can still have that discussion.

Councilmember Gorham agreed, but now they were worried about things like the Mill Street project, and it was almost May, so they were going to have to do things that would affect water without having that discussion first, and reiterated that he felt the cart was before the horse.

Councilmember DiGruttolo noted that she thought it was important that the Council was having this discussion in a public setting and that they had not come in with a preset decision on what they were going to do.

Mayor Labadie stated that she felt it should be clear to anyone watching the meeting that none of the Council had come in with their mind made up already. She stated that if the Council moves to a larger discussion, as suggested, she liked the idea of advertising it as best as they can, but felt it needed to be done as soon as possible.

City Administrator Nevinski stated that it sounded like Mayor Labadie was proposing some sort of Work Session that would be open to the public for the Council to put everything on the table and have the large water discussion. He asked if the intent would be to try to do this before June and noted that they did not know what was going to happen with the State legislature.

Mayor Labadie reiterated that she would like to have the discussion as soon as possible and stated that she was still hopeful that the Council would be able to come to a meeting of the minds. She asked about the Council's availability for this meeting because she felt it would be a powerhouse session.

City Administrator Nevinski suggested that he reach out to the Council following the meeting regarding the schedule.

Mayor Labadie encouraged the Council to reach out to the appropriate staff member if they had things marked and flagged in the proposed document before the meeting.

DiGruttolo moved, Sanschagrín seconded, to Table Ordinance 617, Amending Shorewood City Code Title 900 Public Right-of-Way and Property, and Title 1200 Zoning and Subdivision Regulations, until a future Work Session meeting can be scheduled to discuss the larger water plan for the City.

Motion passed 3-2 (Maddy and Gorham opposed).

7. ENGINEERING/PUBLIC WORKS

A. 2025 Mill and Overlay and Eureka Road Bid Results and Contract, City Project 24-10, 23-01

City Engineer Budde gave a brief overview of the bid results for the 2025 Mill and Overlay and Eureka Road projects and noted that they received six competitive bids, with the lowest from GMH Asphalt Corporation. He noted that the bid was twenty-five percent below the engineering estimate for the project and explained that if this project were awarded, they could expect substantial completion by August 25, 2025, and final completion by September 12, 2025. He explained that the Three Rivers Park District had agreed to contribute five thousand dollars towards the project for the construction of the pedestrian ramp at the intersection of Eureka and Smithtown.

Councilmember Sanschagrín stated that this project had come in under budget and asked if staff had a list put together for other possible streets that could be included.

City Engineer Budde stated that staff had an internal list and explained that they were still trying to pull together what they think the expected costs would be, as well as their priority. He encouraged the Council to let staff know if they had suggestions for streets they felt should be considered. He stated that, in addition to considering that they were also looking at the possibility of removing more ash trees along the roadways and explained that they intended to come to a future Council meeting with a change order for the additional work.

Councilmember DiGruttolo asked if City Engineer Budde would be overseeing this project and the contractors.

City Engineer Budde stated that he would oversee the project and the contractors.

Councilmember DiGruttolo stated that in some of the other work that has been done, residents have complained that it was not cleaned up properly, or the fill dirt used was not right, and asked if there was a clause included to ensure that they go back for reclamation.

City Engineer Budde explained that there had always been clauses for those steps but noted that sometimes it just takes time. He noted that they have changed the spec so any of the top soils would be the fifty-fifty blend with organics and stated that this should ease much of the pain but cautioned that grass growing just takes time.

Councilmember DiGruttolo stated that she just wanted to make sure that there was a clause that outlined if the work was not done correctly that the contractor had to go back and complete the work at their own expense.

Sanschagrín moved, Maddy seconded, Adopting RESOLUTION NO. 25-045, “A Resolution to Accept Bids and Award Contract for the 2025 Mill and Overlay and Eureka Road Project, to GMH Asphalt Corporation, City Project 24-10, 23-10.”

Motion passed.

8. GENERAL/NEW BUSINESS

A. Security and Camera System Initiative

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

APRIL 28, 2025

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Public Works Director Morreim stated that staff had been looking into options for a security and camera system for quite a while. He reviewed the current security and camera systems, highlighted some of the outdated technology, ongoing costs, security gaps, and highlighted some of the security upgrades that they proposed. He outlined staff's recommendation to move forward with a platform provided by Grove Security and their Verkada system and reviewed the breakdown of the costs, licensing, and warranty information.

Councilmember DiGruttolo asked if staff had asked about the Data Privacy Act for data privacy and storage. She stated that this was a very thorough and excellent report and noted that she had looked through the paperwork where there was a statement that pointed out that Verkada did not warrant that the products would meet customer's needs or expectations, that their use would be interrupted or error free, or that defects would be corrected. She stated that she felt City Attorney Shepherd may want to take a look at that language. She stated that she also did not know how long Verkada had been around and expressed concern that they may not be around in another ten years, and felt that this should be considered.

Public Works Director Morreim stated that Verkada was not a brand-new company and would describe them as a stable and quickly growing company. He explained that there are quite a few cities in the State that are implementing Verkada's system, including St. Cloud, Faribault, and Golden Valley. He stated that he had asked them about some of the language pointed out by Councilmember DiGruttolo because it had also been brought up by another Councilmember, and they answered that no company could guarantee their existence in ten years, but had communicated that they were financially stable. He stated that the cameras were in public parks or public facilities, which means that the data retention would be for thirty days, unless they pulled footage out, and then it would be retained until the City deleted it.

Councilmember DiGruttolo asked if the City would install clear signage so people knew that they were being surveilled.

Public Works Director Morreim stated that the City can put out signage if the Council desired.

Councilmember DiGruttolo stated that she felt that the City should put out that kind of signage.

Councilmember Maddy explained that he was trying to wrap his head around some of the pricing and referenced the installation costs being a fair amount over the hardware itself, and asked if they had explained.

Public Works Director Morreim stated that none of the facilities have anything existing and noted that doors were a significant cost for installation, and they would also need to run cable to all of these areas.

Councilmember Maddy asked if the well house at Badger Park had three access controls and noted that this seemed bloated to him.

Public Works Director Morreim stated that he believed the Badger Well House had two, one for the well house itself, and the other for the chemical room, but would double-check that information.

Councilmember Maddy stated that he felt this was a lot of money to spend for a pretty safe community.

Public Works Director Morreim noted that there are security components to this system, but there would also be a lot of efficiencies with this system as well, and noted that currently, none of their water infrastructure has anything but a deadbolt.

Councilmember Maddy stated that they were looking at spending thirty thousand dollars a year.

Councilmember DiGruttolo stated that she felt this expense would be worth it. She explained that she was a former military member and a counter terrorism analyst, she felt this was the minimum the City should have to keep staff and equipment safe. She noted that she did not think the quote was bloated because the City currently did not have anything in place, and found the quote less than what she had expected.

Councilmember Sanschagrín confirmed that SLMPD would have access to this system.

Public Works Director Morreim stated that the SLMPD would have access and stated that he believed it had unlimited users.

Sanschagrín moved, DiGruttolo seconded, Approving the Quote from Grove Security (Verkada System) for Access Control and Camera Systems.

Motion passed 4-1 (Maddy opposed).

B. Parks Master Plan Contract (formerly Consent Agenda item 2.E.)

Councilmember DiGruttolo stated that she was not at the last Council meeting and felt she had missed some of the information that was discussed. She explained that she would like to understand why the Council was not prioritizing these, if they were not prioritized. She noted that if they ended up having limited time and resources, she would like fiscal responsibility and functionally and financially sound infrastructure should be their first two goals where they put the most amount of work in. She asked if there was a way to make this into a mission-essential task list that could be checked off so they would be able to see what had been done on their report card at the end of the year.

City Administrator Nevinski stated that he had to shift from using a matrix to this current format because it was getting to be too much. He stated that they would not be working linearly on these things and were kind of working on all of them at once. He noted that as far as prioritizing, he felt that they were all important.

Councilmember Maddy asked what item they were discussing.

Following some discussion, the Council discovered that Councilmember DiGruttolo and City Administrator Nevinski had been discussing the 2025 Strategic Work Plan and not the Parks Master Plan.

Mayor Labadie invited Councilmember Sanschagrín to begin the discussion on the Parks Master Plan, since he had asked to pull this item.

Councilmember Sanschagrín stated that he was curious about how the City would gather community input.

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Park and Recreation Manager Czech stated that included in the attachments was a proposal from the desired consultant that outlined components of the community engagement portion and briefly outlined some of what was planned.

Councilmember Sanschagrín stated that City Engineer Budde had been listed as providing project oversight and asked who would oversee the contractor.

Park and Recreation Manager Czech stated that he would be the primary staff person overseeing the contractor.

Councilmember DiGruttolo asked why they had chosen to go with Bolton and Menk again rather than one of the others, to spread out their contracts.

Park and Recreation Manager Czech stated that the City had put out an RFP, held an information meeting where eight entities expressed interest in this project. He stated that they received six proposals, and staff did an internal review of the proposals and found three firms that stood out as quality candidates. He stated that they had conducted interviews with the three finalists with a panel that included Planning Director Griffiths, Park Commissioner Chair Hirner, Park Commissioner Wenner, and himself. He explained that through the interview process, they felt that Bolton and Menk had stood out as the ones who would be the best fit to lead this project for the City.

DiGruttolo moved, Gorham seconded, Approving the Parks Master Plan Contract with Bolton and Menk, as presented.

Motion passed 4-1 (Maddy opposed).

C. 2025 Strategic Work Plan (formerly Consent Agenda item 2.K)

Councilmember DiGruttolo explained that City Administrator Nevinski had already answered all the questions she had on this item.

DiGruttolo moved, Sanschagrín seconded, Approving the 2025 Strategic Work Plan, as presented.

Motion passed.

9. STAFF AND COUNCIL REPORTS AND DISCUSSION

A. Staff

1. Spring Clean-Up

Mayor Labadie noted that there was a memo included in the packet from Communications and Recycling Coordinator Wilson, and felt the information included in the packet could stand for itself.

Other

Park and Recreation Manager Czech invited the Council to the City's volunteer tree planting event on May 3, 2025, at Freeman Park from 9:00 a.m. until 12:00 p.m.

Public Works Director Morreim stated that Public Works completed their spring sweep last week.

City Clerk/HR Director Thone stated that there were twenty-six applicants for the Planner position, which she believed was a record recruitment for the City, and noted that first interviews will begin on May 5, 2025. She stated that the three Public Works seasonal workers will start on May 12 and May 19, 2025, and noted that they were all returning employees. She stated that the City had received three letters of intent for the recycling RFP, and the proposals would be received by the end of May. She explained that the City had received one hundred forty-three survey responses to date and the survey would be open until May 23, 2025.

City Administrator Nevinski stated that the survey information was available through the newsletter and on the City's website.

City Clerk/HR Director Thone stated that they had created their project team for the agenda meeting software and held a kick-off meeting last week and briefly reviewed their project timeline. She noted that the trees for the tree sale will be delivered to the City next week and explained that resident feedback provided the basis for the tree sale moving from the Fall to the Spring. She stated an employee benefits committee was created and the group plans to bring recommendations for the City's employee benefit program to the budget session.

City Administrator Nevinski stated that there were currently two companies deploying fiber throughout the City and noted that there was information available on the website. He explained that they have every right to deploy within the right-of-way, and all the City can do is permit the work and try to manage the work if there are issues. He stated that he understood that people may be feeling a bit of construction exhaustion. He noted that a consultant had been selected for the Highway 7 Transit Management Corridor Study.

B. Mayor and City Council

Councilmember Sanschagrin stated that he had been getting questions about the dirt in Tonka Bay.

City Administrator Nevinski stated that he would get more information and follow up with Councilmember Sanschagrin with the latest information.

Councilmember Sanschagrin stated that there would be an LMCC on May 8, 2025, where he expected some updates to take place, including a low offer for the building.

Councilmember Maddy stated that the Excelsior Fire Board was running into some financial challenges in trying to ramp up a small staff hire, the chiller going out in the building, some change orders on the new fire truck, and some SCBA requirements that will be needed in 2026.

Mayor Labadie stated that the first round of interviews for the SLMPD chief position would be held tomorrow, and round two of the interviews would include the area mayors.

10. ADJOURN

Maddy moved, Labadie seconded, Adjourning the City Council Regular Meeting of April 28, 2025, at 11:14 P.M.

Motion passed.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk

DRAFT



City of Shorewood

City Council Meeting Item

Title/Subject: Verified Claims
Meeting Date: May 12, 2025
Prepared by: Michelle Nguyen, Senior Accountant
Reviewed by: Jeanne Schmuck, Finance Director
Attachments: Claims Lists

Item
2C

Background:

Council is asked to verify payment of the attached claims. The claims include compensation, operational or contractual expenditures anticipated in the current budget, or otherwise approved by the Council. Funds will be distributed following approval of the claims list.

Claims for Council authorization:

Payroll-05-05-2025-ACH	\$60,711.24
Payroll-05-05-2025-AP	\$47,791.57
Council-05-12-2025	\$219,373.91

Total Claims: Checks & ACH	\$327,876.72
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Financial or Budget Considerations

The expenditures have been reviewed and determined to be reasonable, necessary, and consistent with the City's budget.

Action Requested

Motion to approve the claims list as presented.

Clearing House

Distribution Report

User: mnguyen
Printed: 05/05/2025 - 1:25PM
Batch: 00005.05.2025



Account Number	Debit	Credit	Account Description
700-00-1010-0000	0.00	60,711.24	CASH AND INVESTMENTS
700-00-2170-0000	60,711.24	0.00	GROSS PAYROLL CLEARING
	60,711.24	60,711.24	
Report Totals:	60,711.24	60,711.24	

Accounts Payable

Computer Check Proof List by Vendor

User: mnguyen
Printed: 05/06/2025 - 1:20PM
Batch: 00001.05.2025 - Payroll-05-05-2025



Invoice No	Description	Amount	Pmt Date	Acct Number
Vendor: 4 May-2025	AFSCME CO 5 MEMBER HEALTH FUND-UNION DENTAL PR Batch 00001.05.2025 Dental-Union Benefit	210.00	05/05/2025	Check Sequence: 1 700-00-2185-0000
	Check Total:	210.00		
Vendor: 5 PR-05-05-2025	EFTPS - FEDERAL W/H PR Batch 00001.05.2025 Medicare Employer Po	1,271.49	05/05/2025	Check Sequence: 2 700-00-2174-0000
PR-05-05-2025	PR Batch 00001.05.2025 Medicare Employee Pc	1,271.49	05/05/2025	700-00-2174-0000
PR-05-05-2025	PR Batch 00001.05.2025 FICA Employer Portio	5,436.69	05/05/2025	700-00-2174-0000
PR-05-05-2025	PR Batch 00001.05.2025 FICA Employee Portio	5,436.69	05/05/2025	700-00-2174-0000
PR-05-05-2025	PR Batch 00001.05.2025 Federal Income Tax	8,871.12	05/05/2025	700-00-2172-0000
	Check Total:	22,287.48		
Vendor: 1165 May-2025	FIDELITY SECURITY LIFE INSURANCE COMPANY PR Batch 00001.05.2025 Vision-Avesis Benefit-	265.56	05/05/2025	Check Sequence: 3 700-00-2186-0000
	Check Total:	265.56		
Vendor: 1510 May-2025	GEN DIGITAL, INC. PR Batch 00001.05.2025 Protection-NortonLife	115.89	05/05/2025	Check Sequence: 4 700-00-2188-0000
	Check Total:	115.89		
Vendor: 686 May-2025	KANSAS CITY LIFE INSURANCE COMPANY PR Batch 00001.05.2025 Long Term Disability F	877.62	05/05/2025	Check Sequence: 5 700-00-2181-0000
May-2025	PR Batch 00001.05.2025 Short Term Disability I	948.40	05/05/2025	700-00-2181-0000
	Check Total:	1,826.02		
Vendor: 11	MINNESOTA DEPARTMENT OF REVENUE			Check Sequence: 6

Invoice No	Description	Amount	Pmt Date	Acct Number
PR-05-05-2025	PR Batch 00001.05.2025 State Income Tax	4,066.40	05/05/2025	700-00-2173-0000
Vendor: 7 May-2025	Check Total: MINNESOTA LIFE INSURANCE COMPANY PR Batch 00001.05.2025 MN-Life Insurance Bei	4,066.40 1,100.88	05/05/2025	Check Sequence: 7 700-00-2180-0000
Vendor: 2 PR-05-05-2025	Check Total: MISSION SQUARE RETIREMNT-302131-457 PR Batch 00001.05.2025 Deferred-MissionSq-FI	1,100.88 2,246.20	05/05/2025	Check Sequence: 8 700-00-2176-0000
Vendor: 1091 PR-05-05-2025	Check Total: MSRS-MN DEFERRED COMP PLAN 457 PR Batch 00001.05.2025 Deferred Comp-MSRS	2,246.20 25.00	05/05/2025	Check Sequence: 9 700-00-2176-0000
Vendor: 10 May-2025	Check Total: NCPERS GROUP LIFE INSURANCE PR Batch 00001.05.2025 PERA Life Benefit	25.00 144.00	05/05/2025	Check Sequence: 10 700-00-2180-0000
Vendor: 665 PR-05-05-2025 PR-05-05-2025	Check Total: OPTUM BANK PR Batch 00001.05.2025 HSA-Optum Bank-Ber PR Batch 00001.05.2025 HSA-Optum Bank-Em	144.00 1,178.32 1,458.11	05/05/2025	Check Sequence: 11 700-00-2183-0000 700-00-2183-0000
Vendor: 9 PR-05-05-2025 PR-05-05-2025	Check Total: PERA PR Batch 00001.05.2025 MN PERA Benefit Em PR Batch 00001.05.2025 MN-PERA Deduction	2,636.43 6,787.58 5,882.58	05/05/2025	Check Sequence: 12 700-00-2175-0000 700-00-2175-0000
Vendor: 1512 May-2025	Check Total: PRE-PAID LEGAL SERVICES, INC PR Batch 00001.05.2025 Protection-LegalShield	12,670.16 197.55	05/05/2025	Check Sequence: 13 700-00-2187-0000
	Check Total:	197.55		

Invoice No	Description	Amount	Pmt Date	Acct Number
	Total for Check Run:	47,791.57		
	Total of Number of Checks:	13		

Accounts Payable

Computer Check Proof List by Vendor

User: mnguyen
Printed: 05/07/2025 - 2:49PM
Batch: 00002.05.2025 - Council-05-12-2025-Henn City



Invoice No	Description	Amount	Pmt Date	Acct Number
Vendor: 216 4825EnchantedLn	HENNEPIN COUNTY RECORDER'S OFFICE Record Service-4825 Enchanted Lane-ST Agreer	46.00	05/12/2025	Check Sequence: 1 101-13-4400-0000
Check Total:		46.00		
Total for Check Run:		46.00		
Total of Number of Checks:		1		

Accounts Payable

Computer Check Proof List by Vendor

User: mnguyen
Printed: 05/07/2025 - 2:55PM
Batch: 00003.05.2025 - Council-05-12-2025



Invoice No	Description	Amount	Pmt Date	Acct Number
Vendor: 105	ADVANCED IMAGING SOLUTIONS			
NV355782	Konica Minolta/C658 Copier-Monthly Base Rate	47.00	05/12/2025	Check Sequence: 1 101-19-4221-0000
	Check Total:	47.00		
Vendor: 1412	ARVIG			
April-2025	Act#3101049-Monthly Phones/Internet Services	2,054.08	05/12/2025	Check Sequence: 2 101-19-4321-0000
	Check Total:	2,054.08		
Vendor: 677	BOLTON & MENK, INC.			
361984	Pond Maintenance	2,682.00	05/12/2025	Check Sequence: 3 631-00-4303-0000
361985	Sanitary Cleaning & Televising	102.50	05/12/2025	611-00-4303-0000
361987	General Engineering	6,048.00	05/12/2025	101-31-4303-0000
361988	2025 Mill & Overlay Design	29,889.00	05/12/2025	420-00-4303-0000
361989	Excelsior Woods	348.00	05/12/2025	101-00-3414-0000
361990	Freeman Park Trail Improvement	205.00	05/12/2025	402-00-4400-0000
361993	GIS-Utilities-Sewer	1,972.50	05/12/2025	611-00-4303-0000
361993	GIS-Utilities-Stormwater	1,837.50	05/12/2025	631-00-4303-0000
361993	GIS-Utilities-Street	1,450.00	05/12/2025	101-31-4303-0000
361993	GIS-Utilities-Water	1,905.00	05/12/2025	601-00-4303-0000
361994	Lake Park Villas-24250 Smithown Rd-TSML Pt	220.00	05/12/2025	101-00-3414-0000
361995	Maple Shores Development-Chamberlain Capita	295.00	05/12/2025	101-00-3414-0000
361996	Mill Street Trail	1,435.00	05/12/2025	417-00-4303-0000
361997	MS4 Administration	190.00	05/12/2025	631-00-4302-0009
361998	SEWell Pump Rebuild	450.00	05/12/2025	601-00-4303-0000
362000	Shorewood Ln Ravine Restore	4,373.00	05/12/2025	631-00-4303-0000
362001	Shorewood Meadow-McDonalds Construction	205.00	05/12/2025	101-00-3414-0000

Invoice No	Description	Amount	Pmt Date	Acct Number
362002	Smithtown Pond -Pond Construction Admin	1,038.50	05/12/2025	631-00-4303-0000
362003	Standard Specification	205.00	05/12/2025	101-31-4303-0000
362004	Walnut Grove Villas - Shaefoo	295.00	05/12/2025	101-00-3414-0000
Check Total:		55,146.00		
Vendor: 136	CENTERPOINT ENERGY-GAS			Check Sequence: 4
04-22-2025	20630 Manor Rd	69.55	05/12/2025	101-52-4380-0000
04-22-2025	5735 Country Club Rd-SCEC	241.06	05/12/2025	201-00-4380-0000
04-28-2025	28125 Boulder Bridge	171.37	05/12/2025	601-00-4396-0000
04-28-2025	5755 Country Club Rd	220.51	05/12/2025	101-19-4380-0000
04-28-2025	20405 Knightsbridge Rd	66.15	05/12/2025	601-00-4394-0000
04-28-2025	6000 Eureka Road	177.02	05/12/2025	101-52-4380-0000
04-28-2025	24200 Smithtown Rd	403.27	05/12/2025	101-32-4380-0000
Check Total:		1,348.93		
Vendor: 137	CENTURY LINK			Check Sequence: 5
04-25-2025	Acct#333532729-SCEC-952-470-7819	131.38	05/12/2025	201-00-4321-0000
04-25-2025	Acct#334037388-C.H.-952-470-6340	123.62	05/12/2025	101-19-4321-0000
04-25-2025	Acct#333778780-PWs-952-470-2294	70.19	05/12/2025	101-32-4321-0000
Check Total:		325.19		
Vendor: 915	CINTAS			Check Sequence: 6
5264370310	PWs-First Aid Supplies	52.76	05/12/2025	101-32-4400-0000
5265935801	City Hall-First Aid Supplies	63.50	05/12/2025	101-19-4223-0000
Check Total:		116.26		
Vendor: 142	CITIES DIGITAL INC.			Check Sequence: 7
48539v.1	Laserfiche Workflow	3,800.00	05/12/2025	101-15-4400-0000
Check Total:		3,800.00		
Vendor: 1403	CITY OF ST. PAUL			Check Sequence: 8
IN62261	Asphalt Patch Material	226.47	05/12/2025	101-32-4250-0000
Check Total:		226.47		

Invoice No	Description	Amount	Pmt Date	Acct Number
Vendor: 698	CIVIC PLUS LLC			Check Sequence: 9
332750	Prepaid Exp	1,208.88	05/12/2025	101-00-1551-0000
332750	CivicRec-Annual Maint Svc	7,495.03	05/12/2025	101-53-4400-0000
	Check Total:	8,703.91		
Vendor: 1361	COSTCO-CITI CARDS			Check Sequence: 10
04-27-2025-Nelia	General Supplies	38.97	05/12/2025	101-13-4245-0000
	Check Total:	38.97		
Vendor: 1096	DAVEY RESOURCE GROUP, INC.			Check Sequence: 11
9000088083	Forestry Consulting Services	75.00	05/12/2025	101-32-4400-0000
9000108619	Forestry Consulting Services	2,005.00	05/12/2025	101-32-4400-0000
	Check Total:	2,080.00		
Vendor: 865	DEM-CON COMPANIES			Check Sequence: 12
23328	Material Disposal Fee	213.60	05/12/2025	101-32-4400-0000
	Check Total:	213.60		
Vendor: 167	ECM PUBLISHERS INC			Check Sequence: 13
1045629	Legal Notices-24560 Smithtown Road	100.00	05/12/2025	101-18-4351-0000
1045630	Legal Notices-5905 Grant Street	56.25	05/12/2025	101-18-4351-0000
1045631	Legal Notices-24560 Smithtown Road	62.50	05/12/2025	101-18-4351-0000
1045632	Legal Notices	56.25	05/12/2025	101-18-4351-0000
1045815	Legal Notices	38.70	05/12/2025	101-18-4351-0000
	Check Total:	313.70		
Vendor: 1536	CALIDA FUERST			Check Sequence: 14
2024-TreeSale	Tree Sales Refund-2024 Plum Trees Unavailable	133.60	05/12/2025	101-00-3472-0000
	Check Total:	133.60		
Vendor: 200	GOPHER STATE ONE CALL			Check Sequence: 15
5040751	Monthly Rental	155.25	05/12/2025	611-00-4400-0000
5040751	Monthly Rental	155.25	05/12/2025	601-00-4400-0000
5040751	Monthly Rental	155.25	05/12/2025	631-00-4400-0000

Invoice No	Description	Amount	Pmt Date	Acct Number
Vendor: 207 14722	Check Total: H & L MESABI COMPANY Cutting Edges For Plow	465.75 4,153.44	05/12/2025	Check Sequence: 16 101-33-4245-0000
Vendor: 211 7048932	Check Total: HAWKINS, INC. Chlorine for Treatment	4,153.44 2,128.94	05/12/2025	Check Sequence: 17 601-00-4245-0000
Vendor: 216 26045BBL	Check Total: HENNEPIN COUNTY RECORDER'S OFFICE 26045 Birch Bluff Rd- Grant of Permanent Drair	2,128.94 46.00	05/12/2025	Check Sequence: 18 101-13-4400-0000
Vendor: 689 1000246146	Check Total: HENNEPIN COUNTY ACCOUNTS RECEIVABLE REC0001086-View Recorded Documents	46.00 2.50	05/12/2025	Check Sequence: 19 101-18-4400-0000
Vendor: 896 20402331	Check Total: HUEBSCH SERVICES SCEC - Mats	2.50 70.67	05/12/2025	Check Sequence: 20 201-00-4223-0000
Vendor: 1197 211944 211944 211945 211945	Check Total: IW/ORQ Annual Subscription Annual Subscription Rental Licensing Module Rental Licensing Module	70.67 93.75 281.25 3,937.50 1,312.50	05/12/2025	Check Sequence: 21 101-00-1551-0000 101-18-4433-0000 101-18-4400-0000 101-00-1551-0000
Vendor: 1355 9739	Check Total: JDP ELECTRICAL SERVICES, INC. Installed Emergency Lights	5,625.00 3,066.21	05/12/2025	Check Sequence: 22 101-19-4400-0000
Vendor: 1401	Check Total: JENCO PROPERTY MAINTENANCE	3,066.21		Check Sequence: 23

Invoice No	Description	Amount	Pmt Date	Acct Number
6588	Landscape	443.33	05/12/2025	101-52-4400-0000
6588	Landscape	443.33	05/12/2025	101-19-4400-0000
6588	Landscape	443.34	05/12/2025	101-32-4400-0000
	Check Total:	1,330.00		
Vendor: 1515	KATH FUEL OIL SERVICE CO.			Check Sequence: 24
824498	Fuel for Trailer	1,037.79	05/12/2025	101-32-4212-0000
	Check Total:	1,037.79		
Vendor: 247	DREW KRIESEL			Check Sequence: 25
112618-Apr-2025	SCEC Event Setup/Teardown	688.00	05/12/2025	201-00-4248-0000
	Check Total:	688.00		
Vendor: 279	METROPOLITAN COUNCIL (WASTEWATER)			Check Sequence: 26
1187324	Monthly Waste Water Svc	89,535.36	05/12/2025	611-00-4385-0000
	Check Total:	89,535.36		
Vendor: 286	MIDWEST MAILING SYSTEMS INC			Check Sequence: 27
81028	Newsletter Svc	304.04	05/12/2025	101-13-4400-0000
81028	Newsletter Postages	481.27	05/12/2025	101-13-4208-0000
81028	Newsletter Postages	400.00	05/12/2025	621-00-4347-0000
	Check Total:	1,185.31		
Vendor: 302	MINNESOTA POLLUTION CONTROL AGENCY			Check Sequence: 28
10000212663	Hazardous Waste Fee-24200 Smithtown Road-91	386.43	05/12/2025	101-32-4437-0000
	Check Total:	386.43		
Vendor: 1068	MISSION COMMUNICATIONS, LLC			Check Sequence: 29
2008002	LS#15 PLC Replacement	1,789.05	05/12/2025	601-00-4221-0000
	Check Total:	1,789.05		
Vendor: 719	NORTHLAND SECURITIES, INC.			Check Sequence: 30
INV-1405	Progress Billing-April-2025	3,190.00	05/12/2025	101-16-4400-0000

Invoice No	Description	Amount	Pmt Date	Acct Number
Vendor: 325	Check Total:	3,190.00		
1881411	ON SITE SANITATION -TWIN CITIES			Check Sequence: 31
1881412	Cathcart Park-26655 W- 62nd St	83.48	05/12/2025	101-52-4400-0000
1881413	Freeman Park-6000 Eureka Rd	250.43	05/12/2025	101-52-4400-0000
1881414	Silverwood Plk-5755 Covington R	83.48	05/12/2025	101-52-4400-0000
1881415	South Shore-5355 St Albans Bay	83.48	05/12/2025	101-52-4400-0000
	Christmas Lk Rd-5625 Merry Ln	187.22	05/12/2025	101-52-4400-0000
Vendor: 1534	Check Total:	688.09		
1172	PIPE SERVICES			Check Sequence: 32
	Covington Sewer Repair & Televising	3,277.50	05/12/2025	611-00-4400-0000
Vendor: 1063	Check Total:	3,277.50		
ROW-280922	RYAN LaPOINTE			Check Sequence: 33
ROW-280923	Security Deposit Refund-ROW Permit#280922-4	2,000.00	05/12/2025	880-00-2200-0000
ROW-284040	Security Deposit Refund-ROW Permit#280923-1	2,000.00	05/12/2025	880-00-2200-0000
ROW-289874	Security Deposit Refund-ROW Permit#284040-1	2,000.00	05/12/2025	880-00-2200-0000
	Security Deposit Refund-ROW Permit#289874-2	2,000.00	05/12/2025	880-00-2200-0000
Vendor: 305	Check Total:	8,000.00		
1721583	SAFEBUILT LLC-LOCKBOX #88135			Check Sequence: 34
	Inspection Services	657.72	05/12/2025	101-24-4400-0000
Vendor: 1363	Check Total:	657.72		
106204	SKYLINE SALT SOLUTIONS			Check Sequence: 35
	Road Salt	11,438.54	05/12/2025	101-33-4245-0000
Vendor: 1181	Check Total:	11,438.54		
96874	SPLIT ROCK MANAGEMENT, INC.			Check Sequence: 36
	Custodial Service-CH Building	487.00	05/12/2025	101-19-4223-0000
Vendor: 1101	Check Total:	487.00		
	SPRINGBROOK HOLDING COMPANY LLC			Check Sequence: 37

Invoice No	Description	Amount	Pmt Date	Acct Number
INV-020522	Springbrook-CivicPay Fees	303.50	05/12/2025	611-00-4450-0000
INV-020522	Springbrook-CivicPay Fees	303.50	05/12/2025	601-00-4450-0000
INV-020522	Springbrook-CivicPay Fees	303.50	05/12/2025	631-00-4450-0000
INV-020522	Springbrook-CivicPay Fees	303.50	05/12/2025	621-00-4450-0000
Check Total:		1,214.00		
Vendor: 657	SUMMIT FIRE PROTECTION			Check Sequence: 38
2970272	City Hall-Fire Extinguisher Inspection	117.50	05/12/2025	101-19-4223-0000
Check Total:		117.50		
Vendor: 1194	THE McDOWELL AGENCY, INC.			Check Sequence: 39
161392	Background Check:Seasonal	320.50	05/12/2025	101-13-4400-0000
Check Total:		320.50		
Vendor: 694	TIMESAVER OFF SITE SECRETARIAL, INC.			Check Sequence: 40
30350	Council Meeting	527.88	05/12/2025	101-13-4400-0000
30351	Park Meeting	212.50	05/12/2025	101-53-4400-0000
Check Total:		740.38		
Vendor: 408	WM MUELLER & SONS INC			Check Sequence: 41
310618	Road Materials	124.53	05/12/2025	101-32-4250-0000
Check Total:		124.53		
Vendor: 411	XCEL ENERGY, INC.			Check Sequence: 42
924556910	5735 Country Club Rd	603.44	05/12/2025	201-00-4380-0000
924763964	24253 Smithtown Rd	355.40	05/12/2025	601-00-4395-0000
924907245	5700 County Rd 19	61.43	05/12/2025	101-32-4399-0000
924907245	5700 County Rd 19 - Unit Light	158.61	05/12/2025	101-32-4399-0000
924985035	5755 Country Club Rd	139.93	05/12/2025	101-19-4380-0000
925032072	4931 Shady Isalnd Road	19.56	05/12/2025	611-00-4380-0000
925390742	28125 Boulder Bridge Drive	1,675.62	05/12/2025	601-00-4396-0000
Check Total:		3,013.99		

Invoice No	Description	Amount	Pmt Date	Acct Number
	Total for Check Run:	219,327.91		
	Total of Number of Checks:	42		



City Council Meeting Item

Title/Subject: Athletic Association Agreements
Meeting Date: May 12, 2025
Prepared by: Mitchell Czech, Parks & Recreation Manager
Attachments: 2025 Field Use Policy, Tonka Football Association Agreement, Tonka United Soccer Association Agreement, Tonka Softball Association Agreement, Southwest Christian High School Agreement

Background

Local athletic associations have been a valued partner of the City for a number of years. These associations provide ample recreation opportunities for residents of Shorewood and neighboring communities, and may call our fields and facilities home for practices, games, and tournaments. The City has operated under “handshake agreements” with all of the associations that utilize City facilities, and staff has prioritized getting written agreements in place. These agreements will ensure consistency as association leadership and/or staff turnover takes place, and it will also strengthen the relationship between the City and our valued associations.

In 2025, a Field Use Policy was approved by City Council to ensure all user groups had a clear understanding of the policies and procedures for field use within the City. This policy helped provide the framework for staff to develop written agreements with our local athletic association. As part of this policy, various priority levels were established for transparent and equitable allocation of fields for potential user groups. Having an agreement in place with the City grants the association a level 2 priority during the field allocation process.

To date, Tonka Football Association, Tonka United Soccer Association, Tonka Softball Association, and Southwest Christian High School have signed the attached agreements. Staff is still working to finalize agreements with both Minnetonka Baseball and Minnetonka Lacrosse.

Financial Considerations

Currently, the City charges athletic associations a fee of \$12 per player for each season of field use (Spring/Summer and Fall). The per player fee model is consistent with how many cities offset maintenance related costs by granting associations use of their facilities. However, the current fee is slightly less than many cities currently have in place. The agreements include a pay structure through 2030 that will help the City better align with the market while accounting for increased maintenance related costs for facility use.

Action Requested

A motion to approve the attached agreements with Tonka Football Association, Tonka United Soccer Association, Tonka Softball Association, and Southwest Christian High School. A majority vote by the Council is required.



City of
Shorewood

Parks & Recreation Field Use Policy

Shorewood Parks & Recreation

5735 Country Club Road
parksandrec@ci.shorewood.mn.us
952-960-7902

Athletic Fields

Location	Baseball Field (Grass Infield)	Baseball/Soft ball Fields (Dirt Infield)	Soccer Fields	Lacrosse/ Football Fields	Tennis Courts
Freeman Park	3	3	6+	0	0
Manor Park	0	1	1		1
Cathcart Park	0	1	0	0	1
Badger Park	0	0	0	1 (Turf w/ lights)	2



City of Shorewood

Parks & Recreation - 5735 Country Club Road - parksandrec@ci.shorewood.mn.us - 952-960-7902

Athletic Fields

A. Background

The City of Shorewood is very proud of its parks system and works enthusiastically to maintain and enhance park facilities. To that end, the City utilizes a number of policies to help guide implementation of park goals, directives, and ordinances regulating park usage for all residents.

The intent of this policy is to grant all users the opportunity to utilize athletic fields and surrounding facilities within a managed and predictable manner, thereby allowing all residents an optimum park usage experience.

B. Field Use Objectives

The objective of our field use policy is to:

- Provide structure to allow for equal opportunity of field use for all users of Shorewood fields and surrounding facilities in a predictable manner.
- Provide an optimum park usage experience for all city park users.
- Allocate field time equitably in a clear and transparent manner.
- Minimize field wear, prevent overuse, and reduce maintenance costs.
- Maximize opportunity for Shorewood residents and resident groups to utilize fields and surrounding facilities.

C. Season Dates (Weather Pending)

Spring/Summer Season: 4/7/2025 - 8/3/2025

Registration Opens: 1/13/2025

Applications Due: 2/20/2025

Fall Season: 8/4/2025 - 10/27/2025

Registration Opens: 5/19/2025

Applications Due: 6/21/2025

*Meetings may be scheduled for each season to review requests and resolve potential problems and/or conflicts.

The City reserves the right to determine when the fields are available for use. The City may close fields for a period of time and/or season to properly rest and preserve the turf. Communication regarding opening and closing of fields will be provided to the permit holder well in advance. The City will also provide updates to the permit holder before fields opening or closing to allow for adequate time for users to prepare.

City of Shorewood

Parks & Recreation - 5735 Country Club Road - [parksandrec@ci.shorewood.mn.us](https://parksandrec.ci.shorewood.mn.us) - 952-960-7902

D. Field Priority

In an attempt to provide a predictable structure for field allocations, the City of Shorewood has designated priority classifications to groups requesting field use. Field priority classifications have been established to ensure the City is properly serving its residents by granting access to city facilities.

Priority Level 1

All city sponsored or co-sponsored activities, programs, leagues, practices, camps, and events. Reservations for city sponsored activities may be taken prior to registration opening for any date. Dates and times will be communicated to potential user groups of the reserved spaces.

Priority Level 2

Partnered youth and/or adult athletic organizations that serve our local youth and adults. Partnered athletic associations are non-profit groups that serve a large number of Shorewood residents within their programs. Partnered associations have signed agreements in place with the City of Shorewood.

***Priority scheduling will be given to groups having the largest percentage and highest number of Shorewood residents. Flexibility is expected by all groups when distributing facilities.**

Priority Level 3

Shorewood based non-profits or businesses.

Priority Level 4

All other non-local groups.

Groups of all priority levels are expected to treat facilities as their own. This includes field maintenance done to park maintenance agreed upon standards, trash removal, and overall cleanliness. Neglect or damage to fields beyond normal wear and tear will result in additional fees and/or loss of field time.

The City of Shorewood will work to accommodate all groups, as feasible. Full player rosters with names and addresses may be requested at any time for groups utilizing Shorewood facilities. Organizations must remain in good standing with the City to have requests considered.

E. Reservation Process

Prior to using the City of Shorewood facilities, groups must complete the required steps included below.

1. Submit a field reservation request application [online](https://shorewoodmn.gov/register) at shorewoodmn.gov/register.
2. Submit a copy of the associations liability policy naming the City as additionally insured in the amount of \$1,000,000 per occurrence with a \$2,000,000 aggregate.
3. Complete payment no later than two weeks after the start of the association season.

Failure to complete any of the above steps may result in service fees, forfeiture of field time, or loss of priority level for a given season.

F. Field & Surrounding Facility Use Expectations

When utilizing City-owned facilities, groups must adhere to the following expectations. Failure to do so may result in additional fees, suspension, or loss of facility use.

1. Facility use is permitted after the City has received the association's certificate of insurance and signed memo agreement. Player fees will be invoiced, and a full player roster may be requested.
2. User group and attendees must abide to all park ordinances.
3. User group must abide by permitted times and fields.
 - a. Games shall be scheduled to provide a 15-minute break between games or warm-up sessions.
4. A City of Shorewood tournament permit and fee shall be submitted to the City a minimum of 120 days before the tournament. Tournaments shall not conflict with other regularly scheduled activities for the facility.
5. No driving of motorized vehicles is allowed on the fields or green space.
 - a. A fine of \$200 will be issued for each occurrence.
6. User group is responsible for cleanup after practices, games, tournaments, or any user group sponsored activities. Additional fees may be applied for the time, materials, and labor if the City performs cleanup services.
7. User groups are not allowed to make alterations to the facilities or terrain, unless agreed upon with the City. Field marking must be approved prior to application.
8. Facility improvements that the user group would like to make must go through city staff to begin the implementation process.
9. Utilizing green space outside of the designated fields is not permitted. Warm-ups shall be done in a manner that does not put spectators and park users in harm's way.
10. Disposal of paint cans shall not be done in the facility trash receptacles or on the park site. Paint and/or chalk must be approved by the City prior to application.

City of Shorewood

Parks & Recreation - 5735 Country Club Road - parksandrec@ci.shorewood.mn.us - 952-960-7902

FIELD USE AGREEMENT

The Field Use Agreement is entered into this 12 day of May, 2025, between the City of Shorewood (“City”), a Minnesota municipal corporation and Tonka Football Association, (the “Association”) a community youth athletic association.

WHEREAS, City is the owner of real property and the improvements made thereon located at Freeman Park, Manor Park, Badger Park and Cathcart Park of Shorewood, Hennepin County, State of Minnesota, commonly known as the facilities (the “Facilities”).

WHEREAS, the Association desires to use City fields for its activities and City desires to provide the Association field time at the Facilities. Facility availability may vary from season to season.

THEREFORE, in consideration of the keeping and performance of the conditions and promises set forth in this Agreement, the adequacy of which are hereby acknowledged, the parties agree as follows:

1. **Schedule of Field Time and Hours:** The City agrees to provide field time to the Association for the spring/summer and fall seasons, and in accordance with the terms of this Agreement. Such schedule may be amended from time to time upon the written agreement of both parties’ representatives, or as deemed necessary at the discretion of the Parks and Recreation Manager. Each year during the term of this agreement, the parties will work together to negotiate a new Field Use Schedule annually, which may be approved by the Parks and Recreation Manager and kept on file with the Parks and Recreation Specialist or Parks and Recreation Manager.
2. **Term:** The term for this agreement will commence each year on April 1st and will continue until October 31st, for a period of 5 years beginning in 2025.
3. **Field Maintenance:** The City agrees to provide a base level of service on playing fields and surrounding areas. A base level of service includes but is not limited to field mowing and aerating & fertilizing fields on an annual basis. The City will perform these duties as needed, weather permitting, to allow fields to remain in playable condition. If additional attention is needed to the playing surface, the City agrees to address the conditions, within reason, in a timely manner.
 - a. The Association agrees to abide by the Cities Integrated Pest Management Plan and Bee Safe Resolution for all field maintenance practices.

- i. Pesticides labeled by the EPA with signal word “DANGER” that indicate high toxicity are prohibited.
- ii. Pesticides labeled by the EPA with signal word “WARNING” that indicate moderate toxicity may be used in a targeted manner.
 - 1. If use of any pesticide on City fields is desired, the Association must submit a request for treatment approval to the City. The request must be approved prior to any treatment is applied by the Association and/or their contracted service provider.

Billing and Payments:

- b. The City will invoice the Association a per player rate for each season.
 - i. The per player rate will follow the following structure:

<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>
\$12	\$13	\$14	\$14	\$15	\$15
- c. In addition to providing total player numbers, the Association agrees to provide the City with the names and addresses of players, if requested by the City.
- d. The Association will promptly pay the City the amount billed, no later than 2 weeks after the invoice is issued by the City.

4. Use of Facilities:

- a. The Association agrees to use and occupy the Facilities solely for the purpose of conducting seasonal Youth Football activities in accordance with the terms of this Agreement.
- b. The Association agrees not to use, nor permit any portion of the Facilities to be used, for any illegal purpose or for any purpose that would cause an increase in or cancellation of the existing rate of insurance on the Facilities.
- c. The Association agrees to use the Facilities according to the City of Shorewood Parks & Recreation Facility Use Policy, which will be updated and provided to the Association from time to time.

- 5. **Tournaments:** Tournaments without special consideration may be approved by the City, although any change or temporary modifications to park property requires written authorization by the City. All policies, rules, and regulations for City parks will be in effect. The sponsors will be entirely responsible for the operation of the tournament, providing parking attendants to assist with parking and traffic flow. The Association will be expected to assume financial responsibility in case of damage, loss, etc.

The Association agrees to complete and submit a tournament application 120 days prior to the tournament date. Upon approval, the Association agrees to submit payment to the City within two weeks of invoice date.

6. **Insurance:** The Association, at its expense, shall procure and maintain in force for the duration of this Agreement commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence with a \$2,000,000 aggregate. The policy shall cover liability arising from premises, operations, personal injury, advertising injury, and contractually assumed liability. The City shall be named as an additional insured.

Within ten days of the effective date of this Agreement and thereafter upon the City's request, and at least annually, the Association shall provide a certificate of insurance as proof that the above coverages are in full force and effect. These insurance requirements may be met through any combination of primary and umbrella/ excess insurance. The Association's policies shall be primary and non-contributory to any other valid and collectible insurance available to the City with respect to any claim arising out of the Association's performance under this Agreement. The Association's policies and certificate of insurance shall state the coverage afforded under the policies shall not be cancelled without at least 30 days' advanced written notice to the City.

7. **Covenant to Hold Harmless:**

- a. The Association acknowledges that the City has not asserted or accepted any responsibility for volunteer background checks, training, supervision, security or control of the Association's property or activities conducted on the Facilities or any part connected or contiguous thereto. The Association is solely responsible to provide security for its equipment kept in the Facilities and shall be solely responsible to provide supervision of its participants, volunteers, staff, agents, and spectators, when on City owned property.
- b. The Association's participants, volunteers, staff, and agents assume all risks of personal injury arising from its usage of the Facilities or any part connected or contiguous thereto which result from an act or failure to act on the part of the Association or others over whom it has supervisory responsibility.
- c. The Association assumes responsibility for damages to the Facilities or any part connected or contiguous thereto arising out of negligence or fault of the Association under its performance of this Agreement. The City will notify the Association of any damages and allow a reasonable opportunity for review of the damage before repairs are made. The City is responsible for making repair or replacement of Facilities property and will invoice the Association for the damages. The Association's obligation will be to reimburse to the City for any out-of-pocket cost of labor replacement of like-kind and quality of equipment and materials.

- d. The Association agrees to defend, indemnify and hold harmless the City from and against all claims, costs, expenses (including attorney fees) and liabilities of whatever nature arising from:
 - i. Any negligent or wrongful act or omission of the Association, its staff, athletes, licensees, agents, employees, or others over whom it has supervisory responsibility: or;
 - ii. Any accident, injury, death or damage, to any person or property occurring in the Facilities or any part connected or contiguous thereto and caused by the negligence or other wrongful conduct of the Association, its staff, athletes, licensees, agents, employees, or others over whom it has supervisory responsibility, excluding claims arising from the City's performance under this Agreement.
- 8. **Cancellations:** The City shall not be held responsible for the cancellation of field time for reasons beyond the reasonable control of the City, its agents or employees, such as but not limited to equipment failure, loss of power, pandemic, civil unrest, severe weather, or other acts of God. In the event of such an occurrence, the City will attempt to reschedule the Association's field times or the Association may cancel and receive a return of any fees paid but not yet used.
- 9. **Termination:** Either party may terminate this agreement at any time.
- 10. **Assignment:** The Association shall not assign or otherwise transfer its interest in its scheduled field time to any other person or organization.
- 11. **Signage:** All signage, branding and sponsorship banners posted by or on behalf of the Association shall conform to the City's zoning and park regulations.
- 12. **No Discrimination:** The Association agrees not to discriminate in providing products and services under this Agreement on the basis of race, color, sex, gender, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion. Violation of any part of this provision may lead to immediate termination of this Agreement. The Association agrees to comply with the Americans with Disabilities Act as amended ("ADA"), section 504 of the Rehabilitation Act of 1973, and the Minnesota Human Rights Act, Minnesota Statutes, Chapter 363A. The Association agrees to hold harmless and indemnify the City from costs, including but not limited to damages, attorneys' fees and staff time, in any action or proceeding brought alleging a violation of these laws by the Association or its guests, invitees, members, officers, officials, agents, employees, volunteers, representatives and subcontractors. Upon request, the Association shall provide accommodation to allow

individuals with disabilities to participate in all activities under this Agreement. The Association agrees to utilize its own auxiliary aid or service in order to comply with ADA requirements for effective communication with individuals with disabilities.

13. Miscellaneous:

- a. It is agreed that no assent, express or implied, to any breach of anyone or more of the covenants or agreements herein contained will be deemed or taken to be a waiver of any succeeding or other breach.
- b. Severance: If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be void or unenforceable, the remainder of the provisions of this Agreement will remain in full force and will in no way be affected, impaired or invalidated.
- c. No Oral Agreements: This Agreement includes in full each agreement of every kind between the parties concerning the Facilities, and all preliminary negotiations and agreements of any kind or nature are merged in this Agreement. There are no oral agreements or implied covenants in connection with this Agreement. Any modifications to the Agreement shall be made in writing and may be made by email.
- d. Governing Law: This Agreement is governed by the laws of the State of Minnesota.

IN WITNESS WHEREOF, the parties hereto agree the day and year first above written.

CITY OF SHOREWOOD

ASSOCIATION

By: _____

By: _____

Name: _____

By: _____

Title: _____

FIELD USE AGREEMENT

The Field Use Agreement is entered into this 12 day of May, 2025, between the City of Shorewood ("City"), a Minnesota municipal corporation and Tonka United Soccer Association, (the "Association") a community youth athletic association.

WHEREAS, City is the owner of real property and the improvements made thereon located at Freeman Park, Manor Park, Badger Park and Cathcart Park of Shorewood, Hennepin County, State of Minnesota, commonly known as the facilities (the "Facilities").

WHEREAS, the Association desires to use City fields for its activities and City desires to provide the Association field time at the Facilities. Facility availability may vary from season to season.

THEREFORE, in consideration of the keeping and performance of the conditions and promises set forth in this Agreement, the adequacy of which are hereby acknowledged, the parties agree as follows:

1. **Schedule of Field Time and Hours:** The City agrees to provide field time to the Association for the spring/summer and fall seasons, and in accordance with the terms of this Agreement. Such schedule may be amended from time to time upon the written agreement of both parties' representatives, or as deemed necessary at the discretion of the Parks and Recreation Manager. Each year during the term of this agreement, the parties will work together to negotiate a new Field Use Schedule annually, which may be approved by the Parks and Recreation Manager and kept on file with the Parks and Recreation Specialist or Parks and Recreation Manager.
2. **Term:** The term for this agreement will commence each year on April 1st and will continue until October 31st, for a period of 5 years beginning in 2025.
3. **Field Maintenance:** The City agrees to provide a base level of service on playing fields and surrounding areas. A base level of service includes but is not limited to field mowing and aerating & fertilizing fields on an annual basis. The City will perform these duties as needed, weather permitting, to allow fields to remain in playable condition. If additional attention is needed to the playing surface, the City agrees to address the conditions, within reason, in a timely manner.
 - a. The Association agrees to abide by the Cities Integrated Pest Management Plan and Bee Safe Resolution for all field maintenance practices.

- i. Pesticides labeled by the EPA with signal word “DANGER” that indicate high toxicity are prohibited.
- ii. Pesticides labeled by the EPA with signal word “WARNING” that indicate moderate toxicity may be used in a targeted manner.
 - 1. If use of any pesticide on City fields is desired, the Association must submit a request for treatment approval to the City. The request must be approved prior to any treatment is applied by the Association and/or their contracted service provider.

4. Billing and Payments:

- a. The City will invoice the Association a per player rate for each season.
 - i. The per player rate will follow the following structure:

<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029 & 2030</u>
\$12	\$13	\$14	\$14	\$15
- b. In addition to providing total player numbers, the Association agrees to provide the City with the names and addresses of players, if requested by the City.
- c. The Association will promptly pay the City the amount billed, no later than 2 weeks after the invoice is issued by the City.

5. Use of Facilities:

- a. The Association agrees to use and occupy the Facilities solely for the purpose of conducting seasonal Youth Soccer activities in accordance with the terms of this Agreement.
- b. The Association agrees not to use, nor permit any portion of the Facilities to be used, for any illegal purpose or for any purpose that would cause an increase in or cancellation of the existing rate of insurance on the Facilities.
- c. The Association agrees to use the Facilities according to the City of Shorewood Parks & Recreation Facility Use Policy, which will be updated and provided to the Association from time to time.

- 6. **Tournaments:** Tournaments without special consideration may be approved by the City, although any change or temporary modifications to park property requires written authorization by the City. All policies, rules, and regulations for City parks will be in effect. The sponsors will be entirely responsible for the operation of the tournament, providing parking attendants to assist with parking and traffic flow. The Association will be expected to assume financial responsibility in case of damage, loss, etc.

The Association agrees to complete and submit a tournament application 120 days prior to the tournament date. Upon approval, the Association agrees to submit payment to the City within two weeks of invoice date.

7. **Insurance:** The Association, at its expense, shall procure and maintain in force for the duration of this Agreement commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence with a \$2,000,000 aggregate. The policy shall cover liability arising from premises, operations, personal injury, advertising injury, and contractually assumed liability. The City shall be named as an additional insured.

Within ten days of the effective date of this Agreement and thereafter upon the City's request, and at least annually, the Association shall provide a certificate of insurance as proof that the above coverages are in full force and effect. These insurance requirements may be met through any combination of primary and umbrella/ excess insurance. The Association's policies shall be primary and non-contributory to any other valid and collectible insurance available to the City with respect to any claim arising out of the Association's performance under this Agreement. The Association's policies and certificate of insurance shall state the coverage afforded under the policies shall not be cancelled without at least 30 days' advanced written notice to the City.

8. **Covenant to Hold Harmless:**

- a. The Association acknowledges that the City has not asserted or accepted any responsibility for volunteer background checks, training, supervision, security or control of the Association's property or activities conducted on the Facilities or any part connected or contiguous thereto. The Association is solely responsible to provide security for its equipment kept in the Facilities and shall be solely responsible to provide supervision of its participants, volunteers, staff, agents, and spectators, when on City owned property.
- b. The Association's participants, volunteers, staff, and agents assume all risks of personal injury arising from its usage of the Facilities or any part connected or contiguous thereto which result from an act or failure to act on the part of the Association or others over whom it has supervisory responsibility.
- c. The Association assumes responsibility for damages to the Facilities or any part connected or contiguous thereto arising out of negligence or fault of the Association under its performance of this Agreement. The City will notify the Association of any damages and allow a reasonable opportunity for review of the damage before repairs are made. The City is responsible for making repair or replacement of Facilities property and will invoice the Association for the damages. The Association's obligation will be to reimburse to the City for any out-of-pocket cost of labor replacement of like-kind and quality of equipment and materials.

- d. The Association agrees to defend, indemnify and hold harmless the City from and against all claims, costs, expenses (including attorney fees) and liabilities of whatever nature arising from:
 - i. Any negligent or wrongful act or omission of the Association, its staff, athletes, licensees, agents, employees, or others over whom it has supervisory responsibility: or;
 - ii. Any accident, injury, death or damage, to any person or property occurring in the Facilities or any part connected or contiguous thereto and caused by the negligence or other wrongful conduct of the Association, its staff, athletes, licensees, agents, employees, or others over whom it has supervisory responsibility, excluding claims arising from the City's performance under this Agreement.
9. **Cancellations:** The City shall not be held responsible for the cancellation of field time for reasons beyond the reasonable control of the City, its agents or employees, such as but not limited to equipment failure, loss of power, pandemic, civil unrest, severe weather, or other acts of God. In the event of such an occurrence, the City will attempt to reschedule the Association's field times or the Association may cancel and receive a return of any fees paid but not yet used.
10. **Termination:** Either party may terminate this agreement at any time.
11. **Assignment:** The Association shall not assign or otherwise transfer its interest in its scheduled field time to any other person or organization.
12. **Signage:** All signage, branding and sponsorship banners posted by or on behalf of the Association shall conform to the City's zoning and park regulations.
13. **No Discrimination:** The Association agrees not to discriminate in providing products and services under this Agreement on the basis of race, color, sex, gender, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion. Violation of any part of this provision may lead to immediate termination of this Agreement. The Association agrees to comply with the Americans with Disabilities Act as amended ("ADA"), section 504 of the Rehabilitation Act of 1973, and the Minnesota Human Rights Act, Minnesota Statutes, Chapter 363A. The Association agrees to hold harmless and indemnify the City from costs, including but not limited to damages, attorneys' fees and staff time, in any action or proceeding brought alleging a violation of these laws by the Association or its guests, invitees, members, officers, officials, agents, employees, volunteers, representatives and subcontractors. Upon request, the Association shall provide accommodation to allow

individuals with disabilities to participate in all activities under this Agreement. The Association agrees to utilize its own auxiliary aid or service in order to comply with ADA requirements for effective communication with individuals with disabilities.

14. Miscellaneous:

- a. It is agreed that no assent, express or implied, to any breach of anyone or more of the covenants or agreements herein contained will be deemed or taken to be a waiver of any succeeding or other breach.
- b. Severance: If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be void or unenforceable, the remainder of the provisions of this Agreement will remain in full force and will in no way be affected, impaired or invalidated.
- c. No Oral Agreements: This Agreement includes in full each agreement of every kind between the parties concerning the Facilities, and all preliminary negotiations and agreements of any kind or nature are merged in this Agreement. There are no oral agreements or implied covenants in connection with this Agreement. Any modifications to the Agreement shall be made in writing and may be made by email.
- d. Governing Law: This Agreement is governed by the laws of the State of Minnesota.

IN WITNESS WHEREOF, the parties hereto agree the day and year first above written.

CITY OF SHOREWOOD

ASSOCIATION

By: _____

By: _____

Name: _____

By: _____

Title: _____

FIELD USE AGREEMENT

The Field Use Agreement is entered into this 12 day of May, 2025, between the City of Shorewood ("City"), a Minnesota municipal corporation and Southwest Christian High School, (the "Association") a local high school that offers youth athletic activities.

WHEREAS, City is the owner of real property and the improvements made thereon located at Freeman Park, Manor Park, Badger Park and Cathcart Park of Shorewood, Hennepin County, State of Minnesota, commonly known as the facilities (the "Facilities").

WHEREAS, the Association desires to use City fields for its activities and City desires to provide the Association field time at the Facilities. Facility availability may vary from season to season.

THEREFORE, in consideration of the keeping and performance of the conditions and promises set forth in this Agreement, the adequacy of which are hereby acknowledged, the parties agree as follows:

1. **Schedule of Field Time and Hours:** The City agrees to provide field time to the Association for the spring/summer and fall seasons, and in accordance with the terms of this Agreement. Such schedule may be amended from time to time upon the written agreement of both parties' representatives, or as deemed necessary at the discretion of the Parks and Recreation Manager. Each year during the term of this agreement, the parties will work together to negotiate a new Field Use Schedule annually, which may be approved by the Parks and Recreation Manager and kept on file with the Parks and Recreation Specialist or Parks and Recreation Manager.
2. **Term:** The term for this agreement will commence each year on April 1st and will continue until October 31st, for a period of 5 years beginning in 2025.
3. **Field Maintenance:** The City agrees to provide a base level of service on playing fields and surrounding areas. A base level of service includes but is not limited to field mowing and aerating & fertilizing fields on an annual basis. The City will perform these duties as needed, weather permitting, to allow fields to remain in playable condition. If additional attention is needed to the playing surface, the City agrees to address the conditions, within reason, in a timely manner.
 - a. The Association agrees to abide by the Cities Integrated Pest Management Plan and Bee Safe Resolution for all field maintenance practices.

- i. Pesticides labeled by the EPA with signal word “DANGER” that indicate high toxicity are prohibited.
- ii. Pesticides labeled by the EPA with signal word “WARNING” that indicate moderate toxicity may be used in a targeted manner.
 - 1. If use of any pesticide on City fields is desired, the Association must submit a request for treatment approval to the City. The request must be approved prior to any treatment is applied by the Association and/or their contracted service provider.

4. Billing and Payments:

- a. The City will invoice the Association a per player rate for each season.
 - i. The per player rate will follow the following structure:

<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029 & 2030</u>
\$12	\$13	\$14	\$14	\$15
- b. In addition to providing total player numbers, the Association agrees to provide the City with the names and addresses of players, if requested by the City.
- c. The Association will promptly pay the City the amount billed, no later than 2 weeks after the invoice is issued by the City.

5. Use of Facilities:

- a. The Association agrees to use and occupy the Facilities solely for the purpose of conducting seasonal Youth Lacrosse activities in accordance with the terms of this Agreement.
- b. The Association agrees not to use, nor permit any portion of the Facilities to be used, for any illegal purpose or for any purpose that would cause an increase in or cancellation of the existing rate of insurance on the Facilities.
- c. The Association agrees to use the Facilities according to the City of Shorewood Parks & Recreation Facility Use Policy, which will be updated and provided to the Association from time to time.

- 6. **Tournaments:** Tournaments without special consideration may be approved by the City, although any change or temporary modifications to park property requires written authorization by the City. All policies, rules, and regulations for City parks will be in effect. The sponsors will be entirely responsible for the operation of the tournament, providing parking attendants to assist with parking and traffic flow. The Association will be expected to assume financial responsibility in case of damage, loss, etc.

The Association agrees to complete and submit a tournament application 120 days prior to the tournament date. Upon approval, the Association agrees to submit payment to the City within two weeks of invoice date.

7. **Insurance:** The Association, at its expense, shall procure and maintain in force for the duration of this Agreement commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence with a \$2,000,000 aggregate. The policy shall cover liability arising from premises, operations, personal injury, advertising injury, and contractually assumed liability. The City shall be named as an additional insured.

Within ten days of the effective date of this Agreement and thereafter upon the City's request, and at least annually, the Association shall provide a certificate of insurance as proof that the above coverages are in full force and effect. These insurance requirements may be met through any combination of primary and umbrella/ excess insurance. The Association's policies shall be primary and non-contributory to any other valid and collectible insurance available to the City with respect to any claim arising out of the Association's performance under this Agreement. The Association's policies and certificate of insurance shall state the coverage afforded under the policies shall not be cancelled without at least 30 days' advanced written notice to the City.

8. **Covenant to Hold Harmless:**

- a. The Association acknowledges that the City has not asserted or accepted any responsibility for volunteer background checks, training, supervision, security or control of the Association's property or activities conducted on the Facilities or any part connected or contiguous thereto. The Association is solely responsible to provide security for its equipment kept in the Facilities and shall be solely responsible to provide supervision of its participants, volunteers, staff, agents, and spectators, when on City owned property.
- b. The Association's participants, volunteers, staff, and agents assume all risks of personal injury arising from its usage of the Facilities or any part connected or contiguous thereto which result from an act or failure to act on the part of the Association or others over whom it has supervisory responsibility.
- c. The Association assumes responsibility for damages to the Facilities or any part connected or contiguous thereto arising out of negligence or fault of the Association under its performance of this Agreement. The City will notify the Association of any damages and allow a reasonable opportunity for review of the damage before repairs are made. The City is responsible for making repair or replacement of Facilities property and will invoice the Association for the damages. The Association's obligation will be to reimburse to the City for any out-of-pocket cost of labor replacement of like-kind and quality of equipment and materials.

- d. The Association agrees to defend, indemnify and hold harmless the City from and against all claims, costs, expenses (including attorney fees) and liabilities of whatever nature arising from:
 - i. Any negligent or wrongful act or omission of the Association, its staff, athletes, licensees, agents, employees, or others over whom it has supervisory responsibility: or;
 - ii. Any accident, injury, death or damage, to any person or property occurring in the Facilities or any part connected or contiguous thereto and caused by the negligence or other wrongful conduct of the Association, its staff, athletes, licensees, agents, employees, or others over whom it has supervisory responsibility, excluding claims arising from the City's performance under this Agreement.
- 9. **Cancellations:** The City shall not be held responsible for the cancellation of field time for reasons beyond the reasonable control of the City, its agents or employees, such as but not limited to equipment failure, loss of power, pandemic, civil unrest, severe weather, or other acts of God. In the event of such an occurrence, the City will attempt to reschedule the Association's field times or the Association may cancel and receive a return of any fees paid but not yet used.
- 10. **Termination:** Either party may terminate this agreement at any time.
- 11. **Assignment:** The Association shall not assign or otherwise transfer its interest in its scheduled field time to any other person or organization.
- 12. **Signage:** All signage, branding and sponsorship banners posted by or on behalf of the Association shall conform to the City's zoning and park regulations.
- 13. **No Discrimination:** The Association agrees not to discriminate in providing products and services under this Agreement on the basis of race, color, sex, gender, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion. Violation of any part of this provision may lead to immediate termination of this Agreement. The Association agrees to comply with the Americans with Disabilities Act as amended ("ADA"), section 504 of the Rehabilitation Act of 1973, and the Minnesota Human Rights Act, Minnesota Statutes, Chapter 363A. The Association agrees to hold harmless and indemnify the City from costs, including but not limited to damages, attorneys' fees and staff time, in any action or proceeding brought alleging a violation of these laws by the Association or its guests, invitees, members, officers, officials, agents, employees, volunteers, representatives and subcontractors. Upon request, the Association shall provide accommodation to allow

individuals with disabilities to participate in all activities under this Agreement. The Association agrees to utilize its own auxiliary aid or service in order to comply with ADA requirements for effective communication with individuals with disabilities.

14. Miscellaneous:

- a. It is agreed that no assent, express or implied, to any breach of anyone or more of the covenants or agreements herein contained will be deemed or taken to be a waiver of any succeeding or other breach.
- b. Severance: If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be void or unenforceable, the remainder of the provisions of this Agreement will remain in full force and will in no way be affected, impaired or invalidated.
- c. No Oral Agreements: This Agreement includes in full each agreement of every kind between the parties concerning the Facilities, and all preliminary negotiations and agreements of any kind or nature are merged in this Agreement. There are no oral agreements or implied covenants in connection with this Agreement. Any modifications to the Agreement shall be made in writing and may be made by email.
- d. Governing Law: This Agreement is governed by the laws of the State of Minnesota.

IN WITNESS WHEREOF, the parties hereto agree the day and year first above written.

CITY OF SHOREWOOD

ASSOCIATION

By: _____

By: _____

Name: _____

By: _____

Title: _____

FIELD USE AGREEMENT

The Field Use Agreement is entered into this 12 day of May, 2025, between the City of Shorewood ("City"), a Minnesota municipal corporation and Minnetonka Girls Softball Association, (the "Association") a community youth athletic association.

WHEREAS, City is the owner of real property and the improvements made thereon located at Freeman Park, Manor Park, Badger Park and Cathcart Park of Shorewood, Hennepin County, State of Minnesota, commonly known as the facilities (the "Facilities").

WHEREAS, the Association desires to use City fields for its activities and City desires to provide the Association field time at the Facilities. Facility availability may vary from season to season.

THEREFORE, in consideration of the keeping and performance of the conditions and promises set forth in this Agreement, the adequacy of which are hereby acknowledged, the parties agree as follows:

1. **Schedule of Field Time and Hours:** The City agrees to provide field time to the Association for the spring/summer and fall seasons, and in accordance with the terms of this Agreement. Such schedule may be amended from time to time upon the written agreement of both parties' representatives, or as deemed necessary at the discretion of the Parks and Recreation Manager. Each year during the term of this agreement, the parties will work together to negotiate a new Field Use Schedule annually, which may be approved by the Parks and Recreation Manager and kept on file with the Parks and Recreation Specialist or Parks and Recreation Manager.
2. **Term:** The term for this agreement will commence each year on April 1st and will continue until October 31st, for a period of 5 years beginning in 2025.
3. **Field Maintenance:** The City agrees to provide a base level of service on playing fields and surrounding areas. A base level of service includes but is not limited to field mowing and aerating & fertilizing fields on an annual basis. The City will perform these duties as needed, weather permitting, to allow fields to remain in playable condition. If additional attention is needed to the playing surface, the City agrees to address the conditions, within reason, in a timely manner.
 - a. The Association agrees to abide by the Cities Integrated Pest Management Plan and Bee Safe Resolution for all field maintenance practices.

- i. Pesticides labeled by the EPA with signal word “DANGER” that indicate high toxicity are prohibited.
- ii. Pesticides labeled by the EPA with signal word “WARNING” that indicate moderate toxicity may be used in a targeted manner.
 - 1. If use of any pesticide on City fields is desired, the Association must submit a request for treatment approval to the City. The request must be approved prior to any treatment is applied by the Association and/or their contracted service provider.

4. Billing and Payments:

- a. The City will invoice the Association a per player rate for each season.
 - i. The per player rate will follow the following structure:

<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029 & 2030</u>
\$12	\$13	\$14	\$14	\$15
- b. In addition to providing total player numbers, the Association agrees to provide the City with the names and addresses of players, if requested by the City.
- c. The Association will promptly pay the City the amount billed, no later than 2 weeks after the invoice is issued by the City.

5. Use of Facilities:

- a. The Association agrees to use and occupy the Facilities solely for the purpose of conducting seasonal Youth Softball activities in accordance with the terms of this Agreement.
- b. The Association agrees not to use, nor permit any portion of the Facilities to be used, for any illegal purpose or for any purpose that would cause an increase in or cancellation of the existing rate of insurance on the Facilities.
- c. The Association agrees to use the Facilities according to the City of Shorewood Parks & Recreation Facility Use Policy, which will be updated and provided to the Association from time to time.

- 6. **Tournaments:** Tournaments without special consideration may be approved by the City, although any change or temporary modifications to park property requires written authorization by the City. All policies, rules, and regulations for City parks will be in effect. The sponsors will be entirely responsible for the operation of the tournament, providing parking attendants to assist with parking and traffic flow. The Association will be expected to assume financial responsibility in case of damage, loss, etc.

The Association agrees to complete and submit a tournament application 120 days prior to the tournament date. Upon approval, the Association agrees to submit payment to the City within two weeks of invoice date.

7. **Insurance:** The Association, at its expense, shall procure and maintain in force for the duration of this Agreement commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence with a \$2,000,000 aggregate. The policy shall cover liability arising from premises, operations, personal injury, advertising injury, and contractually assumed liability. The City shall be named as an additional insured.

Within ten days of the effective date of this Agreement and thereafter upon the City's request, and at least annually, the Association shall provide a certificate of insurance as proof that the above coverages are in full force and effect. These insurance requirements may be met through any combination of primary and umbrella/ excess insurance. The Association's policies shall be primary and non-contributory to any other valid and collectible insurance available to the City with respect to any claim arising out of the Association's performance under this Agreement. The Association's policies and certificate of insurance shall state the coverage afforded under the policies shall not be cancelled without at least 30 days' advanced written notice to the City.

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- b. The Association's participants, volunteers, staff, and agents assume all risks of personal injury arising from its usage of the Facilities or any part connected or contiguous thereto which result from an act or failure to act on the part of the Association or others over whom it has supervisory responsibility.
- c. The Association assumes responsibility for damages to the Facilities or any part connected or contiguous thereto arising out of negligence or fault of the Association under its performance of this Agreement. The City will notify the Association of any damages and allow a reasonable opportunity for review of the damage before repairs are made. The City is responsible for making repair or replacement of Facilities property and will invoice the Association for the damages. The Association's obligation will be to reimburse to the City for any out-of-pocket cost of labor replacement of like-kind and quality of equipment and materials.

- d. The Association agrees to defend, indemnify and hold harmless the City from and against all claims, costs, expenses (including attorney fees) and liabilities of whatever nature arising from:
 - i. Any negligent or wrongful act or omission of the Association, its staff, athletes, licensees, agents, employees, or others over whom it has supervisory responsibility: or;
 - ii. Any accident, injury, death or damage, to any person or property occurring in the Facilities or any part connected or contiguous thereto and caused by the negligence or other wrongful conduct of the Association, its staff, athletes, licensees, agents, employees, or others over whom it has supervisory responsibility, excluding claims arising from the City's performance under this Agreement.
9. **Cancellations:** The City shall not be held responsible for the cancellation of field time for reasons beyond the reasonable control of the City, its agents or employees, such as but not limited to equipment failure, loss of power, pandemic, civil unrest, severe weather, or other acts of God. In the event of such an occurrence, the City will attempt to reschedule the Association's field times or the Association may cancel and receive a return of any fees paid but not yet used.
10. **Termination:** Either party may terminate this agreement at any time.
11. **Assignment:** The Association shall not assign or otherwise transfer its interest in its scheduled field time to any other person or organization.
12. **Signage:** All signage, branding and sponsorship banners posted by or on behalf of the Association shall conform to the City's zoning and park regulations.
13. **No Discrimination:** The Association agrees not to discriminate in providing products and services under this Agreement on the basis of race, color, sex, gender, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion. Violation of any part of this provision may lead to immediate termination of this Agreement. The Association agrees to comply with the Americans with Disabilities Act as amended ("ADA"), section 504 of the Rehabilitation Act of 1973, and the Minnesota Human Rights Act, Minnesota Statutes, Chapter 363A. The Association agrees to hold harmless and indemnify the City from costs, including but not limited to damages, attorneys' fees and staff time, in any action or proceeding brought alleging a violation of these laws by the Association or its guests, invitees, members, officers, officials, agents, employees, volunteers, representatives and subcontractors. Upon request, the Association shall provide accommodation to allow

individuals with disabilities to participate in all activities under this Agreement. The Association agrees to utilize its own auxiliary aid or service in order to comply with ADA requirements for effective communication with individuals with disabilities.

14. Miscellaneous:

- a. It is agreed that no assent, express or implied, to any breach of anyone or more of the covenants or agreements herein contained will be deemed or taken to be a waiver of any succeeding or other breach.
- b. Severance: If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be void or unenforceable, the remainder of the provisions of this Agreement will remain in full force and will in no way be affected, impaired or invalidated.
- c. No Oral Agreements: This Agreement includes in full each agreement of every kind between the parties concerning the Facilities, and all preliminary negotiations and agreements of any kind or nature are merged in this Agreement. There are no oral agreements or implied covenants in connection with this Agreement. Any modifications to the Agreement shall be made in writing and may be made by email.
- d. Governing Law: This Agreement is governed by the laws of the State of Minnesota.

IN WITNESS WHEREOF, the parties hereto agree the day and year first above written.

CITY OF SHOREWOOD

ASSOCIATION

By: _____

By: _____

Name: _____

By: _____

Title: _____



City Council Meeting Item

Title/Subject: Accept Resignation of Light Equipment Operator/Approve Recruitment
Meeting Date: May 12, 2025
Prepared by: Sandie Thone, City Clerk/Human Resources Director
Reviewed by: Marc Nevinski, City Administrator
Matt Morreim, Public Works Director
Attachments: N/A

Background

Shorewood Human Resources department received the resignation of Light Equipment Operator Matt Van Lith effective May 14, 2025. Matt has worked in the capacity of Light Equipment Operator for the Public Works department for the past three years and has had exemplary performance. Matt is always respectful, a good listener and gets along well with everyone. He has been exceptional at hearing out and responding to resident's concerns and has shown good leadership skills. Matt has accepted a supervisory position with another city. We are happy to have been a part of Matt's journey and development. Matt will be missed.

Staff would like to begin recruitment for Matt's replacement. The position is Light Equipment Operator (LEO), 1.0 FTE with full benefits with a hourly wage range of \$30.63 to \$38.49 pursuant to the AFSCME 2025 Wage Schedule.

Financial Considerations

The position is budgeted for in the 2025 Public Works department personnel services budget.

Action Requested

Motion to accept Matt Van Lith's resignation and approve recruitment for the Light Equipment Operator position. Motion, second and simple majority vote required.



City Council Meeting Item

Title/Subject: **Accept Resignation of Community Center Attendant**
Meeting Date: May 12, 2025
Prepared by: Sandie Thone, City Clerk/Human Resources Director
Reviewed by: Marc Nevinski, City Administrator
 Mitch Czech, Park/Recreation Manager
Attachments: **None**

Background

Staff received the resignation of part-time Community Center Attendant Nicholas Rogne on April 24th with an effective date of May 5, 2025. Nicholas has worked in the capacity of Community Center Attendant since November of 2023. Nicholas has been offered a position that aligns better with his career goals. Nicholas explained in his resignation letter that he has genuinely enjoyed working at the Shorewood Community Center and is grateful for the support and opportunities that it provided him. He thanked the city for allowing him to be part of such a dedicated team and for the experience and skills he gained during his employment. We wish Nicholas the very best.

The Shorewood Community & Event Center (SCEC) is adequately staffed at this time and staff will not be recruiting to fill this position. The SCEC currently employs seven (7) additional part-time Community Center Attendants. These employees provide customer service for the Center including receptionist duties, opening and closing the center, and other administrative responsibilities. The hours for the position vary depending on the center's scheduled activities and rentals and do include evenings and weekends.

Action Requested

Motion to accept the Resignation of Community Center Attendant Nicholas Rogne.
Motion, second and simple majority vote required.



City Council Meeting Item

Item 2G

Title/Subject: 2025 Mill & Overlay HCRRA Permit
City Project 24-10, 23-01

Meeting Date: Monday, May 12, 2025

Prepared by: Andrew Budde, City Engineer

Reviewed by: Matt Morreim, Director of Public Works

Attachments: HCRRA Permit

Background:

Staff have been coordinating with Three Rivers Park District (TRPD) and Hennepin County Regional Rail Authority (HCRRA) related to the Eureka Road/Smithtown Road crossing of the Lake Minnetonka Regional Trail which is owned by HCRRA and maintained by TRPD. A permit is required for Shorewood to be able to conduct maintenance and make improvements within the HCRRA right-of-way.

Financial or Budget Considerations:

The cost of the permit is \$1.00.

Action Requested:

Staff recommend the city council approve a motion authorizing staff to sign and execute the permit.

Motion, second and Simple Majority required.

Permit No. 30-25
File No. 73-34040

**Permit for Temporary Right of Entry
For Road Crossing Reconstruction**

Permittee: **City of Shorewood, a political subdivision of the State of Minnesota**

Address: **5755 Country Club Road, Shorewood, Minnesota 55331**

Commencement Date: **June 1, 2025**

Termination Date: **October 31, 2025**

The Hennepin County Regional Railroad Authority ("HCRRA") grants to Permittee, in accordance with the terms of this Permit, permission to:

Description: Mill & overlay of Eureka Road. Adding curb & gutter to the north leg of the intersection (Eureka Road) and adding a pedestrian curb ramp in the NE quadrant of the intersection.

Mill and overlay of Eureka Road at Smithtown Road; add curb and gutter, pedestrian curb ramp at trail intersection, replace underground fifteen-inch (15") stormwater sewer pipe, and other improvements as shown on Exhibit A
("Permitted Facility")

at Permittee's sole cost, on Hennepin County Regional Railroad Authority ("HCRRA") property, located on or in the vicinity of HCRRA's Hopkins to Victoria Railroad Corridor ("Corridor") and described as follows:

That part of the Hennepin County Regional Railroad Authority (HCRRA) Hopkins to Victoria corridor right-of-way, as depicted on HCRRA Property Map No. 1, Sheet 7 of 22 (R.T. Doc. No. 4685955, C.R. Doc. No. 5404251), located at Eureka Road, in the City of Shorewood, Minnesota ("Property").

Exhibit A is attached hereto and incorporated by reference in this Permit.

The cost of this Permit shall be \$ **\$1.00**.

GENERAL REQUIREMENTS

1. Prior to beginning construction on the Permitted Facility and prior to any modification or relocation of the Permitted Facility, Permittee shall submit its plans for the work to HCRRA for review and comment. Permittee shall not begin work until HCRRA has

reviewed Permittee's plans and has given Permittee written authorization to proceed. HCRRA reserves the right to reject any plans proposed by Permittee on the grounds, in HCRRA's sole discretion, that the plans are inappropriate or incompatible with current or future use of the Corridor for transportation uses, including, but not limited to rail, bicycle and foot travel and the location of communication facilities including fiber optics lines.

2. Prior to beginning work on the Property, Permittee shall notify HCRRA when construction, modification or relocation of the Permitted Facility is scheduled to start and shall notify HCRRA when the work has been completed.
3. Permittee shall coordinate all permitted work with HCRRA's Contact, Jessica Galatz, 612-348-2691.
4. Permittee understands that HCRRA owns the Corridor of which the Permitted Property is a part, and that HCRRA acquired this right-of-way for light rail transit and other permitted transportation uses. HCRRA has granted to Three Rivers Park District permission to use a portion of the right-of-way for trail purposes subject to HCRRA's future use of the property. Permittee shall obtain prior approval from Three Rivers Park District for use of its trail for any purpose, including, the movement of equipment and delivery of materials such as dirt, compost, or wood chips by contacting Scott Schmidt, Regional Trails Maintenance Supervisor, 763-694-2051, or other designated contact.
5. During any construction, modification or relocation of the Permitted Facility, Permittee shall protect the work site and those who may enter the Property with proper signs, barricades and other protection or appropriate safety mechanisms.
6. Permittee acknowledges that underground fiber optic communication cables, in addition to other underground and aboveground utilities, may have been installed in the Corridor. Permittee shall at its expense properly locate and protect all such utilities during any construction, modification or relocation of the Permitted Facilities.
7. All work on the Property shall be performed in a workman like manner. Permittee shall abide by all local, state or federal ordinances or regulations related to its use of this Permit.
8. Permittee shall not make any changes in its use of the Property without permission of HCRRA.
9. Burning or disking operations and/or the use of chemicals to control or kill trees, brush and other vegetation is prohibited without prior approval from HCRRA.
10. Except as provided for in plans submitted to and authorized by HCRRA, Permittee shall avoid damaging existing trees and shall replace any trees existing on the Property that are damaged by Permittee at HCRRA's discretion with trees of similar

size and type at Permittee's expense. Permittee shall properly sod and/or seed any areas disturbed by Permittee if required by HCRRA.

11. Permittee shall correct at its expense any failures due to settlement, erosion, lack of vegetation growth, rutting, or other problems related to its use of this Permit and shall restore to original or better condition all areas disturbed by any construction, relocation or modification of the Permitted Facility.
12. HCRRA retains the right to revise, relocate or close any entrance or terminate this Permit at its discretion.
13. If the improvement granted by this permit needs to be modified due to implementation of Light Rail Transit or other transportation improvement, as determined by HCRRA, its successors or assigns, then such modifications shall be at the expense of the Permittee.
14. At its expense, Permittee shall maintain the Permitted Facility in good repair, including but not limited to, tree care, trash removal and weed control, and shall use reasonable precaution to prevent waste, damage, or injury.
15. Permittee shall comply with all reasonable rules adopted by HCRRA for the safety, care, and cleanliness of the Property and shall not create any nuisance on the Property.
16. Permittee must protect all existing utilities, waterways and drainage.
17. Permittee accepts the Property subject to any want or failure at any time of HCRRA's title to the Property or any part thereof and assumes any damages sustained by Permittee for want or failure of HCRRA's title to the Property. Permittee also accepts the Property subject to the rights of any party, including HCRRA, in and to any existing roadways and easements. Further, Permittee accepts the Property subject to all uses by HCRRA and all future uses by third parties permitted by HCRRA that are not incompatible with Permittee's permitted use.
18. Permittee accepts the Property subject to the rights of any person, firm or corporation, including HCRRA, in and to any existing telephone, telegraph and/or other wires, poles, underground cables or utilities, and facilities of any kind whatsoever, whether or not of record, and should it, at any time, become necessary because of Permittee's use of the Property to relocate any such facilities, Permittee shall bear and pay the cost of so doing.
19. Permittee accepts the Property in an "AS IS" condition with no express or implied representations or warranties by HCRRA as to the physical condition or fitness for suitability for any particular purpose.

20. Permittee shall not create or permit any condition of the Property that could present a threat to human health or to the environment. Permittee shall bear the expense of all practices or work, preventative, investigative or remedial, which may be required because of any conditions of the Property introduced by Permittee, its agents, employees, invitees, subpermittees or permittees during Permittee's period of use, including conditions introduced that affect other lands. Permittee expressly agrees that the obligations it hereby assumes shall survive cancellation of this Permit. Permittee agrees that statutory limitation periods on actions to enforce those obligations shall not be deemed to commence until HCRRA discovers any such health or environmental impairment and has a plan for development of the Corridor to its highest and best use. Permittee hereby knowingly and voluntarily waives the benefits of any shorter limitation period.
21. In exchange for the rights and privileges granted in this Permit, Permittee agrees to bear the expense of all practices or work, preventative, investigative or remedial necessary to comply with all federal, state, local and other governmental statutes, rules and regulations related to construction, modification and relocation of the Permitted Facility regarding any hazardous waste, pollutant, contaminant, petroleum-related material or other regulated substance on the Property regardless of whether or not the same was present on the Property before or after the commencement of this Permit.
22. Permittee shall provide to HCRRA, at no charge, upon HCRRA's request, copies of all studies, reports and findings resulting from any environmental, geotechnical, survey or other work conducted by or for Permittee on the Property.
23. Permittee shall defend, indemnify and hold harmless HCRRA, its Commissioners, officials, officers, agents, and employees from any liability, claims, causes of action, judgments, damages, losses, costs or expenses, including reasonable attorney's fees, resulting directly or indirectly from an act or omission of Permittee or Permittee's Secondaries or from any failure by them to comply with the provisions of this Permit and arising from exercise of the rights granted by this Permit including, but not limited to, those resulting from the presence of any hazardous waste, pollutant, contaminant, petroleum-related material or other regulated substance on the Property regardless of whether or not the same was present on the Property before or after the commencement of this Permit. Permittee's Secondaries shall mean its contractors, subcontractors, officers, agents, employees, customers, volunteers, invitees, subpermittees, permittees, lessees or other occupiers of the Permitted Facility under its supervision or control. Permittee expressly agrees that the obligations it hereby assumes shall survive cancellation and termination of this Permit. HCRRA shall not be liable to Permittee or those claiming by, through, or under Permittee for any injury, death or property damage occurring in, on or about the Property based upon the construction, operation, maintenance, relocation or modification of the Permitted Facility, nor for loss or damage sustained by Permittee or others in, about or adjacent to the Property by reason of the present or future

condition of repair of the Permitted Facility, or for loss or damage arising from the acts or omissions of Permittee's Secondaries. This paragraph shall not be construed to waive any statutory or common law limitations on liability applicable to either party, including, without limitation, those contained in Minn. Stat. Sec. 466.

24. In order to protect itself, as well as HCRRA under the indemnification provisions contained in this agreement, Permittee and Permittee's contractors, subcontractors or agents shall purchase and maintain in force at all times during the term of this Permit the following minimum insurance coverages applicable to the Property, the Permitted Facility, affiliated activities, and/or this Permit or other insurance acceptable to HCRRA:

Limits

1. Commercial General Liability with the following coverages and limits.

General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	2,000,000
Personal and Advertising Injury	1,500,000
Each Occurrence - Combined Bodily Injury and Property Damage	\$1,500,000

2. Automobile Liability - Combined \$2,000,000
single limit each occurrence coverage for bodily injury and
property damage covering owned, non-owned, and hired automobiles.

3. Workers' Compensation and Employer's Liability:

- | | |
|---|-----------|
| a. Workers Compensation | Statutory |
| If the contractor is based outside of the state of Minnesota,
coverage must apply to Minnesota laws. | |
| b. Employer's Liability. Bodily injury by: | |
| Accident - Each Accident | \$500,000 |
| Disease - Policy Limit | 500,000 |
| Disease - Each Employee | 500,000 |

An umbrella or excess policy over primary liability coverages is an acceptable method to provide the required insurance limits.

The above establishes minimum insurance requirements. It is the sole responsibility of Permittee to determine the need for and to procure additional coverage which may be needed in connection with the Permitted Facility. All insurance policies shall be open to inspection by HCRRA. Permittee shall submit copies of all required policies to HCRRA upon request.

25. This Permit shall not be valid until Permittee has obtained the required insurance and filed an acceptable certificate of insurance with HCRRA. The certificate shall name Hennepin County Regional Railroad Authority, as certificate holder and as an additional insured with respect to operations covered under the Permit for all liability coverages except Workers' Compensation and Employer's Liability.
26. All notices required or permitted pursuant to this Lease shall be directed to the following individuals and shall be either hand-delivered or mailed to the following addresses:
- To Permittee: City of Shorewood
 5755 Country Club Road
 Shorewood, MN 55331
- To HCRRA: Hennepin County Regional Railroad Authority
 300 South Sixth Street, MC 679B
 Minneapolis, MN 55487
27. The terms of this Permit are not intended to create rights in third party beneficiaries.
28. The language of this Permit shall prevail in the event there is a conflict between it and any depiction or any other representation contained in any attached Exhibit.

(I, We), the undersigned, herewith accept the terms and conditions of the regulations as laid down by HCRRA and agree to fully comply therewith to the satisfaction of the HCRRA.

***HCRRA:**

By: _____
Deputy Executive Director

Date: _____

Recommended for Approval:

By: _____

Title: Assistant Director, Transportation Project Delivery Department

Date: _____

****PERMITTEE: City of Shorewood**

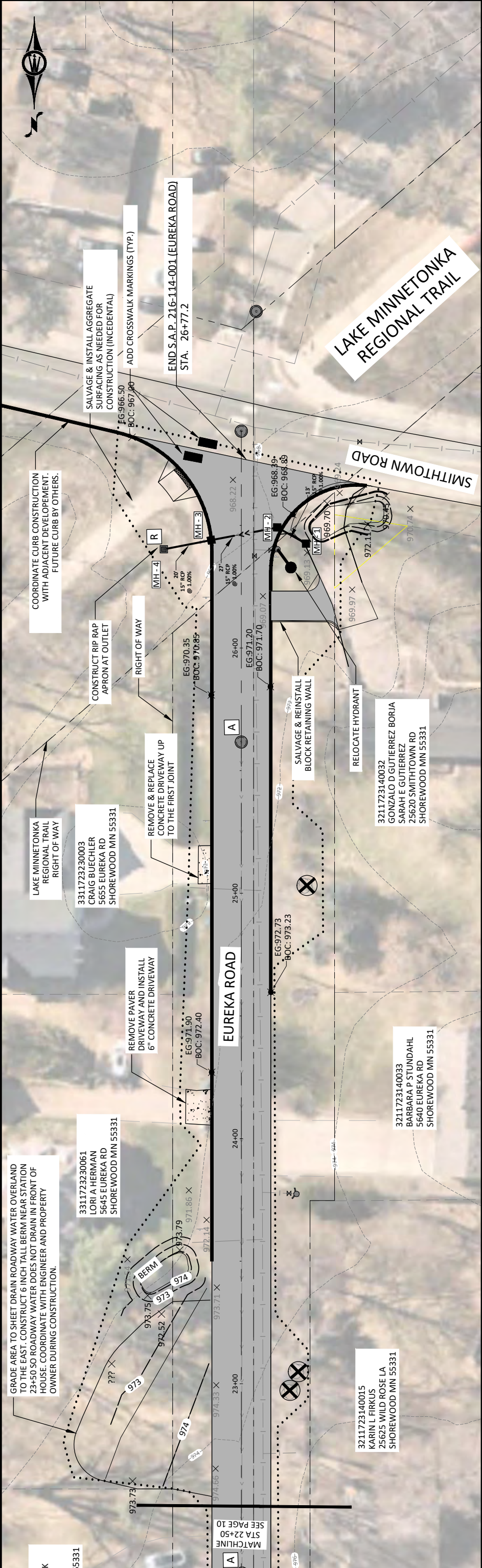
By _____

Title: _____

Date: _____

*In accordance with 06-HCRRA-23 the Director of Housing, Community Works and Transit is authorized to approve, execute and terminate permits for connector trails on behalf of the Hennepin County Regional Railroad Authority.

**Permittee shall submit applicable documentation (articles, bylaws, resolutions, or ordinances) that confirm the signatory's delegation of authority. This documentation shall be submitted at the time Permittee returns the signed Permit to the Authority. Documentation is not required for a sole proprietorship.



REMOVAL LEGEND

SAWING BITUMINOUS PAVEMENT (PARTIAL DEPTH) (INCIDENTAL)

CONSTRUCTION LIMITS

REMOVE CURB & GUTTER

NEW CURB & GUTTER

ADJUST FRAME AND RING CASTING

ADJUST GV BOX

RANDOM RIPRAP CL III

REMOVE CASTING

CLEARING & GRUBBING WITHIN INTERSECTION SIGHT LINE. COORDINATE WITH ENGINEER AND CITY ON ALL LANDSCAPING AND TREES LARGER THAN 3" DIAMETER.

REMOVE/CONSTRUCT CONCRETE DRIVEWAY/WALK

2" MILL & OVERLAY (SEE TYPICAL SECTIONS)

REMOVE/CONSTRUCT BITUMINOUS DRIVEWAY/WALK

CLEAR AND GRUB TREES

NOTES:

1. ALL REMOVAL LIMITS TO BE MARKED BY ENGINEER.

NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY GOPHER STATE ONE CALL, 1-800-252-1166 OR 651-454-0002.

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D UNLESS OTHERWISE NOTED. THIS UTILITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF C/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

ALIGNMENT: SHOREWOOD - SAP - STORM
PROFILE VIEW: PV-SHOREWOOD - SAP - STORM
DRAWING SCALE: 20
VERTICAL SCALE: 4

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

ANDREW BUJDE
LIC. NO. 46585
DATE 03/07/2025

2638 SHADOW LANE, SUITE 200
CHASKA, MN 55318
Phone: (952) 448-8838
Email: Chaska@bolton-menk.com
www.bolton-menk.com

DESIGNED BY	JLS	DATE	
DRAWN BY	JLS		
CHECKED BY	KLG/AB		
CLEARTEXT NO.	24X136948000		
S.A.P. 216-114-001, S.A.P. 216-108-002, & S.A.P. 216-110-001	2025 STREET IMPROVEMENTS		
REMOVAL & CONSTRUCTION PLANS			
SHEET	11	OF	30



City Council Meeting Item

Title/Subject: Accept Resignation of Planning Commissioner Todd Eggenberger
Meeting Date: May 12, 2025
Prepared by: Jake Griffiths, Planning Director
Reviewed by: Marc Nevinski, City Administrator
Attachments: None

Background

Staff received the resignation of Planning Commissioner Todd Eggenberger. As part of his resignation, Commissioner Eggenberger indicated he would be willing to stay on with the Commission until a replacement is appointed to help alleviate any potential quorum issues.

Todd has been a member of the Planning Commission for many years and has served in the capacity as both Chair and Vice-Chair. Todd explained in his resignation letter that it has been his privilege and honor to serve on the Commission and contribute to the thoughtful development and planning of the community. He thanked former Commissioners and staff members who he had the opportunity to work with and expressed that he felt the time was right to step aside and allow others to bring fresh perspectives to the important work of the Commission. Staff would like to thank Todd for his years of service to the community, and we wish him nothing but the best.

As Commissioner Eggenberger's term does not expire until February 28, 2027, City staff will begin recruitment for this vacancy and coordinate with the City Council to interview applicants in the near future.

Action Requested

Motion to accept the Resignation of Planning Commissioner Todd Eggenberger, with the understanding that he will continue to serve as he is able until a replacement is appointed.

A simple majority vote of the City Council is required.



City of Shorewood

City Council Memo

Title/Subject: National Public Works Week
Meeting Date: May 12, 2025
Prepared by: Matt Morreim, Public Works Director
Attachments: None

4A

Background:

National Public Works Week (NPWW) takes place May 18th through May 24th. NPWW has been sponsored by the American Public Works Association (APWA) since 1960 to recognize the essential role public works professionals play in our community.

In Shorewood, twelve full-time and three seasonal public works employees ensure the smooth operation of our infrastructure, including:

- Roads
- Water and sewer systems
- Parks and recreation facilities
- Other city facilities and buildings

We take this week to remind and educate the public on the importance of public works to their daily lives and the quality of life. Please help me by thanking the public works department for their hard work and dedication.



MINUTES

1. CONVENE PARK COMMISSION MEETING

Chair Hirner convened the meeting at 7:00 p.m.

A. Roll Call

Present: Chair Hirner, Commissioners Wenner, Garske, and Sylvester; City Council Liaison Gorham; Parks and Recreation Manager Czech

Absent: Commissioner Bahneman

B. Review Agenda

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

2. APPROVAL OF MINUTES

A. Park Commission Meeting Minutes of March 25, 2025

Commissioner Garske noted small typographical errors on pages 4 and 6.

Commissioner Wenner noted the absence of a reference made by the Tonka Football Association regarding the 150 parent volunteers within their organization that she felt was germane and should be included in the minutes. She noted a reference on page 3 for the Council Liaison dates that still had her listed as 'Chair'.

Commissioner Garske moved to approve the minutes of the March 25, 2025, meeting, as amended. Commissioner Sylvester seconded the motion. Motion carried 4-0.

3. MATTERS FROM THE FLOOR

There were none.

4. GENERAL BUSINESS

A. City Event Analysis

Parks and Recreation Manager Czech noted that the Commission's Work Plan included an analysis of City events as a priority area. He reviewed the launch of a sponsorship guide in 2025 to provide incentives for local businesses to sponsor the existing City events and reviewed the sponsors that have come forward thus far. He highlighted some questions he felt the Commission should consider in taking a broader look at the City events. He noted that he felt the Commission, in addition to having a higher-level discussion about the City's events, should also spend some time discussing Arctic Fever, which, in the past, has been a 2 day event. He stated that for the past 2 years, it has had to be reduced to a 1-day event due to weather conditions, which seemed

to be fairly successful. He asked the Commission if they felt the City should continue trying to hold a 2-day event or if they should just focus on creating a 1-day event.

Commissioner Wenner stated that she did not like the idea of moving Arctic Fever to just a one-day event. She explained that she had heard from a lot of people that they were bummed out that the sled dogs had to be canceled. She stated that one of the trends that she has seen is that more people want to get involved in the community by volunteering, and felt the City should look at setting up more volunteer-type events.

Parks and Recreation Manager Czech stated that a discussion on volunteer events would be a separate discussion.

Commissioner Wenner suggested having a farmers market or a community food share opportunity at some of the City's events. She stated that she would like to see Arbor Day tree planting events, buckthorn removal events, and educational events, but noted that may land under a separate umbrella of discussion as stated by Parks and Recreation Manager Czech. She noted that she knows someone who had a small business selling jerky and asked if the City was looking for vendors like that to be invited to participate in City events.

Parks and Recreation Manager Czech stated that if the Commission had a vendor that they had connections with, he suggested that they pass that information along to him.

Commissioner Wenner asked if the goal was to have the events pay for themselves.

Parks and Recreation Manager Czech explained that the City had a budgeted amount from the General Fund that was included, but noted that sponsorship has helped to offset those costs. He noted that he would like to see if they were able to grow the events while staying within their budgeted window and explained that sponsorships and vendor tables would be a benefit.

Commissioner Wenner asked who was looking for presenting sponsors and if it was just Parks and Recreation Manager Czech trying to find people.

Parks and Recreation Manager Czech clarified that, as a City, they were not allowed to solicit and explained that they have information on the website and social media about sponsorships.

Chair Hirner stated that he felt he had seen some good movement over the last year, but it may be too early to tell. He noted that he would like to see what else Parks and Recreation Manager Czech could do with the events to be able to get more attendance or additional ideas for the events to help grow them before they make a recommendation to discontinue any of them. He explained that he felt there was some energy around some of these things right now, and people are starting to talk about them, which he felt was a good thing. He stated that now that they have a full trail in Freeman Park, he would like to see the City come up with an event that invited people to ride the loop in the Park. He noted that he would like to see the City take better advantage of some of the things that have been done with the parks.

Commissioner Sylvester asked about the leprechaun game that happened in March and if it fell into the City events bucket or if it landed somewhere else.

Parks and Recreation Manager Czech noted that, technically, it would probably fall under a City event, but he considered those things more of a community engagement activity rather than a

special event. He stated that event, and the Park bingo they did last year, which had low to minimal costs as well, and noted that if the Commission had other ideas for free or small budget things, those opportunities could be explored.

Commissioner Sylvester asked about the overall goal of these events and if it was for the community to meet each other or to engage with the park.

Parks and Recreation Manager Czech explained that he felt it was a combination of everything from providing activities for the community, showcasing the City's facilities, and giving the community a chance to come together.

Commissioner Sylvester explained that she thought the Lucky Pot 'O Gold thing was fun and required people to go and look through the parks.

Commissioner Garske stated that he liked the City's current event offerings but would like to see them look into whether they were hitting multiple demographics. He stated that he would also like to see if there may be a way to engage the other City parks because most of their activities took place at Badger Park or Freeman Park. He stated that he agreed with the earlier comments that he wasn't sure that they should remove any events, but acknowledged that he had not attended all of the events yet. He noted that he liked the idea of continuing to try to have Arctic Fever. He suggested that they may be able to add an event like Art in the Park in combination with something like Movie in the Park. He asked if there could be any value in doing something for National Night Out. He noted that in looking at the event costs per attendee, he would like to see general information on what it cost to run each event and what the amount was that the City had to fund.

Parks and Recreation Manager Czech explained that he was not looking for the Commission to take any specific action on this tonight, but the Council has had some discussions about what they wanted to do with events. He noted that what he was hearing from the Commission was a consensus that what they already have, they should continue for another year or two and re-evaluate them in the future, but also look for ways to add to the existing events as efficiently and inexpensively as possible.

Commissioner Garske stated that he felt the Commission would be open to new ideas on things that may change or enhance the existing City events. He asked if the City and the Commission would be open to ideas for add-on events, that would require people to pay a small fee, and gave the example of hosting a 5K, where they ask for a \$20 fee and the participant would get a t-shirt.

Park and Recreation Manager Czech stated that he did not believe there would be any reason that they could not do that, but would need to be strategic in their approach. He explained that he felt that they may need to have a minimum that the City would have to hit before they decided to proceed or cancel the event, but felt it was a good idea to piggyback off of what the City already had.

Commissioner Wenner stated that when she was walking over tonight, she noticed a lot of trash along the sidewalk on Smithtown and suggested that it may be something they could piggyback with events. She explained that the City could provide gloves and bags and give a prize for people who pick up trash in the parks.

B. Park Commissioner Handbook

Chair Hirner noted that he felt much of this would be able to be fleshed out during the Commission's conversation with the Council next week. He asked if the Commission had any general input on the handbook. He explained that he was not sure he would want this handbook to be printed when it was completed and would like to see it put in a place where they would all be able to access it electronically, when needed. He noted that he had been on the Park Commission for 7 years and had a book, but there was nothing in it that was current, which meant he had not looked at it for the last few years.

Parks and Recreation Manager Czech stated that for this agenda, he was looking for high-level discussion on whether the Commission felt things were missing or if something didn't make sense. He stated that if they had smaller corrections, he asked that they just send those to him for him to update.

Commissioner Sylvester stated that she had some high-level thoughts because she was kind of the first guinea pig to get it. She explained that she loved it and liked that it was printed, and noted that the only feedback she would have would be about changing the order a bit. She stated that she felt the welcome letter should be first, then the table of contents, then the City information, and finish up with the information related to the Park Commission. She noted that, overall, she thought the content was fantastic and reiterated that she felt that there was some value in having it printed, but understood Chair Hirner's point about how quickly things can become obsolete. She suggested that they give people the choice of whether they want it printed or in electronic form. She reiterated that, overall, she thought it was fantastic.

Chair Hirner stated that the Commission had not typically talked about trails and that was a big chunk of what had been included, and felt that they needed to get some clarification from the Council on the Commission's responsibility in relation to trails. He stated that another thing included in the handbook was related to staff and noted that the Christmas Lake Boat Launch had typically been included in the purview of the Commission, but they did not usually talk about the Christmas Lake Boat Launch attendants, and asked where that level of staffing would fall.

Parks and Recreation Manager Czech explained that those attendants are handled through an agreement with the Christmas Lake HOA.

Chair Hirner stated that he felt it would be good to reference that and outlined it in the document so the new Commissioners can understand how that fits in. He asked whether the Community Center attendants were City staff or if they were volunteers.

Parks and Recreation Manager Czech stated that the daytime attendants were volunteers through South Shore Senior Partners, evenings and weekend attendants were City staff members.

Commissioner Garske asked if there was a desire to have current satellite images or just images of the parks be included instead of the old Parks Master Plan, which was not true to what the parks are right now.

Parks and Recreation Manager Czech explained that the section would be replaced by the new Parks Master Plan information.

Chair Hirner stated that he liked Commissioner Garske's idea and asked about the possibility of someone with a drone going up and snapping a few pictures. He stated that it would be nice if this could be updated on an annual basis, so any improvements that were made would be reflected in the handbook.

Parks and Recreation Manager Czech stated that he felt that it would be a fairly large expense because the City did not own a drone.

Commissioner Garske stated that he did not think they would need to do that and could just use the Hennepin County Property Maps GIS information because they take annual satellite images.

Commissioner Wenner suggested that they include information on technology and what the Commission should know, as well as a number for tech support. She stated that she also felt it may be a good idea to include parliamentary procedure and information on Robert's Rules of Order.

Parks and Recreation Manager Czech noted that the City was working on a document that would be in alignment with the other Commissions, so there would be a formalized City standard for running the meetings.

Commissioner Wenner noted that the Commission had not updated the Park Commission Goal Statement and suggested that they include something about natural areas and open spaces.

Parks and Recreation Manager Czech noted that was something that needed Council direction.

Chair Hirner stated that he expected the Commission to have more clarity after the meeting next week.

Commissioners discussed the possibility of having different start times for their meetings.

Commissioner Wenner stated that other things she would like to see be included was City Code Chapter 11.03 regarding tree preservation, the City's policy document on tree preservation/replacement, the Natural Resources and Park section of the Comprehensive Plan, and some of their working documents such as the IPM Work Plan, Invasive Species Management Plan, Vegetative Management Plan, Urban Forestry Management Plan, park maintenance checklist items, budgets, Field Use Policy, and event information like the Sponsorship Guide.

Commissioner Garske noted that he would like to see the digital version of this document have hyperlinks built in for easier navigation.

Council Liaison Gorham referenced page 9, where it talks about the park maintenance. He noted that there was a portion that stated that the Public Works Director would give an annual report and asked if that was already happening or if that was something that would happen moving forward.

Parks and Recreation Manager Czech noted that it was already happening on an annual basis and explained that Public Works Director Morreim had presented to the Commission information on what had been done in each of the parks.

Council Liaison Gorham asked if the report information was published.

Parks and Recreation Manager Czech stated that it would be included in the Park Commission packet.

Chair Hirner agreed that it should be published so other people can see it and know what was being done.

Council Liaison Gorham stated that he agreed that it should have more visibility and questioned how many people would download the Park Commission packet.

Commissioner Wenner stated that she would like to get some clarity from the Council regarding the reporting, for example, on the Bee-Safe policy, because the Park Commission was the named oversight body for that policy.

C. Parks Master Plan Update

Parks and Recreation Manager Czech stated that the City had issued an RFP in February and received six proposals. He explained that staff had done an internal review and identified three quality firms to bring in for interviews, which happened last week and landed on one firm that seemed to fit the City's needs. He stated that they would be bringing a recommendation to the Council to move forward with this firm at the next City Council meeting.

5. REPORTS / UPDATES

A. City Council

Council Liaison Gorham gave a brief overview of recent Council discussion and actions.

B. Staff

Park and Recreation Manager Czech reminded the Commission that they have a joint meeting with the City Council on April 28, 2025, at 5:30 p.m. He explained that the goal of this meeting was to provide alignment between the Council and the Commission and reviewed some of the expected discussion topics. He stated that the City would be holding a volunteer tree planting event on May 3, 2025, at Freeman Park from 9:00 a.m. to 12:00 noon and encouraged the Commission to attend, if possible.

Commissioner Sylvester stated that she believed that there was a Spring Clean-Up event on May 17, 2025, and asked if the Park Commission actively participated in that.

Parks and Recreation Manager Czech stated that if the Commission would like to volunteer, he knew the City was still looking for some, but there would not be a direct Commission role with the event.

6. ADJOURN

Commissioner Wenner moved to adjourn the Park Commission Meeting of April 22, 2025, at 8:15 p.m. Commissioner Garske seconded the motion. Motion carried 4-0.



City Council Meeting Item

Title/Subject: Shorewood Carraige Homes PUD/Preliminary Plat
Meeting Date: May 12, 2025
Prepared by: Jake Griffiths, Planning Director
Reviewed by: Marc Nevinski, City Administrator
Attachments: May 6, 2025, Planning Commission Memorandum
Applicant's Narrative & Materials
Resolution

Item
6A

APPLICANT: Admark, LLC/Mark Kaltsas, PLA
LOCATION: 24560 Smithtown Rd
REVIEW DEADLINE: June 14, 2025

Background

See the attached planning memorandum for detailed background on this request. Based on the City Council's prior approval of a Planned Unit Development (PUD) Concept Plan for the site, the applicant is requesting a preliminary plat and development stage PUD for a 6-lot subdivision known as Shorewood Carriage Homes.

At their May 6, 2025, meeting, the Planning Commission conducted a public hearing on the proposed request and recommended approval to the City Council (5-yes, 0-no). No public comments were received prior to the meeting. During the public hearing one resident addressed the Commission, Mr. Paul Hirsch of 24590 Smithtown Rd, which is the property immediately west of the site. Mr. Hirsch requested that the proposed ornamental fence to be located between his property and the project instead be a privacy fence, and that two dead trees on his property near the site be removed by the applicant as he was concerned they may fall on the homes to be constructed as part of the project. The applicant, Mr. Kaltsas, responded to the Commission and stated that he would revise the plans so that a privacy fence is installed and work with Mr. Hirsch to remove the trees on his property. Accordingly, the attached resolution includes a condition ensuring Mr. Hirsch's comments are addressed.

Project Consultants:

It should be noted that due to a conflict of interest, City Attorney Jared Shepherd and City Engineer Andrew Budde have recused themselves from reviewing this project. In response, the City has retained the services of Scott Baumgartner with BBG Law for legal representation and Barr Engineering for engineering services for this project. Scott Baumgartner currently serves as the City Attorney for the Cities of Anoka and Andover, and Barr Engineering has previously provided engineering services to the City for this project during the concept plan stage.

Financial Considerations

The application fees are adequate to cover the cost of processing the request. The cost of retaining outside consultants are passed through to the applicant.

Action Requested

Motion to approve the attached resolution approving the development stage planned unit development and preliminary plat requests for Shorewood Carriage Homes located at 24560 Smithtown Rd.

A simple majority vote of the City Council is required.



Planning Commission Meeting Item

Title/Subject: Shorewood Carriage Homes Preliminary Plat & Development Stage PUD
Meeting Date: May 6, 2025
Prepared by: Jake Griffiths, Planning Director
Attachments: Location Map
Applicant's Narrative & Plans
PUD Concept Plan City Council Resolution
Engineer's Memo
Fire Marshall's Memo

APPLICANT: Mark Kaltsas, PLA
LOCATION: 24560 Smithtown Rd
REVIEW DEADLINE: June 14, 2025
COMPREHENSIVE PLAN: Medium Density (6-8 Units Per Acre)
ZONING: R-3A Multiple-Family Residential

REQUEST

The applicant is requesting a preliminary plat and development stage planned unit development known as Shorewood Carriage Homes to subdivide their 0.95-acre property into 6 lots. The applicant's narrative and plans are attached for review.

Notice of the application was sent by postcard to all property owners within 750 feet of the properties and a sign was also placed in front of the property. Notice of the public meeting was sent by US mail to all property owners within 750 feet of the property at least 10 days prior to the meeting and published in the City's official newspaper, on the City's website and at City Hall. As of the publication of this report, no public comments have been received regarding this request.



BACKGROUND

The subject property was originally created as part of Auditor's Subdivision No. 133 in the early 1900s. There are no substantial structures or dwellings located on the site with the exception of a small shed on the north side of the property that will be demolished as part of development. No portion of the property is within the floodplain or shoreland overlay district, nor does the national wetland inventory indicate that there are any wetlands on the site.

The adjacent property to the north is owned by the City of Shorewood and is commonly known as the Gideon Glen open space area. The adjacent properties to the east are zoned C-1 general commercial and

are currently occupied by a 6-unit apartment building and a commercial business. The adjacent property to the west is currently occupied by a single-family home but is zoned R-3A for medium density housing in the future. The adjacent property across Smithtown Rd to the south is a part of the Minnetonka Country Club Association's open space.

On August 26, 2024, the City Council approved a PUD Concept Plan for the proposed development through Resolution 24-064, a copy of which is attached for reference. This resolution establishes the development standards and criteria for the proposal.

ANALYSIS

Comprehensive Plan: The Comprehensive Plan guides the site as Medium Density Residential, with a net density range of 6 to 8 units per acre. The proposed subdivision has a net density of 6.32 units per acre which is consistent with the Comprehensive Plan. It should be noted that the 6 units being proposed are the minimum allowed on the site by the Comprehensive Plan. Any fewer units and the development would drop below the 6 unit per acre minimum established by the Comprehensive Plan.

Utilities: All 6 lots have access to both municipal sewer and water. Subdivisions of four lots or greater are required to connect to city water, and the proposed development meets this requirement.

Tree Preservation: The applicant has submitted a tree inventory and replacement plan which is consistent with City Code requirements and the City of Shorewood's Tree Preservation Policy.

Staging: The applicant has indicated that the development will be constructed in a single stage.

Private Road: The development would be served by a private road, which would be the responsibility of the homeowner's association to maintain along with the other private improvements associated with the development.

Stormwater: Stormwater on the site would be handled through an underground storage tank on the north side of the site. An emergency overflow would direct any emergency runoff onto the City property to the north, which is consistent with present drainage patterns in the area that cause most drainage in the vicinity to be directed towards the City's property. The applicant will be required to enter into an encroachment agreement with the City for the emergency overflow and provide for its long term maintenance.

Other Improvements: The applicant is proposing to construct a sidewalk on the north side of Smithtown Rd that will provide pedestrian access to the proposed development from the intersection of Smithtown Rd and County Road 19. A mowed trail to Gideon Glen will also be provided as part of the development proposal.

Conformance to City Council Resolution 24-064: The City Council's approval of the PUD Concept Plan established a number of development standards and criteria for the proposal including the following items that were to be provided or revised as part of subsequent applications:

- Revise the plans consistent with the concept plan submitted August 19, 2024.

The applicant has revised their plans to be consistent with the concept plans submitted August 19, 2024.

- Detailed information on the amount of material to be exported/imported, including where on the property it will be removed, erosion control methods, the haul route proposed, etc.

The applicant has provided a grading plan as part of their proposal that indicates the site would not require substantial export/import of fill.

- A utility plan indicating that all homes in the development may be served by gravity sewer.

The applicant has provided a utility plan indicating that all homes in the development may be served by a public gravity sewer main. There are two lots which may need private force mains to be adequately served, however, this is not atypical and would be the responsibility of the homeowner to maintain.

- The HOA documents must include responsibility for maintenance of common areas including the storm water features, private drive, all landscaping and other shared improvements. The HOA documents must also include language requiring the garages to be kept clear of storage items so that a minimum of one-car may be stored within and all vehicles parked on the driveway don't extend into the fire lane. The document must also include language that one trash/recycling hauler, one snowplow/landscaping company, etc. shall service the entire development.

HOA documents will be finalized as part of the final plat process, however, the applicant's narrative indicates that these requirements will continue to be met. City staff will ensure these requirements are incorporated into the HOA documents.

- Provide executed easements and agreements, including stormwater maintenance, development and encroachment agreements.

Executed easements and agreements will be finalized as part of the final plat process.

- Provide a revised landscaping plan to provide all the required detail on the trees to be planted, including, but not limited to, size, species, location, etc. and provide four of the trees to be hardwood maples such as sugar or red.

The applicant has revised their landscaping plan to meet this requirement.

- The curbs of the fire lane turnaround should be painted yellow and the entire private drive should be signed for "no parking by order of the Fire Marshall". The guest parking spaces must be beyond the required dimensions for the turnaround.

The applicant has revised their plans to meet this requirement. The Excelsior Fire District has reviewed the applicant's plans and approval of the request will be conditioned on meeting any outstanding comments the Fire Marshall may have.

- The trail into Gideon Glen shall be a mowed turf trail rather than other surfaces.

The applicant has revised their plans so that the trail into Gideon Glen is a mowed turf trail.

- The PUD Concept Plan is approved to allow six single-family homes as detached townhouses as a permitted use within this subdivision and accessory uses and dimensional requirements as allowed by the R-1D district except as provided herein and shown on the Plans, except that the following accessory uses shall not be permitted: 1) Storage or parking of recreational vehicles or equipment outside the garage; 2) any garage that does not include at least space for one passenger vehicle (not including recreational vehicles or equipment); 3) renting garage space to nonresidents of the property; and 4) noncommercial greenhouses and conservatories; and 5) accessory structures like storage sheds.

The applicant's narrative has indicated that these requirements will be incorporated into the HOA documents as part of the final plat process, and City staff will ensure these requirements continue to be met as the development progresses through the entitlement process. The plans show a six single-family home development consistent with the PUD Concept Plan.

- The PUD Concept Plan is approved allowing the following dimensional requirements:
 - Setback to the internal private drive: 20 ft to the garage.
 - Setback to the north property line: 40 ft
 - Setback between units shall be: 16 ft
 - Setback to east property line: 5 ft for the private drive
 - Setback to the west property line: 10 ft
 - Setback to Smithtown Rd right-of-way: 30 ft for structures
 - No dwelling or other structure attached to the principal dwelling may cross a property line.
 - Basement options shall only be provided for lots where egress wells are not needed for basement bedrooms.

The applicant's plans meet the dimensional requirements established by the PUD Concept Plan resolution.

- Maximum height shall be determined with the PUD Development Plan.

Maximum height shall be no greater than 35 feet, consistent with the requirements of the other single-family residential zoning districts in the City.

- The lot areas and widths for each residential property shall be as shown and approved on the final plat.

Lot areas and widths will be as shown and approved on the final plat. The proposed lot configuration is consistent with the concept plan.

- The development shall have one provider of trash and recycling for all properties.

The applicant has indicated that this will be the case, however, City staff will ensure this requirement is incorporated into the HOA documents.

- The applicant should consider working with the property owner to the east to replace the wood fence with a new privacy fence.

The applicant has indicated in their narrative that they are continuing to work with the property owner to the east to replace the wood fence.

Next Steps: If the request is approved, the applicant will be required to submit a Final Plat and Final Stage PUD Application to the City. The final plat application is reviewed solely by the City Council and the Final Stage PUD Application is reviewed by City staff.

FINDINGS/RECOMMENDATION

Staff recommends approval of the preliminary plat and development stage planned unit development on the finding that the subdivided lots would be consistent with the intent of the Comprehensive Plan, the zoning and subdivision requirements of the City, and the approved PUD Concept Plan, subject to the following conditions:

Prior to recording the plat, the applicant shall complete the following:

- Acquire all permits from other applicable jurisdictions having an interest in the site.
- Revise the plans to conform with City Code, the Engineer's Memo and Fire Marshall's Memo.
- Pay required utility connection fees and park dedication for all 6 lots.
- Enter into a development agreement, stormwater agreement, and encroachment agreement for the development.
- Meet the requirements of City Council Resolution 24-064 approving the PUD Concept Plan and all conditions included therein.
- As part of the final plat application, the applicant shall submit all information required for the PUD Final Plan application and Final Plat application, and any other information that may be required consistent with the City Code, Engineering Guidelines, City Council Resolution 24-064, and approval of the PUD Development Plan and Preliminary Plat.

Prior to issuance of building permits, provide the following:

- Proof of recording for the plat, resolution, easements, agreements and other recorded documents.
- Proof that all existing structures have been removed in accordance with the demolition plan.
- The applicant shall submit a soils/geotechnical report from a licensed professional engineer that indicates the soils present on the site and those brought in are adequate to support the construction of the buildings and other improvements.
- Provide a construction management plan to the City.

The Planning Commission is requested to hold a public hearing on the proposed preliminary plat, take any testimony provided, and make a recommendation to City Council. If the request is approved, the next steps for the applicant would be to submit applications for Final Plat and Final Stage Planned Unit

Development. The Final Plat is reviewed solely by the City Council, and the Final Stage PUD is reviewed by City staff.



April 15, 2025

SHOREWOOD CARRIAGE HOMES NARRATIVE

24560 Smithtown Road

Description of Request: The proposed project received conceptual entitlement approval (PUD Concept Plan Approval) in September of 2024 via **RESOLUTION No. 24-064**. The attached submittal package further details the proposed project. Per prior discussions with the City, we are seeking approval for a Preliminary Plat and a Development Stage Planned Unit Development consistent with the approved Concept Plan.

Project Narrative:

- 1) Description of the project including the proposed name of the development, zoning classification; staging, expected populations/housing profile (if applicable); gross square footage of commercial projects by activity (if applicable); and a statement summarizing any changes from previous submissions, etc.*

The proposed project aims to develop a narrow vacant lot along Smithtown Road, aligning with the City's Comprehensive Plan/zoning and its vision for medium-density housing in the region. This development will create a thoughtful transition between the C-1 Commercial properties to the east and the existing single-family homes to the west. By offering new housing options for six families or households, the project will provide an attainable opportunity for individuals to join the Shorewood community or continue living within its welcoming environment. Our hope is to create and develop a high quality and sustainable housing product/option that does not currently exist within Shorewood Tentatively named "Shorewood Carriage Homes," the development is currently under consideration with a marketing and real estate team finalizing the name.

In accordance with the Shorewood Comprehensive Plan, the designated lot is allocated for medium-density residential use, allowing for 6 to 8 units per acre. The proposed development aligns with this zoning and rezoning of the property to R-3A. In accordance with the City's directives, we are seeking the adoption of a Planned Unit Development (PUD), along with the approval of a Preliminary Plat, with this application. It is important to note that the owner/developer does not possess any contiguous or adjacent land.

We envision completing the development of common infrastructure in a single phase, followed by the construction of individual homes as prospective buyers express interest. We anticipate that the residential options offered through this project will appeal to a diverse

range of residents, particularly aging adults or families looking for obtainable new construction in Shorewood and our corresponding school district.

This submission does not pursue significant changes from the most recent project approval; instead, it represents a refinement of the design plans, incorporating additional details in response to stakeholder feedback. The estimated completion date for this project is set for 2026.

Additional considerations include:

- An ornamental metal fence will mark the property boundary, enhancing aesthetics while screening the development from adjacent properties.
- The proposed lots will accommodate either lookout or walkout basements, as illustrated in the architectural plans.
- The design of this development has been done so that it works closely with the existing grades. The current design is wholly balanced with no export or fill required.
- All homes will offer options for increased finished space, including a basement and optional second floor, allowing potential buyers to select variations that best suit their needs.
- Each home will comply with the garage setback requirement of 20 feet from the curb, ensuring adequate space for two vehicles to park in the driveways.
- Each home will have a two (2) car garage, and the development will require that at least one (1) interior garage space be maintained for passenger vehicle parking. Garage spaces cannot be rented.
- No recreational vehicle parking outside will be permitted within the development.
- No accessory structures, sheds, greenhouses will be permitted within the development.
- No exterior storage of equipment outside of the garage will be permitted.
- Proposed private driveway meets all applicable criteria of the Minnesota State Fire Code (MSFC) Appendix D.
- Exterior building materials will consist of stone, Smart LP, and Cedar wood accents, ensuring an appealing and durable finished product.

- The proposed access driveway will be private and maintained by the Homeowners Association (HOA) for the development, which will oversee all aspects of maintenance, including snow removal, coordinated trash collection using a single provider, seal coating, crack sealing, overlay, and replacements.
- We are working with the adjoining property owners to determine if fence installation or replacement is desired and would cover all costs associated with any fencing changes or installation.
- We are excited about the potential of the Shorewood Carriage Homes and look forward to contributing to the community's growth and vitality.

2) Any other information required by the City Council or staff from a previous submission

Any documentation provided by City relative to prior submittals and approvals was reviewed and the enclosed submittal package addresses all requests.

SHOREWOOD CARRIAGE HOMES

PROJECT TEAM:

Kimley»Horn

LANDSCAPE ARCHITECT

TELEPHONE: (612) 466-3300
CONTACT: ERIC ROESER, PLS.



1. CONTRACTOR SHALL CONFIRM THAT THE EXISTING CONDITIONS FOR THE SITE MATCH WHAT IS SHOWN ON THE DRAWINGS INCLUDED PRIOR TO CONSTRUCTION.
2. IF A REFLECTED SCALE SHOWN ON THESE PLANS IS BASED ON A 250:1 SHEET, ALL NECESSARY NOTATIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR ALL APPLICABLE REGULATIONS SHALL BE COMPLETED BY THE CONTRACTOR IN POSSESSION AND THE FINAL CONNECTION OF SERVICES.
3. ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES AND FINAL GRADING) BY THE MIDSTONE DATE IN PROJECT DOCUMENTS.

BENCHMARKS

SITE BENCHMARKS:
LOCATIONS SHOWN ON SURVEY

SBM #1 TOP OF HYDRANT LOCATED NEAR THE
SOUTHERLY SIDE OF SMITHOWN ROAD
ELEVATION=688.14 (NAVD 88)

Know what's below.
Call before you dig.

SHEET NUMBER C000	SHOREWOOD CARRIAGE HOMES PREPARED FOR ADMARK, LLC	COVER SHEET	PROJECT NO. 11-0000 DATE 11-11-2011 DRAWN BY J. L. HORN CHECKED BY J. L. HORN PROJECT LOCATION 11-0000	2011 KIMBLEY HORN ASSOCIATES, INC. 702 WEST STREET, SUITE 101, MILWAUKEE, WI 53211 WWW.KIMBLEYHORN.COM	REVISIONS DATE
			NO.		

[illegible]

1. THE STATE WATER POLLUTION PREVENTION PLAN (SWPPP) IS CONSIDERED THE FOUNDATIONAL PLAN. THE SWPPP DETAILS THE PLAN AND MAJOR ATTACHMENTS INCLUDED IN THE PRESENTATION.
2. THE SWPPP SHALL BE REVIEWED BY THE STATE WATER POLLUTION PREVENTION PLAN AND THE STATE OF MAINE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT INTERESTED PARTY AND BECOME A MAJOR PLAN COMPONENT.
3. BEST MANAGEMENT PRACTICES (BMP) AND BEST PRACTICES COMMON TO FEDERAL, STATE OR LOCAL AGENCIES SHALL BE INCORPORATED INTO THE SWPPP. THE SWPPP SHALL BE REVIEWED BY THE STATE WATER POLLUTION PREVENTION PLAN AND THE STATE OF MAINE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT INTERESTED PARTY.
4. SET POINTS AND LIFT LOGISTICS SHALL BE INCORPORATED IN A MANNER THAT WILL PREVENT THE THREAT OF FLOODING OF EXISTING ORAL BARRIER TREATMENT PLANT EXISTING FACILITIES. THE SWPPP SHALL BE REVIEWED BY THE STATE WATER POLLUTION PREVENTION PLAN AND THE STATE OF MAINE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT INTERESTED PARTY.
5. THE SWPPP SHALL BE REVIEWED BY THE STATE WATER POLLUTION PREVENTION PLAN AND THE STATE OF MAINE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT INTERESTED PARTY.

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Kimley»Horn

DATE	03/03/2004
TIME	14:00
NAME	JOHN DOE
ADDRESS	123 MAIN ST, NEW YORK, NY 10001
PHONE	(212) 555-1234
EMAIL	JOHN.DOE@EXAMPLE.COM
STATUS	ACTIVE
REMARKS	NO RECORD FOR THIS NAME IN THE STATE OF NEW YORK.

1. ALL EXISTING CONSTRUCTION MATERIALS SHALL BE REMOVED FROM THE PROJECT AREA. ALL EXISTING CONSTRUCTION MATERIALS SHALL BE REMOVED FROM THE PROJECT AREA.
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TEST POINTS REQUIRED FOR CLOUT OUT INCLUDE BUT ARE NOT LIMITED TO

- DENSITY TEST REPORTS
- BACTERIOLOGICAL TESTS OF WATER SYSTEM
- PRESSURE TEST OF WATER SYSTEM
- LEAK TESTS ON SEWER SYSTEM AND ONE-ONE TRAPS
- ANY OTHER TESTING PROVIDED BY THE AGENCY/UTILITY

GENERAL NOTES

SHOREWOOD
ARRIAGE HOMES
PREPARED FOR
ADMAR 11C

PRELIMINARY - NOT FOR CONSTRUCTION	SHOREWOOD CARRIAGE HOMES PREPARED FOR ADMAR LLC	SHEET RANGE C100
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The authors declare that they have no competing interests.



[illegible][illegible]

AREA SUMMARY	
TOTAL UPRIGHT AREA	0.59 AC
EXISTING MEADOWS AREA	0.00 AC
EXISTING PONDAGE AREA	0.00 AC
PROPOSED IMPERVIOUS AREA	0.00 AC
PROPOSED PONDAGE AREA	0.00 AC
PROPOSED PAVEMENT AREA	0.00 AC
TOTAL DEVELOPED AREA	0.59 AC

PHASE I BMP QUANTITIES	
SEDIMENT	550.0 LF
EROSION	400.0 LF
BIOPOLL	0.0 EA
ROCK CONSTRUCTION DRAINAGE	1.0 EA



1. What is a **case study**? A detailed description of a single individual, group, or organization, often including an analysis of the causes and effects of the behavior or situation being studied.
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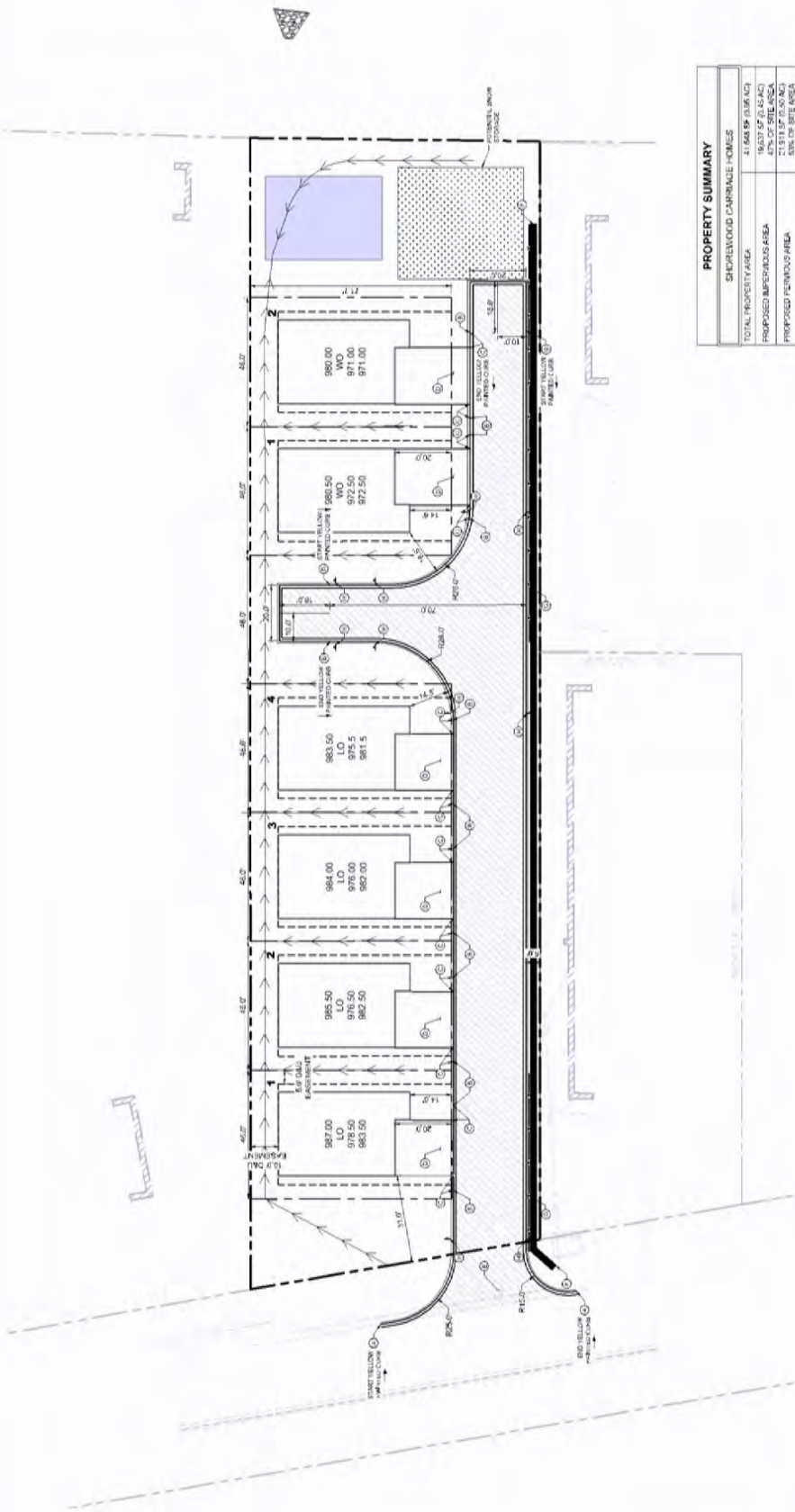
1. ALL INSTRUMENTS (PERMITS AND LICENSES) REQUIRED FOR THE PROJECT SHALL BE OBTAINED PRIOR TO THE COMMENCEMENT OF THE PROJECT.
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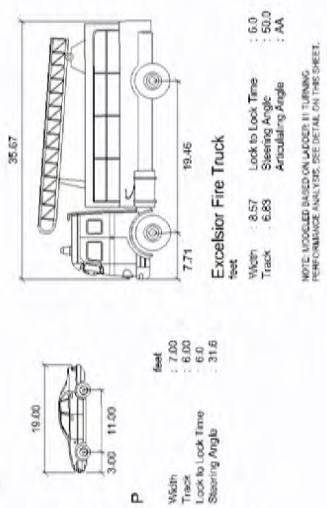
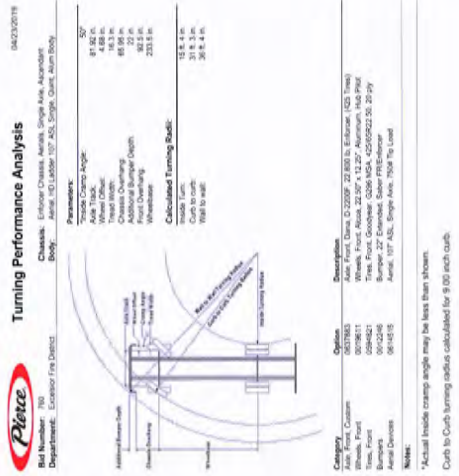


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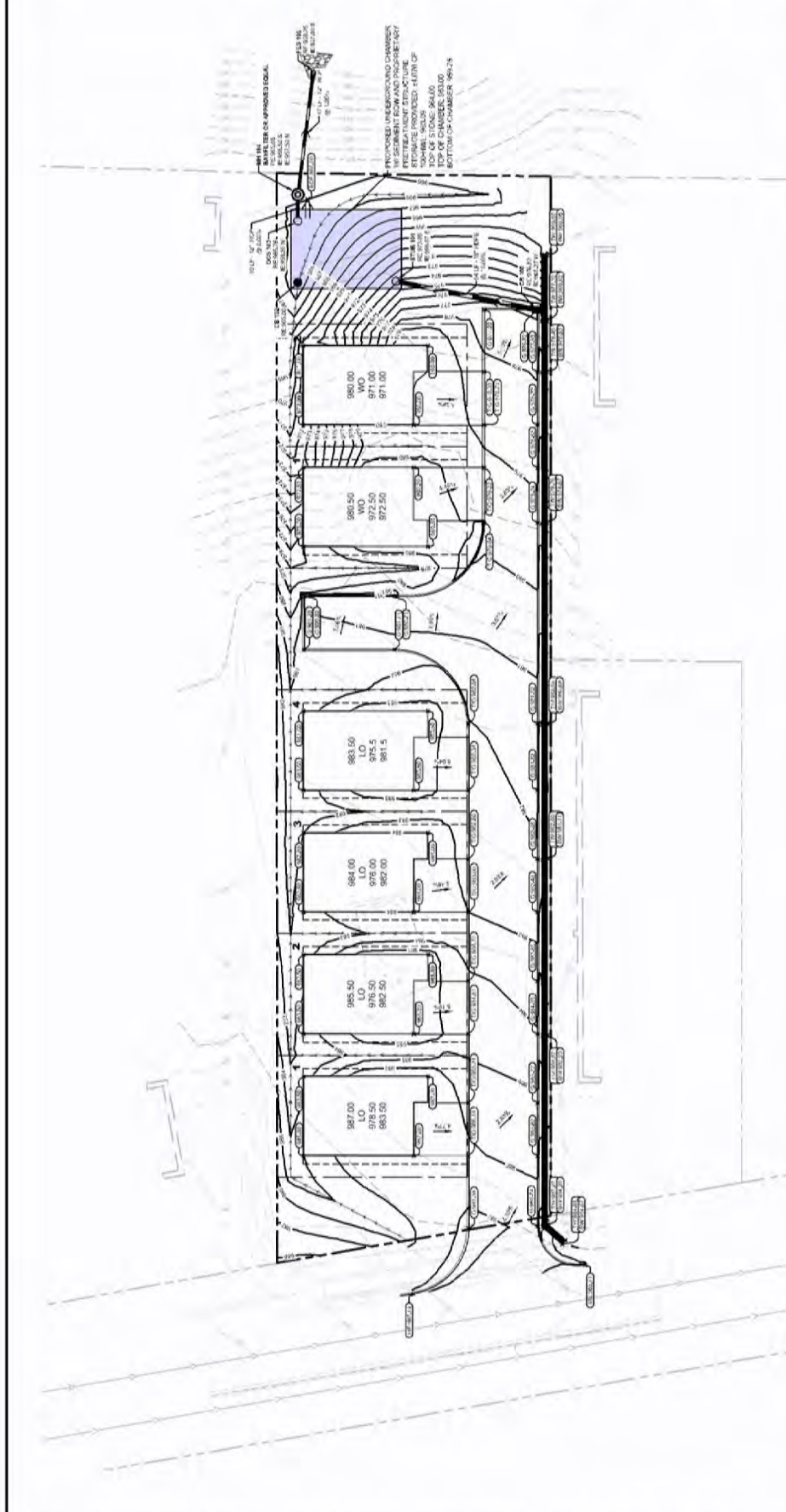
PROPERTY LINE	=====
LOT LINE	-----
EASEMENT LINE	- - - - -
CURTAIN RIGHT-OF-WAY LINE	=====
PROPOSED FENCE	-----
REMOVE EXISTING WALL WITH DOUBLE RETURNING WALL	-----
PROPOSED CURB AND GUTTER	=====
PROPOSED HEAVY DUTY AIRPORT UNDERGROUND STORMWATER MANAGEMENT	=====





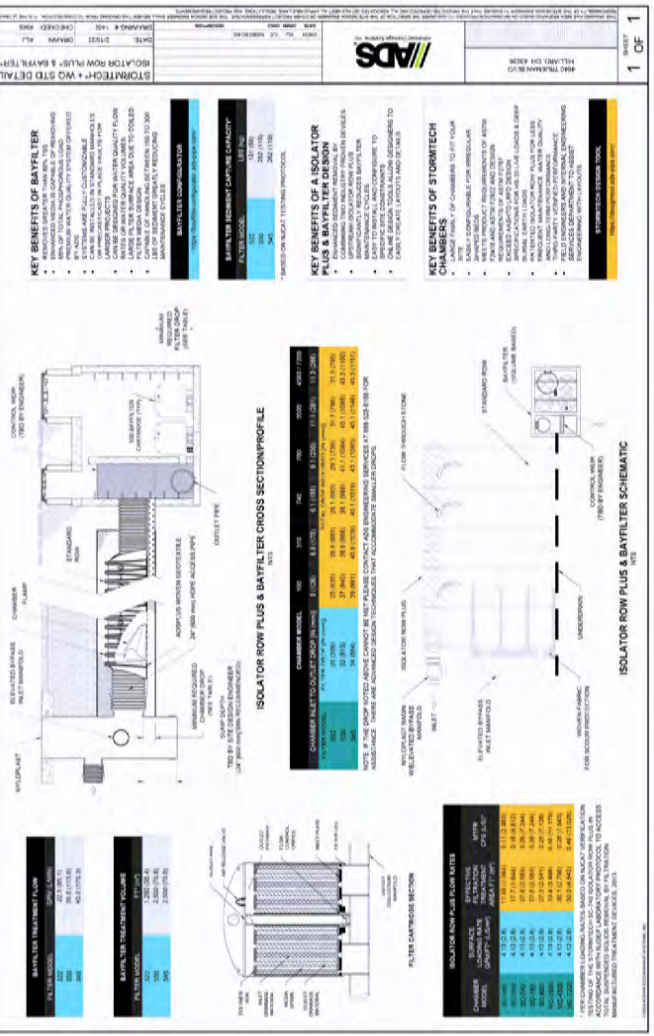
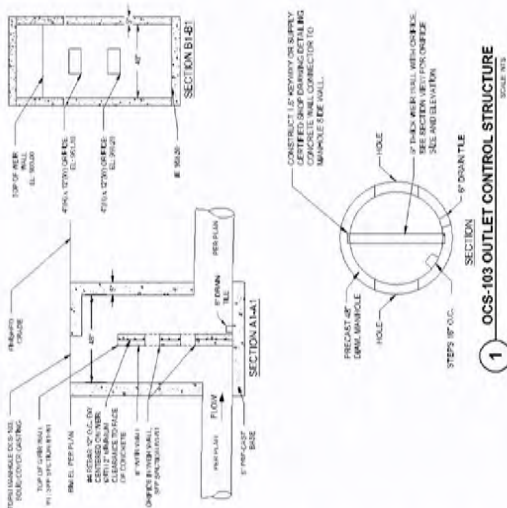
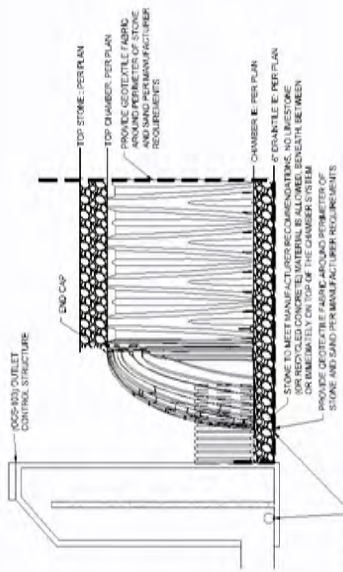
LEGEND

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	LOT LINE
	BOUNDARY LINE
	BOUNDARY RIGHT-OF-WAY LINE
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	BOUNDARY EXISTENCE WITH ADJACENT
	SETBACKING WALL
	PROPOSED CURB AND GUTTER

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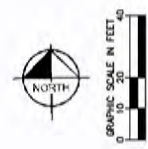
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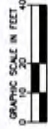
Kimley»Horn
2023 • KIMLEY-HORN AND ASSOCIATES, INC.
742 EIGHTH STREET, SUITE 500, ST. PAUL, MN 55101
PHONE: 651.444.3137
WWW.KIMLEY-HORN.COM

[illegible]

UTILITY PLAN

SHEET NUMBER
C600

[illegible][illegible]



1. **INTRODUCTION**

- [illegible]

**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

RESOLUTION 24 - 064

**A RESOLUTION APPROVING A PUD CONCEPT PLAN FOR THE PROPERTY
LOCATED AT 24560 SMITHTOWN ROAD**

WHEREAS, Admark, LLC. (the “Applicant”), has submitted a request a PUD Concept Plan for a development (the “Request”) for the property legally described as:

That part of Lot 25, Auditor’s Subdivision Number One Hundred Thirty-Three (133), Hennepin County, Minnesota, described as follows:

Commencing at the intersection of the south line of said Lot 25 and its easterly extension with the west right-of-way line of Hennepin County State Aid Highway No. 19, Plat 57: thence southwesterly along said south line of said Lot 25 and its easterly extension, a distance of 373.185 feet; thence northerly, parallel to that part of the west right-of-way line of said Highway Plat lying north of the south line of said Lot 25, a distance of 196.67 feet; thence v westerly, parallel with the north line of said Lot 25, a distance of 72.11 feet to the point of beginning of the land to be described; thence northerly, parallel to said west right-of-way line of said Highway Plat, a distance of 182.47 feet to the north line of said lot 25; thence westerly along said north line a distance of 103.45 feet to the northwest corner of said Lot 25; thence southerly along the west line of said Lot 25 a distance of 411.01 feet to the south line of said Lot 25; thence easterly along said south line of said Lot 25 to a line drawn southerly from the point of beginning and parallel with that part of the west right-of-way line of said Highway Plat, lying north of the south line of said Lot 25, thence north along said last described parallel line to the point of beginning. Being Torrens Property as evidenced by Certificate of Title No. 788511 (the “Property”); and,

WHEREAS, the Request has been submitted in the manner required for the development of land under the Shorewood City Code and under Chapter 462 of Minnesota Statutes, and all proceedings have been duly consistent thereunder; and,

WHEREAS, said Request is consistent with the regulations and requirements of the laws of the State of Minnesota and the City Code of the City of Shorewood for the approval of such a request.

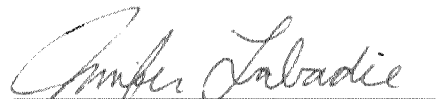
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD, MINNESOTA, AS FOLLOWS:

1. The Request is hereby approved according to the plans and materials submitted May 21, June 3, July 3, and August 19, 2024, (the “Plans”) subject to the conditions listed below.

2. With subsequent applications, the Applicant shall submit plans and materials as required by the zoning and subdivision regulations and elsewhere in City Code and as may be indicated by the City Engineer's Memo dated July 10, 2024.
 - A. Revise the plans consistent with the concept plan submitted August 19, 2024.
 - B. Detailed information on the amount of material to be exported/imported, including where on the property it will be removed, erosion control methods, the haul route proposed, etc.
 - C. A utility plan indicating that all homes in the development may be served by gravity sewer.
 - D. The HOA documents must include responsibility for maintenance of common areas including the storm water features, private drive, all landscaping and other shared improvements. The HOA documents must also include language requiring the garages to be kept clear of storage items so that a minimum of one-car may be stored within and all vehicles parked on the driveway can't hand into the fire lane. The document must also include language that one trash/recycling hauler, one snowplow/landscaping company, etc. shall service the entire development.
 - E. Provide executed easements and agreements, including stormwater maintenance, development and encroachment agreements.
 - F. Revised plans indicating the following:
 - 1) Amend the landscaping plan to provide all the required detail on the trees to be planted, including, but not limited to, size, specie, location, etc. and provide four of the trees to be hardwood maples such as sugar or red.
 - 2) The curbs of the fire lane turnaround should be painted yellow and the entire private drive should be signed for "no parking by order of the fire marshal". The guest parking spaces must be beyond the required dimensions for the turnaround.
 - 3) The trail into Gideon Glen shall be a mowed turf trail rather than other surfaces.
3. The PUD Concept Plan is approved to allow six single-family homes as detached townhouses as a permitted use within this subdivision and accessory uses and dimensional requirements as allowed by the R-1D district except as provided herein and as shown on the Plans, except that the following accessory uses shall not be permitted: 1) storage or parking of recreational vehicles or equipment outside the garage; 2) any garage that does not include at least space for one passenger vehicle (not including recreational vehicles or equipment); 3) renting garage space to nonresidents of the property; and 4) noncommercial greenhouses and conservatories; and 5) accessory structures like storage sheds.
4. The PUD Concept Plan is approved allowing the following dimensional requirements:
 - 1) Setback to the internal private drive: 20 feet to the garage;
 - 2) Setback to north property line: 40 feet;
 - 3) Setback between units shall be: 16 feet;
 - 4) Setback to east property line: 5 feet for the private drive;
 - 5) Setback to the west property line: 10 feet;
 - 6) Setback to Smithtown Road right-of-way: 30 feet for structures;
 - 7) No dwelling or other structure attached to the principal dwelling may cross a property line; and,

- 8) Basement options shall only be provided for lots where egress wells are not needed for basement bedrooms.
5. Maximum height shall be determined with the PUD Development plan.
6. The lots areas and widths for each residential property shall be as shown and approved on the final plat.
7. The development shall have one provider of trash and recycling for all properties.
8. The applicant should consider working with the property owner to the east to replace the wood fence with a new privacy fence.
9. The approval for the PUD Concept Plan shall expire in 180 days if the applicant has not submitted a complete application for PUD Development Plan, except that the applicant may request an extension to the approval subject to the requirements of Section 1201.25 Subd. 6. c. (5).

ADOPTED BY THE CITY COUNCIL OF SHOREWOOD Minnesota this 26th day of August, 2024.


Jennifer Labadie, Mayor

ATTEST:


Sandie Thone, City Clerk

April 28, 2025

Jake Griffiths, City Planner
City of Shorewood
5755 Country Club Road
Shorewood, MN 55331

Re: 24560 Smithtown Road – Preliminary Plat and PUD Application

Dear Mr. Griffiths:

The following documents were submitted for review for the proposed development at 24560 Smithtown Road:

- Shorewood Planning/Subdivision Application, prepared by Terramark, signed 2/14/2025
- PUD Development Plan Application Checklist
- Preliminary Plat/Minor Subdivision Summary Application Checklist
- Shorewood Carriage Homes Narrative, prepared by Admark, LLC, dated 4/15/2025
- Shorewood Carriage Homes Civil Plans (11 Sheets), prepared by Kimley-Horn, dated 4/15/2025
- Shorewood Carriage Homes Fire Protection Plan Markup on Site Plan Sheet, prepared by Kimley-Horn, dated 1/7/2025
- Carriage Homes Landscape Plans (1 sheet), prepared by Terramark, dated 4/9/2025
- Carriage Homes Tree Preservation Plan (1 sheet), prepared by Terramark, dated 5/19/2024
- Residential House Architectural Plans (6 sheets), Sheets A1 and A2 dated 1/11/2025 and 4 additional unnumbered sheets dated 4/11/2025
- Shorewood Carriage Homes Sidewalk Exhibit (1 sheet), prepared by Kimley-Horn, dated 12/23/2024
- Shorewood Carriage Homes Stormwater Management Report, prepared by Kimley-Horn, dated 4/14/2025

Barr Engineering Co.'s (Barr's) review included the documents listed above and has generated the following comments:

1. The development needs to be designed and constructed according to the City Standard Specifications and Details.
2. Prior to the start of any construction, permits shall be secured with the following at a minimum:
 - a. Minnehaha Creek Watershed District
 - b. MPCA Construction Stormwater General Permit
 - c. Minnesota Department of Health
 - d. Metropolitan Council Environmental Services
3. The landscape plan (Sheet L-1) shows two lines for an ornamental fence. One of the fences is shown going through the proposed homes and portions of two of the roadways on the lot. The landscape plan needs to be updated to remove the redundant fence line.
4. The project narrative indicates that the proposed lots will accommodate either lookout or walkout basements, as illustrated in the architectural plans, but the architectural plans show slab on grade units. Furthermore, the grading plan shows that the ground elevation difference between the front and rear of the homes units varies from 3.25 feet to 9 feet for the walkout units and varies from 1

foot to 4 feet, which may not be sufficient elevation change for walkout or lookout designs. The design intent needs to be clarified, and the drawings need to be updated accordingly.

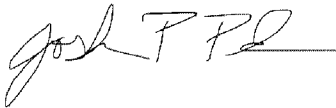
5. The size of the homes on the architectural plans does not match the size of the homes on the civil plans nor the landscape plans. Ultimately, the design needs to match on all plans.
6. On the erosion control plan (Sheets 300 and 301), the silt fence needs to extend approximately the full length of the east side of the parcel to keep sediment from leaving offsite to the building to the east.
7. Profiles of the proposed storm sewer, sanitary sewer, and water main should be provided as part of a final plat submittal.
8. The elevations of the sanitary sewer services for Block 2, Lots 1-2, shown on the Utility Plan (Sheet C600), may not be deep enough for the proposed elevations of the homes on those lots. The applicant should verify these elevations with the architect and modify the elevations as needed.
9. The proposed site design needs to comply with the city's rate control requirements in Section 5.3 of the City's Surface Water Management Plan (SWMP). For assessing compliance with these requirements, the following comments need to be addressed.
 - a. The volume of the underground storage vault needs to match between the plans and the HydroCAD modeling.
 - b. Documentation needs to be provided showing that CB 100 is appropriately sized for the amount of surface water drainage to the structure. The City requires that a clogging factor of 50% shall be utilized in sizing intake structures. Modify the analysis to account for the clogging factor or provide documentation that this was included as part of the analysis.
10. Documentation needs to be provided showing that the proposed site meets the City's flood control requirements in Section 5.3 of the City's SWMP. For assessing compliance with these requirements, the following comments need to be addressed.
 - a. Documentation needs to be provided showing that the minimum floor elevation requirements are met regarding groundwater and regarding the proposed flood elevations of the swales on the sides and rear of each unit.
11. Documentation needs to be provided showing that the proposed site meets the City's water quality treatment requirements in Section 5.3 of the City's SWMP, including a summary of the average annual pollutant removal efficiencies for total phosphorus and total suspended solids. The volume of the underground storage vault also needs to match between the plans and the stormwater report.
12. The final design for the proposed site needs to comply with the City's infiltration/volume control requirements in Section 5.3 of the City's SWMP. For assessing compliance with these requirements, the following comments need to be addressed.
 - a. The calculations in the stormwater management report should be updated to match the City's requirements.
 - b. Documentation such as soil borings or geotechnical investigations, needs to be provided as to why infiltration is not feasible.
 - c. The flow capacity, sizing and bypass considerations, and treatment efficiency of the proposed Bayfilter device need to be provided.
 - d. The access route for future maintenance of the proposed underground chamber system and Bayfilter needs to be shown on the plans or on a separate exhibit. No trees, shrubs or other obstructions should be in the access route.
 - e. Owners of private stormwater facilities will need to enter into an agreement with the City describing responsibility for the long-term operation and maintenance of the stormwater facilities; this agreement needs to be executed and recorded with the final plat. An

operations and maintenance plan for the proposed stormwater system should be included with future submittals.

13. At the location of the potential snow storage area on the Site Plan (Sheet C400) there are multiple constraints which may limit the snow storage and/or general use of the space. The landscaping plan (Sheet L-1) shows multiple trees (deciduous and evergreen) that may limit snow storage capacity, the plan shows a trail connection to the park through this area which could be cutoff in the winter by the snow piles. Furthermore, the trail connects to the roadway in the middle of a parking stall, which may inhibit or limit pedestrian access. Consider reconfiguring this space to 1) allow for better access to the trail and 2) modify the locations of the proposed trees to provide more open space for snow storage.

Please let us know if we can provide additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Phillips", with a stylized, cursive script.

Josh Phillips, PE, Civil Engineer
Barr Engineering Co.



Excelsior Fire District

In partnership with the Communities of:

Deephaven-Excelsior-Greenwood-Shorewood-Tonka Bay

24100 Smithtown Road

Shorewood, MN. 55331

✪ kmurphyringate@excelsiorfire.org

✪ 952-960-1692

March 10, 2025

Admark, LLC
7035 Halstead Drive
Minnetrista, MN 55364

Re: Shorewood Carriage Homes

Dear Applicant,

I have reviewed the plans for the construction for the project above. Please make sure that the following issues are addressed as you complete your project. The list below is based on review of the plans received by the City of Shorewood , but not limited to, the review of future submitted plans, tests conducted, or items found during the construction process.

General

- Provide a construction/project timeline to the Excelsior Fire District.
- Provide emergency contact information for the project to the Excelsior Fire District.

Emergency Vehicles Access

- Access for emergency vehicles must be maintained at all times.
- To ensure access for Fire Apparatus and other emergency vehicles, please advise concrete companies, vendors, sub-contractors , delivery companies, and landscapers not to block access to the site or any hydrants regardless of their location.

During Construction

- The dumpster(s) must be placed per the Minnesota State Building Code, Section 304, Combustible Waste Material

Hydrants

- The hydrant location on the plans is approved by the Excelsior Fire District based on the location indicated on submitted plans.
- Hydrant signs cannot be within 3 feet of the hydrant. Minnesota State Fire Code Sections 507.5.4-507.5.6
- Hydrants require 3 feet of working space around them at all times, trees, shrubs, perennials, and other landscaping elements shall not impede on the 3 foot perimeter over time.

Excelsior Fire District Access and Safety

- The Excelsior Fire District requires a narrative and plans that reflect the requirements of Minnesota State Fire Code, Appendix D, Fire Apparatus Access Roads that has been adopted by the City of Shorewood. See attached.
 - Indicate turning radius of the Excelsior Fire District Ladder Truck on the plans in addition to the legend. D103.3 Turing Radius. See attachment.
- Please verify the “No Parking Fire Lane ” sign locations on the submitted plans meet the requirements of Appendix D, Fire Apparatus Access Road of the Minnesota State Fire Code.
- Add a “No Parking Fire Lane ” sign to the East and West side of the hammerhead turnaround.
- Paint the curbs of the hammerhead yellow.
- Notify the Excelsior Fire District if propane will be used to heat the town homes while they are under construction. Propane tanks and storage must follow NFPA 58 2017 Edition and other affiliated codes and standards.
- Construction site fire extinguishers must be at least 4.5-pounds, shall be mounted and/or secure from tipping, be in plain sight, and assessable during construction. A fire extinguisher is required for each building under construction.

- Construction site fire extinguisher(s) must have a current inspection tag and be assessable at all times.
- Only combustible storage related to construction should be allowed on site.
- Only the amount of gasoline, propane, or other fuels related to construction are allowed to be stored on site.

Addressing

Temporary Address During Construction:

- Must be posted at each home site as construction begins on the site.
- Numbers must be kept clear of obstructions to help emergency vehicles find the address without delay.
- It should be in a place that cannot be covered by snow, snow plowing, over growth, bushes, dumpsters, or garbage.
- Note: The address may need to be placed in several areas to be seen by emergency personnel.

Permanent Address Posting:

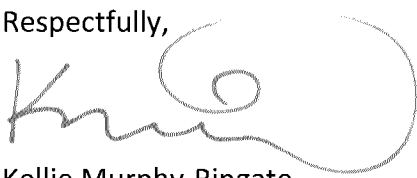
- A permanent address is required before the residence can be occupied, see below for addressing details.
- Home address numbers must be clearly displayed.
- The address must be visible from the middle of the street during all times of the year and all hours of the day.
- Numbers must be a contrasting color with background they will be mounted on or engraved in.
- The address numbers must be permanently displayed, i.e., carved, engraved, or mounted.
- House numbers must be kept clear of obstructions to help emergency vehicles find the address without delay.

- The address should be in a place that cannot be covered by snow, snow plowing, overgrowth, bushes, garbage or recycle cans stored or pulled to the curb.
- Consider reflective numbers for the address.

Note: I will be out of town on two separate occasions, Wednesday, March 19 to Monday, March 31st and Tuesday, April 22nd to Tuesday, April 29th

Please plan accordingly.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kellie', followed by a large, stylized circular flourish.

Kellie Murphy-Ringate
Excelsior Fire District Fire Marshal
952-960-1692
Kmurphyriongate@excelsiorfire.org

RESOLUTION 25-046

**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

**A RESOLUTION APPROVING A PUD DEVELOPMENT STAGE PLAN AND PRELIMINARY PLAT FOR
THE PROPERTY LOCATED AT 24560 SMITHTOWN RD**

WHEREAS, Admark, LLC (the “Applicant”), has submitted a request for a PUD Development Stage Plan and Preliminary Plat for a development to be called “Shorewood Carriage Homes” (the “Request”) for the property legally described as follows (the “Property”); and,

That part of Lot 25, Auditor’s Subdivision Number One Hundred Thirty–Three (133), Hennepin County, Minnesota described as follows:

Commencing at the intersection of the South line of said Lot 25 and its Easterly extension with the West right–of–way line of Hennepin County State Aid Highway No. 19, Plat 57; thence Southwesterly along said South line of said Lot 25 and its Easterly extension, a distance of 373.185 feet; thence Northerly, parallel to that part of the West right–of–way line of said Highway Plat lying North of the South line of said Lot 25, a distance of 196.67 feet; thence v Westerly, parallel with the North line of said Lot 25, a distance of 72.11 feet to the point of beginning of the land to be described; thence Northerly, parallel to said West right–of–way line of said Highway Plat, a distance of 182.47 feet to the North line of said Lot 25; thence Westerly along said North line a distance of 103.45 feet to the Northwest corner of said Lot 25; thence Southerly along the West line of said Lot 25 a distance of 411.01 feet to the South line of said Lot 25; thence Easterly along said South line of said Lot 25 to a line drawn Southerly from the point of beginning and parallel with that part of the West right–of–way line of said Highway Plat, lying North of the South line of said Lot 25, thence North along said last described parallel line to the point of beginning.

Being Torrens Property as evidenced by Certificate of Title No. 788511.

WHEREAS, the Request has been submitted in the manner required for the development of land under the Shorewood City Code and under Chapter 462 of Minnesota Statutes, and all proceedings have been duly consistent thereunder; and,

WHEREAS, said Request is consistent with the regulations and requirements of the laws of the State of Minnesota and the City Code of the City of Shorewood for the approval of such a request.

WHEREAS, after proper notice, the Planning Commission held a public hearing on the Request at their May 6, 2025 meeting and recommended approval of the Request to the City Council; and,

WHEREAS, in considering the recommendation of the Planning Commission, the City Council finds that said preliminary plat and development stage planned unit development are consistent with the Shorewood Comprehensive Plan, the regulations and requirements of the laws of the State of Minnesota, the City Code of the City of Shorewood, and the approved PUD concept plan for the site, subject to the conditions listed herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shorewood that the development stage planned unit development and preliminary plat request for the development of 6 single-family homes to be called “Shorewood Carriage Homes”, is hereby approved, subject to the following conditions:

1. The Request is approved to allow 6 single-family homes as a permitted use according to the plans and materials received April 23, 2025 as may be amended to meet the requirements of this resolution.
2. Unless otherwise noted herein, the requirements of City Council Resolution 24-064 approving a PUD Concept Plan for the Property shall continue to be met and shall establish the development standards for the Project, in addition to the following:
 - a. The base of the sidewalk shall be installed at the same time as the street. The pavement must be completed prior to the construction of the last home (with an exception for winter construction). No financial guarantees for the sidewalk shall be released until the sidewalk is completed.
 - b. All proposed signage shall meet City Code requirements and shall obtain an approved Sign Permit from the City of Shorewood prior to installation.
 - c. All private improvements shall be the responsibility of the Homeowners Association including maintenance of the trail to Gideon Glen Park.
 - d. The lots areas and widths for each residential property shall be as shown and approved on the final plat.
3. With the final plat application, the Applicant shall submit all information required for the PUD final plat/final plat in the zoning and subdivision regulations, as well as the following, consistent with City Code, and the engineering guidelines/specifications:
 - a. Information indicating the Project meets the requirements of City Council Resolution 24-064.
 - b. The Homeowners Association Documents, which must include responsibility for maintenance of common areas, including the on and off site stormwater infrastructure, private drive, all landscaping and other shared improvements. The HOA documents must also include language requiring the garages to be kept clear of storage items so that a minimum of one-car may be stored within and all vehicles parking on the driveway can't back into the fire lane. The document must also include language that one trash/recycling hauler, one snowplow/landscaping company, etc. shall service the entire development. The document must also list the accessory uses prohibited by City Council Resolution 24-064 and provide for a means of enforcement.
 - c. Provide executed easements and agreements, including a stormwater maintenance agreement, encroachment agreement and development agreement.
 - d. A construction management plan including, but not limited to: contractor parking, how deliveries will be made without blocking public streets, where storage of materials will occur on site, hours of construction, reference the erosion control plan and how often streets will be swept. The off-street parking area must be available until the permit for the last structure is issued. The City reserves the right to prohibit construction parking on the private drive to ensure adequate access of emergency vehicles.
 - e. An updated Title Commitment for the Property to the satisfaction of the City Attorney.

4. Prior to release of the subdivision for recording, the Applicant shall submit the following:
 - a. Executed development agreement and financial guarantees as required by the development agreement, stormwater maintenance agreement, and encroachment agreements and the final draft of the HOA documents.
 - b. Payment of fees for local sanitary sewer access, watermain connection, and park dedication in the amounts required at the time of final plat approval.
 - c. Any required permits from other agencies having an interest in the site.
 - d. Revised plans to conform with City Code, the Engineer's Memo and Fire Marshall's Memo. Said plans shall also be revised to show the ornamental fence to be replaced with a privacy fence and removal of two dead trees on the neighboring property to the west as committed to by the Applicant at the May 6, 2025 Planning Commission meeting.
 - e. Obtain final plat and final planned unit development stage approval from the City of Shorewood.
5. Prior to issuance of any building permits, the Applicant shall submit or complete the following:
 - a. The applicant shall submit a soils/geotechnical report from a licensed professional engineer that indicates the soils present on the site and brought in are adequate to support the construction of the buildings and other improvements.
 - b. The applicant shall submit recorded copies of all documents, such as the plat, development agreement, easements, stormwater maintenance agreement, HOA documents, etc.
 - c. Provide proof that all existing structures have been removed in accordance with the demolition plan.
6. The approval for the PUD Development Stage Plan shall expire in six months from the date of approval if the Applicant has not submitted a complete application for PUD Final Plan and Final Plat, except that the Applicant may request an extension to the approval subject to the requirements of Section 1201.25 Subd. 6. c. (5).

NOW, THEREFORE, BE IT FURTHER RESOLVED the City Council of the City of Shorewood grants a conditional use permit to the establish the Planned Unit Development for the Project and directs City staff to update the City's Official Zoning Map to show the Property as being within the Planned Unit Development Special District.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD this 12th day of May 2025.

Jennifer Labadie, Mayor

ATTEST:

Sandie Thone, City Clerk



City of Shorewood

City Council Meeting Item

Title/Subject: **Vacation of Easement**
Meeting Date: May 12, 2025
Prepared by: Jake Griffiths, Planning Director
Reviewed by: Marc Nevinski, City Administrator
Attachments: May 6, 2025, Planning Commission Memorandum
 Applicant's Narrative & Materials
 Resolution

Item 6B

APPLICANT: Heidi & Craig Johnson
LOCATION: 27940 Smithtown Rd
REVIEW DEADLINE: July 15, 2025

Background

See the attached planning memorandum for detailed background on this request. The request would vacate a portion of the drainage and utility easements on the property which are remnants of a historic plat that are no longer necessary, as new easements were dedicated to the City at the time the site was redeveloped. At their May 6, 2025, meeting, the Planning Commission conducted a public hearing on the proposed request and recommended approval to the City Council (5-yes, 0-no). No public comments were received prior to or during the public hearing.

Financial Considerations

The application fees are adequate to cover the cost of processing the request.

Action Requested

Motion to approve the attached resolution approving the vacation of easement request for 27940 Smithtown Rd.

A simple majority vote of the City Council is required.



Planning Commission Meeting Item

Item
4A

Title/Subject: Vacation of Easement
Meeting Date: May 6, 2025
Prepared by: Jake Griffiths, Planning Director
Attachments: Location Map
Applicant's Materials

APPLICANT: Heidi & Craig Johnson
LOCATION: 27940 Smithtown Rd
REVIEW DEADLINE: June 15, 2025
COMPREHENSIVE PLAN: Minimum Density Residential
ZONING: R-1A Single-Family/Shoreland

REQUEST

The applicant is seeking to vacate a portion of the drainage and utility easements on their property to accommodate eventual reconstruction of their single-family home. An easement is a legal right to use another person's land for a specific purpose, such as utility access, without actually having ownership of the underlying property. Easements are very common and exist on nearly every property in Shorewood for common purposes such as utility access, roads, etc. The property historically was a part of the



Johnson Hollow plat, however, over the years the property and its neighbors are replatted as part of Bill Erickson Addition. The easements proposed to be vacated are remnants from the original Johnson Hollow plat that were never vacated as part of the replatting process. These easements no longer serve any public purpose as new easements were granted to the City of Shorewood as part of Bill Erickson Addition. The applicant's materials are attached for review.

Note of the application was sent by postcard to all property owners within 500 feet of the property and by placing a sign in the right-of-way in front of the home. Notice of the public hearing was sent by US mail to all property owners within 500 feet of the property at least 10 days prior to this meeting. Pursuant to Minnesota State Statute 412.851, notice of the public hearing was published in the City's official newspaper twice leading up to tonight's hearing in order to provide two weeks published and posted notice. Notice was also posted on the City's website and at City Hall. As of the publication of this report, no public comments have been received regarding this application.

FINDINGS/RECOMMENDATION

Since the easements which are proposed to be vacated no longer serve any public purpose and are remnants of the outdated Johnson Hollow plat, City staff recommends approval of the vacation of easement request.

27940 Smithtown Road Location Map



LEGAL DESCRIPTION OF PROPOSED EASEMENT VACATION:

Those drainage and utility easements, as shown and dedicated on the recorded plat of JOHNSON HOLLOW, which lie within Lot 3, Block 1, BILL ERICKSON ADDITION.

DEMARS GABRIEL LAND SURVEYORS, INC. 3/10/25

Revised: 3/19/25

**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

RESOLUTION 25-047

**RESOLUTION APPROVING VACATION OF A PORTION OF THE DRAINAGE AND UTILITY
EASEMENTS AT 27940 SMITHTOWN RD**

WHEREAS, Heidi and Craig Johnson (the “Applicant”) requested a vacation of a portion of the drainage and utility easements recorded against the property legally described as:

Lot 3, Block 1, Bill Erickson Addition, Hennepin County, Minnesota (the “Property”); and,

WHEREAS, Notice of Public Hearing on the proposed vacation of the conservation easement within the City of Shorewood, Hennepin County, Minnesota, was published in the SUN-SAILOR NEWSPAPER on April 17 and 24, 2025; and

WHEREAS, said Notice of Public Hearing was posted in on the public notice board in the City of Shorewood City Hall, on the City’s website, and mailed to adjacent property owners within 500 ft of the Property; and,

WHEREAS, the Planning Commission of the City of Shorewood heard all interested parties on the question of vacation at a Public Hearing on May 6, 2025, in the Council Chambers at the City Hall and recommended approval to the City Council; and,

WHEREAS, the City Council of the City of Shorewood considered the recommendation of the Planning Commission on May 12, 2025, and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shorewood, Minnesota, that the drainage and utility easements, legally described in Exhibit A and as shown on Exhibit B, attached hereto and made a part hereof, are hereby vacated.

ADOPTED BY THE CITY COUNCIL OF SHOREWOOD, MINNESOTA this 12th day of May, 2025.

Jennifer Labadie, Mayor

ATTEST:

Sandie Thone, City Clerk

Exhibit A

Legal Description of Proposed Easemen Vacation:

Those drainage and utility easements, as shown and dedicated on the recorded plat of JOHNSON HOLLOW, which lie within Lot 3, Block 1, BILL ERICKSON ADDITION.



City of Shorewood

City Council Meeting Item

Title/Subject: Fence Height Conditional Use Permit
Meeting Date: May 12, 2025
Prepared by: Jake Griffiths, Planning Director
Reviewed by: Marc Nevinski, City Administrator
Attachments: May 6, 2025 Planning Commission Memorandum
Applicant's Narrative & Materials
Public Comments Received
Resolution

Item 6C

APPLICANT: Richard Pearce
LOCATION: 5905 Grant St
REVIEW DEADLINE: June 3, 2025

Background

See the attached planning memorandum for detailed background on this request. The request would accommodate an 8.5' tall fence at the subject property where 6' tall is the maximum height established by City Code. At their May 6, 2025, meeting, the Planning Commission conducted a public hearing on the proposed request and recommended approval to the City Council (5-yes, 0-no). Several public comments were received prior to the meeting which are attached for reference. During the public hearing several residents addressed the Commission and expressed their support for the applicant's request.

Financial Considerations

The application fees are adequate to cover the cost of processing the request.

Action Requested

Motion to approve the attached resolution approving the conditional use permit request for increased fence height at 5905 Grant St.

A simple majority vote of the City Council is required.



Planning Commission Meeting Item

Item
4B

Title/Subject: Conditional Use Permit for Increased Fence Height
Meeting Date: May 6, 2025
Prepared by: Jake Griffiths, Planning Director
Attachments: Location Map
Applicants' Narrative & Plans
Public Comments Received

APPLICANT: Richard & Jennifer Pearce
LOCATION: 5905 Grant St
REVIEW DEADLINE: June 3, 2025
COMPREHENSIVE PLAN: Low to Medium Density Residential
ZONING: R-1D Single-Family

REQUEST

The applicants are requesting a Conditional Use Permit (CUP) in order to accommodate construction of a fence 8.5 feet in height. While City Code typically only allows a 6-foot maximum fence height, City Code 1201.03 Subd. 2. f. (11) allows property owners to request a CUP for fences differing in construction, height or length. It should be noted that City staff previously issued a Zoning Permit for construction of the fence with the understanding that it would meet the 6-foot maximum height requirement. However, the fence design places the fence on the top of a retaining wall so that if you were to look at the fence from the south it would appear to be 6-feet tall but if you were to look at the fence from the north it would appear to be 8.5-feet tall. The applicants' narrative and plans are attached for review.



Notice of the application was sent by postcard to all property owners within 500 feet of the property and by placing a sign in the right-of-way in front of the home. Notice of the public meeting was sent by US mail to all property owners within 500 feet of the property at least 10 days prior to this meeting and published in the City's official newspaper, on the City's website and at City Hall. As of the publication of this report several public comments have been received which are attached for review.

CONDITIONAL USE PERMIT ANALYSIS

City Code 1201.04, Subd. 3. provides review criteria for Conditional Use Permits as follows:

1. The proposed use, and its related construction, would be consistent with the policies and provisions of the Comprehensive Plan.

Fences are a common accessory structure on residential properties and are consistent with the policies and provisions of the Comprehensive Plan.

2. The proposed use would be compatible with present and future land uses in the area and would not tend to or depreciate the area in which it is proposed.

The proposed fence would be compatible with present and future land uses in the area and would not tend to or depreciate the area in which it is proposed.

3. Adequate public facilities and services, including existing and anticipated traffic concerns, are available or can be reasonably provided to accommodate the proposed use.

No public facilities are required to accommodate the proposed fence.

4. The proposed use conforms to the applicable regulations of the zoning district in which it is located and otherwise conforms to all applicable regulations of the City Code.

The proposed fence, with the exception of its increased height, otherwise meets all other City Code requirements. The unique location of the fence makes it appear as though it meets City Code requirements from one side.

5. The proposed use will not be detrimental to the health, safety and general welfare of the occupants of surrounding lands.

It is not anticipated that the proposed fence would be detrimental to the health, safety, and general welfare of the occupants of surrounding lands.

FINDINGS/RECOMMENDATION

Staff recommends approval of the request for a Conditional Use Permit subject to the following conditions:

- The property owner shall obtain a building permit for construction of the proposed fence and provide a certification from a licensed structural engineer.

5905 Grant Street Location Map



Jake Griffiths

From: Richard Pearce <pearcerichard@bellsouth.net>
Sent: Monday, February 3, 2025 3:09 PM
To: Jake Griffiths
Cc: Richard Pearce
Subject: Re: Conditional Use Permit - 5905 Grant St

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jake,

Please see below fence design with the requested heights along with the narrative below including the fence height. Let me know if you need anything further. Thanks,



4" Cedar Pickets w/ 5/8" – 1" Spacing

Posts: 3" x 3" x 1/8" Aluminum

10" x 30" Sonotube concrete footings
w/ belled bottoms

Richard

NARRATIVE IN SUPPORT OF CONDITIONAL USE PERMIT APPLICATION

Applicant sought and received a zoning permit from the City of Shorewood to build a privacy fence on the north side of applicants' property. Applicant's fence was completed on October 8, 2024. Applicant received a Notice of Violation stating that the fence is too tall on the northwest side. Applicant requests an increase in fence height, that there be no modification of the fence and that this conditional use permit be approved. The fence serves

as a solution to creating a necessary and practical privacy barrier between the adjacent property.

The proposed use, and its related construction, is consistent with the policies and provisions of the Comprehensive Plan. The fence is located on applicant's property 3" – 4" from the property line, the length is accurate at 82', it is linear, has the required 25% openness and is 6' high from the north side of applicant's property and retaining wall. The fence height from the top of the fence to grade is 102".

If the fence were required to be shortened on the northwest side, then the fence height when looking North at the fence from applicant's property would be 3.5' high and ineffective as a privacy fence.

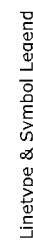
A structural engineer has certified the integrity of the fence based on its method of construction and materials used. See attached certification containing concrete footing description.

The proposed use is compatible with present and future land uses in the area and would not tend to or actually depreciate the area in which it is proposed. The fence is esthetically pleasing and provides monetary and privacy value to both the applicant and the applicant's neighbors. See attached photos.

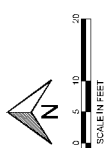
The proposed use does not overburden the city's service capacity and is accommodated with existing public services including public streets. The fence does not impact servicing capacity in any way. The establishment, maintenance or operation of this proposed conditional use promotes and enhances the general public welfare and is not detrimental to or endanger the public health and safety. The fence promotes necessary privacy and safety for applicant's family.

This proposed use conforms to the applicable regulations of the district in which it is located and otherwise confirms to the applicable regulations of city code. The fence conforms with location on applicant's property 3" – 4" away from property line, confirms with length and openness and is 6' high from the north side of applicant's property. The fence serves the purpose for which it is being used, benefits all

parties, and was built with the intent as proposed within the application for the fence zoning permit. The fence conforms to the conditional use permit standards as set forth in Section 1201.04 of the Shorewood Zoning Regulations.



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Hard Cover Calculations	
1,664 SF	1,664 SF
136 SF	136 SF
136 SF	136 SF
15 SF	15 SF
763 SF	763 SF
276 SF	276 SF
135 SF	135 SF
41 SF	41 SF
11 SF	11 SF
23 SF	23 SF
15 SF	15 SF
3,937 SF	3,937 SF
10,894 SF	10,894 SF

DESCRIPTION OF PROPERTY SURVEYED

{Torrans Property}

GENERAL SURVEY NOTES

- [illegible]

SURVEY REPORT

1. This report and report notes requested without the benefit of a Commission for Public Inquiries. The publicly distributed version obtained from Hennepin County via records and may not be the latest distribution of records. There may be amendments or other matters of record we are unaware of and thus not shown herein.
2. Conflicts such as (but not limited to): attachments, provisions, decrees, occupancies and easements and/or encroachments.

Jake Griffiths

From: Jennifer Labadie
Sent: Tuesday, April 15, 2025 11:20 PM
To: Marc Nevinski; Jake Griffiths
Subject: Fwd: Conditional Use Permit application - 5905 Grant Street

JAKE & Marc - FYI

Sent from my iPhone

Begin forwarded message:

From: Miki Huntington <miki.huntington@gmail.com>
Date: April 15, 2025 at 8:41:38 PM CDT
To: Jennifer Labadie <JLabadie@ci.shorewood.mn.us>
Subject: Re: Conditional Use Permit application - 5905 Grant Street

Mayor Labadie (Jennifer),

I hope this email finds you well. I'm reaching out because we received a postcard from the City of Shorewood last week re: Conditional Use Permit Application for the property at 5905 Grant Street.

While we are unable to attend the City Council Public Meeting on May 27, 2025, we would like to express our support for Richard and Jennifer Pearce at 5905 Grant Street. Their home is located about two blocks from ours. Even though our address is Excelsior, we assume postcards were sent to neighbors in close proximity.

In reviewing the application file online, I was surprised to read of a "Notice of Violation," especially since the fence is visually appealing and offers privacy for neighbors on both sides! And I can only imagine the time, energy, and resources being spent in adjudicating what appear to be a non-issue: a well-designed fence that enhances curb appeal, creates privacy, and contributes to the overall aesthetic! I hope this process is essentially a formality to confirm what is already stated in the Narrative - that the construction is "consistent with the policies and provisions of the Comprehensive Plan."

As always, thank you for your continued leadership and service as Mayor of the City of Shorewood!

Kind Regards,

Miki Huntington

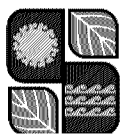
734 Pleasant Street, Excelsior, MN 55331

Melissa Strandmo

From: Jake Griffiths
Sent: Monday, April 28, 2025 9:57 AM
To: Bruce Marmesh
Cc: Melissa Strandmo
Subject: RE: Pearce Request

Good morning Bruce,

Thank you for providing public feedback on this application. I will make sure your comments are shared with the Planning Commission as part of their public hearing on May 6th. If you have any questions or need further assistance please feel free to let me know. Thanks!



City of
Shorewood

5755 Country Club Road
Shorewood, MN 55331
Available Monday – Thursday
7:00am – 5:30pm

JAKE GRIFFITHS Planning Director

City Hall: 952.960.7900
Direct: 952.960.7909
jgriffiths@shorewoodmn.gov
www.shorewoodmn.gov



From: Bruce Marmesh <brucemarmesh@yahoo.com>
Sent: Sunday, April 27, 2025 12:37 PM
To: Planning <Planning@ci.shorewood.mn.us>
Subject: Pearce Request

Caution: The sender of this message is external to your organization and not recognized. Use care when replying, selecting links, or opening attachments.

To Whom It May Concern:

I live at 711 Grant Street, Excelsior, and my dogs and I walk by the Pearce home every day. I have known Richard, Jen, and the kids ever since they moved in, and they have been wonderful neighbors.

When they built their new house, they did so with the neighborhood in mind and built a home that fits into the area. Their landscaping, and fence, have only enhanced the looks of the property and the neighborhood.

I strongly support their request for a Conditional Use Permit.
Bruce Marmesh

711 Grant Street
Excelsior, MN 55331

952.474.6092

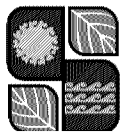
Melissa Strandmo

From: Jake Griffiths
Sent: Thursday, April 24, 2025 7:24 AM
To: Matthew Mehlhoff
Cc: Melissa Strandmo
Subject: RE: Conditional Use Permit Application 5905 Grant St

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Matt,

Thank you for providing feedback regarding this application. Your comments will be reviewed by the Planning Commission as part of their public hearing on May 6th. If you have any questions please feel free to let me know. Thanks!



City of
Shorewood

5755 Country Club Road
Shorewood, MN 55331
Available Monday – Thursday
7:00am – 5:30pm

JAKE GRIFFITHS Planning Director

City Hall: 952.960.7900
Direct: 952.960.7909
jgriffiths@shorewoodmn.gov
www.shorewoodmn.gov



From: Matthew Mehlhoff <matthew.mehlhoff@gmail.com>
Sent: Wednesday, April 23, 2025 9:01 PM
To: Planning <Planning@ci.shorewood.mn.us>
Subject: Re: Conditional Use Permit Application 5905 Grant St

Caution: The sender of this message is external to your organization and not recognized. Use care when replying, selecting links, or opening attachments.

Hello,

After reviewing the available information it seems Richard Pearce's request is reasonable and should be granted. I support it.

Matt Mehlhoff
760 Grant St, Excelsior, MN 55331

RECEIVED

APR 28 2025

CITY OF SHOREWOOD

Hello Jake & Public Planning
Folks,

Richard's fence is
beautiful - tastefully built &
in place. Please let it
be. I am their neighbor
up on 23290 Park Street.

Thankyou,
Clair Cammer

4-24-2025

April 29, 2025

Jake Griffiths
Planning Director,
City of Shorewood

Re: Request for a Conditional Use Permit Application for Richard Pearce, 5905 Grant St., Shorewood

I am writing in regards to the above mentioned application to construct a privacy fence greater than 6' in height, to be erected on the north side of the applicants property. I currently own and live at the home located at 322 Academy, which is on the north side of the proposed fence. Currently, I have a cedar privacy fence around my back yard area, a good portion of which separates Richard's yard from my own.

My concern with his application is the height of the fence he proposes to build, which he is requesting to be above the maximum height allowed of 6'. My own fence is 6' – if Richard were to build a fence greater than that height, the backside of his fence would be visible above my own, which would be an eyesore and destroy the aesthetics of a backyard I've worked very hard to beautiful since purchasing this property nearly 5 years ago.

I have no objection to Richard erecting a fence of the maximum allowable height of 6', but do not see the need to construct one any greater than that, particularly since it would destroy the appearance of my backyard.

I respectfully ask you to consider this, thank you,

Sincerely,

Kiersa Notz
612-267-9237
kiersa@didee.com

Jake Griffiths

From: Julie Williams <williamsjulied55@gmail.com>
Sent: Wednesday, April 30, 2025 12:43 PM
To: Planning
Cc: Jnnfrhrbst@yahoo.com; pearcerichard@bellsouth.net
Subject: EXTERNAL-Conditional Use Permit Application fro 5905 Grant Street

Caution: The sender of this message is external to your organization and not recognized. Use care when replying, selecting links, or opening attachments.

To Whom It May Concern in the Planning Department of the City of Shorewood, Minnesota:

I, Julie D. Williams, homeowner and resident of 771 Grant Street in Excelsior, am writing to you in support of the conditional use permit application that Rich and Jennifer Pearce are requesting in regard to their privacy fence along the north side of their property at 5905 Grant Street in Shorewood, Minnesota.

I see nothing offensive about this fence and think it adds aesthetic value to both properties that it separates.

I urge you to vote in favor of granting this conditional use permit in an expedient manner. Thank you for your consideration of their request and for reading my email expressing favorable endorsement of this conditional use permit.

With respect and sincerity,

Julie D. Williams
771 Grant Street
Excelsior, MN 55331

**CITY OF SHOREWOOD
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

RESOLUTION 25-048

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN 8.5 FOOT TALL FENCE
ON PROPERTY LOCATED AT 5905 GRANT ST**

WHEREAS, Richard Pearce (the “Applicant”) proposed to construct an 8.5 foot tall fence along a portion of the north property line where City Code requires a maximum fence height of 6 feet; and,

WHEREAS, the property is legally described as:

LOT 59, ACADEMY ADDITION TO EXCELSIOR, HENNEPIN COUNTY, MINNESOTA.

WHEREAS, the Applicant’s request was reviewed by the planning staff, whose recommendation is included in a memorandum for the May 6, 2025, Planning Commission meeting, a copy of which is on file at City Hall; and,

WHEREAS, after proper notice was provided, the Planning Commission held a public hearing on May 6, 2025, to review the application, the minutes of the meetings are on file at City Hall, and the Planning Commission recommended approval to the City Council; and,

WHEREAS, the City Council considered the application at its regular meeting on May 12, 2025, at which time the planning staff memorandum and the Planning Commission’s recommendations were reviewed and comments were heard by the City Council from the Applicant and staff.

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

FINDINGS OF FACT

1. The subject property is located in an R-1D Single-Family Residential zoning district and is guided as Low to Medium Density Residential by the Comprehensive Plan.
2. The Applicant proposes to construct a new 8.5 foot tall fence on the north side of the existing house, where 6 feet is the maximum fence height allowed by City Code, resulting in a difference of 2.5 feet.
3. Due to the location of the fence being near a retaining wall and a change in grade, the fence if viewed from the south would appear to be 6 feet in height.
4. The applicant has provided a structural certification from a licensed structural engineer indicating that the proposed fence is structurally sound and could withstand wind loads as required by Minnesota State Building Code.

4. Section 1201.03 of the zoning regulations provides a process by which residents may request a conditional use permit for fences differing in construction, height or length from the strict application of the City Code.
5. Section 1201.04 of the zoning regulations includes criteria for reviewing a conditional use permit.
6. The Applicant's proposal is identified on the application materials and plans submitted on February 3, 2025 (the "Plans").

CONCLUSIONS

- A. Based upon the foregoing, and the records referenced herein, the City Council hereby approves the Applicant's request to construct a 8.5 foot tall fence along a portion of their north property line, as shown on the Plans.
- B. The City Council finds that the proposed use, and its related construction, would be consistent with the policies and provisions of the Comprehensive Plan.
- C. The City Council finds that the proposed use would be compatible with present and future land uses in the area and would not tend to or depreciate the area in which it is proposed.
- D. The City Council finds that adequate public facilities and services, including existing and anticipated traffic concerns, are available or can be reasonably provided to accommodate the proposed use.
- E. The City Council finds that the proposed use otherwise conforms to the applicable zoning regulations of the zoning district in which it is located and all applicable regulations of the City Code.
- F. The City Council finds that the proposed use will not be detrimental to the public health, safety, and general welfare of the occupants of surrounding lands.
- G. Prior to beginning any construction on the Property, the applicant shall acquire all necessary permits and submit a certification for the fence design by a licensed structural engineer to the City of Shorewood.
- H. The conditional use permit shall expire one year after approval unless the applicant has completed the project, or an extension has been requested in accordance with Section 1201.05 Subd. 3 of City Code.
- I. The City Clerk is hereby authorized and directed to provide a certified copy of this resolution for filing with the Hennepin County Recorder or Registrar of Titles.

ADOPTED BY THE CITY COUNCIL OF SHOREWOOD, MINNESOTA this 12th day of May, 2025.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk